



UNIVERSITÀ DI PARMA



UNIVERSITÀ
DI PARMA

DIPARTIMENTO DI GIURISPRUDENZA,
STUDI POLITICI E INTERNAZIONALI

DIPARTIMENTO 2023
DI ECCELLENZA 2027

FOOD SECURITY IN INTERNATIONAL LAW

Elena Carpanelli
elena.carpanelli@unipr.it
8 June 2026

Starting Point: The Legal Definition

«Food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life.»

(World Food Summit, Rome Declaration, 1996)



Rome Declaration on World Food Security

We, the Heads of State and Government,¹ or our representatives, gathered at the World Food Summit at the invitation of the Food and Agriculture Organization of the United Nations, reaffirm the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger.

We pledge our political will and our common and national commitment to achieving food security for all and to an ongoing effort to eradicate hunger in all countries, with an immediate view to reducing the number of undernourished people to half their present level no later than 2015.

We consider it intolerable that more than 800 million people throughout the world, and particularly in developing countries, do not have enough food to meet their basic nutritional needs. This situation is unacceptable. Food supplies have increased substantially, but constraints on access to food and continuing inadequacy of household and national incomes to purchase food, instability of supply and demand, as well as natural and man-made disasters, prevent basic food needs from being fulfilled. The problems of hunger and food insecurity have global dimensions and are likely to persist, and even increase dramatically in some regions, unless urgent, determined and concerted action is taken, given the anticipated increase in the world's population and the stress on natural resources.

We reaffirm that a peaceful, stable and enabling political, social and economic environment is the essential foundation which will enable States to give adequate priority to food security and poverty eradication. Democracy, promotion and protection of all human rights and fundamental freedoms, including the right to development, and the full and equal participation of men and women are essential for achieving sustainable food security for all.

Poverty is a major cause of food insecurity and sustainable progress in poverty eradication is critical to improve access to food. Conflict, terrorism, corruption and environmental degradation also contribute significantly to food insecurity. Increased food production, including staple food, must be undertaken. This should happen within the framework of sustainable management of natural resources, elimination of unsustainable patterns of consumption and production, particularly in industrialized countries, and early stabilization of the world population. We acknowledge the fundamental contribution to food security by women, particularly in rural areas of developing countries, and the need to ensure equality between men and women. Revitalization of rural areas must also be a priority to enhance social stability and help redress the excessive rate of rural-urban migration confronting many countries.

Convinced that the multifaceted character of food security necessitates concerted national action, and effective international efforts to supplement and reinforce national action, we make the following commitments:

1. we will ensure an enabling political, social, and economic environment designed to create the best conditions for the eradication of poverty and for durable peace, based on full and equal participation of women and men, which is most conducive to achieving sustainable food security for all;
2. we will implement policies aimed at eradicating poverty and inequality and improving physical and economic access by all, at all times, to sufficient, nutritionally adequate and safe food and its effective utilization;
3. we will pursue participatory and sustainable food, agriculture, fisheries, forestry and rural development policies and practices in high and low potential areas, which are essential to adequate and reliable food supplies at the household, national, regional and global levels, and combat pests, drought and desertification, considering the multifunctional character of agriculture;
4. we will strive to ensure that food, agricultural trade and overall trade policies are conducive to fostering food security for all through a fair and market-oriented world trade system;
5. we will endeavour to prevent and be prepared for natural disasters and man-made emergencies and to meet transitory and emergency food requirements in ways that encourage recovery, rehabilitation, development and a capacity to satisfy future needs;
6. we will promote optimal allocation and use of public and private investments to foster human resources, sustainable food, agriculture, fisheries and forestry systems, and rural development, in high and low potential areas;
7. we will implement, monitor, and follow-up this Plan of Action at all levels in cooperation with the international community.

We pledge our actions and support to implement the World Food Summit Plan of Action.

Defining Food Security

- Physical *availability* of food: Food availability addresses the “supply side” of food security and is determined by the level of food production, stock levels and net trade.
- Economic and physical *access* to food: An adequate supply of food at the national or international level does not in itself guarantee household level food security. Concerns about insufficient food access have resulted in a greater policy focus on incomes, expenditure, markets and prices in achieving food security objectives.
- Food *utilization*: Utilization is commonly understood as the way the body makes the most of various nutrients in the food. Sufficient energy and nutrient intake by individuals are the result of good care and feeding practices, food preparation, diversity of the diet and intra-household distribution of food. Combined with good biological utilization of food consumed, this determines the nutritional status of individuals.
- *Stability* of the other three dimensions over time: Even if your food intake is adequate today, you are still considered to be food insecure if you have inadequate access to food on a periodic basis, risking a deterioration of your nutritional status. Adverse weather conditions, political instability, or economic factors (unemployment, rising food prices) may have an impact on your food security status.

Defining Food Security



FOOD SAFETY

the set of rules concerning processes or actions that prevent food from containing substances that could harm a person's health. Food safety aims to have food that is safe to eat.

Defining Food Security

FOOD SOVEREIGNTY

The peoples' and Countries' right to choose, to cultivate and to preserve their food practices and biocultural values, to define their agricultural and food policies, in alternative to the neo-liberal food policies.



Defining Food Security



FOOD SUSTAINABILITY

a food system that delivers food security and nutrition for all in such a way that the economic, social and environmental bases to generate food security and nutrition for future generations are not compromised. This means that it :

- is profitable throughout (**economic sustainability**);
- has broad-based benefits for society (**social sustainability**); and
- has a positive or neutral impact on the natural environment (**environmental sustainability**).

Delineating the Existing Legal Framework

Human Rights Protection

INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Article 11

1. The States Parties to the present Covenant 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. 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.

Delineating the Existing Legal Framework

Human Rights Protection

INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Article 11

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:

(a) To improve methods of production, communicate scientific knowledge, by disseminating agrarian systems in such a way as to achieve

(b) Taking into account the problems of both developed and developing countries, to ensure an equitable distribution of world food supplies in relation to the needs of the population

UNITED NATIONS

Normative content of article 11, paragraphs 1 and 2

6. The right to adequate food is realized when every man, woman and child, alone or in community with others, have physical and economic access at all times to adequate food or means for its procurement. The *right to adequate food* shall therefore not be interpreted in a narrow or restrictive sense which equates it with a minimum package of calories, proteins and other specific nutrients. The *right to adequate food* will have to be realized progressively. However, States have a core obligation to take the necessary action to mitigate and alleviate hunger as provided for in paragraph 2 of article 11, even in times of natural or other disasters.

Adequacy and sustainability of food availability and access

7. The concept of *adequacy* is particularly significant in relation to the right to food since it serves to underline a number of factors which must be

8. The Committee considers that the core content of the right to adequate food implies:

The availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture;

The accessibility of such food in ways that are sustainable and that do not interfere with the enjoyment of other human rights.

Ensuring the full use of technical and scientific knowledge, and promoting or reforming agrarian systems in such a way as to achieve the most efficient use of natural resources;

Ensuring an equitable distribution of world food supplies in relation to the needs of the population

Delineating the Existing Legal Framework Human Rights Protection

UNITED
NATIONS

E



Economic and Social
Council

Distr.
GENERAL

E/C.12/1999/5
12 May 1999

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS
Twentieth session
Geneva, 26 April-14 May 1999
Agenda item 7

SUBSTANTIVE ISSUES ARISING IN THE IMPLEMENTATION OF THE INTERNATIONAL
COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS:

GENERAL COMMENT 12 (Twentieth session, 1999)

The right to adequate food (art. 11)

Normative content of article 11, paragraphs 1 and 2

6. The right to adequate food is realized when every man, woman and child, alone or in community with others, have physical and economic access at all times to adequate food or means for its procurement. The *right to adequate food* shall therefore not be interpreted in a narrow or restrictive sense which equates it with a minimum package of calories, proteins and other specific nutrients. The *right to adequate food* will have to be realized progressively. However, States have a core obligation to take the necessary action to mitigate and alleviate hunger as provided for in paragraph 2 of article 11, even in times of natural or other disasters.

Adequacy and sustainability of food availability and access

7. The concept of *adequacy* is particularly significant in relation to the right to food since it serves to underline a number of factors which must be taken into account in determining whether particular foods or diets that are accessible can be considered the most appropriate under given circumstances for the purposes of article 11 of the Covenant. The notion of *sustainability* is intrinsically linked to the notion of adequate food or food *security*, implying food being accessible for both present and future generations. The precise meaning of "adequacy" is to a large extent determined by prevailing social, economic, cultural, climatic, ecological and other conditions, while "sustainability" incorporates the notion of long-term availability and accessibility.

8. The Committee considers that the core content of the right to adequate food implies:

The availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture;

The accessibility of such food in ways that are sustainable and that do not interfere with the enjoyment of other human rights.



UNIVERSITÀ
DI PARMA

Defining the Legal Framework: International Humanitarian Law

1899-1907 Hague Conventions (13)

a body of law mainly dealing with rules of conduct of hostilities and establishing limitations or prohibitions of specific means and methods of warfare.

1949 Geneva Conventions

I GC - Wounded and sick soldiers on land during war.

II GC - Wounded, sick and shipwrecked members of armed forces at sea during war.

III GC - Prisoners of war

IV GC - Protection to civilians, including in occupied territory

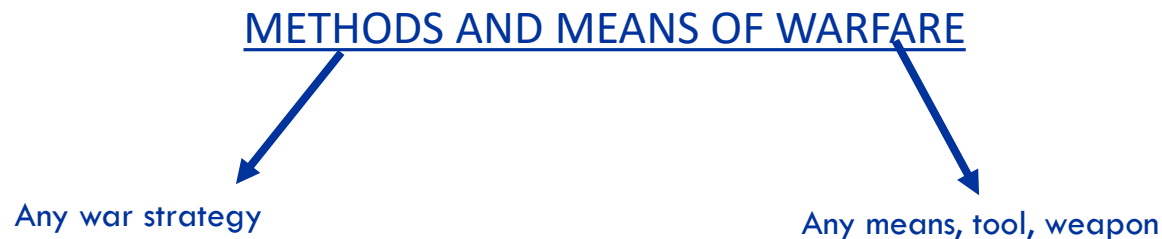
1977 Additional Protocols

I AP - Protection of victims of international conflicts

II AP - Protection of victims of non-international conflicts

Delineating the Existing Legal Framework

International Humanitarian Law



I Additional Protocol, art. 35

1. In any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is **not unlimited**.
2. It is prohibited to employ weapons, projectiles and material and methods of warfare of a nature **to cause superfluous injury or unnecessary suffering**.
3. It is prohibited to employ methods or means of warfare which are intended, or may be expected, **to cause widespread, long-term and severe damage to the natural environment**.

Delineating the Existing Legal Framework

International Humanitarian Law

PROTECTION OF OBJECTS INDISPENSABLE TO THE SURVIVAL OF THE CIVILIAN POPULATION

I AP, art. 54: 1. **Starvation of civilians as a method of warfare is prohibited.** 2. It is prohibited to attack, destroy, remove or render useless **objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs**, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive

II AP, art.14: **Starvation of civilians as a method of combat is prohibited.** It is therefore prohibited to attack, destroy, remove or render useless, for that purpose, **objects indispensable to the survival of the civilian population, such as foodstuffs**, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works.

Delineating the Existing Legal Framework International Humanitarian Law

OCCUPATION

IV GC, art. 55: The Occupying Power has the duty of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate.

The Occupying Power may not requisition foodstuffs, articles or medical supplies available in the occupied territory, except for use by the occupation forces and administration personnel, and then only if the requirements of the civilian population have been taken into account.

Under international humanitarian law (IHL), there is occupation when a state exercises an unconsented-to effective control over a territory to which it has no sovereign title. Article 42 of The Hague Regulations of 1907 defines occupation as follows: "Territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established and can be exercised."

Occupation law – as a branch of IHL – regulates the partial or total occupation of a territory by a hostile army. Provisions regulating occupation can be found in The Hague Regulations of 1907, the Fourth Geneva Convention and Protocol I additional to the Geneva Conventions.

Under occupation law, the occupying power does not acquire sovereignty over the occupied territory and is required to respect the existing laws and institutions of the occupied territory as far as possible. It is presumed that occupation will be temporary and that the occupying power shall preserve the status quo ante in the occupied territory.

Delineating the Existing Legal Framework

International Humanitarian Law

HUMANITARIAN RELIEF

IV GC, art. 59: If the whole or part of the population of an occupied territory is **inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal.** Such schemes, which may be undertaken either by States or by impartial humanitarian organizations such as the International Committee of the Red Cross, shall consist, in particular, of the provision of consignments of **foodstuffs**, medical supplies and clothing. All Contracting Parties shall permit the free passage of these consignments and shall guarantee their protection.

Art. 60: Relief consignments shall in no way relieve the Occupying Power of any of its responsibilities under Articles 55 , 56 and 59. The Occupying Power shall in no way whatsoever divert relief consignments from the purpose for which they are intended, except in cases of urgent necessity, in the interests of the population of the occupied territory.

Art. 61: All Contracting Parties shall endeavour to permit the transit and transport, **free of charge**, of such relief consignments on their way to occupied territories.

Delineating the Existing Legal Framework

International Criminal Law

STATUTE OF THE INTERNATIONAL CRIMINAL COURT

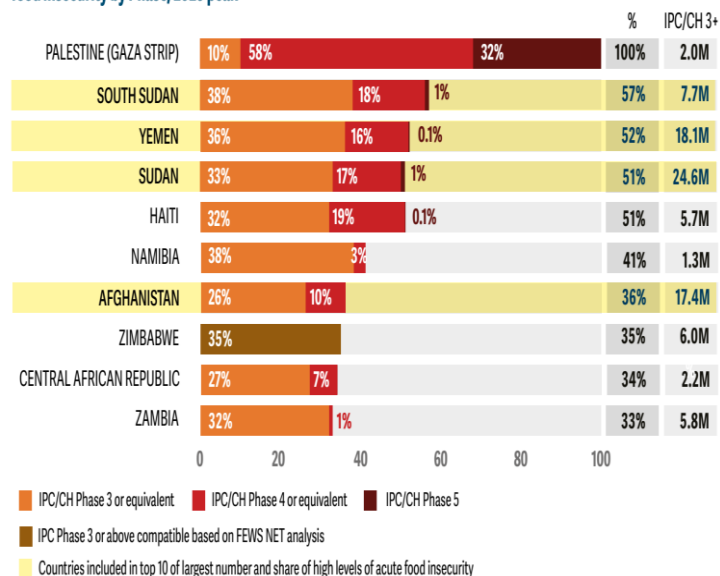
Art. 7: For the purpose of this Statute, “crime against humanity” means any of the following acts when committed as part of a **widespread or systematic attack** directed **against any civilian population, with knowledge of the attack**: (2, let.b) “Extermination” includes the intentional infliction of conditions of life, **inter alia the deprivation of access to food** and medicine, calculated to bring about the destruction of part of a population.

Art. 8 (2)(b)(xxv) For the purpose of this Statute, “war crimes” means: [...] **serious violations of the laws and customs applicable in international armed conflict**, within the established framework of international law, namely, any of the following acts: : [...] **Intentionally using starvation of civilians as a method of warfare** by depriving them of objects indispensable to their survival, **including wilfully impeding relief supplies** as provided for under the Geneva Conventions.



Global Food Insecurity

Figure 2.3 Top ten countries/territories with the largest share of population analysed facing high levels of acute food insecurity by Phase, 2025 peak



Source: IPC TWGs, 2025; IPC Global Initiative, 2025; CH, 2025; FEWS NET, 2025 (Zimbabwe); IPC and Food Security Cluster (Yemen).

363 MILLION

PEOPLE

at risk of acute hunger in 2026

45 MILLION

PEOPLE

at risk of acute hunger because of Middle East conflict

The scale of the current global hunger and malnutrition crisis is enormous.

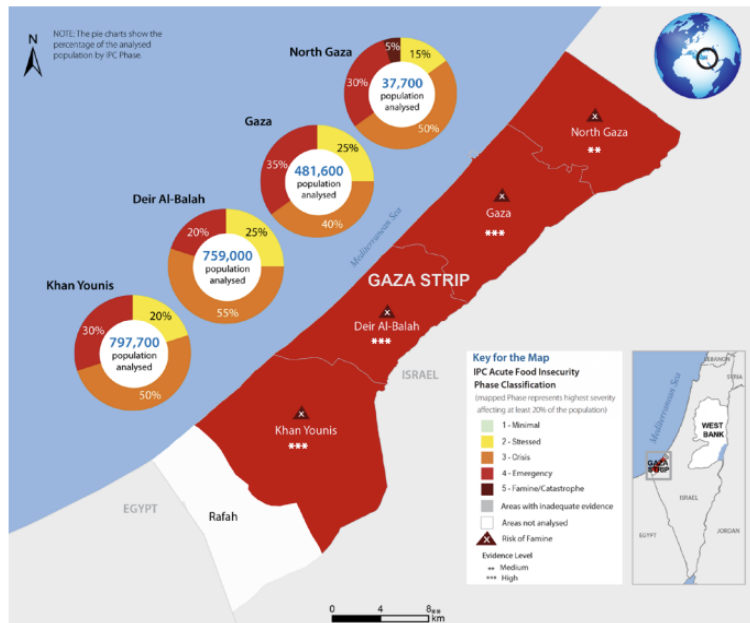
A staggering 318 million people were already facing crisis levels of hunger or worse in 2026, according to the [WFP 2026 Global Outlook](#). The conflict in the Middle East is deepening this food crisis to an alarming degree, with the World Food Programme warning of [record numbers of acute hunger](#) if it continues.

In 2025, two simultaneous famines were confirmed in parts of Gaza and Sudan – a devastating first this century. Many food crises involve multiple overlapping issues that are building year on year.

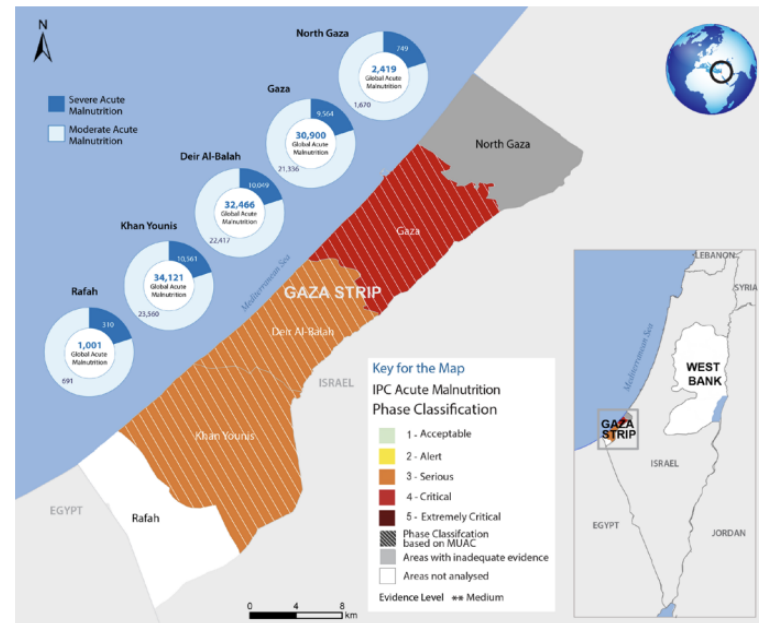
FAO, WFP & GNAFC, 2026 Global Report on Food Crises – Joint analysis for better decisions, <https://doi.org/10.4060/cd9424en>

The Situation in the Gaza Strip

Projected Acute Food Insecurity | 1 December 2025 – 15 April 2026



Projected Acute Malnutrition | 1 December 2025 – 15 April 2026



IPC Global Initiative - Special Brief - Gaza Strip, 19 December 2025,

https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Oct2025_Apr2026_Special_Brief.pdf

The Situation in the Gaza Strip

Following a significant reduction in conflict, a proposed peace plan, and improved access for both humanitarian and commercial food deliveries, food security conditions have improved in the Gaza Strip. However, the situation remains critical.

The situation is expected to remain severe with around 1.6 million people still facing Crisis or worse (IPC Phase 3 or above) food insecurity.

This includes 571,000 people in Emergency (IPC Phase 4) conditions, and about 1,900 people in Catastrophe (IPC Phase 5), reflecting a reduction in the most extreme conditions.

IPC Global Initiative - Special Brief - Gaza Strip, 19 December 2025,

https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Oct2025_Apr2026_Special_Brief.pdf

The Situation in the Gaza Strip

Which norms
might be
considered
breached?

Which limits
demonstrates the
protection of food
security?

Which judicial
remedies would
you undertake?

Which legal
instrument(s)
might prove
helpful?

The Situation in the Gaza Strip

INTERNATIONAL COURT OF JUSTICE

Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)

Provisional measures of 26 January 2024

REQUEST: The State of Israel shall, pursuant to point (4) (c) above, in relation to Palestinians, **desist from**, and take all measures within its power including the rescinding of relevant orders, of **restrictions and/or of prohibitions to prevent:** (b) the deprivation of: (i) **access to adequate food** and water;

FACTUAL SITUATION: “People are facing the **highest levels of food insecurity ever recorded**. Famine is around the corner. (par. 47)”; “Population in Gaza is facing **crisis levels of hunger, with insufficient food and high levels of malnutrition**. At least 1 in 4 households are facing ‘**catastrophic conditions**’: experiencing an **extreme lack of food and starvation** and having resorted to selling off their possessions and other extreme measures to afford a simple meal. Starvation, destitution and death are evident. (par. 48)”; “**They lack everything**, from food to hygiene to privacy. People live in inhumane conditions, where diseases are spreading, including among children. They live through the unlivable, **with the clock ticking fast towards famine** (par. 49)”.

PROVISIONAL MEASURES: 1) The State of Israel shall, in accordance with its obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, in relation to Palestinians in Gaza, take all measures within its power to prevent the commission of all acts within the scope of this Convention [...]; 4) The State of Israel shall **take immediate and effective measures to enable the provision of urgently needed basic services** and humanitarian assistance to address the adverse conditions of life faced by Palestinians in the Gaza Strip; [...].



The Situation in the Gaza Strip

Provisional measures (additional) of 28 March 2024

The Request is prompted by the “horrific deaths from starvation of Palestinian children, including babies, brought about by Israel’s deliberate acts and omissions...(par. 16).”

“Palestinian in Gaza are no longer facing only a risk of famine [...] but famine is setting in. (par. 21)”

“In conformity with its obligations under the Genocide Convention, and in view of the worsening conditions of life faced by Palestinians in Gaza, **in particular the spread of famine and starvation**, Israel shall: (a) take all necessary and effective measures to ensure, without delay, in full co-operation with the United Nations, the unhindered provision at scale by all concerned of **urgently needed basic services and humanitarian assistance, including food**, water, electricity, fuel, shelter, clothing, hygiene and sanitation requirements, as well as medical supplies and medical care to Palestinians throughout Gaza, including by increasing the capacity and number of land crossing points and maintaining them open for as long as necessary; and (b) **ensure** with immediate effect that its military **does not commit acts which constitute a violation of any of the rights of the Palestinians** in Gaza as a protected group under the Genocide Convention, **including by preventing, through any action, the delivery of urgently needed humanitarian assistance.** (par. 45)”

The Situation in the Gaza Strip



**Cour
Pénale
Internationale**
**International
Criminal
Court**

Trying individuals for genocide, war crimes, crimes against humanity, and aggression

ENFR

[Home](#) [About](#) [Office of the Prosecutor](#) [Situations and Cases](#) [News](#) [Documents](#) [Practical Information](#) [Get Involved](#) [Vacancies](#) [Search](#)

[Home](#) > [Defendant](#) > Netanyahu

Netanyahu

About Defendant

Mr Benjamin Netanyahu, born on 21 October 1949, Prime Minister of Israel at the time of the relevant conduct.

Arrest warrant issued on 21 November 2024

Accused LastName

Netanyahu

Accused FirstName

Benjamin

Charges

Allegedly responsible for the war crimes of starvation as a method of warfare and of intentionally directing an attack against the civilian population; and the crimes against humanity of murder, persecution, and other inhumane acts from at least 8 October 2023 until at least 20 May 2024.

**THANK YOU FOR YOUR
ATTENTION!**