

## The right to food and the fight against food insecurity in France

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### Abstract:

The food challenge is emerging as a major issue of the 21st century - however, the legal framework to tackle it is still in its infancy. Following the work of Amartya Sen showing that hunger can result from poverty and not from food availability, the right to food arises as a goal and a means of guaranteeing dignified access to available and adequate food. However, it is surprising to note the lack of consideration given to this human right in so-called developed countries, which are no exception to the problems of hunger and malnutrition. Thus, in France, access to food is subject to weak legal protection and the measures taken to deal with food insecurity are mainly involved in the context of food aid.

This paper is centered around the question of the interest and specificity of an approach based on the right to food to fight against food insecurity, compared to the legal system and current politics in France. The framework of the analysis is set in the French context to answer this questioning, but it uses the issues raised by the doctrine in international law; it could be applied to Global North contexts since none of these countries has yet enshrined this human right in domestic law. It is therefore a matter of examining the necessity for articulating the right to food as an independent right to ensure its realization, in order to address the needs of those suffering from hunger and malnutrition. More specifically, these questions lead us to research simultaneously the gains of a legal approach versus policy-driven actions, the importance of recognizing and implementing the right to food on its own versus in context with other related rights, and the specificities of the recognition of right to food approach versus charity, to fight against food insecurity.

For this reason, it is important to revisit the definition of the object of this right. Indeed, many important aspects of the right to food remain poorly considered, both at international level and in French positive law, namely the social, cultural and political dimensions of food access. Yet considering these dimensions specifically is crucial in order to demonstrate the benefit, if not necessity, of recognizing and implementing the right to food in France.

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