

*(Ed. Note: The following article, prepared by student members of the International Human Rights Clinic at Willamette University College of Law in Salem, Oregon, USA, provides historical precedents and present context for the International Food Security Treaty by illustrating how various past international agreements have dealt with issues of social justice or public health.)*

## **Precedents in International Agreements for the International Food Security Treaty**

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With the number of people going hungry, ending the problem of hunger via the International Food Security Treaty can seem like a daunting task. However, it is possible to create international agreements which address social ills and make necessary improvements, even in the face of seemingly difficult odds. Examples of such agreements include the following: the Slavery Convention; the Global Polio Eradication Initiative; the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the International Convention on the Elimination of All Forms of Racial Discrimination; the United Nations Convention on the Rights of the Child; the Convention on the Elimination of All Forms of Discrimination Against Women; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and the United Nations Convention on the Rights of Persons with Disabilities.

Despite some of the challenging requirements incorporated in international agreements, these agreements have made lasting impacts on nations, communities, and especially, people in dire situations. In addition to outlining examples of international agreements that have come to fruition through the dreams and persistence of those committed to social justice, this section will also discuss the progress and changes that have come about from countries' fulfillment of their obligations under these international agreements.

### ***A. Slavery Convention (1927)***

This Convention illustrates how the goal of an international agreement is possible to achieve, regardless of how difficult the provisions may seem. For more than 350 years, use of slaves was legal and encouraged by Western governments.<sup>2</sup> Slavery was a prominent source for

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<sup>2</sup> Paul Finkelman, *The American Suppression of the African Slave Trade: Lessons on Legal Change, Social Policy, and Legislation*, 42 AKRON L. REV. 431, 432 (2009).

a country's economic growth, which was one of the main reasons for its prevalence.<sup>3</sup> For example, in the first ten years of the 1800's alone, approximately 609,000 African slaves crossed over the Atlantic Ocean to reach the United States.<sup>4</sup> The African governments participated in the slave trade as well by supporting the trafficking of African citizens.<sup>5</sup> Governments on each side of the slave trade benefited.<sup>6</sup>

Eventually, however, countries began to prohibit the importation of slaves into their territory. Subsequent peace treaties that were created included the denouncement of slavery. However, enforcing the termination of this practice was nearly impossible because enforcement mechanisms were not implemented. Due to sovereignty issues, parties could not verify if other parties were in compliance with the peace treaties.

In 1922, the League of Nations initiated talks about slavery and created a commission to investigate the problem of slavery. This commission found that the slave trade was still being practiced and was prevalent. This finding prompted the League of Nations to create the Slavery Convention. Soliciting countries to ratify the treaty was not difficult. Upon its entry into force on March 9, 1927, fourteen countries had ratified the treaty; by 1931, forty countries had ratified the treaty. Countries that ratified the Convention obligated themselves to implement measures within their own countries to suppress the slave trade in hopes of eventually bringing an end to slavery. It also allowed parties to the Convention to search vessels in specified zones as long as it was believed that there was contraband in the vessel.<sup>7</sup>

A Committee of Experts on Slavery was formed to examine the effects of the Convention. It ultimately found that the Convention gave the necessary push for parties to pass laws prohibiting slavery. For example, because of the Convention, those countries which were under the control of Britain outlawed the status of slavery.<sup>8</sup> Today, all countries prohibit the use of slaves.<sup>9</sup>

## **B. Global Polio Eradication Initiative (1988)**

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<sup>3</sup> Paul Finkelman, *The American Suppression of the African Slave Trade: Lessons on Legal Change, Social Policy, and Legislation*, 42 AKRON L. REV. 431, 434 (2009).

<sup>4</sup> Jenny Martinez, *Antislavery Courts and the Dawn of International Human Rights Law*, 117 YALE L.J. 550, 555 (2008).

<sup>5</sup> Paul Finkelman, *The American Suppression of the African Slave Trade: Lessons on Legal Change, Social Policy, and Legislation*, 42 AKRON L. REV. 431, 433 (2009).

<sup>6</sup> Paul Finkelman, *The American Suppression of the African Slave Trade: Lessons on Legal Change, Social Policy, and Legislation*, 42 AKRON L. REV. 431, 433 (2009).

<sup>7</sup> Renee Redman, *Freedom: Beyond the United States: The League of Nations and the Right to Be Free from Enslavement: The First Human Right to Be Recognized as Customary International Law*, 70 CHI.-KENT L. REV. 759 (1994).

<sup>8</sup> Renee Redman, *Freedom: Beyond the United States: The League of Nations and the Right to Be Free from Enslavement: The First Human Right to Be Recognized as Customary International Law*, 70 CHI.-KENT L. REV. 759 (1994).

<sup>9</sup> Paul Finkelman, *The American Suppression of the African Slave Trade: Lessons on Legal Change, Social Policy, and Legislation*, 42 AKRON L. REV. 431 (2009).

Another agreement that arose out of international cooperation and has had a profound effect is the Global Polio Eradication Initiative (GPEI). The GPEI was launched in 1988.<sup>10</sup> Because there is no cure for polio, the goal of the GPEI was to prevent polio from developing in children.<sup>11</sup> The GPEI was created via the collaboration of national governments, the World Health Organization, Rotary International, United Nations Children's Fund (UNICEF), and the U.S. Centers for Disease Control and Prevention.<sup>12</sup> The GPEI includes all the member nations of the World Health Organization.<sup>13</sup>

Since its implementation, over five million people have been immunized and polio cases have decreased by 99%.<sup>14</sup> In 1988, there were approximately 350,000 annual cases of polio. In 2003, 15 years after the GPEI was launched, only 3,500 new cases were found worldwide.<sup>15</sup> Before the GPEI, over 125 countries were inflicted with polio.<sup>16</sup> Today, because of the GPEI, only four countries are considered to be polio-endemic: Afghanistan, India, Nigeria, and Pakistan.<sup>17</sup>

To ensure that the GPEI's mission remains successful, the Advisory Committee on Polio Eradication provides strategic guidance and research which are used to develop post-eradication polio immunization policy options. Additionally, regions are required to undertake surveillance to prevent polio from returning.<sup>18</sup>

Even in countries considered to be polio-endemic, progress has been made to eliminate polio. In Afghanistan, for example, most of the country is polio free.<sup>19</sup> Afghanistan is also implementing measures for vaccination teams to gain easier access to reach those still in need immunization.<sup>20</sup> Similarly, in India, polio has been contained to only two out of thirty-five

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<sup>10</sup> World Health Organization, *Poliomyelitis*, (2008), <http://www.who.int/mediacentre/factsheets/fs114/en/index.html> (last visited March 7, 2010).

<sup>11</sup> World Health Organization, *Poliomyelitis*, (2008), <http://www.who.int/mediacentre/factsheets/fs114/en/index.html> (last visited March 7, 2010).

<sup>12</sup> Global Polio Eradication Initiative, *The History*, <http://www.polioeradication.org/history.asp> (last visited March 7, 2010).

<sup>13</sup> Global Polio Eradication Initiative, *The History*, <http://www.polioeradication.org/history.asp> (last visited March 7, 2010).

<sup>14</sup> World Health Organization, *Poliomyelitis*, (2008), <http://www.who.int/mediacentre/factsheets/fs114/en/index.html> (last visited March 7, 2010).

<sup>15</sup> Global Polio Eradication Initiative, *The History*, <http://www.polioeradication.org/history.asp> (last visited March 7, 2010).

<sup>16</sup> World Health Organization, *Global Polio Eradication Initiative Strategic Plan 2004-2008*, p. 6, (2003), <http://www.polioeradication.org/content/publications/2004stratplan.pdf> (last visited March 7, 2010).

<sup>17</sup> World Health Organization, *Poliomyelitis*, (2008), <http://www.who.int/mediacentre/factsheets/fs114/en/index.html> (last visited March 7, 2010).

<sup>18</sup> World Health Organization, *Poliomyelitis*, (2008), <http://www.who.int/mediacentre/factsheets/fs114/en/index.html> (last visited March 7, 2010).

<sup>19</sup> Global Polio Eradication Initiative, *Afghanistan*, p.1, (2009), <http://www.polioeradication.org/content/factsheets/AfghanistanFactSheet2009October.pdf> (last visited March 7, 2010).

<sup>20</sup> Global Polio Eradication Initiative, *Afghanistan*, p.1, (2009), <http://www.polioeradication.org/content/factsheets/AfghanistanFactSheet2009October.pdf> (last visited March 7, 2010).

states.<sup>21</sup> The Indian government has allocated approximately \$657 million to eradicate polio.<sup>22</sup> Likewise, the all the states within Nigeria, toward commitment to the GPEI, have recently signed the “Abuja Commitment” which provides leadership in this mission to eradicate polio.<sup>23</sup> In Pakistan, efforts have been launched to spread the awareness of polio.<sup>24</sup> Additionally, the Pakistani federal government is supportive of the GPEI.<sup>25</sup>

### **C. *The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2003)***

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the “Trafficking Protocol”) is another example of an international agreement created to combat a social ill.<sup>26</sup> It was entered into force on December 25, 2003 and currently has 117 parties.<sup>27</sup> By becoming parties to the Protocol, countries are required to adopt legislation regarding criminal punishment for acts such as trafficking, attempting to traffic, or participating as an accomplice in trafficking of another person.<sup>28</sup> Furthermore, parties are also required to assist victims of trafficking.<sup>29</sup>

The Trafficking Protocol is considered a law enforcement instrument.<sup>30</sup> The United Nations Office on Drugs and Crime (UNODC) assists countries to implement measures to fight trafficking, provides necessary training to law enforcement agencies, assists in sharing of

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<sup>21</sup> Global Polio Eradication Initiative, *India*, p.1, (2009), <http://www.polioeradication.org/content/factsheets/IndiaFactSheet2009October.pdf> (last visited March 7, 2010).

<sup>22</sup> Global Polio Eradication Initiative, *India*, p.1, (2009), <http://www.polioeradication.org/content/factsheets/IndiaFactSheet2009October.pdf> (last visited March 7, 2010).

<sup>23</sup> Global Polio Eradication Initiative, *Nigeria*, p.1, (2009), <http://www.polioeradication.org/content/factsheets/NigeriaFactSheet2009September.pdf> (last visited March 7, 2010).

<sup>24</sup> Global Polio Eradication Initiative, *Pakistan*, p.1, (2009), <http://www.polioeradication.org/content/factsheets/PakistanFactSheet2009October2.pdf> (last visited March 7, 2010).

<sup>25</sup> Global Polio Eradication Initiative, *Pakistan*, p.1, (2009), <http://www.polioeradication.org/content/factsheets/PakistanFactSheet2009October2.pdf> (last visited March 7, 2010).

<sup>26</sup> United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, *opened for signature* Jan. 8, 2001, A/RES/55/25.

<sup>27</sup> United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, *opened for signature* Jan. 8, 2001, A/RES/55/25.

<sup>28</sup> Elizabeth Warner, *Behind the Wedding Veil: Child Marriage as a Form of Trafficking in Girls*, 12 AM. U. J. GENDER SOC. POL’Y & L. 233, 206 (2004).

<sup>29</sup> United Nations Office of Drugs and Crime, *Human Trafficking Facts*, (2010), <http://www.unodc.org/unodc/en/human-trafficking/faqs.html> (last visited March 7, 2010).

<sup>30</sup> Ann D. Jordan, *The Annotated Guide to the Complete UN Trafficking Protocol*, The International Human Rights Law Group, (2002), <http://www.walnet.org/csis/papers/UN-TRAFFICK.PDF> (last visited March 7, 2010).

information between countries, and facilitates extradition.<sup>31</sup> The UNODC also collaborates with governments to further develop international cooperation to combat organized crime.<sup>32</sup>

While it is difficult to assess the widespread nature of this practice, the estimated number of trafficking victims is 2.5 million people worldwide.<sup>33</sup> Furthermore, human trafficking is found in almost every country of the world.<sup>34</sup> The enactment of the Trafficking Protocol, however, has resulted in changes worldwide. Because of the Trafficking Protocol, over 60% of those countries who have ratified the Trafficking Protocol have implemented legislation to combat trafficking.<sup>35</sup> There have been official human trafficking prosecutions in ninety-one countries.<sup>36</sup>

The Trafficking Protocol demonstrates that by using international agreements, achievements toward ending social ills that affect the most vulnerable can be made.

#### **D. *International Covenant on the Elimination of All Forms of Racial Discrimination (1969)***

Despite its overwhelming goals, the International Covenant on the Elimination of All Forms of Racial Discrimination (CERD) demonstrates the ability to create a treaty addressing an ingrained social ill – racial discrimination. The United Nations had recognized that racism was occurring on a governmental level, with policies implemented by the government, such as apartheid and segregation. This prompted the implementation of the CERD.<sup>37</sup> The CERD currently has 173 parties.<sup>38</sup> It entered into force on January 4, 1969.<sup>39</sup>

Parties to the Convention are obligated to enact legislation to eliminate racial discrimination and promote acceptance among all the different races.<sup>40</sup> The Committee on the Elimination of Racial Discrimination ensures that parties who ratify the CERD comply with its

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<sup>31</sup> United Nations Office of Drugs and Crime, *UNODC and Organized Crime*, (2010), <http://www.unodc.org/unodc/en/organized-crime/index.html> (last visited March 7, 2010).

<sup>32</sup> United Nations Office of Drugs and Crime, *UNODC and Organized Crime*, (2010), <http://www.unodc.org/unodc/en/organized-crime/index.html> (last visited March 7, 2010).

<sup>33</sup> United Nations Office of Drugs and Crime, *Human Trafficking Facts*, (2010), <http://www.unodc.org/unodc/en/human-trafficking/faqs.html> (last visited March 7, 2010).

<sup>34</sup> United Nations Office of Drugs and Crime, *Human Trafficking Facts*, (2010), <http://www.unodc.org/unodc/en/human-trafficking/faqs.html> (last visited March 7, 2010).

<sup>35</sup> United Nations Office of Drugs and Crime, *Global Report on Trafficking in Persons*, p. 8, (2009), [http://www.unodc.org/documents/human-trafficking/Global\\_Report\\_on\\_TIP.pdf](http://www.unodc.org/documents/human-trafficking/Global_Report_on_TIP.pdf) (last visited March 7, 2010).

<sup>36</sup> United Nations Office of Drugs and Crime, *Global Report on Trafficking in Persons*, p. 8, (2009), [http://www.unodc.org/documents/human-trafficking/Global\\_Report\\_on\\_TIP.pdf](http://www.unodc.org/documents/human-trafficking/Global_Report_on_TIP.pdf) (last visited March 7, 2010).

<sup>37</sup> Office of United Nations High Commissioner for Human Rights, *Committee on the Elimination of Racial Discrimination*, (2007), <http://www2.ohchr.org/english/bodies/cerd/> (last visited March 7, 2010).

<sup>38</sup> International Covenant on the Elimination of All Forms of Racial Discrimination, *opened for signature* March 7, 1966, 660 U.N.T.S 195.

<sup>39</sup> International Covenant on the Elimination of All Forms of Racial Discrimination, *opened for signature* March 7, 1966, 660 U.N.T.S 195.

<sup>40</sup> International Covenant on the Elimination of All Forms of Racial Discrimination, *opened for signature* March 7, 1966, 660 U.N.T.S 195.

obligations. The parties must submit a report which provides information on the parties' compliance with the Convention.<sup>41</sup>

Additionally, the Committee also monitors the parties by three other methods: 1) early warning procedure; 2) examination of inter-state complaints; and 3) examination of individual complaints.<sup>42</sup> The early warning procedure works to prevent an existing racial conflict from escalating and requires the party to use mechanisms to diffuse the situation.<sup>43</sup> The second method, the examination of inter-state complaint, occurs when one nation makes a complaint that another nation is not abiding by its treaty obligations.<sup>44</sup> Lastly, the examination of individual complaints occurs when a complaint is brought by an individual who claims that his or her rights under the obligation have been violated.<sup>45</sup>

The achievements of this treaty can be seen by the countries' reports. A number of countries have made amendments to their constitutions which now provide for prohibiting discrimination and protecting human rights.<sup>46</sup> For example, in Columbia, human rights provisions have been added to the Constitution which recognize ethnic and cultural diversity.<sup>47</sup> Countries such as Peru and Poland have enacted laws which prohibit discrimination in businesses and employment.<sup>48</sup> In Ethiopia, the Constitution expressly states that all people, regardless of the nationality, have the right to speak their own language.<sup>49</sup> Many countries, such as China and the Philippines, have adopted measures to aid indigenous people.<sup>50</sup>

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<sup>41</sup> Office of United Nations High Commissioner for Human Rights, *Committee on the Elimination of Racial Discrimination*, (2007), <http://www2.ohchr.org/english/bodies/cerd/> (last visited March 7, 2010).

<sup>42</sup> Office of United Nations High Commissioner for Human Rights, *Committee on the Elimination of Racial Discrimination*, (2007), <http://www2.ohchr.org/english/bodies/cerd/> (last visited March 7, 2010).

<sup>43</sup> Office of United Nations High Commissioner for Human Rights, *Committee on the Elimination of Racial Discrimination – Early Warning Measures and Urgent Procedures*, (2007), <http://www2.ohchr.org/english/bodies/cerd/early-warning.htm#about> (last visited March 7, 2010).

<sup>44</sup> Office of United Nations High Commissioner for Human Rights, *Human Rights Body – Complaint Procedures*, (2007), <http://www2.ohchr.org/english/bodies/petitions/index.htm#interstate> (last visited March 7, 2010).

<sup>45</sup> Office of United Nations High Commissioner for Human Rights, *Human Rights Body – Complaint Procedures*, (2007), <http://www2.ohchr.org/english/bodies/petitions/index.htm#interstate> (last visited March 7, 2010).

<sup>46</sup> United Nations Office at Geneva, *Committee on Elimination of Racial Discrimination Concludes Seventy-Fifth Session*, (2009), [http://www.unog.ch/unog/website/news\\_media.nsf/%28httpNewsByYear\\_en%29/3AE373C232B07877C1257620052B88D?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/%28httpNewsByYear_en%29/3AE373C232B07877C1257620052B88D?OpenDocument) (last visited March 7, 2010).

<sup>47</sup> United Nations Office at Geneva, *Committee on Elimination of Racial Discrimination Concludes Seventy-Fifth Session*, (2009), [http://www.unog.ch/unog/website/news\\_media.nsf/%28httpNewsByYear\\_en%29/3AE373C232B07877C1257620052B88D?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/%28httpNewsByYear_en%29/3AE373C232B07877C1257620052B88D?OpenDocument) (last visited March 7, 2010).

<sup>48</sup> United Nations Office at Geneva, *Committee on Elimination of Racial Discrimination Concludes Seventy-Fifth Session*, (2009), [http://www.unog.ch/unog/website/news\\_media.nsf/%28httpNewsByYear\\_en%29/3AE373C232B07877C1257620052B88D?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/%28httpNewsByYear_en%29/3AE373C232B07877C1257620052B88D?OpenDocument) (last visited March 7, 2010).

<sup>49</sup> United Nations Office at Geneva, *Committee on Elimination of Racial Discrimination Concludes Seventy-Fifth Session*, (2009), [http://www.unog.ch/unog/website/news\\_media.nsf/%28httpNewsByYear\\_en%29/3AE373C232B07877C1257620052B88D?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/%28httpNewsByYear_en%29/3AE373C232B07877C1257620052B88D?OpenDocument) (last visited March 7, 2010).

<sup>50</sup> United Nations Office at Geneva, *Committee on Elimination of Racial Discrimination Concludes Seventy-Fifth Session*, (2009), [http://www.unog.ch/unog/website/news\\_media.nsf/%28httpNewsByYear\\_en%29/3AE373C232B07877C1257620052B88D?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/%28httpNewsByYear_en%29/3AE373C232B07877C1257620052B88D?OpenDocument) (last visited March 7, 2010).

## E. *United Nations Convention on the Rights of the Child (1989)*

Another international agreement that came to fruition despite an initial lack of government interest is the United Nations Convention on the Rights of the Child (CRC). The CRC, entered into force on November 20, 1989 and has been ratified by 190 countries.<sup>51</sup> By ratifying the treaty, countries are committed to protect and ensure children's rights.<sup>52</sup> The four core principles of the CRC encapsulate the main goals of this Convention, which are: 1) non-discrimination regardless of the child's immutable characteristics; 2) devotion to the best interests of the child; 3) children's right to life, survival, and development; and 4) respect for the views of the child.<sup>53</sup>

During the initial stages of creating this Convention, governmental interest was minimal. Yet, due to the perseverance of those who were committed to the rights of the child, a treaty was in fact born. Non-Governmental Organizations (NGOs) played a significant role in the drafting of the Convention. The NGOs coordinated dialogue between themselves and governmental delegations and enabled the governmental delegations to bring additional articles to the Working Group. Eventually, through this process, governments became more devoted to this Convention.<sup>54</sup>

Compliance with the CRC is monitored by the UN Committee on the Rights of the Child. The Committee, comprising of eighteen members, meets three times a year.<sup>55</sup> Countries that have ratified the Convention are required to submit regular reports detailing the status of the country's children's rights.<sup>56</sup> The Committee reviews the report and offers recommendations to the country so as to increase the protection of the country's children.<sup>57</sup> Additionally, the committee appoints two rapporteurs whose duties include examining the countries' reports and engaging in a dialogue with the parties.<sup>58</sup>

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<sup>51</sup> UNICEF, *Convention on the Rights of the Child – Path to the Convention to the Rights of the Child* [http://www.unicef.org/crc/index\\_30197.html](http://www.unicef.org/crc/index_30197.html) (last visited March 7, 2010).

<sup>52</sup> UNICEF, *Convention on the Rights of the Child - Protecting and Realizing Children's Rights*, [http://www.unicef.org/crc/index\\_protecting.html](http://www.unicef.org/crc/index_protecting.html) (last visited March 7, 2010).

<sup>53</sup> UNICEF, *State of the World's Children*, p. 6, (2009), [http://www.unicef.org/publications/files/SOWC\\_Spec\\_Ed\\_CRC\\_Main\\_Report\\_EN\\_090409.pdf](http://www.unicef.org/publications/files/SOWC_Spec_Ed_CRC_Main_Report_EN_090409.pdf) (last visited March 7, 2010).

<sup>54</sup> Cynthia Cohen, *The Developing Jurisprudence of the Rights of the Child*, 6 ST. THOMAS L. REV. 1 (1993).

<sup>55</sup> UNICEF, *State of the World's Children*, pp. 6, 8, (2009), [http://www.unicef.org/publications/files/SOWC\\_Spec\\_Ed\\_CRC\\_Main\\_Report\\_EN\\_090409.pdf](http://www.unicef.org/publications/files/SOWC_Spec_Ed_CRC_Main_Report_EN_090409.pdf) (last visited March 7, 2010).

<sup>56</sup> UNICEF, *Convention on the Rights of the Child – Frequently Asked Questions*, [http://www.unicef.org/crc/index\\_30229.html](http://www.unicef.org/crc/index_30229.html) (last visited March 7, 2010).

<sup>57</sup> UNICEF, *State of the World's Children*, p. 8, (2009), [http://www.unicef.org/publications/files/SOWC\\_Spec\\_Ed\\_CRC\\_Main\\_Report\\_EN\\_090409.pdf](http://www.unicef.org/publications/files/SOWC_Spec_Ed_CRC_Main_Report_EN_090409.pdf) (last visited March 7, 2010).

<sup>58</sup> UNICEF, *State of the World's Children*, p. 8, (2009), [http://www.unicef.org/publications/files/SOWC\\_Spec\\_Ed\\_CRC\\_Main\\_Report\\_EN\\_090409.pdf](http://www.unicef.org/publications/files/SOWC_Spec_Ed_CRC_Main_Report_EN_090409.pdf) (last visited March 7, 2010).

According to the United Nations Children's Fund (UNICEF), the progress of countries pertaining to children's rights and protection can be partially attributed to the Convention and the dedication of parties to the CRC.<sup>59</sup> For example, by 2008, the annual number of global deaths of children under the age of five had dropped to less than nine million (from 12.5 million in 1990).<sup>60</sup> This decrease can be attributed to a fair degree to work accomplished by governments and international health community, which have strived to enable children to get immunized and to fulfill their obligations to the CRC.<sup>61</sup> Because of their immunization programs, diseases such as tetanus, hepatitis and diphtheria have been less prevalent.<sup>62</sup> Specifically, because of immunization, measles death rates have dropped by 74% since 2000.<sup>63</sup>

A child's ability to obtain education has also improved. Around 84% of age appropriate children are enrolled in primary school.<sup>64</sup> From 2002 to 2007, the number of children who were out of school decreased by 14 million.<sup>65</sup> Generally, the gender gaps between boys and girls going to school have virtually disappeared.<sup>66</sup>

The CRC also encourages countries to ensure that children's human rights are considered when developing legislation, to establish an ombudsperson for children, and to focus on the importance of child development.<sup>67</sup>

Results of the CRC can be found by analyzing changes that have occurred in specific countries. For example, in Hungary, before its ratification of the CRC, the opinion of children in divorce proceedings were considered only if the child was over twelve years old and in the custody of a legal guardian. After its ratification of the CRC, Hungary changed its law to allow children who were deemed capable of making decisions about their lives, to express their living

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<sup>59</sup> UNICEF, *State of the World's Children*, p. 16, (2009), [http://www.unicef.org/publications/files/SOWC\\_Spec\\_Ed\\_CRC\\_Main\\_Report\\_EN\\_090409.pdf](http://www.unicef.org/publications/files/SOWC_Spec_Ed_CRC_Main_Report_EN_090409.pdf) (last visited March 7, 2010).

<sup>60</sup> UNICEF, *State of the World's Children*, p. 16, (2009), [http://www.unicef.org/publications/files/SOWC\\_Spec\\_Ed\\_CRC\\_Main\\_Report\\_EN\\_090409.pdf](http://www.unicef.org/publications/files/SOWC_Spec_Ed_CRC_Main_Report_EN_090409.pdf) (last visited March 7, 2010).

<sup>61</sup> UNICEF, *State of the World's Children*, p. 15, (2009), [http://www.unicef.org/publications/files/SOWC\\_Spec\\_Ed\\_CRC\\_Main\\_Report\\_EN\\_090409.pdf](http://www.unicef.org/publications/files/SOWC_Spec_Ed_CRC_Main_Report_EN_090409.pdf) (last visited March 7, 2010).

<sup>62</sup> UNICEF, *State of the World's Children*, p.15, (2009), [http://www.unicef.org/publications/files/SOWC\\_Spec\\_Ed\\_CRC\\_Main\\_Report\\_EN\\_090409.pdf](http://www.unicef.org/publications/files/SOWC_Spec_Ed_CRC_Main_Report_EN_090409.pdf) (last visited March 7, 2010).

<sup>63</sup> UNICEF, *State of the World's Children*, p. 15, (2009), [http://www.unicef.org/publications/files/SOWC\\_Spec\\_Ed\\_CRC\\_Main\\_Report\\_EN\\_090409.pdf](http://www.unicef.org/publications/files/SOWC_Spec_Ed_CRC_Main_Report_EN_090409.pdf) (last visited March 7, 2010).

<sup>64</sup> UNICEF, *State of the World's Children*, p. 15, (2009), [http://www.unicef.org/publications/files/SOWC\\_Spec\\_Ed\\_CRC\\_Main\\_Report\\_EN\\_090409.pdf](http://www.unicef.org/publications/files/SOWC_Spec_Ed_CRC_Main_Report_EN_090409.pdf) (last visited March 7, 2010).

<sup>65</sup> UNICEF, *State of the World's Children*, p. 15, (2009), [http://www.unicef.org/publications/files/SOWC\\_Spec\\_Ed\\_CRC\\_Main\\_Report\\_EN\\_090409.pdf](http://www.unicef.org/publications/files/SOWC_Spec_Ed_CRC_Main_Report_EN_090409.pdf) (last visited March 7, 2010).

<sup>66</sup> UNICEF, *State of the World's Children*, p. 15, (2009), [http://www.unicef.org/publications/files/SOWC\\_Spec\\_Ed\\_CRC\\_Main\\_Report\\_EN\\_090409.pdf](http://www.unicef.org/publications/files/SOWC_Spec_Ed_CRC_Main_Report_EN_090409.pdf) (last visited March 7, 2010).

<sup>67</sup> UNICEF, *Convention on the Rights of the Child – Frequently Asked Questions*, [http://www.unicef.org/crc/index\\_30229.html](http://www.unicef.org/crc/index_30229.html) (last visited March 7, 2010).

preference and their opinions. Children in divorce proceedings are now given in the ability to be heard. Similarly, under Hungary's Child Protection Act, which followed the Convention of Rights of the Child, steps are in place to ensure that children live with their natural families, regardless of a family's financial problems. Instead of removing the child from destitute homes, the government provides financial assistance to these homes to allow the children to remain with their biological families.<sup>68</sup>

#### **F. *The Convention on the Elimination of All Forms of Discrimination Against Women (1981)***

Similarly, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) also demonstrates that establishing a treaty for the purpose of dealing with seemingly insurmountable social issues is possible. A total of 186 parties have ratified the CEDAW, which entered into force on September 3, 1981.<sup>69</sup> It obligates parties to undertake measures to ensure that all acts of discrimination against women are eliminated.<sup>70</sup>

To ensure compliance, the Committee on the Elimination of Discrimination against Women consists of twenty-three women's rights experts who monitor the compliance of parties by requesting reports detailing how CEDAW's rights are being implemented.<sup>71</sup> Pursuant to the Optional Protocol to the Convention, the Committee can initiate inquiries regarding violations of women's rights, as well as consider complaints of violations from individuals or groups.<sup>72</sup>

Because of the Convention, countries have established measures to curb discrimination towards women, combat violence against women, and promote more equality between men and women. For example, Saudi Arabia has established methods to protect women from violence<sup>73</sup> and has established a committee to specialize in women's affairs.<sup>74</sup> Similarly, France implemented the Charter on Equality between Women and Men, resulting in ministries

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<sup>68</sup> Emilia Weiss, *Changes in the Modern Era Lead to the Evolution of Hungarian Family Law and Children's Rights*, 31 CAL. W. INT'L L.J. 75 (2000).

<sup>69</sup> Convention on the Elimination of All Forms of Discrimination Against Women, *opened for signature* Dec. 18, 1979, 1249 U.N.T.S.14.

<sup>70</sup> Convention on the Elimination of All Forms of Discrimination Against Women, *opened for signature* Dec. 18, 1979, 1249 U.N.T.S.14.

<sup>71</sup> Office of the United Nations High Commission for Human Rights, *Committee on the Elimination of Discrimination against Women*, (2010), <http://www2.ohchr.org/english/bodies/cedaw/index.htm> (last visited March 7, 2010).

<sup>72</sup> Office of the United Nations High Commission for Human Rights, *Committee on the Elimination of Discrimination against Women*, (2010), <http://www2.ohchr.org/english/bodies/cedaw/index.htm> (last visited March 7, 2010).

<sup>73</sup> Convention on the Elimination of All Forms of Discrimination Against Women, Committee of the Elimination of Discrimination Against Women, *Concluding Comments of the Committee of the Elimination of Discrimination Against Women, Saudi Arabia*, ¶¶ 2, 3, U.N. Doc. CEDAW/C/SAU/CO/2 (2008).

<sup>74</sup> Convention on the Elimination of All Forms of Discrimination Against Women, Committee of the Elimination of Discrimination Against Women, *Concluding Comments of the Committee of the Elimination of Discrimination Against Women, Saudi Arabia*, ¶ 6, U.N. Doc. CEDAW/C/SAU/CO/2 (2008).

advancing gender equality.<sup>75</sup> France has also established the High Authority to Combat Discrimination and Promote Equality, whose duty it is to investigate complaints of discrimination against women.<sup>76</sup> Another example is that women in Lebanon are given a more active role in deciding how to develop and rehabilitate villages that have been destroyed by conflicts.<sup>77</sup> There are numerous other examples of how the CEDAW is making a real difference in women's lives and in the lives of communities all across the globe.

### **G. *United Nations Convention on the Rights of Persons with Disabilities (2006)***

While this treaty is relatively young, the UN Convention on the Rights of Persons with Disabilities also demonstrates that establishing treaties addressing ingrained social problems is possible and social changes can be made from them. The U.N. Convention on the Rights of Persons with Disabilities entered into force on December 13, 2006.<sup>78</sup> There are currently 79 parties to the Convention.<sup>79</sup> The purpose of this convention is to promote, protect, and ensure that the human rights are being enjoyed by persons with disabilities.<sup>80</sup> It also serves to change society's mindset and attitudes regarding people with disabilities.<sup>81</sup>

This Convention has eight principles: 1) respect for persons, which include one's inherent dignity, individual autonomy, and independence; 2) non-discrimination; 3) full and effective participation and inclusion as members of society; 4) respect for difference and acceptance of persons with disabilities; 5) equality of opportunity; 6) accessibility; 7) equality between men and women; and 8) respect for the changing capacities of children with disabilities and respect for the right of these children to preserve their identities.<sup>82</sup>

Those with disabilities are often not afforded the basic human rights that other people are afforded. They are viewed as members of society who require government assistance rather than simply members of society. Disabled people often have poor nutrition, have difficulties

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<sup>75</sup> Convention on the Elimination of All Forms of Discrimination Against Women, Committee of the Elimination of Discrimination Against Women, *Concluding Comments of the Committee of the Elimination of Discrimination Against Women, France*, ¶ 6, U.N. Doc. CEDAW/C/FRA/CO/6 (2008).

<sup>76</sup> Convention on the Elimination of All Forms of Discrimination Against Women, Committee of the Elimination of Discrimination Against Women, *Concluding Comments of the Committee of the Elimination of Discrimination Against Women, France*, ¶ 5, U.N. Doc. CEDAW/C/FRA/CO/6 (2008).

<sup>77</sup> Convention on the Elimination of All Forms of Discrimination Against Women, Committee of the Elimination of Discrimination Against Women, *Concluding Comments of the Committee of the Elimination of Discrimination Against Women, Lebanon*, ¶ 7, U.N. Doc. CEDAW/C/LBN/CO/3 (2008).

<sup>78</sup> United Nations Convention on the Rights of Persons with Disabilities, *opened for signature* Dec. 13, 2006, G.A. Res. 61/106, U.N. Doc. A/RES/61/106.

<sup>79</sup> United Nations Enable, (2009), <http://www.un.org/disabilities/> (last visited March 7, 2010).

<sup>80</sup> United Nations – Enable, *Convention on the Rights of Persons with Disabilities*, (2009), <http://www.un.org/disabilities/default.asp?id=150> (last visited March 7, 2010).

<sup>81</sup> United Nations – Enable, *Convention on the Rights of Persons with Disabilities*, (2009), <http://www.un.org/disabilities/default.asp?id=150> (last visited March 7, 2010).

<sup>82</sup> United Nations – Enable, *Guiding Principles of the Convention*, (2009), <http://www.un.org/disabilities/default.asp?navid=15&pid=156> (last visited March 7, 2010).

obtaining clean drinking water, and work in unsafe conditions. Around 98% of disabled children who live in developing countries do not attend school.<sup>83</sup>

The Convention requires that parties take a more active role in monitoring their own compliance.<sup>84</sup> Each party must establish a committee within their respective government to monitor compliance as well as create an independent monitoring mechanism system.<sup>85</sup> The Committee on the Rights of Persons with Disabilities also monitors the parties' progress.<sup>86</sup> This committee consists of eighteen experts who review each party's reports.<sup>87</sup> The reports explain what measures the party has undertaken which will allow the Committee to determine if the party has made progress in its obligation to the Convention.<sup>88</sup>

As of 2010, this Convention is only a few years old and there are not yet any progress reports available. However, this Convention ensures that people with disabilities are able to enjoy their human rights, despite having disabilities. Ultimately, this convention may serve as the key to enable disabled members of society to enjoy the same human rights as those without disabilities.

#### **H. *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)***

Similar to the above mentioned agreements, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was created to deal with the social issues plaguing a vulnerable and sometimes invisible segment of society. Currently, there are approximately 185 to 192 million international migrants. The United Nations recognized that migrant workers were being dehumanized, many to the point of being deprived of basic human rights, resulting in the creation of this Convention.<sup>89</sup>

This Convention entered into force on December 18, 1990 and currently has 42 parties.<sup>90</sup> The Convention's goals are to protect migrant workers' rights and to prevent exploitation.<sup>91</sup>

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<sup>83</sup> United Nations – Enable, *Overview*, (2009), <http://www.un.org/disabilities/default.asp?id=215> (last visited March 7, 2010).

<sup>84</sup> United Nations – Enable, *Monitoring the Implementation of the Convention*, (2009), <http://www.un.org/disabilities/default.asp?navid=17&pid=157> (last visited March 7, 2010).

<sup>85</sup> United Nations – Enable, *Monitoring the Implementation of the Convention*, (2009), <http://www.un.org/disabilities/default.asp?navid=17&pid=157> (last visited March 7, 2010).

<sup>86</sup> United Nations – Enable, *Monitoring the Implementation of the Convention*, (2009), <http://www.un.org/disabilities/default.asp?navid=17&pid=157> (last visited March 7, 2010).

<sup>87</sup> United Nations – Enable, *Monitoring the Implementation of the Convention*, (2009), <http://www.un.org/disabilities/default.asp?navid=17&pid=157> (last visited March 7, 2010).

<sup>88</sup> United Nations – Enable, *Monitoring the Implementation of the Convention*, (2009), <http://www.un.org/disabilities/default.asp?navid=17&pid=157> (last visited March 7, 2010).

<sup>89</sup> Jeanette Bloom, United Nations Convention on Migrants' Rights, *Information Kit*, pp. 5-8, (2005) [http://portal.unesco.org/shs/en/files/3454/11401039211English\\_Kit.pdf/English%2BKit.pdf](http://portal.unesco.org/shs/en/files/3454/11401039211English_Kit.pdf/English%2BKit.pdf) (last visited March 7, 2010).

<sup>90</sup> International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, *opened for signature* Dec. 18, 1990, Doc. A/RES/45/158.

Essentially, the Convention calls upon parties to create a minimum standard of rights which should be enjoyed by all migrant workers and their family members, regardless of their status.<sup>92</sup>

Because the Convention required 20 countries to ratify this Convention before it could enter into force, the Convention did not come into force until thirteen years after it was drafted and presented. Currently, all of the ratifying nations are countries from which migrants come. However, since 2005, the European Parliament has encouraged its member nations to ratify the treaty.<sup>93</sup>

The Committee on Migrant Workers is responsible to ensure that parties comply with their obligations.<sup>94</sup> The Committee is comprised of members from countries from which migrants come and countries to which migrants seek to settle.<sup>95</sup> Similar to other conventions, parties are required to submit a report with information on actions taken in compliance with the Convention, as well as migration flows and problems endured.<sup>96</sup> The Committee also considers violations brought by individuals.<sup>97</sup>

Parties to the Convention, such as Bolivia and Syria, view the issue of migration as a priority and have subsequently adopted measures to promote and protect migrant workers and their families.<sup>98</sup>

This treaty demonstrates that, despite challenging propositions included within it, creating a treaty that addresses social issues of a vulnerable and sometimes invisible population is possible

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<sup>91</sup> Office of the United Nations High Commissioner for Human Rights, *The International Convention on Migrant Workers and its Committee*, p. 8, (2005), <http://www.ohchr.org/Documents/Publications/FactSheet24rev.1en.pdf> (last visited March 7, 2010).

<sup>92</sup> Office of the United Nations High Commissioner for Human Rights, *The International Convention on Migrant Workers and its Committee*, p. 8, (2005), <http://www.ohchr.org/Documents/Publications/FactSheet24rev.1en.pdf> (last visited March 7, 2010).

<sup>93</sup> Jeanette Bloom, United Nations Convention on Migrants' Rights, *Information Kit*, p. 14, (2005) [http://portal.unesco.org/shs/en/files/3454/11401039211English\\_Kit.pdf/English%2BKit.pdf](http://portal.unesco.org/shs/en/files/3454/11401039211English_Kit.pdf/English%2BKit.pdf) (last visited March 7, 2010).

<sup>94</sup> Office of the United Nations High Commissioner for Human Rights, *Committee on Migrant Workers*, (2007), <http://www2.ohchr.org/english/bodies/cmwf/> (last visited March 7, 2010).

<sup>95</sup> Office of the United Nations High Commissioner for Human Rights, *The International Convention on Migrant Workers and its Committee*, p. 10-11, (2005), <http://www.ohchr.org/Documents/Publications/FactSheet24rev.1en.pdf> (last visited March 7, 2010).

<sup>96</sup> Office of the United Nations High Commissioner for Human Rights, *The International Convention on Migrant Workers and its Committee*, p. 10-11, (2005), <http://www.ohchr.org/Documents/Publications/FactSheet24rev.1en.pdf> (last visited March 7, 2010).

<sup>97</sup> Office of the United Nations High Commissioner for Human Rights, *Committee on Migrant Workers*, (2007), <http://www2.ohchr.org/english/bodies/cmwf/> (last visited March 7, 2010).

<sup>98</sup> United Nations Office at Geneva, *Committee on Protection of Rights Of Migrant Workers Concludes Eighth Session*, (2008), [http://www.unog.ch/unog/website/news\\_media.nsf/%28httpNewsByYear\\_en%29/200931362817A52BC12574350032B331?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/%28httpNewsByYear_en%29/200931362817A52BC12574350032B331?OpenDocument) (last visited March 7, 2010).

## V. Conclusion

History has shown that creating international agreements and accomplishing the goals envisioned in them can be achieved. Despite having some international documents and some national constitutions that address the right to food, the number of people in the world who are living in hunger continues to increase. For this trend to continue is unacceptable. The International Food Security Treaty will realize the right to be free from hunger. It will both compel and assist signing countries to fulfill their obligations to promote food security. The International Food Security Treaty can and will make a difference. Simply put, the International Food Security Treaty is the key to ending hunger worldwide.