

FOOD SECURITY WITHIN THE FRAMEWORK OF HUMAN RIGHTS DEVELOPMENT AT INTERNATIONAL LEVEL*

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Abstract

At the beginning of 21st century, the global society is confronted with specific phenomena as chronic starvation of entire populations, malnutrition, limited access to natural resources, urbanization, migration, pollution, industrial damages produced to natural environment, global climate change etc. As direct consequences of these phenomena, international contemporary law must develop and consolidate accordingly. The paper is making an analysis of “food security” concept from a juridical point of view, precisely from the perspective of human rights (from already consecrated human rights – as the right to life, the right to corporal and psychical integrity, the right to health, the right to have a healthy natural environment –, to new rights as the right for adequate food).

Keywords: food security, malnutrition, right to food, human rights

1. An Attempt to Define the Concept of “Food Security”

In the context in which the global population estimated by 2050 will be of nine billion people, the food issue (implicitly the issue of free access to food and water resources) *is becoming a global challenge¹, of great priority for the states and their economic policies*. Moreover, the *economic policies* meant to solve this challenge (in our opinion, a challenge of greater importance than other challenges of the world in the 21st century, such as the already “classicized” international terrorism – built as a threat with conventional weapons – category which includes even chemical, bacteriological and nuclear weapons) *take a new and clear political-military dimension*, developing and radically changing the traditional concepts about war, security and state policy².

The field of food security can be defined as *a field of non-conventional security, designed to ensure the specific protection for the population of a state, in terms of ensuring the natural resources* (ploughable land, grass lands, forests, surface and underground waters), *as well as free access of the population to the respective resources, under the state control* (not under the non-state global actors), *as a legal-political guarantee* of the highest importance for the sovereign nature and economic independence of a state that these resources shall not be transferred to private property and, even worse, to the foreign property, under the governing laws of the free market, which is beneficial to the transnational actors and to actors from countries with highly developed industries and army – in the classic sense – to the detriment of the small and medium states, thus endangering the idea of international democracy, understood as legal equality among the states and mutual observance of the sovereignty of states. In addition,

* The text expresses only the viewpoint of the author and it does not involve any natural person or legal entity.

¹ National Geographic Romania, www.natgeo.ro, no. 133, May 2014, p. 18.

² *Idem*.

food security was also designed to ensure the *specific protection of a state's population*, in terms of how the food is produced, the quality of food and drinking water, the manner in which the drinking water is obtained from non-drinking sources, the manner in which the expansion of agricultural surface affect other types of land and resources (forest land, other types of land), the manner in which the agricultural crops affect the water reserves (the phenomenon of pollution with pesticides, with various type of chemical fertilizers). In addition, food security can be connected loosely to the phenomenon of pollution of natural resources in a country, as well as to the phenomenon of massive deforestations (affecting the delicate balance of the land ecosystem, which includes the human being as a component, and which the human being cannot leave without being affected)³.

Thus, the 21st century brings a major challenge for the future of humanity, for the human civilization overall, because *no civilization can develop in the absence of water and food resources*, no system of human organization can be developed and maintained without the constant provision of state control (not foreign) over the food and water resources of the respective country, control meant to guarantee (not to limit, under the impact of globalization and non-state actors, especially the impact of corporations in the chemical and food industry), free access of the respective population to the water and food resources, fair distribution of said resources, at the level of the population, as well as avoiding the privatization of such resources (which would involve *complete withdrawal of the state* from of its fundamental functions, that of protecting its citizens, *including the viewpoint* of ensuring free access to the basic food items – regarding the constitutional right to a decent living).

The development of the concept of “national security” during the past decades (by adding the concepts of “ecological security” “food security”, “personal security” and “health security” to this field) *was the result of the diversification and multiplication of the threats in the international security environment* (which the specialists no longer consider to be limited to the classic military threats). Thus, food security regards a specific field in the broader concept of “human security”, which in turn revolutionizes the content of the “national security” concept, in terms of how this concept was construed in the 20th century. *Food security refers to new risks, new types of wars*⁴ (from the economic wars to the meteorological wars, under the impact of the technological discoveries which enable the willing change in weather conditions, with consequences not only on the stability and security of a state, but also on the environment, down to the significant impact on the regional ecosystems⁵).

Food security also concerns the specific obligation of state protection granted to the population, on account of the dangers caused by *a mass production/import* of the food with toxic additives, of *the mass production/import* of genetically modified products (in the context of occurrence of new food products), dangers concerning the food of an entire population, converted into *national security dangers*, which must not be

³ For further details, check Jonathan Foley, *Cum hrănim nouă miliarde* (How do we feed nine billion), National Geographic Romania, www.natgeo.ro, no. 133, May 2014, p. 27-38.

⁴ Certain authors talk about the “food weapon”, at the hand of the great powers, of the states from the strongly industrialized North, against the developing countries (food power, food diplomacy). See Mohammed Bedjaoui, *Pour un nouvel ordre economique international*, UNESCO, PUF, Paris, 1979, p. 32-33.

⁵ Emil Străinu, *Războiul geofizic*, Ed. Solaris, Bucharest, 2009, p. 33-35.

minimized or ignored from the viewpoint of human security, as a field inherently related to the *national security*. Another specific danger that the state must address regards *the introduction of fast food products on the market*, supported by entire transnational mechanisms of unhealthy eating habit creation, for the profit of certain corporations⁶ (in the name of the ultra-liberal concept of “entirely free market” – which entails either enormous pressure on the states to turn into mechanisms to support the interests of the corporations – model of the corporate state – or into self-limited mechanisms, to restrict the security obligations towards the people, by Constitution – especially, the obligations to ensure a decent life standard, to guarantee the fundamental human rights, including the right to living, the right to physical and emotional integrity, the right to health – i.e. the model of a minimalist state).

Pro-corporation economic policies (with interests in increasing their profits, not in the fate of the nations or the issues related to human security) or minimalist policies (withdrawal of state instruments used to control the internal market of the respective state, *economic levers and policies required to render the state obligation to protect the population real and concrete, food security included*) become policies that favour the globalist trends and the large actors (state or non-state), to the clear detriment of populations and individuals concretely⁷.

Food security, as an essential sub-field of human security, cannot be fathomed without a *strong state* (after undergoing the period of ultra-liberal policies of free markets, favouring transnational actors or actors from industrially developed states, not small producers or farmers from small and medium states, in particular) *that maintains or recovers control over its natural resources* (including forests, ploughable land, grass land, waters), as well as *political, economic and decisional levers concretely enabling it to ensure a real content for the concept of “food security”, for its population*⁸.

In the context of the international financial crisis, the estimations of the World Bank concerning the agricultural food market tensions refer to raising awareness on a malnutrition risk to which 44 million persons are exposed, thus determining countries such as USA to state that food security is one of the *priorities* of its external policy⁹.

Food security is also *closely related to the concept of “economic security”*, which concerns the “functioning of an economy, the economic security of the individual, of the family, of the state, of the financial and economic condition of life”, according to the specialists, as well as “the economic security of the territory (as a protection system for

⁶ Doina Mureșan, *Securitatea alimentară în contextul noului mediu de securitate*, în Mihai-Marcel Neag (coord.), *Implicații economice, politice și militare asupra securității umane în etapa postconflict*, Ed. Academiei Forțelor Terestre “Nicolae Bălcescu”, Sibiu, 2011, lucrare elaborată sub egida AOSR, Secția Științe Militare, p. 142-143.

⁷ Ilie Șerbănescu, *Corporațiile transnaționale*, Ed. Politică, Bucharest, 1978, p. 10-11. A se vedea și David Held, Anthony McGrew, David Goldblatt, Jonathan Perraston, *Transformări globale. Politică, economie și cultură*, trad. Ramona-Elena Lupașcu, Adriana Ștraub, Mihaela Bordea, Alina-Maria Turcu, Polirom, Iași, 2004, p. 318-320.

⁸ State sovereignty, understood here as exclusive jurisdiction over the territory, goods and persons on the respective territory, plus the right of the peoples to decide their own fate, as well as the legal concept of “economic sovereignty”. See Grigore Geamănu, *Drept internațional public*, vol. 1, Ed. Didactică și Pedagogică, Bucharest, 1981, p. 143-145. Ludovic Takacs, Marțian Niciu, *Drept internațional public*, Ed. Didactică și Pedagogică, Bucharest, 1976, p. 43-44, 55-56.

⁹ Doina Mureșan, *op. cit.*, p. 143.

resources, markets, enterprises, jobs, preservation of national strategic assets)”¹⁰ and the ”ensuring of conditions to maintain the economic activity within normal parameters and counter the numerous types of attacks”, from financial frauds, strategic dependences, corruption and industrial espionage to underground economy¹¹.

Economic security and particularly food security are also related to the phrase “*durable development*” (if regarded from the viewpoint of human rights, i.e. of the right to an unpolluted environment, as well as the obligation of the states to preserve a clean environment with resources, for future generations). The phrase “*durable development*” regards the act of maintaining a balance between the needs of the present generations and the capacity of the future generations to fulfil their own needs, so that the present generations do not compromise the right of the future generations to have resources and free access to resources. The definition dates from 1987 (Brundtland report, elaborated under the aegis of the UN Commission, regarding the Environment and Development, upon the request of the UN General Assembly) and it was included in various internal and international documents of the UN member states. In the French Environment Code, durable development was defined as “envisaging the fulfilment of the development and health needs of the present generations, without compromising the capacity of future generations to fulfil their own needs”¹². This notion interferes with the concepts of “economic security”, “human security” and “food security” (concepts which, regarded from this perspective as well, *tend to expand their scope, including the obligation of the states to fulfil the security needs of the future generations*, regarding the level of economic development of the country, the natural resources inherited from present generations, their quality, the level of decisional control held by the respective state (not by the foreign or non-state actors) over the resources).

The Rio Conference (1992) *consolidated the definition of the “durable development” notion*, understood as “balanced integration of the economic, social and environment objectives of the societies, with a spirit of equity and with *the care to preserve the interest of future generations*”. Thus, the content of this notion was structured into three pillars (economic, environmental and social), *plus the responsibility to avoid phenomena of irreversible exhaustion or degradation of the planet’s resources, for the future generations*¹³. According to the specialists, this notion contributed to the idea of participative management of the natural resources, as well as to the need to acknowledge local traditions and respect local cultures. The notion opposes a vision imposed by the industrially developed North, which is tempted to ignore the local traditions and dynamics, in favour of prefabricated indicators¹⁴. Durable development is connected to the notion of “human security” and of “food security”, in the sense entailed by enabling of *a management of natural resources, which is not oriented towards the fulfilment of an elite’s needs, but which is capable of ensuring free access of all the persons to the natural resources*.

¹⁰ Doina Mureşan, *Dimensiunea economică a securităţii în epoca parteneriatelor şi a alianţelor*, Ed. Amanda Edit, Bucharest, 2009, p. 100.

¹¹ *Idem*.

¹² Marie-Claude Smouts, Dario Battistella, Pascal Vennesson, *Dictionnaire des relations internationales*, 2^{eme} ed., Dalloz, Paris, 2006, p. 131-132.

¹³ *Ibidem*, p. 131-132.

¹⁴ *Ibidem*, p. 132.

The World Declaration on Food and Nutrition, adopted under the aegis of UN-FAO/WHO, in 1992, updated in 1996 and 1998, concerns the right to “food security”, with two essential elements: existence of food availabilities and capacity of the population to purchase food products. This concept can also be regarded as a pillar of the strategic economic policy of a state (a component of the national security of a state), *intended to prevent threats and vulnerabilities* such as lack of food, dependence of the internal market on the imports, chronic underdevelopment of the national agriculture, vulnerability related to the failure to observe food quality or crises related to the individuals’ lack of access to the food and water sources¹⁵. For FAO, the concept of “global food security” integrates the objective of providing all the individuals, at any point, with physical and economic access to the basic food they need.

Regarded as a part of the national security, food security provides a state with the definite advantage of owning sufficient or nearly sufficient proprietary food resources, as compared to a state which, lacking sufficient resources, imports them and is thus confronted with the risks of underdevelopment and hunger, as considered by the doctrine¹⁶.

At international level, the definition of the “food security” notion is included in the first paragraph of the Plan of Action laid out at the International Conference on Food (Rome, November 13-17 1996)¹⁷ and in the Rome Declaration on World Food Security. Thus, food security is understood as existing “when all the human beings have, at any moment and in any place, physical and economic access to sufficient, healthy and nutritional food, allowing them to fulfil their food needs and preferences, for a healthy and active life”.

2. Food Security from the Perspective of Human Rights. Legal Sanctioning at International Level

The freedom of access to food represents one of the fundamental human rights, being granted a particular importance, under the pressure of the demographic factor (with an estimated population growth of up to 9 billion, by 2050).

In the international legal documents in force, the fundamental human rights and freedoms represent a *unified legal body*, all these rights being in a *relation of interdependence*¹⁸. Thus, one cannot talk about the right to life of a person, without the states parties to these international documents, fundamental for the international order of contemporary law, guaranteeing the right to food, the right to health, the right to physical and mental integrity, the right to a clean, unpolluted environment¹⁹, as well as other fundamental human rights and freedoms related to the right to life of the person.

¹⁵ Doina Mureșan, *Securitatea alimentară...*, op. cit., p. 144-145.

¹⁶ Hans Morgenthau, quoted in Teodor Frunzeti, op. cit., p. 114.

¹⁷ www.fao.org/wfs/index_fr.htm (plan d’action).

¹⁸ Grigore Geamănu, *Drept internațional public*, vol. 1, Ed. Didactică și Pedagogică, Bucharest, 1981, p. 356, 370; Raluca Miga-Beșteliu, *Drept internațional. Introducere în dreptul internațional public*, Ed. All Beck, Bucharest, 1998, p. 204.

¹⁹ The right to a healthy environment, as a human right, is part of the third category of human rights, also known as solidarity rights, while the right to food is part of the second generation of rights, being considered an economic right. See the classification of human rights into categories, based on the chronological criterion, in Raluca Miga-Beșteliu, op. cit., p. 198-199. We consider that the right to food,

At international legal level, the notion of “food security” is rendered in legal concepts (fundamental human rights and freedoms), in various international documents of major importance for the idea of international democratic community, as well as for the contemporary international legal order.

Thus, the Universal Declaration of Human Rights, art. 25, paragraph 1, stipulates that “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food...”. Here, food is an element of the right to a decent living and it does not represent a specific right (the human right to food).

In the International Covenant on Economic, Social and Cultural Rights/1966, art. 11, paragraph 1, the State Parties acknowledge “recognize 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” (a dynamic right, aligned to the constantly changing and improving standards of human existence, in the 21st century). Art. 11, paragraph 2 sanctions a special human right, i.e. *the right of any person to be protected against hunger* («droit fondamental qu’a toute personne d’être à l’abri de la faim»²⁰).

Another major international document in the field of human rights is the International Covenant on Economic, Social and Cultural rights/1966, art 10 (the inherent right of any person to be treated with dignity), which creates a connection among the right to life, the right to physical integrity and to be protected against genocide and the right of any person to be protected against hunger.

In addition, food security translated into fundamental human rights (the human right to be protected from hunger, the right to a decent living, the right to life, the right to physical and mental integrity, the right to health, the right to a healthy environment) is also included in provisions of other international covenants, in various areas of international law (international legal documents on the protection of the rights of women, refugees, stateless persons, children or even the interdiction of apartheid crime refer to food security as a specific type of human security). For example, we can quote art. 12 paragraph 2, of the Convention on the Elimination of All Forms of Discrimination against Women/1979, which imposes the obligation of the States Parties to provide the women an adequate nutrition during the pregnancy and nursing period.

The Convention concerning the Rights of the Child/1989, art. 24, paragraph 1 imposes the obligation of the States Parties to take adequate measures to “combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water”.

Art. 23/Convention regarding the Status of Stateless Persons/1954 imposes the obligation of the states to accord to stateless persons lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to their

which is inherently related to the human right to life, to physical and mental integrity, to the human dignity and freedom, exceeds the strict content of an economic right, falling into the category of subjective, personal rights, i.e. the first category of rights (regarded not chronologically, but based on their content).

²⁰ See the Romanian Institute for Human Rights, *Principalele instrumente internaționale privind drepturile omului la care România este parte*, vol. I, *Instrumente universale*, Bucharest, 2002.

nationals (the same obligation is imposed to the refugees, according to the Convention regarding the Status of Refugees/1951, art. 23).

Through the Declaration adopted after the first World Food Conference (November 1974, Rome), i.e. the Universal Declaration on the Eradication of Hunger and Malnutrition²¹, the following right is sanctioned: “Every man, woman and child has the inalienable right to be free from hunger and malnutrition in order to develop fully and maintain their physical and mental faculties.” In this context, the Declaration sets the common objective of eradicating hunger for all the countries of the international community, especially the developed countries and other countries capable of supplying help. In addition, to add concrete legal content to the concept of “food security”, in the field of human rights, the text in discussion also provisions the necessity to guarantee an adequate nutrition for everyone²².

Another key international document for the consolidation of human rights in relation to the food and food resources is the International Engagement on World Food Security (sanctioned by Resolution 3348/XVII of the World Food Conference/1974, supported by the UN General Assembly). Art. 1 of this text specifies the obligation of the governments “to work together in order to ensure at any moment sufficient world supplies of basic food products, mainly cereals, in order to avoid severe food crises”. According to this text adopted unanimously, as a continuation of the first World Food Meeting/1996, the *human right to food* was legally sanctioned. In its preamble, the Declaration states the right of each individual to have access to healthy and nutritious food and, in paragraph 10, it stipulates the right to decent nutrition.

The human right to nutrition is inherently connected to the concept of “food security” (according to the doctrine, in terms of availability of food resources, access to such resources and concrete use/consumption of food) and it even supersedes the latter, in favour of the legal and political obligations of the States Parties, in the above-mentioned document, *to help the developing countries from the food viewpoint*, thus ensuring a fair distribution of the resources and the human right to be protected from hunger.

Concerning the international documents adopted under the aegis of the UN General Assembly, in the field of food security, the list includes: Resolution 57/226 dated February 26th 2003, Resolution 56/155 dated February 15th 2002, Resolution 53/149 dated December 9th 1998 (Human Rights and Extreme Poverty), Resolution 55/106 dated March 14th 2001, Resolution 57/270, enforcing the Millennium Declaration adopted by the UN and others. In all these texts, the UN General Assembly insists on the importance of international acknowledgement – and ensuring of its content, through concrete national measures – by the States Parties, of the human rights to food. To this end, the States Parties are encouraged to adopt *national measures* to enable the concrete enforcement of this right (ensuring the human right to be protected from hunger or elaboration of national plans to counter hunger, included).

²¹ Adopted by Resolution 3348 (XXIX) of 1974, adopted by the UN General Assembly.

²² Declaration determining the obligation of the States Parties to take measures nationally and to ensure these rights through the specific international cooperation mechanisms. Also see Grigore Geamănu, *op. cit.*, p. 369.

The doctrine insists on the legal distinction between *the human right to food* (or the right to sufficient food) and *the human right to be protected from hunger*, the last being considered a *fundamental right* (as explicitly sanctioned by the International Covenant on Economic, Social and Cultural Rights, art. 11), i.e. a right enforceable by the states, even in the absence of any conventional obligation, irrespective of any type of acceptance on their part, a right existing under all circumstances, irrespective of the time and place, and accepting no derogation (*ius cogens*)²³. Therefore, this right must be acknowledged for every person, irrespective of his/her country of origin or residence, irrespective of his/her status (citizen, stateless person, refugee), irrespective of the development level of the respective country, to the same degree as any other country. It is highly important to note that, by virtue of its *ius cogens* nature, this right must be observed by any country, *therefore by the developing countries*, because this is a right that accepts no derogation. It is also an *indefeasible right* (finally and inherently attached to the person), concerning the right to life and the right to physical and mental integrity (from the analysis of the legal provision in art. 1/Universal Declaration of Human Rights).

Unlike this right (considered *ius cogens* in the doctrine), *the human right to food* (or the right to sufficient food) *is considered a conventional right* (sanctioned by the International Covenant on Economic, Social and Cultural Rights, art. 11, paragraph 1).

This right by the doctrine to belong to the second generation of human rights (category of economic, social and cultural rights), without considering a hierarchization of the human rights, but considering the moments of international legal sanctioning, chronologically ordered, of the various human rights.

As noted by the Committee for Economic, Social and Cultural Rights in the General Observation no. 12/1995, a non-dissociable connection between the concept of human dignity and the right to sufficient food is acknowledged, as well as in relation to the enforcement of other human rights sanctioned at international level. The doctrine considers that national observance of this right requires the implementation of economic measures and policies envisaging the eradication of poverty and enforcement of human rights for everyone.

The enforcement of this right entails not only a national effort, *but also international and regional cooperation*, as the States must take the measures required to ensure the fair distribution of world resources according to the needs, through international cooperation as well, as provisioned by the International Covenant on Economic, Social and Cultural Rights, art. 11, paragraph 2.

3. Development of the Field of Human Rights at the Beginning of the 21st Century: Towards the Sanctioning of an International Law Principle, the Principle of Food Security

Concerning the concept of “food security” at international level, it is considered to be particularly related to the individual’s right to sufficient food²⁴. Also concerning the

²³ According to Raluca Miga-Beșteliu, *op. cit.*, p. 80-81.

²⁴ Abdelrahman Afifi, *Sources et normes de sécurité alimentaire en droit international*, în *La sécurité alimentaire*, L’Académie de droit international de la Haye, Ahmed Mahiou, Francis Snyder (sous la dir. de), Martinus Nijhoff Publishers, Leiden/Boston, 2006, p. 228.

international level, the concept of “food security” is defined by the doctrine according to four elements: availability of food products, stability of supply, access to food products and preference of quality. If, in the developed countries the concept of “food security” is especially based on the idea of quality and sanitation (*food safety*), in the developing countries, the same legal-political concept is construed in relation to the idea of availability and access to food products²⁵.

According to the doctrine²⁶, the phrase “international law principle” refers to an “an international framework of general legal norms, entailing sets of precise rules for their enforcement”, but the concept can also be regarded from the viewpoint of the nature (political or legal) of the concept, *from which it derives* (in this case, “food security”, which evolved from a political content, to a legal content). In view of the doctrine, the constant references to this concept, in various international legal documents, can lead to mandatory legal norms, in the future, or create the basis for the acknowledgement of an already existing international common law, in terms of food security²⁷.

Conclusions

The concept of “food security” is an inherent part of the broader concept of “human security”, which in turn is considered by specialists to be related to the scope of “national security” *lato sensu* and especially to the aspect of economic security.

Regarded from the legal perspective, food security sets the theoretical basis for reporting a *specific set of human rights* (right to life, right to physical and mental integrity, right to health, human right to a decent life, right to an unpolluted environment), in the field of *economic operations and durable development*, as well as in *the field of national security* (plus connection of this concept to the obligation of the states *to observe the human freedom and dignity*).

Food security translated into legal provisions at international level, as a legal concept, generated a set of specific rights, derived from the above-mentioned human rights (without considering however that there is a hierarchical relation between them). Thus, at international level, in various international and regional legal documents, the human right to nutrition, the human right to healthy nutrition, the human right to be protected from hunger (not limited to the obligation of the states to create food stocks, for crisis situations or sanitary protection, instead it incorporates other specific obligations of the states, within their economic and social policies based on the concept of “durable food security”, such as the obligation to ensure free access of the people to the basic products, the obligation to ensure sufficient, healthy and nutritious food) were sanctioned. Elements such as free access to food (the principle of food availability), quality of food and use of food are also included in the legal concept of “food security”.

For the time being, this concept is considered by the doctrine to be part of the soft law, as it is based on the voluntary engagements of the states or on less restrictive legal texts (declarations, resolutions, conventions), which can gradually generate an international common law in the field. In another version, these engagements *can become in the future a mandatory legal basis for the states and, at the superior level,*

²⁵ Abdelrahman Afifi, *op. cit.*, p. 228.

²⁶ M. Viralli, A. Verdross, quoted in Abdelrahman Afifi, *op. cit.*, p. 261.

²⁷ *Ibidem*, p. 262.

they can be considered part of ius cogens (by extending the sense of *ius cogens* from the human right to be protected from hunger, to other rights derived from the concept of “food security” – the human right to healthy, nutritious food, the human right to nutrition sufficient for one’s needs).

However, all these rights *must not be regarded as isolated instances*, in relation to the land ecosystem and with the need to preserve natural resources for future generations (the concept of “durable development”). A vision *balanced* between the food needs of the present generations and the preservation of environment, for future generations, connects the two concepts (food security and durable development), *creating new concepts, still explored in the doctrine, such as the concept of “durable food security”*. Thus, a balance between the human right to nutrition and the human right to an unpolluted environment, as well as the rights of the future generations to have an unpolluted environment and access to natural resources, must be ensured at international level, in international and regional legal documents agreed upon by the states. Thus, *one cannot regard the human right to food in an absolutist manner* (which would mean national policies of massive deforestation, change in watercourses, change in relief and, implicitly, irreversible change in the regional ecosystems, in order to make room for ploughable lands), *to the detriment of the environment and of its protection regulations*.

In addition, one cannot isolate the human right to food, completely detaching it from other fundamental human rights, such as the human right to health, the human right to a decent life, the human right to be correctly informed regarding the quality and composition of food, the right to food which is not only sufficient, but also healthy and nutritious. In our opinion, these rights form the *consolidated content* of the concept of “food security”, considering the technological and scientific momentum, in the field of genetics, food chemistry, occurrence of mass crops of genetically modified plants, as well as husbandry of genetically modified animals or animals injected with growth hormones and, on the other hand, the necessity to protect the life and health of the human person and of the environment.

In their economic and social policies, the states must create a delicate and permanent balance among the human right to food, the human right to health, to nutritious and healthy food (not only sufficient) and the human right to an unpolluted environment, besides the observance of the specific regulations concerning the protection of natural ecosystems, endangered by the development of chemical industries, food industries, toxic substances discharged in the soil, subsoil and waters, during the food preparation processes or during the processes of growing agricultural crops.

Thus, we must regard the concept of “food security” as a *dynamic concept, which has constantly extended its scope* (from security to agriculture, economic policies, durable development, power security, social policies and environment policies), but, in the conditions of economic globalization, it cannot be limited to the field of national measures to ensure its content (here, to observe and ensure the human right to healthy, nutritious food, the human right to health, the human right to be protected from hunger, the human right to an unpolluted environment). Instead, it must be regarded as a concept that entails a cooperative action of the States, at regional and international level.

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