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Chapter 15 Human rights implications of Indigenous Peoples' food systems and policy recommendations

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Assembly of First Nations, Ottawa, Ontario, Canada; Dene Nation, Yellowknife, Northwest Territories, Canada Key words > food security, food system, policy, right to food, human rights-based approach, Indigenous Peoples, traditional food, Pohnpei, Maasai, Awajún, Inga, Inuit

"Our elders say we need to have our own food to be healthy and to be who we are."

Elder Fred Erasmus, Yellowknives Dene First Nation

Abstract

By ratifying the International Covenant on Economic, Social and Cultural Rights, States take on an obligation to ensure the right to adequate food for all. The practical content of this right has recently been concretized through the United Nations and intergovernmental efforts. In some cases, the policy implications of adopting a human rights-based approach to food security may be more substantial than most States realize. The need for such an approach is particularly visible in the case of Indigenous Peoples depending on traditional food systems. This chapter explores the content of the right to food for Indigenous Peoples who rely to a larger or smaller degree on local food systems for their food security.

A right to food-based analysis was applied to five cases described in this book: Pohnpei, Maasai, Awajún, Inga and Inuit. Information was gathered through supplementary questionnaires and interviews. The main findings were that commercial and development activities on indigenous lands and territories pose a threat to Indigenous Peoples' food systems and livelihoods, and thereby their right to food; and encroachments on Indigenous Peoples' lands threaten their food security and nutritional health, and may lead to conflicts and culture loss.

The conclusion was that in many cases, Indigenous Peoples' right to food is inseparable from their right to land, territories and resources, culture and self-determination. An integral human rights-based approach opens constructive dialogue on what policies, regulations and activities are needed to ensure food security for all, regardless of adaptation. Encouraging meaningful participation by all parties may be the key to building trust and resolving ongoing resource conflicts.

A right to food-based analysis

 arvested food is of key importance to the food security of a wide range of Indigenous Peoples worldwide.¹ However, Indigenous Peoples' livelihoods, which
 include culturally appropriate

food harvesting, processing, preserving, preparation and consumption, are under threat. These threats include the expansion of agricultural frontiers, cattle ranching, exploitive industries (mining, gas and oil), excessive hunting, tourism, and other activities where outsiders make use of savannah, tundra, woodland, tropical rain forest and mountain areas that are inhabited and used by Indigenous Peoples and have often been their homes since time immemorial. These activities often threaten Indigenous Peoples' food and nutrition security and the quality of their water sources, their health and their continuous existence as peoples. It is therefore a goal of this book, and a long-term goal of the Indigenous Peoples' Food Systems for Health Program, initiated by McGill University's Centre for Indigenous Peoples' Nutrition and Environment (CINE), to influence national policies in order to improve Indigenous Peoples' access to their territories and food systems, and to improve dietary adequacy, health and well-being. A human rights-based approach to food is a suitable framework for advocacy and policy to that effect.

¹ The term "Indigenous Peoples" has not yet been clearly defined internationally. This chapter relates to the description given in International Labour Organization Convention No. 169 (ILO 169) while focusing on selected Indigenous Peoples with a strong link to their territories and local food systems. Indigenous Peoples often refer to themselves as nations with the right to self-determination. In this chapter it is recognized that Indigenous Peoples have specific rights and interests within national and international boundaries that may not yet be generally recognized and implemented.

According to international human rights, indigenous individuals should enjoy the same rights as non-indigenous individuals, while at the same time their right to their own culture is respected and protected. They should enjoy basic human rights such as food and health on equal terms with all citizens. Their right to uphold their distinct cultures often implies having a collective right to self-determination in their territories. Although many countries have accepted – at least on paper, through ratifying human rights treaties – that they have obligations to implement these rights, there tend to be gaps in this implementation. The legal framework is often in place, but lobbying and advocacy work is needed to have the parties to international human right treaties recognize and follow-up their obligations in fact.

Human rights-based advocacy should remind the State of its obligations towards all people, including the Indigenous Peoples under its jurisdiction. Human rights may be threatened by the State itself, or by individuals or entities that the State has an obligation to regulate. The respect and protection of the right to food is key to the future of Indigenous Peoples who rely on their local food system for food security. The right to food should be respected, protected, facilitated and fulfilled by the State. In reality however, the mainstream dominating cultures that States represent are often a threat to the traditional cultures, including the food cultures, of Indigenous Peoples.

This chapter uses a right to food-based analysis to explore some of the obligations that States have towards Indigenous Peoples that rely on land for their food security and livelihoods. It includes data and considerations from five of the CINE case studies recently researched (FAO, 2009b): Pohnpei in the Federated States of Micronesia, Maasai of Kenya, Awajún of Peru, Inga of Colombia and Inuit of Canada.² The chapter presents the overall governance issues related to food systems and human rights, followed by a description of each of the five case studies. The conclusions give policy recommendations relevant to each of the case studies, and overall considerations.

Governance issues

Public health nutrition, rights and government responsibilities

Public health nutrition is concerned with promoting good health through improved nutrition, and preventing nutrition-related illnesses in the population (Hughes, 2003). One public health nutrition recommendation resulting from the CINE Indigenous Peoples' Food Systems for Health Program is that Indigenous Peoples' traditional food cultures should be encouraged. This recommendation is based on sound nutrition science. Not only are Indigenous Peoples' traditional diets in the large majority of cases nutritionally superior to market-based diets, but the activities related to providing food through hunting, fishing and various harvesting activities protect against lifestyle-related diseases. As such, they contribute first to the health and well-being of individuals, and second to the health and sustainability of societies (O'Dea, 1992; Uauy, Albala and Kain, 2001; Kuhnlein et al., 2004; Kuhnlein and Receveur, 2007).

There are important similarities between a human rights-based approach and a public health nutrition approach to nutritional health. Both approaches understand nutritional health as being related to larger societal circumstances and skewed access to resources. Both aim to influence policies and provide positive change. However, they are also – as understood by the authors of this chapter - different enough to be complementary and synergistic. Nutrition research provides scientifically based information that is relevant to nutrition and important for policy, while a human rights-based approach provides a suitable legal and normative framework and standards for processes and outcomes. Such an approach focuses explicitly on the role and obligations of governments in addressing nutrition problems and problems related to discrimination and inequalities. By doing so, it provides an objective standard by which civil society may evaluate government performance.

² CINE has developed case studies that strengthen the evidence base of current circumstances surrounding food systems and health for 12 community groups of Indigenous and Tribal Peoples and cultural minorities located in different global regions: Ainu (Japan), Awajún (Peru), Baffin Inuit (Canada), Bhil (India), Gwich'in (Canada), Igbo (Nigeria), Inga (Colombia), Karen (Thailand), Maasai (Kenya), Nuxalk (Canada), and the people of Pohnpei (Federated States of Micronesia) (FAO, 2009b).

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It is the State that is asked to ratify human right treaties, which makes the State the primary duty-bearer to be held accountable for its conduct. In the context of this chapter, it is therefore the role of the State to balance the rights and interests of all individuals and peoples against each other, through appropriate laws and policies, and to regulate the action of non-State actors. However, far too often agricultural, energy and industrial policies, and even national food security and development plans, are poorly adapted to Indigenous Peoples' needs and culture. For example, a food guide in Canada supports indigenous food use, but the issue of access to this food is seldom addressed. Developmentrelated policies may even encroach on and harm Indigenous Peoples' resources, while benefiting the majority population and economic actors. There is little doubt that economic gains are often prioritized over Indigenous Peoples' land rights.

International human rights are created to protect the most vulnerable against violations by the powerful, including the State itself. It may therefore seem a paradox that the State is also the main duty bearer with regard to human rights implementation. Even though States claim their sovereign right to decide in internal matters, many seek to avoid being branded as violators of human rights, particularly if the accusations receive international attention. The international human rights bodies are in regular dialogue with States over their human rights obligations and conduct. Together with national and international civil society organizations, they educate governments on the content of their human rights obligations and stimulate them to take appropriate actions (FAO, 2009a; OHCHR, 2010). At present, many politicians and civil servants are not aware of the existence of a right to food, nor do they understand their role as duty-bearers within a human right to food-based analysis. This situation is gradually changing, however, as described in the following subsection.

Universal human rights, including the right to food

The "mother document" on human rights, the Universal Declaration of Human Rights, was adopted in 1948. This universal declaration includes civil, political, economic, social and cultural rights, and mentions the right to food and the right to health. Later human rights instruments reconfirm the existence of these rights. The International Covenant on Economic, Social and Cultural Rights (ICESCR) of 1966 recognizes (Article 11.1) "the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions", and (Article 11.2) "the fundamental right of everyone to be free from hunger". Article 11 also establishes the obligation of States and the international community to realize the right to food: "The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent".

The right to an adequate nutritional situation may be extrapolated from the right to adequate food and the right to health, which are both found in ICESCR Articles 11 and 12 (the right to health). Among the countries in this chapter, only the Federated States of

Table 15.1 States' ratification and support record: human right instruments relevant to the right to food and Indigenous Peoples' special rights

Country/ Indigenous People	ICESCR ratified (thereby right to food)	ICCPR ratified	ICERD ratified	ILO 169 ratified	Vote on UNDRIP
Peru/Awajún	Yes	Yes	Yes	Yes	Yes
Canada/Inuit	Yes	Yes	Yes	No	Yes
Colombia/Inga	Yes	Yes	Yes	Yes	Abstained
Kenya/Maasai	Yes	Yes	Yes	No	Abstained
Micronesia/Pohnpei	No	No	No	No	Yes

Micronesia is not a State Party to ICESCR, and thereby bound³ by it (Table 15.1).

As stated in the Vienna Declaration from the World Conference on Human Rights, which 171 States adopted by consensus: "all human rights are universal, inalienable, indivisible, interdependent and interrelated" (UN, 1993). This principle implies that rights need to be integrated and understood in the light of each other. This is particularly crucial with regard to Indigenous Peoples, who should enjoy their universal human rights without having to relinquish their special rights linked to their collective enjoyment of their culture, which includes the spiritual aspects of the ways that food is collected and used (UNPFII, 2009).

The right to food has recently received extensive international attention. In 1999, an "authoritative interpretation" of the right to food was developed under the Committee on Economic, Social and Cultural Rights (CESCR, 1999). United Nations (UN) declarations from international conferences have recognized and helped clarify the linkages among food, health and human rights (Gruskin and Tarantola, 2002).⁴

The World Food Summit (FAO, 1996) and the World Food Summit: five years later (WFS:fyl) provided momentum for clarifying the content of the right to food, which was called for by the World Food Summit in 1996. This work was taken on by CESCR in Geneva, and resulted in General Comment No. 12 on the right to food (GC 12), presented to WFS:fyl by the High Commissioner for Human Rights, which then requested the development of a more practical tool for national implementation. Under the auspices of FAO, an intergovernmental working group developed voluntary guidelines to support the progressive realization of the right to adequate food in the context of national food security (FAO, 2005). These "right to food guidelines" were developed by States for their own use, representing a breakthrough in terms of international acknowledgement among States that food is a human right. According to the guidelines, the right to food

should inform national laws, policies and decisionmaking related to food security.

According to GC 12, 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 (CESCR, 1999). A framework that organizes States' human right obligations into levels – the obligation to *respect, protect* and *fulfil* (subdivided into *facilitate* and *provide*) (Eide, 1984; 1989; 2000; ESCCHR, 1999; Oshaug, Eide and Eide, 1994) – is useful and is gradually being applied in human right analysis.

Regarding the right to food, the obligation to respect requires States Parties to avoid any measure that results in preventing the access to food that individuals or groups already enjoy. The obligation to protect requires States to take measures, in law and in fact, to ensure that enterprises or individuals do not deprive individuals or groups of their access to food. The obligation to fulfil in the meaning of to facilitate implies that the State must proactively strengthen people's access to and utilization of resources and their means to ensure their own food security. Whenever an individual or group is unable, for reasons beyond his/her/its control, to enjoy the right to adequate food by the means at her/ his/its disposal, the State has the obligation to fulfil in the meaning of to provide that right directly. Food aid should be accompanied by measures that facilitate future self-reliance and food security (CESCR, 1999). At the *fulfil* level, the right to adequate food should not be realized in ways that undermine or hinder the realization of other rights, such as Indigenous Peoples' special rights. The right to adequate food may, for all practical purposes, be considered as a right to food security.

The concept of food security is used at the individual, household, national, regional and global levels. The Plan of Action of the World Food Summit of 1996 states that "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" (FAO, 1996).

³ Ratification is the process through which a country becomes a State Party to a covenant or convention (and thereby accepts to be bound by it). ⁴ These include the 1974 World Food Conference, the 1978 International Conference on Primary Health Care at Alma-Ata in the Union of Soviet Socialist Republics (WHO, 1978) and many large global conferences in the 1990s.

Indigenous Peoples have the same right as others to enjoy the right to health services and to a nutritious diet, but available health and nutrition data indicate that they tend to be worse off than the non-indigenous. The observed disparities are explained by Indigenous Peoples' disadvantaged position in society at large.

By July 2011, ICESCR had been ratified by 160 countries.⁵ These countries have (at least on paper) accepted their responsibility for the food security, health and well-being of those under their jurisdiction. Among the countries in this study, Canada, Peru, Colombia and Kenya have ratified the convention and are thereby States Parties to it. The Federated States of Micronesia has so far not done so.

The specific rights of Indigenous Peoples

It is assumed that about 6 percent of the world's population is indigenous (Tomei, 2005; UNPFII, 2007a). This is only a rough estimate however, as there is no official definition of the term "indigenous" (UNPFII, 2007b). The word "peoples" is significant as it points to and relates to the right to selfdetermination of Indigenous Peoples, each people representing a distinct cultural group. The equal worth and dignity of indigenous individuals are best assured through the recognition and protection of both their rights as individuals and their rights as members of their group (OHCHR, 2006). Culture tends to be shared and constitutes a collective feature, and a people's right to a culture adds an extra dimension to the individual's right to a culture.⁶ Indigenous Peoples' collective rights include their collective right to own and use their land, territories and resources, their right to self-determination on their land and territories, and their right to prior consultation and to free, prior and informed consent in matters that may affect them. These collective rights are crucial for the continuation of their cultures.7

Both the equal rights of indigenous individuals and Indigenous Peoples' specific rights⁸ as a collective are reflected in human rights instruments.

In the Declaration of Atitlán (IITC, 2002) from the Indigenous Peoples' Global Consultation on the Right to Food, the right to food is seen as collective and contextualized within Indigenous Peoples' relationship to land. As expressed in the preamble of the declaration:

In agreement that the content of the Right to Food of Indigenous Peoples is a collective right based on our special spiritual relationship with Mother Earth, our lands and territories, environment, and natural resources that provide our traditional nutrition; underscoring that the means of subsistence of Indigenous Peoples nourishes our cultures, languages, social life, worldview, and especially our relationship with Mother Earth; emphasising that the denial of the Right to Food for Indigenous Peoples not only denies us our physical survival, but also denies us our social organisation, our cultures, traditions, languages, spirituality, sovereignty, and total identity; it is a denial of our collective indigenous existence...

Indigenous Peoples' right to food is presented here as an integral part of indigenous identity and existence. If Indigenous Peoples are denied the land and the food on the land, their culture will dissolve. This interpretation contrasts with the view often taken by decision-makers within governments. However, it is interesting to note that in this declaration, Indigenous Peoples frame the right to food, formally an individual right, among the collective rights that are fundamental to their identity, culture and existence as peoples.

Several human rights provisions establish Indigenous Peoples' right to uphold control over their territories. These include the International Labour Organization Convention No. 169 (ILO 169) from 1989 and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) from 2007.

⁵ http://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no= iv-3&chapter=4&lang=en

See article 27 of the International Covenant on Civil and Political Rights (ICCPR) and its General Comment 23.

² These rights are found in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), ILO 169 on Indigenous and Tribal Peoples (from 1989), and ICCPR article 27 and its General Comment 23.

⁸ The Universal Declaration of Human Rights, ICESCR and ICCPR are for general application. Other instruments detail the special rights of certain groups that are prone to experience circumstances that make them particularly vulnerable. These include women, children, ethnic, religious or linguistic minorities, and Indigenous Peoples.

Article 27 of the International Covenant on Civil and Political Rights (ICCPR) from 1966, on the right to culture of minorities, also implies States' obligation to ensure the right to land of individuals belonging to Indigenous Peoples.⁹

The right to prior consultation on all legislative and administrative actions that could affect the rights, assets, lives and culture of an Indigenous People is stated in ILO 169. The jurisprudence of UN human rights committees has reiterated this principle. In General Recommendation No. 23 on the rights of Indigenous Peoples, the Committee on the Elimination of Racial Discrimination (CERD) calls on States to "ensure that members of Indigenous Peoples have equal rights in respect of effective participation in public life and that no decisions directly relating to their rights and interests are taken without their informed consent". On several occasions, CESCR¹⁰ too has stressed the need to obtain the consent of Indigenous Peoples in relation to the exploitation of resources. In numerous cases governments have interpreted the principle of prior consultation to mean merely that Indigenous Peoples should be informed about measures that will be taken and that will affect them. The intention, however, is to achieve agreement, as expressed in ILO 169 Article 6.2: "The consultations carried out in application of this convention shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures".

UNDRIP takes the matter a step further by establishing the right to *free and prior informed consent*. This principle opens real dialogue and, by replacing the word "consultation" with "consent", strengthens the case for Indigenous Peoples' influence. UNDRIP is the most progressive of the human rights instruments mentioned here. However, its status as a declaration makes it a political statement by States rather than a self-imposed obligation under international law, as are ILO 169, the International Convention on the Elimination of all forms of Racial Discrimination (ICERD) and ICCPR.

As seen in Table 15.1, four of the five countries in this chapter have ratified ICESCR, thereby acknowledging that everyone has a right to food and health. With regard to Indigenous Peoples' rights, including land rights and the right to prior consultation, both Colombia and Peru have ratified ILO 169. Peru and Micronesia were among the 141 countries that voted for UNDRIP in the United Nations General Assembly in 2007; Canada and three other countries voted against it; and Colombia and Kenya abstained (United Nations General Assembly, 2007). Since then, Canada, the United States of America and Colombia, among other countries, have reversed their position and now support the Declaration.

Regarding land rights, it is significant that Kenya, Canada, Peru and Colombia have ratified ICCPR. During their periodic country reporting to the UN, the Human Rights Committee will question these countries on their conduct with regard to land rights and minorities' rights to culture. Canada has also ratified the Optional Protocol to ICCPR, which makes it possible to complain to the Human Rights Committee if the country threatens, or accepts threats to, Indigenous Peoples' territories, and thereby their right to live according to their culture.¹¹

All countries are in one way or another under an obligation to respect Indigenous Peoples' right to prior consultation, which is reflected in several human rights instruments. Peru and Colombia have acknowledged this by ratifying ILO 169. Peru, Colombia, Canada and the Federated States of Micronesia have accepted the principle of free prior and informed consent by voting for UNDRIP, and Kenya Canada, Peru and Colombia through ratifying ICERD.

⁹ General Comment 23 of Article 27 is interpreted as: "... the rights of individuals under that article ... to enjoy a particular culture – may consist in a way of life which is closely associated with territory and use of its resources. This may particularly be true of members of indigenous communities constituting a minority" (Article 27/GC 23). CESR further observes that "Culture manifests itself in many forms, including a particular way of life associated with the use of land resources, especially in the case of Indigenous Peoples. That right may include such traditional activities as fishing or hunting and the right to live in reserves protected by law. The enjoyment of those rights may require positive legal measures of protection and measures to ensure the effective participation of members of minority communities in decisions which affect them" (Article 27/GC 23).

¹⁰ CERD and CESCR receive reports on States' progress regarding ICESCR and ICERD (Table 15.1), and represent authoritative sources on how the content of these conventions should be interpreted.

¹¹ This relates to the interpretation of ICCPR Article 27 on minorities and their right to culture, which is explained further in footnote 9.

Indigenous Peoples' right to adequate food

The universality, inalienability, indivisibility, interdependence and interrelatedness of all human rights (UN, 1993) should inform any human rights analysis. This chapter focuses on the right to food, bearing in mind the close links between the right to food and the right to health and, in the context of Indigenous Peoples, to the specific rights of Indigenous Peoples.

A human rights-based approach demands State accountability and transparency, as well as participation and non-discrimination. It focuses on entitlements in concrete terms and identifies who is responsible for ensuring access to these entitlements. The approach exposes the roots of vulnerability and marginalization, expands the range of responses by duty-bearers, and strengthens the ability of indigenous individuals and communities to improve their conditions (FAO, 2009c).

Indigenous Peoples are generally understood to be vulnerable to poverty, malnutrition and disease (PAHO, 2002b; Damman, 2007). Demographic and health data show disparities in life expectancy, nutrition status and disease between indigenous and non-indigenous populations, in both wealthy (Ring and Brown, 2003) and poorer countries (ECLAC, 2005; UNPFII, 2005; PAHO, 2002a; 2002b; WHO, 2007b; Damman, 2005).

Krieger (2001) notes that the ways in which the causes of health problems are conceived and explained are crucial to the way in which the problems are addressed. A human rights-based analysis throws light on the role and obligations of government duty-bearers. The established obligations also provide a framework for advocacy, so that governments may be held accountable for inequalities and failures to respect, protect and fulfil the various aspects of this right.

As seen in Figure 15.1, malnutrition¹² and nutritionrelated diseases can be explained by causal factors on several levels. Analyses by health professionals and epidemiologists tend to focus on the immediate and, to some extent, the underlying causes. Minimal attention



is generally given to the basic causes. Human rightsbased analyses focusing on the basic causes of nutrition problems in vulnerable groups, and the way in which resources are managed and allocated, are often considered "political" and at times stir up debate and protest.

It seems that Indigenous Peoples are generally able to maintain a nutritionally adequate diet if they are not denied access to their land and if their traditional food resources are not depleted.

For most practical purposes, ensuring *respect* for and *protection* of the right to food is an obligation on behalf of the State to "do no harm" and to "allow no harm", in that non-government actors should be regulated through the legal system. States are required to do this in ways that involve respecting and protecting Indigenous Peoples' unique cultural identities and special concerns. Both the Right to Food Guidelines and GC 12 stress

¹² Here understood as undernutrition (low weight-for-age), chronic malnutrition (low height-for-age, or stunting) and wasting (low weight-forheight, or "thinness").

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that governments need to give special consideration to Indigenous Peoples' land and traditional food resources when implementing Indigenous People's right to food (CESCR, 1999; FAO, 2005).

Because there may be conflict between the government and other actors, it is particularly important that the respect and protect levels of obligations are meticulously monitored. It should be ensured that laws do not undermine or violate Indigenous Peoples' rights, their own governments or their livelihoods (respect level). Furthermore, everyone should be equal before the law, and the police and the court system should protect indigenous individuals' rights on equal terms (protect level). In addition, Indigenous Peoples' rights should be facilitated and fulfilled on equal terms, but in ways that are in harmony with their culture. This may mean developing – in collaboration with the group itself – unique and culturally sensitive approaches to achieve the end goal of equal rights for all.

Human rights monitoring should be carried out independently of the State, as the State and its allies often have much to gain from disrespecting Indigenous Peoples' right to land and natural resources. Complaint mechanisms should be in place at the local and national levels, as well as internationally. Human rights should be constantly called for so that States are held accountable. Indigenous Peoples and their allies and defenders should demand their human rights (including the right to food) and exert pressure on States and their officials to meet their obligations and commitments in a culturally sensitive way.

Case studies and analytical framework

Sources of information

This chapter is supported by five of the CINE case studies. These have already been presented by Kuhnlein, Erasmus and Spigelski (FAO, 2009b) and in this volume, with a focus on the food systems themselves and on health improvement using the food systems. The studies were not carried out with the analysis presented in this chapter in mind, so additional information related to the human right to

food situation was sought. A questionnaire inquiring about right to food-related issues was sent to the case study focal points on all continents in January 2008. The case study partners responded to this questionnaire, in some cases in consultation with government officials. Responses were returned by e-mail, and follow-up interviews were conducted at gatherings of the partners in 2008.

The questionnaire contained 21 questions with fixed-response categories, and additional space allowing respondents to substantiate their answers. Questions dealt with the local food and nutrition situation and the role taken by the government in respecting, protecting and facilitating the right to food and health. Categories were water and food safety; quality of health services; nutrition status; access to food, water and government assistance; the importance of traditional food and monetary income; signs of climate change; land rights and advocacy; and traditional culture regarding breastfeeding and weaning foods.

The interviews enquired into issues specific to the various case study areas. They were conducted one-onone and in groups, depending on the participation from the area. Researchers and community partners from nine of the CINE case studies were interviewed: the Maasai of Kenya, the Karen of Thailand, the Awajún of Peru, the Inga of Colombia, the Gwich'in (Tetlit Zheh), Inuit and Nuxalk of Canada, the Dalit of Zaheerabad, India, and the people of Pohnpei in the Federated States of Micronesia. The information was substantiated through available scientific studies and Web-based literature.

The communities

This chapter is based on information from five of the case studies, as it was not possible to present all of the rich information within the limited space available. These five communities are:

- the people of Pohnpei in the community of Mand, Pohnpei, Federated States of Micronesia in the Pacific;
- the Maasai of Enkereyian community in the Kajiado district of Kenya;

- the Awajún of Condorcanqui in the Lower Cenepa region of the Department of the Amazon, Peru;
- the Inga in the State of Caquetá in southern Colombia;
- Inuit of Pangnirtung, Baffin Island, Nunavut, Canada

The people of Mand, Pohnpei still harvest wild and cultivated food resources from the surrounding area, including food plants, fish and various game. Inuit still hunt caribou and seal. However, new income opportunities and the increased availability of market foods have resulted in lifestyle and diet changes among the people of Pohnpei and Inuit, even though traditional food is still in use. The Inga and the Awajún live in relative isolation in biodiversity-rich rain forest areas. They are offered some government assistance, but their main food sources are still the fish, animals, birds, fruits, tubers, nuts and other plant species harvested in their territories. The Maasai are traditional pastoralists. They now experience serious drought spells, which have made them highly food-insecure and dependent on food assistance. Among the five communities, the Inga and the Awajún have the highest intakes of traditional foods. Inuit also have quite a high intake of fish and game.

The right to food of Indigenous Peoples: five case study examples

nless otherwise stated, the findings reported for these case studies stem from the e-mailed questionnaires and the follow-up interviews.

Pohnpei

Pohnpei is one of four states in the Federated States of Micronesia (see Figure 12.1, page 192) in the western Pacific. Pohnpei is also the name of the main island in the state of Pohnpei. The population is mainly Micronesian. The Federated States of Micronesia was under United States administration from the Second World War until 1979. It is now a sovereign State in association with the United States of America and

uses the United States dollar as its currency. There are relatively few official data on the Federated States of Micronesia.

The nutrition situation

The CINE case study in Mand on the island of Pohnpei showed that about half of a small sample of children were stunted.¹³ The overall stunting¹⁴ rate in the Federated States of Micronesia is not known.¹⁵ Growth stunting may be caused by inadequate weaning foods or poor sanitation and health services, or a combination of several factors. The government is seeking to improve the outreach of health and water services. Water provided by the Public Utility Company is safe, but is not accessible to all; river water tends to be contaminated by pig pens close to rivers, and other waste. According to a Pohnpei state-wide health survey, up to half the adult population is obese (WHO, 2008).

Access to land and resources

In traditional Pohnpei culture, traditional leaders decided how collective resources were to be managed, including where and when fishing was to take place. Local leaders still have the authority to make such decisions, but no longer do so. There is an increased demand for privately owned land, and land owned by smaller family units is outside the control of local leaders.

Recent changes in land-use management have affected the availability of harvested food on the island. With an increasingly cash-based society, many farmers have shifted cultivation to the production of sakau (kava). This mild narcotic was traditionally used only for ceremonies, but is now sold daily at markets around the island. This shift has caused many farmers to forgo the planting of traditional crops and has resulted in the clearing of much of the interior

¹³ The survey, carried out by CINE and the Island Food Community of ¹³ The survey, carried out by CINE and the Island Food Community of Pohnpei project, revealed a stunting rate of 46 percent, (< 2 SD, children under five years of age), which is very high. However, the sample size was only 13 children, so results should be interpreted with caution. ¹⁴ Stunting, or low height-for-age, is caused by long-term insufficient nutrient intake and frequent infections. Stunting generally occurs before the age of two years, and its effects are largely irreversible. They include dalayed metre development impaired combine function and peer chool

delayed motor development, impaired cognitive function and poor school performance (WHO, 2007a).

The only study referred to in the WHO database, from 2000, shows a lower stunting rate, of 16.7 percent in the states of Kosrae and Yap com-bined. However, this study covered only 20 percent of the total population of the Federated States of Micronesia, and is therefore not representative (WHO, 2009)

forest. This clearing is causing increases in soil erosion and sedimentation on the reef. The loss of interior forest is also decreasing the island's resilience to such environmental threats as droughts and landslides.

Studies have revealed that development projects such as road construction and increased dredging, coupled with improper waste management have greatly affected the near-shore marine ecosystems. These effects are most clearly seen in decreased health and vigour of coral, destruction of mangrove and sea grass ecosystems, and disruption of the nutrient flow associated with tidal exchange. This destruction of vital marine habitats has greatly reduced Pohnpei's fish and invertebrate numbers. A 2006 study of Pohnpei's fish markets, conducted by Dr Kevin Rhodes, indicated that the island's reefs are being overfished at 149 percent of their healthy capacity.

Food culture and food preferences

Pohnpei is a lush and fertile island where food crops grow readily, and the traditional Pohnpei diet is nutritionally rich. Family gardens are found all over the island, and landowners cultivate bananas, yams, coconut and breadfruit of different varieties, and other species; however, the people of Pohnpei are influenced by United States food culture, and large parts of their caloric needs are provided through imported, processed foods of low nutritional value, such as white rice, white flour products, sugar-rich foods and fatty meat.

These dietary changes are part of a wider set of lifestyle changes and the erosion of traditional culture and heritage. The traditional food resources consumed by adults provide about 25 percent of their total dietary energy (Englberger *et al.*, 2013). Pohnpei inhabitants consider traditional food to be healthy, but it is a public health challenge that traditional food is also seen as being "poor people's food", and most of the population has developed a liking for refined carbohydrates and fatty foods. Unemployment levels are high, but since islanders have enjoyed social security benefits through the Compact of Free Association with the United States of America, their purchasing power for low-cost foods has been ensured, thus contributing to the nutrition transition on the island. The people of Pohnpei have been hit hard by the nutrition transition. However, measures are now being taken to recuperate and increase pride in the healthier traditional food culture. Government policies encourage local food production and consumption. The elected Pohnpei State Governor has followed a process that included the promotion of local foods. He established a new task force on school snack lunches, which aims to provide meals to primary school students, with a substantial proportion of the meals consisting of local foods. The project based at the Island Food Community of Pohnpei has also been successful in improving attitudes to and increasing the consumption of traditional fruits and vegetables.

Attitudes towards traditional foods are changing, as demonstrated by the increased use of local food during feasts and funerals. The Government of the Federated States of Micronesia has been supportive to the Island Food Community of Pohnpei, through the implementation of policies and media campaigns promoting the harvest and use of local foods. One example is the issuing of a national postage stamp series highlighting the carotenoid-rich *Karat* banana.

The Maasai

The food and nutrition situation

Pastoralist Indigenous Peoples in Kenya depend on land and natural resources for themselves and their herds. The Maa-speaking Enkereyian community is one of many pastoralist Maasai communities in Kenya (Figure 15.2). The areas these communities use today are neglected by the government, and the lack of infrastructure and State services such as health and schooling results in high rates of malnutrition and illiteracy. State policies fail to safeguard the Maasai's interests and protect their rights (Simel, 2008). Stunting rates (-2 SD weight-for-height) among children aged zero to five years are high, at 53 percent in 2003 (World Vision Kenya, 2004), when the national average was 39.4 percent (WHO, 2007b).

Maasai consume traditional food (especially milk and meat) daily if possible. Outside drought periods, they are able to feed themselves from the traditional





food system, but these foods are currently consumed in smaller quantities during most of the year. Amounts of traditional food consumed vary, but generally provide about 10 percent of total food energy (Oiye *et al.*, 2009). The Maasai experience seasonal water and food shortages, and their diets are deficient in several nutrients. Maize and beans are provided through relief programmes. These are important in counteracting famine as a short-term strategy, but are not popular, and are avoided when the situation permits. During drought periods, Maasai try to obtain donated food to avoid having to sell their animals to buy food, and to save their small amounts of money for other needs.

Food donations are problematic. The fact that Maasai and other pastoralists receive food aid allows the government to postpone addressing the underlying land distribution problem. Food aid also creates dependency, and is becoming a permanent condition. Furthermore, the handing out of food aid undermines the Maasai's cultural and social networks. The Maasai have a sharing ethos, and will take care of the poorest when they are able to. According to the World Food Programme's policy, however, the poorest households are targeted for aid. In accordance with traditional cultural norms, the poorest households then feel obliged to share what they have received with others. In spite of warnings and complaints nothing has been done to address this problem or to find a more culturally sensitive way of providing food assistance.

The Enkereyian community uses the same water source as their animals; this water is a source of diseases, including typhoid fever. Outside the three-month rainy season water is extremely scarce, and women have to trek long distances to get it, which reduces their time for other activities. The government has not been active in improving the water situation, and there are no health services in the community. The nearest health dispensary, 15 to 20 km away, has no drugs and no trained health personnel. The nearest hospital and health centre is 40 km away, and is far too expensive, as it is privately owned (J. Ole Simel, personal communication, 2008).

Access to land and resources

The Maasai have gradually been marginalized and displaced from their land since United Kingdom settlers arrived in Kenya. Under the Maasai-Anglo Treaties (1904 and 1911), the Maasai were removed from their fertile highland areas to arid areas, which led to abject poverty.

Traditional cultural institutions have been dismantled and the Maasai have gradually become assimilated. Traditionally, the Maasai hold their land communally, but the introduction of individual land tenure has contributed to erosion of the collective way of life and pastoralist adaptation. As access to grazing land and necessary social structures are disappearing, the Maasai are losing their identity.

After independence in 1963, the Kenyan Government increased the pressure on Maasai grazing land, and non-Maasai Kenyan farmers have gradually taken over Maasai territories. Fences prevent cattle from reaching grazing land and water sources, sometimes leading to violent clashes (IWGIA, 2007; Kipuri, 2008). The government has facilitated sales of Maasai land to wildlife conservation organizations and the private sector. At present, the Kenyan Government does not encourage or protect Maasai culture and food systems, and collective rights are not acknowledged. As noted by the Maasai leader responding to the interview "We are supposed to all be Kenyans".

Recent droughts have decreased the land's carrying capacity. Seasonal water shortages affect both people and livestock, and cattle inevitably die. The shrinkage of cattle herds makes the Maasai increasingly dependent on food aid. The future of the Enkereyian Maasai looks bleak if the conditions undermining their livelihoods do not change.

Over recent decades, the Maasai have formed organizations and improved their political awareness, lobbying and networking. They now work both nationally and regionally, pushing for recognition of Indigenous Peoples' rights within the African Commission on Human's and Peoples' Rights, and internationally, to strengthen Indigenous Peoples' rights and draw attention to the situation of the Maasai. In spite of strong lobbying, Kenya was one of the few countries that abstained from voting for UNDRIP in 2007 (Kipuri, 2008).

There is little doubt that global warming influences Kenya, especially the Maasai. The rains fail more often, and droughts, which used to strike once a decade – giving herders and herds time to recover – are now far more frequent. The Maasai's pastoralist adaptation is becoming less resilient, and livestock populations are diminishing throughout Maasai areas. Without their livestock, families lack food and money. Poverty makes it difficult for them to pay school fees for their children, or to cover other subsistence needs.

Drought may be accentuated by ongoing deforestation. The root systems of living trees help the land to hold rainwater, and this water feeds rivers. The Mau Complex, Kenya's large mountainous forest, feeds major lakes and provides continuous river flow and favourable microclimate conditions. These are important for medicinal plants, fuelwood and grazing. Massive deforestation has taken place, affecting large-scale agriculture, charcoal production and logging in natural forests. This is already having a tremendous impact on access to water in areas far from the Mau Complex. Lower water levels result in wells and boreholes becoming dry, and rivers carrying less water and drying up earlier (WRM, 2006).

The Kenyan Government's inaction in this grave situation is a serious breach of Indigenous Peoples' specific rights, which are not acknowledged by Kenya, and also of the rights to food, water, health and human life of the Maasai.

The Maasai have made great political progress, and have some hope in the legal system. Kenya's courts deal with many land cases, and positive developments seem to have occurred. A second legal process also inspires hope, as a Constitutional reform may acknowledge collective land rights (Kipuri, 2008). Both processes are crucial opportunities for Kenyan society to rectify previous wrongs committed against traditional herder societies.

The Awajún

The Awajún case study was carried out in six communities: Mamayaque, Tuutin, Cocoaushi (part of Waiwam), Pagki, Nuevo Tutino, and Nuevo Kanam. These hamlets are situated in Condorcanqui, in the Lower Cenepa region of the Amazon tropical rainforest in the northwestern Peruvian Amazon, near the border with Ecuador (see Figure 5.1, pag. 54).

More than 90 percent of the Awajún's food intake (energy) is covered by harvesting local food (Creed-Kanashiro *et al.*, 2009). The percentage is slightly lower among children, who also receive food through government food aid programmes. There is no electricity in the six communities, and Awajún homes are generally built from local trees and plant materials. Traditional medicinal plants and shamanism play an important role.

The food and nutrition situation

Although the Awajún diet is diverse, child malnutrition is a problem. Almost 50 percent of children under six years of age are stunted, and almost 25 percent under two years suffer from wasting.¹⁶ In the CINE study, energy intake seemed adequate in the season evaluated, but these results may be somewhat overestimated (Creed-Kanashiro *et al.*, 2009). The percentage of dietary energy from animal products is relatively low, as are the intakes of fat, protein, iron and zinc, especially among children. River water is likely to be an important cause of malnutrition, because it is used as drinking-water and likely to contain disease vectors causing diarrhoea and parasite infection.

The Awajún do not consider themselves to be poor, owing to the availability of traditional local food and other resources in their natural environment. However, because they generally have little money, they are classified as poor and extremely poor in the national census, and thus by the Peruvian Government. This entitles them to food aid, which they receive through several assistance programmes. At the time of the interviews, government food programmes provided

¹⁶ Wasting, or low weight-for-height, is a strong predictor of mortality among children under five. It is usually the result of acute significant food shortage and/or disease (WHO, 2007a). rice, beans, oil and tuna. Recently, the Awajún started to receive a monthly donation of PEN 100 (equivalent to about USD 30.30) from the JUNTOS programme, which encourages education of children and health promotion for mothers and children. A municipal programme provides children with milk and sweetened oats, but not regularly.

Access to land and resources

Traditionally the Awajún lived in widely dispersed houses and hamlets relatively close to game, fishing opportunities and plant food for harvesting. Later, they moved into villages along the river, for transport, schools and missions. This increased the population density, and led to overexploitation of edible birds, game, fish and wild plants in the vicinity of their villages, gradually reducing their access to these resources. This has resulted in reduced consumption of animal products and decreased food variety.

Peru ratified ILO 169 in 1992 and subscribed to UNDRIP in 2007. A large part of indigenous community lands have been demarcated and titled,¹⁷ but the Peruvian State has failed to acknowledge communities' status as Indigenous Peoples with rights to their larger territories. The Awajún territory covers a far larger area than that of the titled communities, and includes a national park and a communal reserve. The Awajún communities are adjacent to each other, separated by untitled free spaces that the population consider very valuable and the property of all Awajún.

Over recent years, the Awajún have been seriously concerned about a gold mining company establishing itself on their land. They fear that their river, water and fish will be contaminated with mercury, as is happening in other Amazon areas.

The six Awajún communities in the study have also found themselves within an oil concession that the Peruvuian Government has granted for hydrocarbon (oil and gas) exploitation. Such exploitation in the Bajo Cenepa area could have severe effects on the Awajún's rivers, food security and social situation, as the example

¹⁷ Mamayaque received land title in 1977, Nuevo Tutino in 1998, Tuutin in 1975, Cocoaushi in 1975, and Pagki in 1987. No information was found for Nuevo Kanam, but a map available on the Web shows that the area is registered: www.ibcperu.org/index.php

of the Corrientes River illustrates. Oxydental petroleum and Pluspetrol have been extracting oil and gas in the Corrientes River area for 35 years. Wastewater has contaminated the Corrientes River basin (Agurto, 2008), and the Peruvian Ministry of Health has found very high levels of lead and cadmium in the blood of Achuar people. The surviving birds, game and fish may be contaminated, as may plants used for food. The Achuar are less able to provide themselves with food, and report deaths and illnesses that may be associated with heavy metal poisoning; so far, they have not received any compensation or medical treatment. This has added to the concern of the Awajún and other Indigenous Peoples of Peru, as they fear that extraction activities in their areas could lead to the expropriation of valuable and sacred communal lands, and have severe consequences for communities' health, food security, culture and livelihoods (Achuar inhabitants of the area, personal communications, April 2009).

The case study communities share this destiny with many other indigenous communities in Peru. Peru's current (2010) President, Alan Garcia, is very favourably disposed towards the extractive industries, and the Free Trade Agreement between Peru and the United States of America has substantially increased the number of agreements between international extractive companies and the Government of Peru. During his presidential period, Mr Garcia has increased the proportion of the Peruvian Amazon available for oil and gas prospecting from 20 percent of the total land area to 70 to 80 percent (Asociación Interétnica de Desarrollo de la Selva Peruana Web site,¹⁸ 2009; Agurto, 2008). Recently, the government has sought to implement regulations that put at risk both the ongoing land titling processes and the autonomy of Indigenous Peoples to use their land freely. This is counter to the Peruvian Constitution and is being disputed (APRODEH, 1999).

So far, the Awajún's rights to health, food and education have been poorly addressed by the government. Currently, however, the most pressing problem for Awajún is mining and petroleum extraction. Extractive industries present a real and constant threat to the natural resources that are the basis for the population's subsistence, and thereby its right to food and health. It is worrying that the development policy and legal changes taking place under the current government conflict with Peru's human rights obligations, as has been noted by ILO and the Inter-American Commission on Human Rights (CERD, 2009), among others. By allowing extractive industries on to Awajún land without consultation, the State violates Indigenous Peoples' rights as expressed in ILO 169, UNDRIP and ICERD, among other agreements. This testifies to a failure of the government to take its human rights obligations seriously.

The Inga

The CINE project in Colombia focuses on indigenous territories belonging to the Inga Association (*Asociación de Cabildos Tandachiridu Inganokuna*) (Correal *et al.*, 2009). The project focuses on five Inga territories in Caquetá: Yurayaco, Brisas, San Miguel, Niñeras and Cosumbe (see Figure 8.1, pag. 122). Caquetá is situated in southern Colombia, near the border with Peru and Ecuador, along the northwestern frontier of the Amazon region. Similar to the Awajún, the Inga make use of traditional medicinal plants and shamanism (CINE, 2010).

Interview data established that the communities cultivate food, but land areas have declined and are now too small to produce sufficient food for the people. The further away the communities are from urban areas, the more traditional foods they consume.

Legal framework

Colombia's Constitution and laws have long been considered the most progressive in Latin America. ILO 169 is fully adopted and supported by legislation. Laws specify that communities have autonomous rights to decide over their territories, and that they have to participate in the formulation of policies that may affect them. However, ongoing negotiations linked to the Free Trade Agreement with the United States of America have led to a weakening of certain laws, and new laws have been made. These changes seem to undermine the

¹⁸ www.aidesep.org.pe/

rights that Indigenous Peoples in Colombia secured in the 1990s. The Rural Development Statute (Law 1152 of 2007) (Houghton, 2008), which sought to make land available for investments, was declared unconstitutional in March 2009, while the National Development Plan (effective since 2007) seeks to expand the agricultural frontier and invite extractive industries into vast new areas of Colombia (World Bank, 2007).

The fight against illicit drugs

Colombian law appears to provide communities with unprecedented opportunity to control their own territories and food systems. In practice, however, interviewees for this chapter reported that there are several ways in which their control of territories can be overruled. First, military activity violates the land titles and tribal sovereignty previously enjoyed by the Inga. Both the guerrilla organization, Revolutionary Armed Forces of Colombia, and government military forces hinder Inga subsistence production and harvesting. Second, Plan Colombia, the United States-Colombian collaboration to fight illicit drugs, violates the sovereignty of the Inga's territories and food systems in important ways (HREV, 2008). The herbicide Roundup is being sprayed from aeroplanes on areas where plantations of coca (used to make cocaine) and poppy (used to make opium and heroin) are grown, some of which are close to Inga territories. The government has made no effort to protect the Inga against the impact of these herbicides, which cause diarrhoea, fever and other undocumented health effects (Gallardo, 2001). According to interviewees, fields that are sprayed become infertile. A recent scientific study showed that Roundup in residual dosages may cause cell damage, cancer and even death (Otaño, Correa and Palomares, 2010). One of the chemical ingredients was found to cause redness, swelling and blisters, short-term nausea and diarrhoea. Although Roundup is considered harmless for humans, tests have shown that it harms human cells in cell culture, and may cause damage in the concentrations found on herbicide-treated vegetables¹⁹ (Gasnier et al., 2009). The effects that regular spraying will have on people and animals living in the vicinity of spraying and on drinking-water from rivers that flow through sprayed areas are unknown. There are no records of health authorities investigating the effects of these chemicals on the health of local inhabitants.

Hydrocarbons

The Inga's land, food security and livelihoods are also threatened by hydrocarbon companies. Although Indigenous Peoples in Colombia have territorial rights, the government continues to own the subsoil resources, including minerals, gas and oil. Up to 70 percent of Colombia, including nearly all indigenous territories, will be granted as concessions to hydrocarbon companies, implying a 50-percent increase in concessions (Houghton, 2008). This extractive policy will most likely violate Indigenous Peoples' rights to land, territories and resources, and is likely to undermine their right to food and water. However, as one interviewee remarked, the armed conflict has so far kept foreign investment/ development at bay. If the conflict stops and the area becomes safer, oil drilling may become the major threat to the Inga's food security.

Food security, land and natural resources

The Inga's food security is threatened because food and drinking-water taken from the rivers may not be safe, owing to the Colombian policy of eradicating illicit crops by aerial Roundup spraying. Illicit drug and military activities in the area threaten food and water safety and hamper Indigenous Peoples' access to game animals, fish and other harvested foods. Most likely these activities also reduce the availability of game. In the future, oil and mining companies may start drilling within or near the Inga territories, further threatening their food security and access to safe food and water.

The autonomous indigenous councils try to counteract this by expanding their ancestral territories. For example, in 1999, the Inga – in collaboration with the Amazon Conservation Team (*Instituto de Etnobiológica*) and the National Parks Service – requested the creation of the Alto Fragua Indi Wasi National Natural Park in the

¹⁹ Dilutions of 1:100 000.

southern department of Caquetá (Chapter 8 – Caicedo and Chaparro, 2012), an area rich in biodiversity and adjacent to the Inga's territory. This would protect the area from the migrant farmers who are being displaced from other regions, the pollutants that accompany illegal coca and poppy cultivation, and the herbicides used to eradicate illegal crops.

Although the Inga are in a difficult situation, their autonomous position and the size of their territories offer some protection to their livelihoods. However, there are reasons for claiming that the government has failed to address the armed conflict in the area and to take the necessary action to protect the Inga against the pollutants that are most likely threatening their food and water safety.

Inuit

Pangnirtung is a small Inuit community on Baffin Island, located in the vicinity of Iqaluit, the capital of Nunavut Territory in Canada (see Figure 9.1, pag. 142). Compared with that of most Indigenous Peoples, the living standard is relatively good, but lower than in the rest of Canada. Inuit children have significantly lower education outcomes than average Canadians, housing conditions remain well below national standards, and health indicators continue to lag behind those for the rest of Canada (Simon, 2009).

The quality of health services is also lower in Nunavut, partly because of high turnover of health personnel (Nunavut Tunngavik Incorporated, 2008). A recent report demonstrates that the low standard of housing, and overcrowding are linked to the rate of hospital admissions for infants with respiratory infections, which is the highest in the world (Kovesi *et al.*, 2007). Local water is good, and is regularly tested by government services. Water is provided by truck to homes, and elders continue to use melted ice chunks for their drinking-water and tea.

Traditional food

Inuit in northern Canada, including in Pangnirtung, have experienced reduced availability of harvested meat since giving up their nomadic way of life and being forced to settle in communities in the 1950s. The increased cost of hunting and the increased dependency on snowmobiles and petrol to travel the distance needed to find game have made it difficult for some households to harvest the traditional foods (or "country foods") they need.

Some consider themselves to be deficient in resources, including food and the ability to ensure their own food security. However, the sharing ethos survives, and many Inuit receive country food from relatives and others. Inuit practise and believe in sharing, and people say that when you give, you will get more in return.

Through Health Canada's First Nations and Inuit Health Branch and the Ministry of Indian and Northern Affairs Canada, the Canadian Government encourages the use of traditional food in the North, including in Nunavut and Pangnirtung. While adults and older generations tend to appreciate traditional foods, youth are turning towards market foods (Chapter 9 – Egeland *et al.*, 2013). This may indicate that the food culture is changing. However, it is speculated that the current generation of youth may appreciate country food more when they become older and form their own families (Egeland *et al.*, 2009).

Access to market food

Inuit depend on money to satisfy all their food needs, but incomes are often too low to provide the family with the food it requires. Many people in Pangnirtung receive income support and health care. However, food insecurity is a problem, due to both the costs associated with hunting and fishing and the high prices of airborne perishable market foods in the Arctic. As also occurs in some other northern communities, perishable foods of good nutritional quality have been subsidized through a Government Food Mail Program, but the subsidies are not sufficient to lower food prices to the level enjoyed in southern Canada. Less money is generally available to households, and food prices are higher among Inuit than among Canadians in the south, leading to food insecurity for some. It has been reported that some Inuit skip meals because they lack food or the money to buy it (Johnson-Down and Egeland, 2010).

The nutrition transition

Increased intake of market foods is also associated with overweight, obesity and diabetes (Egeland *et al.*, 2009). Inuit are experiencing a nutrition transition in which a market-based diet is gaining importance, especially among the young (Johnson-Down and Egeland, 2010). Rates of overweight and diabetes are increasing for Inuit internationally (Jørgensen *et al.*, 2003), which – given the obvious lack of food security – makes the paradox of the nutrition transition especially relevant for Inuit children.

Traditional foods are of key importance to Inuit food security, and 70 percent of households consume traditional food. Country food provides 41 percent of dietary energy for adults, but only about 23 percent for youth. Most of the carbohydrates in the diet come from market foods. Unfortunately, carbonated drinks lead to increasing intakes of sugar, while market food is increasing the content of saturated fat in the total diet (Kuhnlein *et al.*, 2004; Egeland *et al.*, 2009). Youth (people under 25 years of age) are a large consumer group, as they represent more than half (56 percent) of the total Inuit population (Statistics Canada, 2006).

Contaminants and climate change

Environmental contaminants in the country food harvested by Inuit have raised concern among inhabitants, the government and researchers. The government monitors levels of contaminants and funds research on adverse substances that may affect human health (Kuhnlein and Chan, 2000). The creation of CINE was largely a consequence of the realization that these matters called for close collaboration with indigenous communities in the Arctic.

It has now been proved beyond reasonable doubt that global warming is affecting the climate in the Arctic, and the ice is melting rapidly. In Pangnirtung, melting of the glacier in the surrounding mountainous terrain has resulted in serious and unprecedented flooding in the community (L. Okalik, personal communication, 2009). Climate change affects the living conditions of the local animal species that Inuit depend on for their food security (Chapter 9 – Egeland *et al.*, 2013). Despite these unsettling developments, however, the Federal Government does not yet have an overall plan for environmental monitoring (ITK, 2007).

There is certainly local concern about climate change, but this is a global issue and is not restricted to Pangnirtung. Inuit are actively advocating for government and international action against climate change.

Land rights and policy

The Nunavut Land Claim Agreement (1993) gave Inuit of Pangnirtung and the whole Inuit population of Nunavut Territory a form of domestic selfdetermination. Eighty-five percent of the population of Nunavut is Inuit. Through the Nunavut government and a participatory governance structure, Inuit of Nunavut (including in Pangnirtung) are now able to make important decisions about their common future, but within the wider legal and policy framework provided by the Canadian Federal Government. Closing the gaps in housing standards, education and health services will require substantial public sector investment.

Canada represents Inuit in international climate negotiations, but has so far not played a particularly constructive role in ongoing efforts to reduce carbon emissions from fossil fuels, and thereby end global warming. So far Canada and other Western countries have gained reputations for undermining negotiations to protect the rights of Indigenous Peoples and forestdependent communities in the face of climate change.

Conclusions and policy recommendations

These five Indigenous Peoples represent diverse traditional adaptations and food systems. Over recent decades, their territories and food systems have, in different ways and with different results, been influenced by State government decisions and economic actors. National governments have all assumed human rights obligations relevant to Indigenous Peoples' right to food. Some governments perform reasonably well in this regard, although they could perform even better. Others fail seriously, and violate the human rights and specific rights of Indigenous Peoples, which are crucial for their food security. Food systems can be undermined in several ways, including through national laws and policies and by unregulated extractive industries. In some cases, government policies and development processes contribute indirectly to nutrition-related disease by not making timely and effective efforts to stimulate the use of nutritionally superior foods, including traditional indigenous foods and diets.

The Federated States of Micronesia has an unimpressive record in ratifying human rights conventions, although it is encouraging that the country voted in favour of UNDRIP in 2007. However, it is puzzling that it should have voted for this, the most progressive human rights instrument on Indigenous Peoples' rights ever made, while failing to ratify ICESCR, ICCPR, ICERD and ILO 169. The human rights situation does not seem to be particularly problematic, and the people of Pohnpei have a government that is not imposed on them and other islanders, unlike most Indigenous Peoples elsewhere. With regard to ethnic descent, the government represents the people of Pohnpei to a large degree.

The transition from collective to individual landownership reduces traditional leaders' authority regarding natural resources. While traditional land management strategies have dwindled, the State seems largely to have failed to fill the void and assume the necessary regulatory responsibility. The degradation of land and the overuse of fish resources currently taking place are clearly unsustainable and challenge future national food security. The strong United States influence on the consumption patterns of Micronesians, and their increased purchasing power due to social security transfers from the United States of America have undoubtedly contributed to the obesity-prone food culture in Pohnpei.

From food security and right to food perspectives, it is promising that recently, when faced with the persistent and increasing obesity problem, the government took action to motivate the population's use of more locally grown and nutritious foods. This initiative should be strengthened, and the sustainability of land-use policies and fishery regulations improved. However, the Federated States of Micronesia should also consider improving its record for ratifying human rights agreements.

The Inuit in Pangnirtung have an Inuit government at the community level. The government of Nunavut Territory is responsible for an area where most residents are Inuk seeking to meet Inuit interests and needs, but the Canadian Federal Government is the highest authority, and makes decisions regarding the funding of Nunavut social programmes and food subsidy programmes. The Inuit's well-being therefore often depends on Canadian laws and policies, including funding policy. Pangnirtung Inuit are also dependent on the Nunavut Land Claim Agreement. Canada was one of only four countries that voted against the new UNDRIP, although the Canadian Government later reversed this stance and voted for UNDRIP, as did the governments of the United States of America, Australia, New Zealand and Colombia, among others.

It is a concern that Canada does not take a more progressive role in international climate negotiations. Nationally, there is a need for a more decisive stand. Laws and regulations should be enacted to reduce the emissions of climate gases effectively; policies should support these regulations, and should include creating good incentives for the population at large and for industries, making it easy to choose climate-friendly alternatives. Internationally, Canada needs to play a more proactive role in climate negotiations and in negotiations regarding the protection of tropical forests and the rights of traditional peoples who depend on these for their livelihoods.

It is of great concern that Canada, the United States of America, Australia and New Zealand seek to block reference to the protection of Indigenous Peoples' rights in negotiated climate texts, in spite of the obvious and immediate threats that climate change poses to the traditional livelihoods and food security of Inuit and traditional peoples worldwide.

The Maasai are in a dire situation. As a first step, the Kenyan Government needs to acknowledge – in the Constitution and in law – the collective rights of pastoralists and their indigenous specific rights to uphold their herding livelihood (respect level). The Maasai are in critical need of water and grazing land,

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and it should be the role of the State to ensure their land rights and to protect them from encroachments on to their land and other violations of their rights. Immediate government action is needed to address the precarious and immediate water, health, food and schooling situation of the Maasai, and to facilitate access to water and grazing land for the animals that they depend on for their livelihoods. Failing to do so is a violation of their rights, including, in some cases, their right to life. The Mau Complex is in urgent need of a sound restoration policy; the protection and restoration of its water-retaining capacity needs to be continued, to benefit the Maasai and the large numbers of other people who depend on the rivers downstream. The Kenyan Government should ensure that the most immediate needs are met. It is also critical that the government enter into dialogue with the Maasai, inviting their opinions and giving serious consideration to their inputs and suggested solutions.

The Awajún and the Inga are in fairly similar situations. Peru and Colombia were formerly progressive countries with regard to indigenous rights, but, (apparently) partly as a consequence of signing free trade agreements with the United States of America, they have started to undermine the progress made, and even their own Constitutions, to provide more possibilities for economic growth through the extraction of natural resources. Both governments are in conflict with their obligations under ILO 169, and both countries also have serious conflicts between their Constitutions and the policies and legal changes being implemented. Given the Peruvian and Colombian governments' unwillingness to respect and protect indigenous rights, there is need for strong international and external pressure. The Inga are now in a "no-win" situation. When or if the violence and military activities in their areas stop, the oil and mining companies are likely to enter.

In all five cases, the causes of food and nutritionrelated problems can be found in the interactions between the indigenous community and the larger society, represented by and controlled by national governments. Governments have obligations that most are far from fulfilling, including those regarding the right to food. Inuit and the people of Pohnpei have become increasingly dependent on market food and have entered the nutrition transition. Many Inuit seem to be experiencing food insecurity, due to high food prices, low income and, probably, declining access to country food. The Maasai experience serious fullfledged food insecurity and even starvation, owing to lack of fertile land and water for their cattle herds, and failing income. The Awajún and the Inga have access to land areas with relatively bountiful natural food resources, but their land, water and food resources are threatened by unrest, exploitive industries, pollution and the side-effects of illicit drug cultivation, which also undermine their food security and thereby their right to adequate food.

Climate change is likely to have large repercussions, at least in the short to medium term, for all peoples who depend on nature for their subsistence. Indigenous Peoples are therefore rightfully concerned and are taking an increasingly visible stand internationally. The areas where the Maasai graze their animals have been hit hard by drought, probably partly caused by deforestation but accelerated by the general pattern of climate change. Inuit are experiencing rapid ice melting and their access to wildlife is threatened. In the Federated States of Micronesia, rising sea levels affect agricultural lands. This calls for national adaptation and mitigation strategies in addition to measures to reduce emissions of carbon and other climate gases. There is need for policies and legislation to protect Indigenous Peoples and others whose livelihoods and food systems are likely to suffer as a result of climate change.

This chapter has aimed to stimulate analysis of the wider circumstances surrounding the food and nutrition situation of Indigenous Peoples in various countries and circumstances. As noted by Stavenhagen (2007), there is an implementation gap between the actual situations that Indigenous Peoples live under, and the content of national laws, constitutions and States' international obligations. A human rights-based approach to food will increase awareness of governments' role with regard to food security. It is also a tool for ensuring attention to the need to find policy solutions that ensure social equity. Governments have an obligation to ensure, through laws and policies, that socio-economically and

politically marginalized groups do not suffer from a poorer nutrition situation than other population groups.

These problems may be overcome if measures to ensure Indigenous Peoples' food security are planned and carried out with Indigenous Peoples' free, prior and informed consent and in accordance with their rights, including their right to food. In particular, the 2007 UNDRIP provides a good framework for interaction between governments and Indigenous Peoples, especially with regard to food security and nutrition.

UNDRIP is gradually gaining political attention and momentum; the 2007 vote and later updates show that most countries are now willing to accept, at least in theory, not only the existence of Indigenous Peoples' rights, but the need for progressive stands on land rights and self-determination. Reflecting this in national law and policy would be a large step towards equity-based and culturally sensitive food security and health policies. However, for this to happen, governments must first understand the full implications of current laws and policies on Indigenous Peoples' livelihoods and futures, and demonstrate a clearer understanding of their own obligations under human rights law. Not only must the State decide to play an active role, it must also take a stand for equity and cultural diversity, and against the aggressive exploitation and destruction of natural resources and the common global ecosystem heritage that is seen today. The support for UNDRIP suggests that the time is ripe for change. The escalation of food prices triggered by the global financial downturn, and the threat of climate change may increase awareness in both governments and national populations. This may translate into new policy directions, but these are more likely to occur on a large international scale if civil society, the media and other global citizens insist that change at many levels is essential to uphold the human rights of Indigenous Peoples 🔅

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Chapter 16

Policy and strategies

to improve nutrition and health for Indigenous Peoples

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Key words > Indigenous Peoples, food systems, food security, food policy, human rights

"Salmon has always been part of our life. It is the essence of our existence."

"If our culture breaks apart, we will blow away in the wind."

Mailong-ong Sangkhachalatarn, Karen leader

"We need our land because it's sacred for our life." Antonia Mutumbajoy, Inga leader "We need to be able to control our own resources."

Bill Erasmus, Dene National Chief¹

Abstract

Understanding how to achieve food and nutrition security for the world's populations is especially important for Indigenous Peoples, who often experience the most severe financial poverty and health disparities, and who often live and depend on ecosystems that are under increasing stress. There is need for targeted strategies and policies that facilitate and foster Indigenous Peoples' use, processing and management of their natural resources for food security and health, through self-determination and autonomy. These policies should be effective at the local, state, national, international and regional levels. This chapter reviews the international policy documents now in place that identify and protect Indigenous Peoples, their food systems and their human rights to adequate food and to the enjoyment of traditional food and food traditions. Basic principles of engagement in research and development activities that have been successful with Indigenous Peoples are explored and described through nine case studies from Indigenous Peoples' rural communities where interventions have taken place to improve local food use and health. Policies are most successful when they stress the importance of using cultural knowledge to advance health promotion activities and improve health and well-being - mental, emotional and spiritual health, as well as physical health - for individuals and communities. Academic and community partners in the case studies met annually for ten years to discuss strategies for documenting local indigenous food systems and ways of promoting them within local cultures and ecosystems. This chapter elaborates on the diversity of strategies and policies operating in unique rural ecosystems with varying degrees of success. Several of the case studies have successfully shared their methods and results for implementation in other communities in their regions. Community and academic partners have communicated widely about their visions and goals, the strategies used and the policies developed for improving food and nutrition security in all of its dimensions for Indigenous Peoples throughout the world.

Background and introduction

he world's attention has been drawn to the plight of Indigenous Peoples as they strive to retain their cultures and protect their ecosystems and food traditions in the face of globalization. The decade

of work described in this chapter has documented vast knowledge about food biodiversity in Indigenous Peoples' areas, and the many cultural meanings and spiritual values reflected in these resources. The chapters in this book show how Indigenous Peoples' food systems are critical for health in all its forms. It is therefore logical to complete this research effort with an overview of existing policies surrounding these food systems

¹ These quotes can be heard in their original languages in a short film at www.indigenousnutrition.org

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and with suggestions for enhancing policies that will promote and protect these resources.

This chapter pulls together experiences and perspectives from 12 case studies that have contributed methodologies and findings to the project on Indigenous Peoples' Food Systems for Health, published by the Centre for Indigenous Peoples' Nutrition and Environment (CINE) and the Food and Agriculture Organization of the United Nations (FAO) in two earlier publications (Kuhnlein et al., 2006; FAO, 2009a) and the current volume. It draws on discussions with indigenous leaders and their academic partners, and with resource people met at The Rockefeller Foundation Bellagio Center in 2004, 2007 and 2008. These discussions were sentinel in formulating this chapter. Collaboration is required not only for success in the research process of documenting how these food systems can improve the health and well-being of Indigenous Peoples, but also for understanding and creating successful policies that involve many actors and many dimensions.

The questions addressed here are:

- Why should Indigenous Peoples' food systems be protected and strengthened?
- What policies will stimulate efforts at the local, national and international levels towards the achievement of food and nutrition security for Indigenous Peoples?

In this book, consideration of the benefits of Indigenous Peoples' food systems is based on empirical knowledge of the biodiversity and nutrient content of the rich resources contained in those food systems. The task has been to merge this information with the many other factors at issue: imperatives for environmental conservation; health challenges for Indigenous Peoples, who often live in financial poverty; Indigenous Peoples' recognition of the many physical, mental, social and spiritual aspects of local food resources; and the human right to enjoy these resources, which are intimately connected to food security, culture, and land and aquatic ecosystems.

The world is struggling under the burden of food insecurity, recently exacerbated by the increasing use of agricultural lands to produce biofuel, food price crises in global markets and lack of adequate policies for improving the nutrition situation of all citizens (UNS/ SCN, 2009). Understanding how the human right to food can be realized for the entire world's population is especially important for Indigenous Peoples, who often experience the most severe poverty and health disparities. In addition, the ecosystems on which many Indigenous Peoples depend are under increasing stress.

According to conservative estimates, Indigenous Peoples number more than 370 million people living in 90 countries around the world (UNPFII, 2009); they use and represent more than 5 000 languages and cultures in diverse ecosystem settings. In seeking an appropriate definition of "indigeneity", important principles are those of self-identification; collective attachment to a distinct geographic territory and the resources therein; separate customary cultural, economic, social or political institutions; and an indigenous language that is often different from the official language of the State (UNPFII, 2009). For example, the 645 scheduled tribes of India, which are considered as Indigenous Peoples by the State of India, comprise 84 million people, or approximately 8.2 percent of the country's total population (Appendix 1). Computations of the indices for human development, human poverty and gender equality, literacy rates and key health indicators all demonstrate that these tribal peoples are far more deprived than the rest of India's population (Sarkar et al., 2008).

Indigenous Peoples face disparities resulting from the serious impacts of colonization, which to varying degrees have influenced not only the ways in which people view their local food resources in contrast to imported foods, but also people's social structures and hierarchies. Indigenous Peoples face disparities in income, access to health care and the provision of services that are often taken for granted in the mainstream societies of the countries in which they live.

The effects of globalization on nutrition and health disparities are far-reaching and reduce exposure to traditional cultural knowledge and the biodiversity of local food resources. Examples are the wide availability of low-quality industrially produced foods, development paths that bring mining and other ecosystem-destroying activities, and forces that compel migrations to cities to seek jobs.

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Despite these factors, which drive Indigenous Peoples from their local foods, there is considerable economic rationale for promoting local foods and lifestyles for their health benefits. Not only is local food less expensive from an economic point of view, while harvesting and supplying families with local foods provides many fitness and cultural benefits, but also the costs of poor health and health care can be exceedingly high when nutrition and lifestyle are compromised. Malnutrition in its various forms, including obesity and its consequences (diabetes, heart disease, cancer, etc.), is very costly for tertiary care institutions and in social terms.

There is need for targeted policies that facilitate and foster the conservation, management and sustainable use of Indigenous Peoples' natural resources for food security while also fostering Indigenous Peoples' selfdetermination and autonomy. Health promotion can be achieved through policies – at the community, local, state, national, international and regional levels – that improve the livelihoods of Indigenous Peoples. These policies may include facilitating the sustainable marketing of foods and medicines derived from the ecosystems where Indigenous Peoples live.

Existing international policy documents that identify and protect Indigenous Peoples and their food systems

n recent years, Indigenous Peoples have become increasingly active in international policy settings to counteract discrimination and other injustices. Although there have been many challenges and conflicting opinions regarding situations and activities, United Nations (UN) agencies and their Member States have developed institutional frameworks to protect Indigenous Peoples' traditional customs, livelihoods and lands. In all regions, development assistance has been offered in recognition of Indigenous Peoples' valuable knowledge and role as custodians of much of the world's food biodiversity. Indigenous Peoples first entered the UN arena in 1982, when the Working Group on the Rights of Minorities of what was then the UN Sub-Commission on the Protection

and Promotion of the Rights of Minorities (now the Advisory Group to the United Nations Human Rights Council) invited Indigenous Peoples' representatives to take part in its meetings as observers and to express their views on their own situations. Since then, the United Nations Permanent Forum on Indigenous Issues (UNPFII) has been established and has declared two International Decades of Indigenous Peoples (1995 to 2015), with the current decade having the objectives of: i) promoting non-discrimination and inclusion in national processes affecting Indigenous Peoples; ii) promoting Indigenous Peoples' effective participation in decisions affecting lifestyles, cultural integrity and collective rights, including through free, prior and informed consent; iii) promoting development policies with full equity; iv) adopting targeted policies that focus on indigenous women, children and youth; and v) developing the monitoring of and accountability for national, regional and international policies that affect Indigenous Peoples' lives.²

The issues have consistently been discussed in the context of Indigenous Peoples' human rights. In September 2007, the Declaration on the Rights of Indigenous Peoples was adopted by the United Nations General Assembly. This was a landmark for the acceptance of Indigenous Peoples' rights, with the majority of nations as signatories. The declaration enforces Indigenous Peoples' rights to maintain and develop political, economic and social systems, secure in the enjoyment of their own means of subsistence, and to engage freely in traditional and economic activities (Appendix 2). Thus, nation States have the obligation not only to ensure non-discrimination but also to safeguard the distinct cultural identities of Indigenous Peoples.

Indigenous Peoples' right to adequate food

The World Conference on Human Rights (UN, 1993) states that all human rights are universal, inalienable, indivisible, interdependent and interrelated, thereby ensuring that the right to adequate food is understood

² http://social.un.org/index/indigenouspeoples/aboutusmembers.apsx

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in the context of all other human rights, including, when applicable, Indigenous Peoples' rights. The 2002 Declaration of Atitlán from the Indigenous Peoples' Consultation on the Right to Food reflects this understanding (IITC, 2002).

The human right to adequate food can be understood as a right to food security (Damman, Eide and Kuhnlein, 2008). The international legal standards underpinning the right to food for Indigenous Peoples have been described by several authors (Damman, Eide and Kuhnlein, 2008; FAO, 2009b), including in Chapter 15 (Damman, Kuhnlein and Erasmus, 2013) in this volume. The UN Declaration on the Rights of Indigenous Peoples and the International Labour Organization (ILO) Convention on Indigenous and Tribal Peoples' rights (ILO 169 of 1989) underpin Indigenous Peoples' special right to enjoy their specific cultures. This includes their right to enjoy their traditional food, as food traditions are at the core of indigenous identities, cultures and economies (Damman, Eide and Kuhnlein, 2008).

UN agencies have adopted development policies specifically for Indigenous Peoples and issues related to their food systems, nutrition and health. To date, these agencies and organizations include the World Health Organization (WHO, 2010), the Pan-American Health Organization (PAHO),³ the World Bank (2010), the United Nations Educational, Scientific and Cultural Organization (UNESCO, 2010), the Convention on Biological Diversity (CBD, 2010), Bioversity International (2010) and the Human Rights Council (UNPFII, 2009). The International Fund for Agricultural Development (IFAD) has a funding programme specifically for Indigenous Peoples (IFAD, 2010). FAO has several initiatives relevant to Indigenous Peoples and their food systems (Appendix 4) within the Livelihood Support Programme (FAO, 2010a), the Sustainable Agriculture and Rural Development Programme (FAO, 2010b), the FAO Informal Working Group on Indigenous Issues, and the Right to Food Unit, in collaboration with the Focal Point on Indigenous Issues (FAO, 2010d). FAO's Nutrition and Consumer Protection Division has established publication venues and fora for scholarly and public information on the food diversity and nutrition of Indigenous Peoples, through peer-reviewed processes including the International Network of Food Data Systems (INFOODS) (FAO, 2010c), the International Conference on Dietary and Activity Methods (2009)⁴ (Appendix 3) and the Conference on Health and Biodiversity (COHAB Initiative, 2008); and has integrated Indigenous Peoples' nutrition issues into policy instruments and recommendations such as food-based dietary guidelines (Health Canada, 2007) and the AFROFOOD Call for Action (AFROFOOD, 2009). The International Union of Nutritional Sciences (IUNS) and the United Nations System Standing Committee on Nutrition (UNS/SCN) each have task force activities on Indigenous Peoples' food systems (IUNS, 2010; UNS/SCN Web site).⁵ FAO has published a previous book from the programme discussed in this volume (FAO, 2009a).

The effectiveness of policies to ensure that nation State duty-bearers take the right to food and food security into account can be explored through the normative framework to "respect, protect and fulfil" these rights (CESCR, 1999). Specific indicators relevant to Indigenous Peoples, the biodiversity in their food systems and their well-being have been reported (Kuhnlein and Damman, 2008; Stankovitch, 2008). To facilitate the interpretation and use of the concept of the right to adequate food, FAO has recently released operational guidelines on Indigenous Peoples' right to food (FAO, 2009c). These are useful in Indigenous Peoples' settings, for advocacy on the right to food; for ensuring that national data are disaggregated for indigeneity, to develop suitable indicators for assessing food security; and for creating human rights-based strategies and policies for the food security of Indigenous Peoples.

Food and nutrition security to improve the health of Indigenous Peoples

F ood 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

³ <u>vvvvv.uriscii.0</u>

³ www.new.paho.org

 ⁴ www.icdam.org/index.cfm
 5 www.unscn.org

food preferences for an active and healthy life" (FAO, 1996). Food security can be defined for individuals, households/families, communities or larger populations such as nation States. In practical terms, for a household or individual it implies the sustained availability of and access to sufficient, safe and culturally acceptable food from which to prepare nutritious meals that will meet the dietary needs and preferences for maintaining a healthy and active life. Food security is a precondition for nutrition security, which requires simultaneous access to adequate health services, clean water and adequate sanitary conditions, plus adequate care for vulnerable age groups, the sick and the infirm.

For Indigenous Peoples, food security is necessary not only for health, but also for maintaining relationships with the land, resources, values and social organization, and for identification with indigenous culture, including culturally appropriate food (FAO, 2009b). Health is recognized broadly as intertwining with nature and culture for well-being and being articulated through physical, mental, spiritual and social elements, for both individuals and communities. Elders in many cultures recognize that consuming their own indigenous foods is necessary for maintaining health and well-being. Thus, advocacy and promotion of food security and health must include essential aspects of political, economic, social and cultural life, values and world views, to maintain equilibrium and harmony in the community (Cunningham, 2009). This holism requires the integration of local indigenous world views and visions and an interdisciplinary and multisectoral approach from researchers and food security and health promotion agents.

By ensuring that health data are disaggregated by culture and gender to reveal the circumstances faced by Indigenous Peoples in both urban and rural areas, many studies now show that the health circumstances faced by Indigenous Peoples are disturbingly worse than those of their non-indigenous counterparts in the population, in both low- and high-income countries. These disparities are manifest in virtually all health indicators, and predominantly in measures of undernutrition (particularly stunting and wasting) and overweight (obesity and related chronic diseases) (Damman, 2005; Damman, Eide and Kuhnlein, 2008; UNPFII, 2009; Chapter 2 – Egeland and Harrison, 2013). Data to this effect have been found in many nations and regions, including South, Central and North America (Damman, 2005; PAHO, 2007), India (Sarkar *et al.*, 2008), Venezuela and Guatemala (UNPFII, 2009; International Work Group for Indigenous Affairs, 2004), and Canada (Chapter 2 – Egeland and Harrison, 2013; Gracey and King, 2009; King, Smith and Gracey, 2009).

Such nutrition circumstances and disparities for Indigenous Peoples are rooted in often extreme income poverty. However, perhaps even more important is the poverty that results from poor access to health, social services and education, including a lack of education on indigenous structures and heritage, which seriously hampers access to the ecosystem resources that contribute to food and nutrition security. For example, the Ainu case study in Japan (Chapter 13 - Iwasaki-Goodman, 2013) identifies disparities in both income assistance and education. Among Ainu people in Hokkaido, annual income was lower and fewer students graduated from high school, with many respondents reporting financial hardship as the reason for not attending higher education institutions (Hokkaido University Center for Ainu and Indigenous Studies, 2008). It should be noted that many Indigenous Peoples do not recognize their wealth in terms of financial income.

Indigenous women and children are especially vulnerable to health disparities, with poor health leading to higher morbidity and mortality statistics for indigenous populations. There is need for special attention to indigenous women, who are often targets of discrimination and racism. They are particularly vulnerable during pregnancy and lactation, and are crucial to the healthy growth and development of their young children. Women are the "gatekeepers" of family food provisioning, and have particular need of policies that protect the right to food of both their families and themselves.

A holistic understanding of Indigenous Peoples' food traditions reveals that they are linked to physical, emotional, social and mental health and well-being. The

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capacity to enjoy their own culture is a human right of all peoples. This leads to consideration of the negative effects that lack of access to traditional food resources will have on cultural morale, identity, and mental as well as physical health. Mental health and suicide statistics demonstrate disparities and health gaps. The intolerably higher rates suffered by Indigenous Peoples are linked to the compounding factors of poor diet and fitness and lack of responsive community health care services (King, Smith and Gracey, 2009).

While Indigenous Peoples in all countries tend to be poorer than their non-indigenous counterparts, and while many suffer from undernutrition, they are also showing increasing obesity and related chronic diseases. Resulting from processes of the nutrition transition, through which poor people consume increasing amounts of poor-quality cheap food, and the reduction of physical activity as living conditions become more sedentary, obesity leads to alarming increases in diabetes and its sequelae among Indigenous Peoples, who may also be more vulnerable owing to genetic circumstances (Damman, Eide and Kuhnlein, 2008; UNPFII, 2009). In the Canadian Arctic, three cultures of Indigenous Peoples consumed from 5 to 40 percent of their dietary energy as traditional food. Even only one serving of traditional food a day led to improved dietary nutrient profiles compared with diets composed of only purchased foods, which were noted as being of low nutrient density (Kuhnlein et al., 2004; Kuhnlein and Receveur, 2007). As noted in the Gwich'in case study in Chapter 7 (Kuhnlein et al., 2013), access to traditional food meant better food security.

Policies to counteract these immense health challenges should be developed with Indigenous Peoples in communities and governments. Properly implemented policies can ensure access to highly nutritious traditional indigenous local foods and reduce incentives for purchasing poor-quality market foods (especially those with high sugar and saturated and trans-fat contents) and other junk foods. The use of healthy foods can be promoted through government subsidies that make them affordable. Policies can also give impetus to the protection and conservation of traditional food ecosystems by enforcing joint management of these resources between governments and indigenous leaders, and can promote incentives that encourage the harvesting of foods from the land. There is also need for policies that include Indigenous Peoples in the management of their traditional community food resources and the importation of healthy market foods into communities, and that provide training in how to use these appropriately. All such policies will help communities and nations to move forward in enhancing the food security and nutritional health of Indigenous Peoples, who are often the most vulnerable and face the greatest risks to health.

Engagement with Indigenous Peoples for research and development activities: basic principles

ndigenous Peoples themselves are the major participants in the projects reported in this volume. The research was carried out in the expectation that specific findings would lead to positive benefits to improve local circumstances, and that the results of activities would strengthen and reflect the identity of the community concerned. The principles of free, prior and informed consent for research on food systems and activities to enhance their use have therefore been instrumental to success.

Recognizing that cultural sensitivity towards the community's goals, needs, perspective and vision of prime importance, research and development processes should ideally be created and conducted by indigenous researchers and development officers within the communities concerned. Frequently, however, indigenous communities request the assistance of highly trained and respected academic leaders for research into and promotion of food security, nutrition and health, as occurred in the case studies described here. These are built on the principle that Indigenous Peoples must be in equal partnership with academic leaders from the home country of the project. Throughout the activities of the many partners in the overall programme, significant efforts have been made to use participatory research and development practices with the communities involved

and their leaders. The programme's academic and indigenous leaders have heralded these principles as guiding the case study process (Kuhnlein, Erasmus and Spigelski, 2009).

In Canada, CINE has been a leader in developing the concept of research agreements with the communities where research is conducted (Sims and Kuhnlein, 2003; Kuhnlein *et al.*, 2006). The Institute of Aboriginal Peoples' Health of the Canadian Institutes of Health Research now has guidelines for health research with Canadian aboriginal communities, which have been developed from this model (Canadian Institutes of Health Research, 2007).

Capacity building is key to successful research and development with Indigenous Peoples. This relates to ensuring the principles of inclusion and self-determination while building essential skills in research, reporting research in peer-reviewed literature and at conferences, and designing and delivering relevant development programmes for the community. Decolonizing methodologies promote culturally sensitive and often unique ways of working with Indigenous Peoples in their communities that support success for better nutrition (Canadian Institutes of Health Research, 2007; Tomaselli, Dyll and Francis, 2008; Tauli-Corpuz and Tapang, 2006).

Identifying partnerships with indigenous communities and including local researchers establishes credibility within the community and contributes to capacity building, inclusion and employment. Throughout the work described in this volume, the leading researchers have been impressed by indigenous women's knowledge of and capacity for research and food promotion activities that emphasize women's knowledge of the foods in their environments and the availability and acceptability of these foods to children and others. Women often oversee the family food supply, and can be encouraged to explore the possibilities for change using their knowledge of their food systems.

A key principle when designing policy is recognizing the need for Indigenous Peoples to have access to their own foods. This recognition can be demonstrated by considering subsistence harvesting permissions, ensuring land access for the agriculture of traditional crops, promoting unique conservation efforts for Indigenous Peoples' harvest of medicines and food, and other factors. Additional examples are given in Chapter 15 (Damman, Kuhnlein and Erasmus, 2013).

National and international policies and networks discussed in the case studies

T hroughout the annual discussions held with case study partners, it became clear that the wealth of knowledge on ecosystem resources that could be used for food security, livelihoods and health in various dimensions is a major part of indigenous identity and that the use of these resources is important for selfdetermination and cultural morale. There is an obvious need to harness these resources for the betterment of the people directly involved, which underscores the necessity for developing and applying effective policies at all levels to ensure the conservation and sustainability of local food systems.

Over ten years of communications and meetings, the programme created methods for documenting the resources used in food systems (Kuhnlein *et al.*, 2006) and presented documentation of 12 case studies of food system resources (FAO, 2009a). Discussions focused on how these resources could be used to better advantage in health promotion, and on what kinds of local, national and international policies currently existed in the case study environments. Each case study reflected on the existing and hoped-for policies for community, regional (state), national and international collaboration. This section attempts to capture some of these policies and visions on how they would provide greater insurance for food security, nutrition and health in the study areas.

Intersectoral collaboration within governments is a major imperative when dealing with the many influences that affect nutrition within a country, and the many disparities in food access across cultures, economic strata and geopolitical locations. However, the unique issues that Indigenous Peoples experience also need to be discussed and acted on in many other settings – locally and nationally as well as internationally. In the case studies, it was perceived that planning and practical activities should be undertaken by state and federal ministries working in agriculture, health (especially maternal and child health), education, culture (including national history and museums), environment and natural resources, as well as by universities and research institutes, the church(es), local and national media, commerce/trade and economic interests. Thus, a broad spectrum of interests in local and national governments and in the non-governmental organizations (NGOs) and funding agencies working in developed and developing countries must be addressed, to conduct meaningful research and solve problems. The goals established by indigenous leaders and national government authorities must be met, so that effective policies can be established and pursued.

While there is need to recognize and maximize the use of local rural indigenous food resources for Indigenous Peoples, it is also important to understand that an increasing proportion of Indigenous Peoples live in large urban environments. Here, as well as in most rural settings, there is heavy reliance on foods derived from national agricultural production and the globalized food industry. There is therefore need for careful consideration of policies that bring healthy affordable foods into both the rural and the urban areas where Indigenous Peoples live. Efforts to do this have been under way in Australia, with the Remote Indigenous Stores and Takeaways Project,6 and Canada, with the Healthy Foods North Program⁷ and the Food Mail Program,⁸ sponsored by the Canadian Government to provide subsidies for transporting healthy foods to indigenous communities in northern Canadian. In Africa, the Rural Outreach Program has worked extensively to encourage small farmers to provide leafy green vegetables to urban areas (Shiundu and Oniang'o, 2007). Thus, there is a broad diversity of possible responses to ensuring food and nutrition security through adequate food supplies in communities.

Various sectors of government need to reflect carefully to understand the origins of malnutrition problems (both undernutrition and the overweight/ obesity complex) in indigenous communities, and the best ways of addressing these. For example, the provision of subsidized refined white rice to communities in the Zaheerabad district of Andhra Pradesh in India had the effect of undermining agricultural production of local biodiverse crops, and contributed to lower micronutrient contents in diets. As people gave up the production of local crops and had to find financial means of subsistence, the cost of rice increased, and poverty became worse. Activities for promoting the production and sale of local millets and uncultivated green vegetables required substantial planning and action in several government sectors in the local area (Chapter 6 - Salomeyesudas et al., 2013).

National governments need to reflect on colonization's far-reaching impacts at the local level, and on how to reverse unhealthy food purchasing behaviours and restore access to healthy local foods. This often requires substantial cultural education that gives credence to the traditional knowledge of elders, particularly for the benefit of youth. At the same time, knowledge of health qualities and the preparation of foods available in commercial markets is also needed. One activity that promotes this comes from the case study with Inuit people in Pangnirtung, Baffin Island, Canada (Chapter 9 - Egeland et al., 2013), where recorded stories about traditional food harvests and use were presented on DVDs in classrooms and the media.

In Canada, the Food Security Reference Group of the First Nations and Inuit Health Branch made strides in identifying how to conduct communitylevel research into the needs for food and nutrition development activities, and on how to stimulate and implement these. Regular meetings were held with indigenous health leaders and government sectors dealing with health, agriculture and Indian affairs, and research activities that reflect local community values and local food resources to improve health were developed (Power, 2008).

School curricula in indigenous areas are successful when policies are in place to incorporate traditional language instruction and cultural knowledge, particularly about traditional food resources. Several of the case studies documented their food systems, including with photographs and text describing different

www.healthinfonet.ecu.edu.au/health-risks/nutrition/resources/rist www.phac-aspc.gc.ca/publicat/2009/be-eb/nunavut-eng.php www.ainc-inac.gc.ca/nth/fon/fm/index-eng.asp

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food species suitable for use in schools so that children and youth can enjoy the benefit of research results. Resource books, posters and videos were prepared in Nuxalk, Gwich'in, Inuit, Awajún, Inga, Pohnpei, Dalit, Ainu and Karen areas. The resource books documenting the food resources of the Awajún (Chapter 5 – Creed-Kanashiro *et al.*, 2013) are deposited in Peru's National Library in Lima.

A national policy for stimulating ecotourism in partnership with indigenous communities can give focus and voice to indigenous cultures. Such policies have the benefit of showcasing indigenous values and can promote appreciation of local foods and their preparation while providing income to local communities. In some areas, demonstrations of food harvesting activities that draw on ecotourism revenues have also been useful. Success in such endeavours has been shown with the Ainu of Hokkaido Island in Japan, the Dene Nation in Canada, the Karen in western Thailand and indigenous people on the island of Pohnpei in the Federated States of Micronesia.

It is useful to consider issues of human rights and the right to food for Indigenous Peoples in the context of food security, with a focus on the right to decide over the use of resources in indigenous territories. Several examples of human rights issues in food systems and their application are given in Chapter 15 (Damman, Kuhnlein and Erasmus, 2013). An example from the Awajún case study shows how media attention to government efforts to sell Awajún land to forest and mine developers stimulated a media backlash that resulted in a reversal of government policy. It is now possible to monitor government policies for the use of land in the Amazon area of Peru, although the threat of negative government policies remains (Asociación Interétnica de Desarrollo de la Selva Peruana Web site).⁹

Academic and community leaders in the Karen case study in Thailand (Chapter 10 – Sirisai *et al.*, 2013) reflected on policies at different levels that have been identified as affecting the Karen and that could be promoted in different parts of government. At the local community level, policy dialogue has

9 www.aidesep.org.pe/

considered cultural practices for the health and care of children, income generation and cultural preservation. At the provincial level, successful topics for policymakers include developing a participatory approach to health care in school curricula, including support to health care workers and measures for preventing and curing undernutrition in Karen communities. At the national level, policy topics directly related to Karen interests include forestry and biodiversity conservation, investments to support children, food safety, equitable sustainability and social movement campaigns. International-level topics that have resonance with Karen priorities are global health, global warming and world biodiversity protection for future generations.

Dam construction has seriously affected the Ainu (Chapter 13 – Iwasaki-Goodman, 2013) through disturbances to local habitat and culture. However, a recent plan to construct a dam near Biratori was assessed for its impact on Ainu culture, as determined by Ainu people themselves. Following their report that there would be a negative effect on Ainu culture, the dam is now on hold.

During programme meetings, many participants reflected on how issues that are important to Indigenous Peoples and that generate favourable government policies also further the goal of general populations in the countries concerned. These issues include unique food resources and their conservation, cultural conservation as part of national heritage, and environmental protection. Indigenous leaders are among the most eloquent voices for mitigating the effects of climate change (Watt-Cloutier, 2009). Programmes that work for Indigenous Peoples can be shared, not only within the indigenous world, but also in other settings, for example, walking/running programmes to prevent diabetes, such as the Zuni Out-Run Diabetes Program, initiated in response to concerns about high-carbohydrate and -sugar foods (United States Department of Health and Human Services, 2010).

It was suggested that governments should take the initiative on policies to prevent the sale of unhealthy foods. This is especially important in communities where there are limited facilities for adult education, where financial poverty prevails, and where there is Such pol program abuse. N impleme across m where str to fund represent policy de and actio Polici and actio Polici characters happened of the Fee foods as th Food Cor is the pos Her Roy X NGO, ha

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minimum or no competition in local food stores. Such policies follow on from successful prohibition programmes to reduce alcohol, tobacco and drug abuse. Nevertheless, it is difficult to create and implement food and nutrition policies that cut across many government sectors, and to identify where strategic responsibility lies for investments to fund these policies. The imperative to include representatives of the people most directly involved in policy decisions is obvious – especially when answers and actions can be generated in the community.

Policies will be more successful if important national characters share their positive visions in the media. This happened in the Pohnpei case study, when the President of the Federated States of Micronesia promoted local foods as the foods of choice for all official events (Island Food Community of Pohnpei, 2010). Another example is the positive impact for the Karen researchers from Her Royal Highness Crown Princess Sirindhorn's commitment to improving disadvantaged children's nutrition and overall quality of life.

In Colombia, the Amazon Conservation Team, an NGO, has worked in partnership with the Colombian National Park Service to create the Alto Fragua Indi Wasi National Park, a protected area jointly managed by indigenous communities. The NGO has also worked with the park service to establish the Orito Ingi-Ande Plant Sanctuary, which creates a new category of reserve that protects plants of high cultural value to indigenous communities, including those in the Inga case study (Amazon Conservation Team, 2010).

Unfortunately, however, some other national policies are counterproductive to Indigenous Peoples' efforts to improve nutrition and health. Examples include governments' promotion of cash cropping by outsiders in indigenous land areas, fumigation of agricultural lands against illegal crops, as described in the Inga case study from Caqueta Province in Colombia (Correal *et al.*, 2009), and sales of lands for mining and oil harvesting, as described by the Awajún in Peru. Another example is permitting free enterprise and the marketing of poor-quality foods to children, through shelf-stocking procedures that make pop, candy and snacks easily accessible for small children and youth in local stores in indigenous communities because these practices are prescribed by vendors' central offices (H.V. Kuhnlein, personal observation, 2008). The rice subsidies that undermine local Dalit food production in Hyderabad district of India, and the overwhelming lack of control of climate change effects that have impacts on local food availability and harvests are other examples. Special attention should be directed to policies for indigenous women as the holders of much knowledge of food system diversity, and also as those often discriminated against, with health consequences for themselves and their children. Within the UN system, policies that protect women's rights to food and gender equality are encouraged (FAO, 2009b).

Scaling up case study findings to broader regions: moving the agenda forward

The food system interventions described in this volume demonstrate that Indigenous Peoples' nutrition and health are more likely to improve when aspects of their food systems are promoted. Because of funding constraints, the programme tended to engage with small communities, often of fewer than 1 000 people; however, enthusiasm has been high in most of these communities, and some have requested the scaling up of intervention activities, which is already under way in some cases. The leading researchers recognize the values and benefits of starting on a small scale with intensive work based on participatory processes and community engagement, and then sharing and building on success stories with more communities, using the bottom-up approach.

There are numerous options for broadening intervention activities: expanding to nearby communities; or networking to engage NGOs or government agencies in similar activities across regions where world-views are similar and culturally linked ecosystem food species are known to be available. Community members themselves often tell their neighbours and friends about appealing, helpful and successful community programmes, thereby stimulating a demand for similar activities in nearby villages. With community support and engagement, programmes based on access to and use of local resources will become sustainable at the local level. Indeed, the scaling up of a locally supported programme to other communities can be the ultimate proof of programme sustainability. Various forms of scaling up from the grassroots (and the need for scaling down from top management) are presented by Uvin (1999), with examples.

There are many ways of stimulating scaling up activities. First, the need for the activities must be expressed at the community level, and avenues for the input of new ideas for addressing food, nutrition and health issues must be presented. As well as word-ofmouth exchanges among family and friends, meetings of community leaders also often lead to calls for action. Electronic networks - established through government agencies or others at the local, national and international levels, with publications, Web pages, film and other media presenting the findings from problem assessments – also help to share successful strategies. School curricula can be effective for sharing local food system information, not only within the classroom but also at home, with pupils communicating it to their extended families. Curricula can be developed for both local schools and more central educational planning.

As already noted, UN agencies have developed networks for advocacy and the funding of successful intervention programmes, and have the capacity to develop databases on Indigenous Peoples' food systems and intervention strategies.

There is, of course, no single model for engaging with indigenous communities, or for building the strategies and structures for scaling up to nearby communities or to the regional or national level. Because of diversity in cultures, ecosystems, world views, languages and ways of knowing and doing, the local leadership and circumstances must be respected, to ensure the best strategies for the local setting and successful planning and communications with the people most directly involved. Such local action supplements and operationalizes higher-level government policies that protect Indigenous Peoples' land and food systems to improve families' diets and health. Indigenous and non-indigenous partners can work together in communication and planning, to move the agenda forward to the benefit of more indigenous communities in similar cultures and ecosystems. However, indigenous methodologies must not be applied inappropriately in larger (non-indigenous) populations. Often, both local and national languages must be used in communications to raise awareness of the needs and challenges for programmes to promote food systems, nutrition and health. Through this, local communities that develop successful programmes can be inspired further by sharing their work with broader audiences.

Case study success stories

The programme case studies were based on the expectation that findings would be shared at the international level. Among the nine studies reported here, several plans have been implemented for scaling up successful intervention strategies to improve food security, nutrition and health. Each success story has been guided by local vision and leadership, to achieve what is most useful for the people involved.

Awajún

(Chapter 5 – Creed-Kanashiro et al., 2013)

The original research on documenting the Awajún food system and the before-and-after evaluations were conducted with six communities in the Cenepa River region of the Amazonas district of Peru. The intervention developed the capacity of 32 health promoters, who worked extensively in 16 regional communities to deliver nutrition messages focusing on high-quality foods for infants and young children throughout the *Organización de Desarrollo de las Comunidades Fronterizas de Cenepa region*. So far, many community food gardens and more than 400 fish farms have been created. Community requests for workshops and activities in food topics, including food production, nutrition and culture, continue to be made through women's groups in the region.

Dalit (Chapter 6 – Salomeyesudas *et al.*, 2013)

This intervention was conducted and evaluated in selected communities in the Zaheerabad region of Andhra Pradesh, southern India. The Deccan Development Society (DDS), an Indian NGO, continues to conduct activities with sanghams, which are regional organizations of Dalit ("untouchable" in the Hindu religion) women farmers. The overall objective is to enhance the food security of Dalit families, with multiple outreach activities emphasizing organic agriculture with local food species. DDS's most significant activities include negotiating funding for the management and cultivation of fallow land (2 675 acres [about 1 083 ha] to date) by poor and illiterate women, and distributing the traditional grains (sorghum, millets) produced throughout the communities, as well as creating job opportunities. DDS continues to develop a broad array of awareness-building activities on the use of local foods, such as films, local radio, cooking classes, food festivals and the provision of local foods in meals at day care centres. More than 3 600 families in 75 villages in Andhra Pradesh participate in these activities, and media distribution has been extensive and highly celebrated.¹⁰

Gwich'in (Chapter 7 – Kuhnlein *et al.*, 2013)

The First Nations community of Tetlit Zheh in the Northwest Territories of Canada participated in research activities over several years. The intervention was created to increase the use of traditional Gwich'in food and higher-quality market food available in the community. The most appreciated intervention product was a locally produced traditional food and health book distributed through the community council and the Dene Nation in Yellowknife. Tetlit Zheh's local radio station, CBQM, promotes traditional activities, recipes from the food and health book and additional activities on the land. Provincial and national nutrition agencies throughout Canada promote use of the local cultural food of Canadian First Nations, Inuit and Métis, with participation from national aboriginal organizations, the Assembly of First Nations and the Inuit Tapiriit Kanatami.

Ingano

(Chapter 8 – Caicedo and Chaparro, 2013)

The leaders of the Tandachiridu Inganokuna Association provided the project's development approach and continue to support its activities. The Amazon Conservation Team (ACT) is an NGO with activities throughout the Amazon region that promote the use of traditional food and medicine. Notable among its successes are educational activities at Inga Yachaicuri School near Caqueta, and primary health care and food security centres staffed by health brigades. ACT Colombia assists five indigenous communities with more than 1 000 traditional crops on 650 acres (245 ha) of land. ACT, together with the Government of Colombia, established the Orito-Ingi Ande Medicinal Flora Sanctuary and the Indi-Wasi National Park for conservation of the biodiversity known to Indigenous Peoples in the region.

Inuit

(Chapter 9 – Egeland et al., 2013)

The Inuit community of Pangnirtung on Baffin Island, Canada is the locus of research and activities to promote traditional Inuit foods in the region. Using radio and film media, educational material on traditional foods described by elders has been broadcast to youth. With support from the Baffin Region Health Promotion Office in the Government of Nunavut at Iqaluit, and the Inuit Tapiriit Kanatami based in Ottawa, programme activities have been widely communicated, along with concerns about climate change effects on the availability of traditional food species, and the impact on food security. Community and project leaders have spoken about the impact of climate change on traditional diets in the Arctic at many international conferences and UN-sponsored meetings.

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¹⁰ www.ddsindia.com/www/default.asp
Karen (Chapter 10 – Sirisai *et al.*, 2013)

After developing a uniquely trusting and sharing relationship, the Karen community leaders and research partners at Mahidol University work together to promote traditional food culture and world views by increasing the cultivation of traditional food species. Focusing on women, young children and strengthening the capacity of local leaders and youth, change agents have spoken eloquently in the Karen and Thai languages at national and international conferences. Important to their success are the involvement of interdisciplinary and multisectoral stakeholders, with community priority at the local level, and the sharing of results among related networks in local and national media, as well as at national and international conferences. With a supportive national socio-economic agenda and the commitment of a passionate national leader, the programme received the attention and participation necessary for development.

Nuxalk (Chapter 11 – Turner *et al.*, 2013)

The Nuxalk Food and Nutrition Program was conducted more than 20 years ago, but is still having a positive impact in the community and more broadly. In the first programme of its kind in Canada, Nuxalk community leaders and academic partners worked together to improve several aspects of traditional food use, nutrition and health. Through the Assembly of First Nations and the First Nations and Inuit Health Board (FNIHB) of Health Canada, the results of the programme have been shared with many similar programmes developed to improve First Nations people's access to traditional foods. The Nuxalk programme was the stimulus for the larger, multifaceted international CINE programme reported in this volume. The FNIHB Food Security Reference Group has met regularly to promote traditional food use, and recommends assessments of traditional food quality and safety. The traditional food and recipe books created by the programme have been reprinted many times, and are still in use in community schools, universities and

indigenous communities. Fitness activities initiated by the programme are still benefiting community members. Some traditional foods promoted by the original project – especially ooligan (a small fish important for food and oil in traditional culture) – are now environmentally threatened, and the original nutrition and health data have been used to raise awareness about the need to protect them. For example, the Nuxalk community hosted a major conference on ooligan conservation in 2007. Many spin-off activities stressing the programme's success continue to involve First Nations in British Columbia, as well as nationally and abroad.

Pohnpei

(Chapter 12 – Englberger et al., 2013)

The case study in Pohnpei describes a broad-based intervention throughout the island of Pohnpei, with before-and-after evaluations conducted in the community of Mand. A major focus is on increasing the use of locally grown foods, many of which are quite abundant but have been neglected, along with collecting information on lifestyle changes and the trend for using more convenient but less healthy processed imported foods. Throughout activities, community and academic partners have developed extensive interdisciplinary and intersectoral collaboration. With frequent communications from the Island Food Community of Pohnpei (IFCP),¹¹ case study activities have been broadcast throughout the island and into the Pacific region. The programme includes presentations, workshops, videos and films, field trips, drama clubs, school programmes, an e-mail network, many media events, and other activities at both the local and state levels. The successes of the Let's Go Local campaign in promoting increased production and consumption of local food have stimulated much interest in Pohnpei and led to requests for similar interventions in other states of the Federated States of Micronesia and in other Pacific nations, with many adopting the slogan in their own areas. The President of the Federated States of Micronesia and state governors have given support

¹¹ www.islandfood.org

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and encouragement for continuing the programme because of the many cultural, health, environmental, economic and food security (CHEEF) benefits of local foods. Advocacy work continues through IFCP and its partners, both government and NGOs, with much international attention to the potential for scaling up this successful programme.

Ainu

(Chapter 13 – Iwasaki-Goodman, 2013)

Successful outreach activities for the Ainu have been conducted on the island of Hokkaido in Japan. The intervention was incorporated with other activities for an Ainu cultural revitalization, including capacity building in Ainu language, dance and other cultural aspects. The reintroduction of Ainu traditional food through regular print media and Ainu food cooking lessons has stimulated many requests for demonstrations in schools, communities and ceremonial settings throughout Hokkaido. Non-Ainu have participated in these events, raising the profile of Ainu cultural activities and thereby not only contributing to increased pride in Ainu food as a significant part of Ainu culture, but also reversing social prejudice.

Concluding comments

The intervention projects created by Indigenous Peoples' leaders with academic partners have resulted in many successes. Although there have been substantial challenges for bringing positive change to Indigenous Peoples' lives by promoting their food systems, persistence and vision have encouraged the continuation of efforts. Partners in the programme have found many ways of addressing local issues and moving forward the imperative to protect and use local resources. Initiatives have resulted in the development of curricula and school resources for teaching youth.

There is increased recognition that many foods of high quality and important cultural value originate in Indigenous Peoples' local ecosystems and cultures, and that these bring great benefit to the entire world. Among other factors, this recognition is the result of greater knowledge of unique foods; increased understanding of the benefits of food biodiversity and the importance of communities in realizing the cultural benefits of food; the imperative to protect the world's fragile ecosystems, many of which are inhabited by Indigenous Peoples; and the realization that the nutrition transition is having a negative impact on people who previously had healthy diets from local food resources.

Policies result from growing public consciousness that changes are needed in government and public activity settings. To this end, the programme's community and academic partners have communicated broadly about their work. Results from the case studies described here have been widely reported to local, regional, national and international audiences. Through this, the programme aims to stimulate further dissemination of the value of local food systems in improving the health of Indigenous Peoples.

Programme partners have produced scientific publications, posters and local communications, held meetings with policy-makers, and responded to local and international media. They have trained 18 M.Sc. and Ph.D. university students, and contributed to the capacity building of hundreds of other students and trainees in case study settings. Community leaders and academic partners have reported findings related to the programme's objectives in:

- more than 200 published works;
- more than 270 presentations at local, national and international conferences and UN events and side-events;
- more than 120 public media reports and audiovisual documents.

They are all proud of these accomplishments, which have been achieved through multiple collaborations with a common vision and goals. They are confident that their projects will continue to foster awareness and policy development at the national and international levels. This will turn the tide of the nutrition transition and improve the health of Indigenous Peoples throughout the world, while giving recognition to their contribution to the health and well-being of all humankind 🔅

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The overall programme was conducted under the auspices of IUNS, with contributions from many partners in two phases: i) documentation of Indigenous Peoples' food systems; and ii) use of local food systems to stimulate nutrition and health improvements at the community level (IUNS, 2010). This chapter draws on experiences from both phases of the case studies. FAO supported the initial studies on methodology development, the publication of case study findings and intervention impacts, and case study partners' travel to international conferences. The authors thank especially the Canadian Institutes of Health Research, the Institute of Aboriginal Peoples' Health and the Institute of Nutrition, Metabolism and Diabetes for their grant programmes supporting research and annual conferences of community leaders and academic partners. Academic partners worked diligently throughout their experience with the programme, conducting research and creating credible peer-reviewed literature to further the goals. However, without doubt, the most heart-felt thanks go to the community members and community leaders represented here, who contributed their time and vision to this work with the full intention of sharing their knowledge and improving the health of Indigenous Peoples everywhere.

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Chapter 3 Environmental challenges

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Chapter 4 | Infant and young child feeding

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Appendices

Appendix 1 Identifying Indigenous Peoples¹

The concept of Indigenous Peoples

In the forty-year history of indigenous issues at the United Nations, and its even longer history at the ILO, considerable thinking and debate have been devoted to the question of the definition or understanding of "indigenous peoples". But no such definition has ever been adopted by any United Nations-system body.

One of the most cited descriptions of the concept of "indigenous" was outlined in the José R. Martínez Cobo's Study on the Problem of Discrimination against Indigenous Populations. After long consideration of the issues involved, Martínez Cobo offered a working definition of "indigenous communities, peoples and nations". In doing so, he expressed a number of basic ideas forming the intellectual framework for this effort, including the right of indigenous peoples themselves to define what and who indigenous peoples are. The working definition reads as follows:

Indigenous communities, peoples and nations are those which, having a historical continuity with preinvasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system. This historical continuity may consist of the continuation, for an extended period reaching into the present of one or more of the following factors:

- a Occupation of ancestral lands, or at least of part of them
- b. Common ancestry with the original occupants of these lands
- c. Culture in general, or in specific manifestations (such as religion, living under a tribal system, membership of an indigenous community, dress, means of livelihood, lifestyle, etc.)
- d. Language (whether used as the only language, as mother-tongue, as the habitual means of communication at home or in the family, or as the main, preferred, habitual, general or normal language)
- e. Residence in certain parts of the country, or in certain regions of the world
- f. Other relevant factors.

On an individual basis, an indigenous person is one who belongs to these indigenous populations through self-identification as indigenous (group consciousness) and is recognized and accepted by these populations as one of its members (acceptance by the group).

This preserves for these communities the sovereign right and power to decide who belongs to them, without external interference.²

During the many years of debate at the meetings of the Working Group on Indigenous Populations, observers from indigenous organizations developed

¹ United Nations Secretariat of the Permanent Forum on Indigenous Issues. 2009. *The State of the World's Indigenous Peoples*. New York. www.un.org/esa/socdev/unpfii/documents/SOWIP_web.pdf

² Martinez Cobo, J. 1986/7. Study of the Problems of Discrimination against Indigenous Populations. UN Doc. E/CN.4/Sub.2/1986/7 and Add. 1–4. paras 379–383.

a common position that rejected the idea of a formal definition of indigenous peoples at the international level to be adopted by states. Similarly, government delegations expressed the view that it was neither desirable nor necessary to elaborate a universal definition of indigenous peoples. Finally, at its fifteenth session, in 1997, the Working Group concluded that a definition of indigenous peoples at the global level was not possible at that time, and this did not prove necessary for the adoption of the Declaration on the Rights of Indigenous Peoples.³ Instead of offering a definition, Article 33 of the United Nations Declaration on the Rights of self-identification, that indigenous peoples themselves define their own identity as indigenous.

Article 33

- 1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.
- 2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

ILO Convention No. 169 also enshrines the importance of self-identification. Article 1 indicates that self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.

Furthermore, this same Article 1 contains a statement of coverage rather than a definition, indicating that the Convention applies to:

 a) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;

b) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

The concept of indigenous peoples emerged from the colonial experience, whereby the aboriginal peoples of a given land were marginalized after being invaded by colonial powers, whose peoples are now dominant over the earlier occupants. These earlier definitions of indigenousness make sense when looking at the Americas, Russia, the Arctic and many parts of the Pacific. However, this definition makes less sense in most parts of Asia and Africa, where the colonial powers did not displace whole populations of peoples and replace them with settlers of European descent. Domination and displacement of peoples have, of course, not been exclusively practised by white settlers and colonialists; in many parts of Africa and Asia, dominant groups have suppressed marginalized groups and it is in response to this experience that the indigenous movement in these regions has reacted.

It is sometimes argued that all Africans are indigenous to Africa and that by separating Africans into indigenous and non-indigenous groups, separate classes of citizens are being created with different rights. The same argument is made in many parts of Asia or, alternatively, that there can be no indigenous peoples within a given country since there has been no largescale Western settler colonialism and therefore there can be no distinction between the original inhabitants and newcomers. It is certainly true that Africans are indigenous to Africa and Asians are indigenous to Asia, in the context of European colonization. Nevertheless, indigenous identity is not exclusively determined by European colonization.

Working Group on Indigenous Populations (WGIP). 1996a. Working Paper by the Chairperson-Rapporteur, Mrs. Erica-Irene A. Daes, on the concept of "indigenous people". UN Doc. E/CN.4/Sub.2/AC.4/1996/2, 10 June 1996; Working Group on Indigenous Populations (WGIP). 1996b. Report of the WGIP on its fourteenth session. UN Doc. E/CN.4/ Sub.2/1996/21, 16 August 1996.

The Report of the Working Group of Experts on Indigenous Populations/Communities of the African Commission on Human and Peoples' Rights therefore emphasizes that the concept of indigenous must be understood in a wider context than only the colonial experience.

The focus should be on more recent approaches focusing on self-definition as indigenous and distinctly different from other groups within a state; on a special attachment to and use of their traditional land whereby ancestral land and territory has a fundamental importance for their collective physical and cultural survival as peoples; on an experience of subjugation, marginalization, dispossession, exclusion or discrimination because these peoples have different cultures, ways of life or modes of production than the national hegemonic and dominant model.⁴

In the sixty-year historical development of international law within the United Nations system, it is not uncommon that various terms have not been formally defined, the most vivid examples being the notions of "peoples" and "minorities". Yet the United Nations has recognized the right of peoples to selfdetermination and has adopted the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. The lack of formal definition of "peoples" or "minorities" has not been crucial to the Organization's successes or failures in those domains nor to the promotion, protection or monitoring of the rights accorded to these groups. Nor have other terms, such as "the family" or "terrorism" been defined, and yet the United Nations and Member States devote considerable action and efforts to these areas.

In conclusion, in the case of the concept of "indigenous peoples", the prevailing view today is that no formal universal definition of the term is necessary, given that a single definition will inevitably be either over- or under-inclusive, making sense in some societies but not in others. For practical purposes, the commonly accepted understanding of the term is that provided in the Martínez Cobo study mentioned above.

⁴ African Commission on Human and Peoples' Rights (ACHPR). 2005. Report of the African Commission's Working Group of Experts on Indigenous Populations/communities. Banjul and Copenhagen: ACHPR and IWGIA.

Appendix 2 United Nations Declaration on the Rights of Indigenous Peoples

Annex to Human Rights Council Resolution 2006/2

- *Affirming* that indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such,
- *affirming also* that all peoples contribute to the diversity and richness of civilizations and cultures, which constitute the common heritage of humankind,
- *affirming further* that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin, racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust,
- *eeaffirming* also that indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind,
- *concerned* that indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests,
- *recognizing* the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources,
- *Further recognizing* the urgent need to respect and promote the rights of indigenous peoples affirmed

in treaties, agreements and other constructive arrangements with States,

- *Welcoming* the fact that indigenous peoples are organizing themselves for political, economic, social and cultural enhancement and in order to bring an end to all forms of discrimination and oppression wherever they occur,
- *Convinced* that control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs,
- *Recognizing also* that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment,
- *Emphasizing* the contribution of the demilitarization of the lands and territories of indigenous peoples to peace, economic and social progress and development, understanding and friendly relations among nations and peoples of the world,
- *Recognizing in particular* the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child,
- *Recognizing also* that indigenous peoples have the right freely to determine their relationships with States in a spirit of coexistence, mutual benefit and full respect,

- *Considering* that the rights affirmed in treaties, agreements and constructive arrangements between States and indigenous peoples are, in some situations, matters of international concern, interest, responsibility and character,
- *Also considering* that treaties, agreements and other constructive arrangements, and the relationship they represent, are the basis for a strengthened partnership between indigenous peoples and States,
- Acknowledging that the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights affirm the fundamental importance of the right of selfdetermination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,
- *Bearing in mind* that nothing in this Declaration may be used to deny any peoples their right of self-determination, exercised in conformity with international law,
- *Convinced* that the recognition of the rights of indigenous peoples in this Declaration will enhance harmonious and cooperative relations between the State and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith,
- *Encouraging* States to comply with and effectively implement all their obligations as they apply to indigenous peoples under international instruments, in particular those related to human rights, in consultation and cooperation with the peoples concerned,
- *Emphasizing* that the United Nations has an important and continuing role to play in promoting and protecting the rights of indigenous peoples,
- *Believing* that this Declaration is a further important step forward for the recognition, promotion and protection of the rights and freedoms of indigenous peoples and in the development of relevant activities of the United Nations system in this field,

- *Recognizing and reaffirming* that indigenous individuals are entitled without discrimination to all human rights recognized in international law, and that indigenous peoples possess collective rights which are indispensable for their existence, wellbeing and integral development as peoples,
- *Solemnly proclaims* the following United Nations Declaration on the Rights of Indigenous Peoples as a standard of achievement to be pursued in a spirit of partnership and mutual respect,

Article 1

Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.

Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

Article 3

Indigenous peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to selfdetermination, have the right to autonomy or selfgovernment in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 5

Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their rights

to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 6

Every indigenous individual has the right to a nationality.

Article 7

- 1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
- 2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 8

- 1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
- 2. States shall provide effective mechanisms for prevention of, and redress for:
 - (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities:
 - (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;
 - (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
 - (d) Any form of forced assimilation or integration by other cultures or ways of life imposed on them by legislative, administrative or other measures;
 - (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 9

Indigenous peoples and individuals have the right to

belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 10

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 11

- 1. Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
- 2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

Article 12

- 1. Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.
- 2. States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent

and effective mechanisms developed in conjunction with indigenous peoples concerned.

Article 13

- 1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
- 2. States shall take effective measures to ensure this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 14

- Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
- 2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
- 3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 15

- 1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.
- States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance,

understanding and good relations among indigenous peoples and all other segments of society.

Article 16

- 1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.
- 2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privatelyowned media to adequately reflect indigenous cultural diversity.

Article 17

- 1. Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labour law.
- 2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.
- Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

Article 18

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decisionmaking institutions.

Article 19

States shall consult and cooperate in good faith with

the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 20

- 1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
- 2. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

Article 21

- 1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.
- 2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 22

- 1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.
- States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

Article 24

- 1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.
- 2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

- 1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
- 2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
- 3. States shall give legal recognition and protection to these lands, territories and resources. Such

recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 27

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 28

- 1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, of a just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.
- 2. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

Article 29

- 1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
- 2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous

peoples without their free, prior and informed consent.

3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

Article 30

- 1. Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a significant threat to relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.
- 2. States shall undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.

Article 31

- Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.
- 2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

Article 32

1. Indigenous peoples have the right to determine and develop priorities and strategies for the

development or use of their lands or territories and other resources.

- 2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of their mineral, water or other resources.
- States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

Article 33

- 1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.
- 2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Article 34

Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.

Article 35

Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Article 36

1. Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation,

including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.

2. States, in consultation and cooperation with indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.

Article 37

- 1. Indigenous peoples have the right to the recognition, observance and enforcement of Treaties, Agreements and Other Constructive Arrangements concluded with States or their successors and to have States honour and respect such Treaties, Agreements and other Constructive Arrangements.
- 2. Nothing in this Declaration may be interpreted as to diminish or eliminate the rights of Indigenous Peoples contained in Treaties, Agreements and Constructive Arrangements.

Article 38

States in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

Article 39

Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

Article 40

Indigenous peoples have the right to have access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

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Article 41

The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration through the mobilization, inter alia, of financial cooperation and technical assistance. Ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established.

Article 42

The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States, shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

Article 43

The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.

Article 44

All the rights and freedoms recognized herein are equally guaranteed to male and female indigenous individuals.

Article 45

Nothing in this Declaration may be construed as diminishing or extinguishing the rights indigenous peoples have now or may acquire in the future.

Article 46

- Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations.
- 2. In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law, in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.
- 3. The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.

Appendix 3



THE RIGHT TO FOOD AND INDIGENOUS PEOPLES

Indigenous Peoples' Right to Food: Legal foundation

JOINT BRIEF

Indigenous peoples, like everyone else, have a right to adequate food and a fundamental right to be free from hunger. This is stipulated in Article 11 of the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) of 1966 and constitutes binding international law. This means States Parties to the ICESCR are obliged to implement the right to food domestically, ensuring that it becomes part of their national legal system.

The right to food entitles every person to an economic, political, and social environment that will allow them to achieve food security in dignity through their own means. Individuals or groups who do not have the capacity to meet their food needs for reasons beyond their control, such as illness, discrimination, age, unemployment, economic downturn, or natural disaster, are entitled to be provided with food directly. The obligation to ensure a minimum level necessary to be free from hunger is one of immediate effect.

Various other binding and non-binding international legal instruments protect indigenous peoples' right to food, directly or indirectly.

> The UN Declaration on the Rights of Indigenous Peoples2, adopted in September 2007, is a comprehensive statement addressing the human rights of indigenous peoples. It emphasizes the rights of indigenous peoples to live in dignity, to maintain and strengthen their own institutions, cultures and traditions and to pursue their self-determined development, in keeping with their own needs and aspirations.

The Declaration contains provisions on land, natural resources and subsistence activities, which are highly relevant for the realization of the right to food, recognizes indigenous peoples' collective rights and stresses cultural rights.

The Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (Right to Food Guidelines) provide policy orientation in a number of areas and can be used by indigenous peoples as a tool for advocacy. They refer to indigenous communities in the context of access to resources and assets. In addition, provisions relating to vulnerable groups and disaggregation of data, among others (3.3 on strategies; 7.2 on legal framework; 8.2 and 8.3 on access to resources and assets; 12.3 on national financial resources; 13 on support for vulnerable groups; 14.4 on safety nets; 15.1 on international food aid; 17.2 and 17.5 on monitoring, indicators and benchmarks) are of particular relevance to indigenous peoples.

The Right to Food

Guidelines, adopted by the FAO Council in November 2004, are a practical tool reflecting the consensus among FAO members on what needs to be done in all of the most relevant policy areas to promote food security using a human rights based approach.

The Right to Food Guidelines are available on the FAO right to food website: www.fao.org/righttofood.

The right to food as a collective right

The UN Declaration on the Rights of Indigenous Peoples states that indigenous peoples have the right to fully enjoy as a collective or as individuals, all human rights and fundamental freedoms. With particular regard to the right to food, indigenous representatives on the occasion of the 2002 Global Consultation signed the Declaration of Atitlán³, stating that they were: "... in agreement that the

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Photo by S. Wrer

THE RIGHT TO FOOD AND INDIGENOUS PEOPLES

content of the right to food of indigenous peoples is a collective right".

The adoption of the UN Declaration on the Rights of Indigenous Peoples brought the universal recognition of the right to food as a collective right one step forward. This is already reflected in the preamble of the Declaration which states that "... Indigenous Peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples." The right to food is one such indispensable right.

Cultural dimension of the right to food

Indigenous peoples' right to food has a particular cultural dimension which is relevant in terms of food choices, food preparation and acquisition. Culturally appropriate foods and the activities to obtain them, such as agriculture, hunting and fishing, form an important part of cultural identity.⁴ Furthermore, cultural acceptability of food is an element of the normative content of the right to food, and is of particular relevance to indigenous peoples. Right to Food Guideline 10.10 on nutrition highlights the cultural

Photo by P. K Mahanand

aspects of nutrition and pertains to indigenous peoples in particular. translates this It principle into а practical policy recommendation by reminding States "...of the cultural values of dietary and eating habits in different cultures ... "

How can the right to food benefit indigenous peoples?

The right to food may be violated in case of denial of access to land, fishing or hunting grounds, deprivation of access to adequate and culturally acceptable food and contamination of food sources. Some court cases, in which indigenous peoples have been involved, have already illustrated and proven that the right to food provides indigenous peoples with an additional legal argument when claiming their rights or challenging decisions or omissions before administrative authorities or courts.

Indeed, States have particular obligations concerning the right to food of indigenous peoples. These include respecting indigenous peoples' traditional ways of living, strengthening traditional food systems and protecting subsistence activities such as hunting, fishing and gathering.

The respect, protection and fulfilment of the right to food as a collective right has an additional value in comparison to individual rights. This additional value is related to the fact that some property rights to lands, territories and resources are held collectively, and subsistence based activities carried out collectively are not only part of indigenous peoples' cultural identity, but are often essential for their very existence. The right to food, in its collective dimension, is clearly supplementary to the individual one. A collective right to food may imply, for example:

- An obligation by the State to respect collective property rights over lands, territories and resources, the right to culture and the right to self determination (including the right to pursue own economic, cultural and social development)
- An obligation by the State to protect certain activities that are essential to obtaining food (e.g. agriculture, hunting, fishing); and
- An obligation by the State to provide or ensure a minimum level of essential food that is culturally appropriate.

Under the right to food, States are also responsible for ensuring the application of general human rights principles to indigenous peoples, both in their food and nutrition security policies and other policies that may affect their access to food. The right to food does not only address the final outcome of eliminating hunger and ensuring food security, but provides a holistic tool and approach for indigenous peoples to improve their food security situation. The rights based approach, normatively based on international human rights standards, determines

"Ogoni Case": SERAC (The Social and Economic Rights Action Centre) and CESR (The Center for Economic and Social Rights) v. Nigeria

One illustrative case for the significance of the right to food for empowerment, advocacy and litigation is a decision by the African Commission on Human and Peoples' Rights regarding a complaint brought by SERAC and CESR against Nigeria.⁵

The complaint alleged the military Government of Nigeria of violating human rights of the Ogoni people. The Nigerian National Petroleum Company (NNPC), the State oil company, formed a joint venture with Shell Petroleum Development Corporation (SPDC) whose activities in the Ogoni region allegedly caused environmental degradation, health problems among the Ogoni people and a destruction of food sources, resulting from the contamination of soil, water and air. In its decision, the African Commission found several violations of the African Charter, including a violation of the right to food, which is implicit in the right to life, the right to health and the right to economic, social and cultural development. The African Commission argued that the minimum core of the right to food requires the Nigerian Government to not destroy or contaminate food sources. Furthermore it found that the Government has a duty to protect its citizens, not only through appropriate legislation and effective enforcement but also by protecting them from damaging acts that may be perpetrated by private parties and by preventing peoples' efforts to feed themselves.

in the food security context the relationship between indigenous groups and individuals as rights holders and the State with correlative obligations as a duty bearer. These human rights principles include participation, accountability, non-discrimination, transparency, human dignity, empowerment and the rule of law. A rights based approach requires particular attention to indigenous peoples' specific circumstances and concerns. Applied to the right to food in practice, this means that indigenous peoples must be engaged and particularly supported in processes that determine food security and related policies, legislation and decisions. States should provide space for participation in the setting of verifiable targets and benchmarks for subsequent monitoring and accountability of food security.

With regards to non-discrimination, governments should also ensure that data is disaggregated by age, sex and ethnicity. This information should then be used for the development, design, implementation and monitoring of more appropriate food and nutrition policies, which address the needs of all groups, including indigenous peoples.

What is the relation between the right to food and food sovereignty?

The concepts of the right to food and food sovereignty are related. The clarification of their content is particularly necessary in the context of indigenous peoples because these terms are often mentioned together and interchangeably in different statements and documents.⁶

The right to food is a legal concept a human right and in the case of its violation, remedies can be claimed where available. Food sovereignty is a political concept; there is no

Photo by S. Modola/IRIN

existing international human right corresponding to the right to food sovereignty. However, the two concepts have some common elements, and food sovereignty includes calls for the realization of the right to food. The claim of food sovereignty campaigners is for emphasis on local and national production and the right of peoples to freely define their own food and agricultural policies.
JOINT BRIEF

Food sovereignty and the right to food are often complementary. For example, the right to food as a human right implies the application of the participatory approach to food security on the basis of the human rights principle of participation. This signifies that participating population groups and individuals, including indigenous peoples, can shape strategies, policies and programmes promoting the realisation of right to food. Thus right to food mechanisms can be used for the promotion of food sovereignty claims when this contributes to regular, permanent and unrestricted access to quantitatively and qualitatively adequate and sufficient food.

The right to food has both a cultural and a sustainability dimension. While it can be argued that local production is more sustainable, the right to food does not otherwise prescribe methods of production or of trade.

What are some of the challenges that need to be addressed?

The process of clarifying the implications of the right of indigenous peoples to adequate food has just started. Laws and policies need to be put into practice to ensure that indigenous peoples fully enjoy the right to food. Indigenous peoples must assert their human rights, including the right to food and exert pressure on States and their officials to meet human rights obligations and commitments. States on the other hand are required to respect and protect indigenous peoples' unique cultural identities and special concerns when realising their right to food. Increased awareness and capacity of both rights holders and duty bearers is necessary for rights to be realized.

The right to food is an important tool for indigenous peoples to bring about real change in their lives and to negotiate power structures.

Endnotes

- ¹ See also definition of right to adequate food in General Comment 12. Committee on Economic, Social and Cultural Rights (twentieth session 1999). 12 May 1999. UN doc. E/C.12/1999/5, para. 8. The definition of the right to food builds on the now commonly used definition of food security of the World Food Summit 1996 and its four main pillars (availability, access, utilization and stability).
- ² General Assembly resolution A/RES/61/295, 13 September 2007.
- ³ Indigenous Peoples' Consultation on the Right to Food. A Global Consultation. Atitlán, Sololá, Guatemala April 17-19 2002.
- ⁴ In 2004, the International Indian Treaty Council conducted a survey amongst indigenous peoples to ascertain cultural indicators for sustainable agricultural development. The survey showed the importance of traditional foods to indigenous peoples cultures and identities.
- ⁵ Social and Economic Rights Action Center & the Center for Economic and Social Rights v. Nigeria. Cited as: Communication No. 155/96.
- ⁶ See Declaration of the Forum for Food Sovereignty, Nyéléni 2007, available at http://www.nyeleni2007.org/spip. php?article290. It states that food sovereignty means defending and recovering the territories of Indigenous Peoples and ensuring fishing communities' access to and control over their fishing area and ecosystems. The declaration defines food sovereignty as the peoples', countries' or state unions' "right" to define their agricultural and food policy, without any dumping vis-à-vis third countries.

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Appendix 4



CALL FOR ACTION FROM THE DOOR OF RETURN FOR FOOD RENAISSANCE IN AFRICA

Dakar - 10th December 2009. Human Rights Day



We, the participants at the 5th AFROFOODS Sub-regional Data Center Coordinators Meeting held in Dakar, Senegal, on 9–11 December 2009,

- Note that the degradation of ecosystems and the loss of food biodiversity is contributing greatly to the increases in poverty and malnutrition in Africa;
- **Recognize** that returning to local crops and traditional food systems is a prerequisite for conservation and sustainable use of biodiversity for food and nutrition;
- Acknowledge that local foods are the basis for African sustainable diets;
- **Urge** that food composition data be emphasized as the fundamental information underpinning almost all activities in the field of nutrition;
- **Call upon** the sectors of public health, agriculture, and environment and food trade to help reinforce and assist with the improvement of food composition data, particularly on local foods;
- Request that the contribution of food composition be credited as one of the most important components for action in nutrition and food quality, food safety, and food and nutrition security;

We **invite** all sectors to place AFROFOODS on the national, regional and international agenda for all food and nutrition activities in Africa through interdisciplinary strategic plans for achieving the relevant MDGs; and therefore, from the **Door of Return** of the House of the Slaves of Gorée-Dakar, we accept the challenge ourselves and send this **call for action** to our colleagues, as well as to governments, the private sector and financial entities, to strengthen AFROFOODS activities in a renewed commitment to an African food renaissance.

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Indigenous Peoples' food systems & well-being interventions & policies for healthy communities

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ndigenous Peoples in cultural homelands of the most rural areas of developing regions experience challenges in using their traditional food systems and to ensure food security and health despite the treasures of food biodiversity that could support well-being. This book is the third in a series promoting use of local food systems by Indigenous Peoples; the first defines the process to document local food resources, and the second describes food systems in 12 diverse rural areas of different parts of the world. Here we describe processes and findings from more than 40 interdisciplinary collaborators who created health promotion interventions for communities using local food systems. Included are participatory processes using local knowledge and activities specifically for local food; global overviews of Indigenous Peoples' health circumstances, environmental concerns, and infant and child feeding practices; and nine specific case examples from Canada, Japan, Peru, India, Colombia, Thailand and the Federated States of Micronesia. Common themes of successful interventions and evaluations are given along with chapters on human rights issues and implications for policies and strategies. Throughout the 10 years of this research we have shown the strength and promise of local traditional food systems to improve health and well-being. This work is in context of the second United Nations' International Decade of the World's Indigenous Peoples and the Declaration on the Rights of Indigenous Peoples 💥

