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Ensuring Food Security as A Human Right: International Legal Standards, State Obligations, And Issues of Improving the National Legislation of Uzbekistan

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Abstract: The article examines the right to adequate food as an internationally recognised human right and analyses its normative content, the typology of corresponding state obligations, and the degree to which the national legislation of the Republic of Uzbekistan reflects international standards. Drawing on the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the authoritative interpretation of the Committee on Economic, Social and Cultural Rights in General Comment No. 12, and the FAO Voluntary Guidelines, the study reconstructs the "respect, protect, fulfil" framework of obligations and the availability-accessibility-adequacy test of the right's content. Against this benchmark the article evaluates the Constitution of the Republic of Uzbekistan and the Law “On Food Security” (O‘RQ-1023-son, 3 February 2025). Using the formal-legal, comparative-legal and document-analysis methods, the author identifies gaps in justiciability, accountability mechanisms, and protection of vulnerable groups, and formulates concrete proposals for improving national legislation. The findings argue for an explicit constitutional and statutory anchoring of the right to food, a national food-security monitoring framework, and effective remedies.

Keywords: Right to food, food security, human rights, state obligations, ICESCR Article 11, General Comment No. 12, FAO Voluntary Guidelines, national legislation, Uzbekistan, SDG 2.

Introduction: Few entitlements are as elemental to human dignity as the ability to feed oneself. Hunger and malnutrition are not merely development problems or questions of agricultural output; in contemporary international law they are human-rights violations that engage the legal responsibility of States. The right to adequate food was proclaimed in the Universal Declaration of Human Rights in 1948 and acquired binding treaty form in the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 1966. Yet more than seventy years later the gap between the normative promise and its practical enjoyment remains wide, and the central legal challenge has shifted from recognition to implementation: how to translate an internationally guaranteed right into enforceable domestic obligations.

For the Republic of Uzbekistan this question has acquired particular urgency. The country has undertaken a broad programme of legal reform, has acceded to the principal human-rights treaties, and, most recently, adopted a dedicated Law “On Food Security” (O‘RQ-1023-son of 3 February 2025), signalling a political commitment to place food security on a statutory footing. Climate pressure on water and arable land, dependence on food imports, and the vulnerability of rural populations and women give the subject concrete national salience. The analytical task is therefore to measure national legislation against the international human-rights standard and to identify where reform is required.

This article pursues three objectives. First, it reconstructs the normative content of the right to adequate food and the typology of state obligations

under international law. Second, it assesses the extent to which Uzbekistan's constitutional and statutory framework reflects those standards. Third, it offers evidence-based proposals for improving national legislation so that food security is guaranteed not only as a policy goal but as a justiciable human right.

METHODS

The human-rights conception of food has a mature scholarly foundation. The authoritative interpretation remains the Committee on Economic, Social and Cultural Rights (CESCR) General Comment No. 12 (1999), which defined the normative content of Article 11 ICESCR and the tripartite obligations to respect, protect and fulfil. The work of the successive UN Special Rapporteurs on the right to food elaborated the justiciability of the right and the concept of food sovereignty, while the FAO Voluntary Guidelines (2004) translated the standard into operational guidance for States. Comparative constitutional scholarship has mapped the growing number of States that entrench the right to food in their basic laws and the emerging domestic case law giving it judicial effect.

Methodologically, the study relies on three complementary methods. The formal-legal (dogmatic) method is used to establish the content of the relevant international instruments and national acts. The comparative-legal method situates Uzbekistan's approach against international standards and selected comparative practice. The document-analysis method is applied to the text of the Law "On Food Security" and related national acts to identify normative gaps. The analysis is organised around a benchmark-and-gap logic: the international standard is reconstructed first and then used as the yardstick against which national legislation is evaluated.

The Right to Food in International Law. The right to adequate food is anchored in a dense web of universal and specialised instruments. Article 25(1) of the Universal Declaration of Human Rights includes food within the right to an adequate standard of living. The decisive binding provision is Article 11 ICESCR: paragraph 1 recognises the right of everyone to an adequate standard of living, including adequate food, and paragraph 2 recognises "the fundamental right of everyone to be free from hunger" - the only right in the Covenant qualified as "fundamental," which marks it as a minimum core that admits no derogation. Specialised treaties reinforce the guarantee for particular groups: the Convention on the Rights of the Child (Articles 24 and 27), the Convention on the Elimination of All Forms of Discrimination against Women (Article 14, on rural women), and the Convention on the Rights of Persons with Disabilities (Article 28). In situations of armed conflict international humanitarian law prohibits starvation of civilians as a method of warfare.

Table 1 maps the principal instruments and their relevance for Uzbekistan as a State party.

International instrument	Key provision	Content for the right to food	Uzbekistan status
Universal Declaration of Human Rights (1948)	Art. 25(1)	Food as part of an adequate standard of living	Foundational customary
ICESCR (1966)	Art. 11(1)–(2)	Adequate food; fundamental right to be free from hunger	State party
CEDAW (1979)	Art. 14	Adequate living conditions and food security for rural women	State party

International instrument	Key provision	Content for the right to food	Uzbekistan status
Convention on the Rights of the Child (1989)	Arts. 24, 27	Nutritious food; adequate standard of living for children	State party
Convention on the Rights of Persons with Disabilities (2006)	Art. 28	Adequate food within social protection	State party
CESCR General Comment No. 12 (1999)		Authoritative interpretation of Art. 11 content and obligations	Interpretive authority
FAO Voluntary Guidelines (2004)		Operational guidance for progressive realisation	Soft-law benchmark
2030 Agenda SDG 2	Target 2.1	Zero hunger; access to safe, nutritious, sufficient food	Policy commitment

The content test: availability, accessibility, adequacy

General Comment No. 12 defines the right as realised "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." Three elements structure the content. Availability requires that food be obtainable either from productive land and natural resources or through well-functioning distribution and market systems. Accessibility has an economic dimension (the cost of acquiring food must not compromise other basic needs) and a physical dimension (food must be within reach of everyone, including the physically vulnerable, those in remote areas, and victims of disasters). Adequacy requires that food be sufficient in quantity and quality to satisfy dietary needs, free from adverse substances, and culturally acceptable. Underpinning all three is the principle of non-discrimination and the protection of a minimum essential level - the core obligation to ensure freedom from hunger - which applies irrespective of resource constraints. The defining feature of the human-rights approach is that it converts food security from an aspiration into a set of legal obligations binding on the State. General Comment No. 12 articulates the now-standard tripartite typology, which also carries a temporal dimension: obligations of result and of conduct, and the duties of progressive realisation and non-retrogression.

The obligation to respect is negative: the State must not arbitrarily deprive people of existing access to food - for example, through forced evictions from productive land, destruction of crops, or discriminatory denial of benefits. The obligation to protect is horizontal: the State must regulate third parties - enterprises, landlords, food producers and traders - so that they do not impair access to adequate and safe food, which encompasses food-safety regulation, competition law, and oversight of land and labour markets. The obligation to fulfil has two components: to facilitate, meaning proactively to strengthen people's access to

and use of resources and livelihoods, and to provide directly when individuals or groups are, for reasons beyond their control, unable to enjoy the right by the means at their disposal - for instance through social assistance, targeted feeding programmes and disaster response.

Two cross-cutting duties qualify the framework. Progressive realisation permits implementation to the maximum of available resources over time, but it does not dilute the immediate obligations of non-discrimination and of securing the minimum essential level. Non-retrogression presumptively prohibits deliberately regressive measures unless they are fully justified by reference to the totality of rights and the State's maximum available resources.

Table 2 operationalises the typology and relates each obligation to concrete expectations for Uzbekistan.

Obligation type	Nature	Core content	Illustrative measures expected of Uzbekistan
Respect	Negative / immediate	Do not deprive existing access to food	Safeguards against arbitrary loss of land and livelihoods; non-discrimination in benefits
Protect	Regulatory immediate	Prevent third parties from impairing access	Food-safety and quality standards; market oversight; regulation of agribusiness and land relations
Fulfil (facilitate)	Positive progressive	Strengthen access to resources and livelihoods	Support to smallholders and rural women; rural infrastructure; nutrition programmes
Fulfil (provide)	Positive immediate for those in need	Direct provision when self-provision is impossible	Social assistance; school feeding; emergency food reserves and disaster response

Obligation type	Nature	Core content	Illustrative measures expected of Uzbekistan
Minimum core	Immediate, non-derogable	Freedom from hunger for all	A legally guaranteed floor of food assistance; monitoring of undernourishment

Uzbekistan is a party to the ICESCR, CEDAW, the Convention on the Rights of the Child and other relevant treaties, and under its constitutional order generally recognised principles and norms of international law form part of the national legal system. The Constitution in its renewed edition strengthens the catalogue of social guarantees - including the right to a dignified standard of living, social protection, and a favourable environment - and establishes the social-state orientation within which food security naturally belongs. At the policy level, food security has featured in the national development strategies and in sectoral programmes on agriculture, water management, and poverty reduction, aligning domestic planning with SDG 2.

The decisive recent step was the adoption of the Law of the Republic of Uzbekistan "On Food Security" (O'RQ-1023-son, 3 February 2025). As a dedicated statute it consolidates the previously dispersed regulation of food production, reserves, quality and safety, and places food security on an explicit legislative basis. It defines food security as a state of the economy guaranteeing the population's physical and economic access to safe food in quantities sufficient for an active and healthy life, which closely tracks the FAO/World Food Summit conception and overlaps substantially with the availability- accessibility- adequacy content of the right to food. Measured against the international standard, the national framework shows clear strengths and identifiable gaps. On the positive side, the dedicated law, the constitutional social guarantees and the SDG-aligned programmes give Uzbekistan a coherent food-security architecture and reflect, in substance, the obligations to protect (food safety and quality) and to facilitate (agricultural and rural support).

The principal shortcomings are conceptual and institutional. First, food security is framed predominantly as an economic-security and state-policy category rather than as an individual, justiciable human right; the subject of the entitlement - the rights-holder - and the corresponding duty-bearer obligations are not expressed in rights language. Second, the framework is comparatively weak on remedies and accountability: there is no explicit legal guarantee that an individual deprived of the minimum essential level of food can claim a remedy. Third, protection of vulnerable groups - rural women (CEDAW Article 14), children, persons with disabilities, and disaster-affected populations - is not consistently mainstreamed as a legal entitlement. Fourth, there is no dedicated, transparent national monitoring mechanism with disaggregated indicators and independent oversight.

Table 3 presents the gap analysis and the corresponding legislative proposals.

International standard	Benchmark source	Reflection in Uzbek legislation	Identified gap	Proposal for improvement
Right to food as an individual entitlement	ICESCR Art. 11; GC No. 12	Framed as economic	No explicit rights-holder /	Anchor the right to adequate food expressly in the

International standard	Benchmark source	Reflection in Uzbek legislation	Identified gap	Proposal for improvement
		security / state policy	duty-bearer language	Constitution and the Law "On Food Security"
Minimum core - freedom from hunger	ICESCR Art. 11(2)	Implicit in social-protection norms	No legally guaranteed minimum food floor	Statutory guarantee of a minimum essential level of food assistance
Obligation to protect	GC No. 12 §15	Food-safety and quality rules exist	Fragmented; limited redress for consumers	Consolidate food-safety liability and consumer remedies
Protection of vulnerable groups	CEDAW Art. 14; CRC Arts. 24, 27	Partial, programme-based	Not mainstreamed as legal entitlements	Explicit entitlements for rural women, children, persons with disabilities
Remedies and accountability	GC No. 12 §32; FAO Guideline 7	Weak / indirect	No specific remedy for denial of food	Administrative and judicial remedies; complaint mechanism
Monitoring and indicators	GC No. 12 §29; FAO Guideline 17	Sectoral statistics only	No dedicated disaggregated monitoring	National food-security monitoring framework with independent oversight

International standard	Benchmark source	Reflection in Uzbek legislation	Identified gap	Proposal for improvement
Non-retrogression	GC No. 12 §18	Not addressed	No safeguard against regressive measures	Statutory non-retrogression and impact-assessment clause

DISCUSSION

The analysis reveals a characteristic pattern of transition legal systems: a state that has built a substantive food-security policy and a dedicated statute, yet has not fully completed the conceptual move from food security as a goal of state policy to the right to food as a legally enforceable entitlement. The distinction is not merely terminological. A policy objective can be adjusted, deferred or deprioritised according to administrative discretion; a right imposes a floor below which the State may not fall, identifies a rights-holder who can claim it, and demands remedies and accountability when it is denied. Comparative experience shows that States which have constitutionalised the right to food, or given it clear statutory recognition with justiciable guarantees, have developed more resilient protection for the most vulnerable, especially during economic shocks and disasters.

For Uzbekistan the practical stakes are concrete. Water scarcity and land degradation threaten the availability dimension; price volatility and rural poverty bear on economic accessibility; and import dependence exposes the system to external shocks that most affect low-income households. A human-rights framing adds value precisely here: it requires the State to protect the minimum core even under fiscal pressure, to monitor undernourishment with disaggregated data, and to give special attention to rural women and children. Importantly, embedding the right to food does not require abandoning the existing policy architecture; it requires upgrading it by adding the missing rights dimension - entitlement language, a guaranteed minimum, remedies, and independent monitoring. This is consistent with progressive realisation: the reforms proposed are incremental and resource-sensitive, while the non-derogable minimum is affirmed immediately.

CONCLUSIONS AND RECOMMENDATIONS

The right to adequate food is a binding human right under international law, with a well-defined normative content (availability, accessibility, adequacy) and a clear typology of state obligations (respect, protect, fulfil), anchored by a non-derogable minimum core - freedom from hunger. Uzbekistan has made substantial progress by acceding to the relevant treaties, strengthening its constitutional social guarantees, and adopting the dedicated Law “On Food Security” (O‘RQ-1023-son, 3 February 2025). The remaining task is to complete the transition from a policy-and-economic-security conception to a rights-based one.

On the basis of the gap analysis, the following improvements to national legislation are proposed: Explicit recognition. Anchor the right to adequate food expressly — at constitutional level as part of the right to a dignified standard of living, and in the Law “On Food Security” through rights-holder and duty-bearer language that mirrors Article 11 ICESCR and General Comment No. 12. Guaranteed minimum. Establish a statutory guarantee of a minimum essential level of food assistance (freedom from hunger) that applies irrespective of fiscal conditions. Vulnerable-group entitlements. Mainstream specific legal entitlements for rural women (CEDAW Article 14), children, persons with disabilities, and disaster-affected populations. Remedies and accountability. Provide accessible administrative and judicial remedies and a dedicated complaint mechanism for denial of the minimum level of food. Monitoring. Create a national food-security monitoring framework with disaggregated indicators, periodic public reporting, and independent oversight (for example, involving the national human-rights institution). Non-retrogression. Introduce a statutory non-retrogression clause and a human-rights impact assessment for measures affecting food access. Harmonisation. Align sectoral acts on agriculture, water, trade and social protection with the right-to-food standard to ensure coherence across the legal system. Taken together, these measures would

transform food security in Uzbekistan from a declared policy aim into a guaranteed and justiciable human right, reinforcing the country's human-rights commitments, its SDG 2 obligations, and the resilience of its most vulnerable citizens.

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