



The Right to Humus

Ploughing through human rights instruments

rihumi - Right to Humus Initiative
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Published May 2013

Introduction

On a global level, about 1.96 billion hectares are affected by “man-made” soil degradation¹. The dramatic thing is that humans depend on this soil. Readers of this document may never have heard or read anything about the right to humus before. Humus appears not to have been explicitly referred to as a human right in existing international human rights instruments. The Right to Humus Initiative (rihumi), however, is convinced that everyone has a right to humus. Humus is not just an environmental issue, it is a human right. Even if it has not yet been explicitly mentioned in any human rights treaty or covenant, formulations in existing human rights instruments provide a clear basis to support this idea. The following paragraphs will highlight some of these formulations and make an attempt to explore the concept of the “right to humus”.

Ploughing through

“Everyone has the right to a standard of living adequate for the health and wellbeing of himself and of his family, including food...”². This seemingly simple formulation already allows us to make a link to humus. Since food does not grow out of nothing, also the right to food cannot be founded on nothing. Because food is intrinsically linked to humus, the concept of the “right to food” necessarily implies some kind of relation to humus³. The right to food would be empty of any meaning if we would not have humus to grow our food.

Deducing the right to humus from the above formulation may appear somewhat far fetched. Fortunately, other human rights instruments have adopted more specified wordings. As formulated in the International Covenant on Economic, Social and Cultural Rights (ICESCR), the States Parties to this Covenant “recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food...and to the continuous

¹ Oldeman, L.R. 2000: Impact of soil degradation: A global scenario, International Conference on Managing Natural Resources for Sustainable Agricultural Production in the 21st Century, New Delhi, 14-17 February, 2000

² Article 25 (1), United Nations Universal Declaration of Human Rights 1948

³ “Humus” comes from the Latin word for “earth” or “soil”. A more specific definition is: “The well decomposed, more or less stable part of the organic matter in mineral soils” (Source: <https://www.soils.org/publications/soils-glossary>). For those who are not interested in the specifics, “humus” could be understood as “healthy and fertile soil”.

improvement of living conditions”⁴, and further made a commitment to “improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources”⁵. The ICESCR does not merely mention the right to adequate food, but goes on to describe aspects connected to food production: “the most efficient development and utilization of natural resources”. This is where humus becomes relevant.

Humus rich soil is one of the most essential natural resources required for food production. Humus rich soil is not just a natural resource; it is a non-renewable natural resource. Humus rich soil can be depleted in no time, the formation of new humus is relatively slow. The part “most efficient development and utilization” is therefore of extreme importance in the context of humus. The terminology used, implies that the natural resources in question are to be preserved in some way. This is contrary to a possible alternative wording such as “extracted” or “consumed”. The “most efficient development and utilization” of humus can only be achieved if humus is not lost while utilised.

With the formulation “continuous improvement of living conditions”, Article 11 of the ICESCR, implicitly suggests that a deterioration of living conditions is not an option. In line with this notion, the loss of humus and the therewith connected increasing challenges for food production would also not be an option. It could even be argued that an overall improvement of the availability and formation of humus is required to achieve the “continuous improvement of living conditions”.

General Comment 12 of the UN Committee on Economic, Social and Cultural Rights explicitly notes the importance of “food being accessible for both present and future generations”⁶. Under the heading of “sustainability”, the same paragraph ends by stating that ““sustainability” incorporates the notion

⁴ Article 11 (1), International Covenant on Economic Social and Cultural Rights 1966

⁵ Article 11 (2a), International Covenant on Economic Social and Cultural Rights 1966

⁶ §7, General Comment 12 of the UN Committee on Economic, Social and Cultural Rights 1999

of long-term availability and accessibility” of food. Without humus, it will be difficult to grow food in the future. The fact that “the right to adequate food will have to be realized progressively”⁷ suggests that over time we should witness an overall enhancement of the situation. In line with these formulations, it can be noted that even without the immediate occurrence of hunger, all current agricultural- and other related policies, and the therewith promoted methods of food production have a human rights relevance today. In fact, any impact on humus has a human rights relevance today. While pursuing the realisation of human rights, the question of sustainability of these rights has to be taken into account.

The sustainability issue has also been taken up in the Voluntary Guidelines on the Right to Food of the Food and Agriculture Organization of the United Nations (FAO). Guideline 3.7 notes that: “States are encouraged, *inter alia* and in a sustainable manner, to increase productivity and to revitalize the agriculture sector...”. Agriculture itself and the mentioned increased productivity can only be sustainable if the availability of natural resources required for agricultural production, such as humus, is also guaranteed for future generations.

With regards to access to resources and assets, the same document argues that “states should facilitate sustainable, non-discriminatory and secure access and utilization of resources consistent with their national law and with international law and protect the assets that are important for people's livelihoods”⁸. Still under the heading of “access to resources and assets” guideline 8.10 explicitly lists land and mentions that states should establish legal and other policy mechanisms that “promote conservation and sustainable use of land”. In the context of food production, land has to comprise humus.

Furthermore, “States should consider specific national policies, legal instruments and supporting mechanisms to protect ecological sustainability and the carrying capacity of ecosystems to ensure the possibility for increased,

⁷ §6, General Comment 12 of the UN Committee on Economic, Social and Cultural Rights 1999

⁸ Guideline 8, Voluntary Guidelines on the Right to Food of the Food and Agriculture Organization of the United Nations (FAO) 2004

sustainable food production for present and future generations, prevent water pollution, protect the fertility of the soil, and promote the sustainable management of fisheries and forestry”⁹. While the formulation “should consider” is not very strong, this sentence clearly highlights aspects of sustainability and the protection of soil fertility. For soil to be fertile, it needs humus. In other words, states should function as a trustee of humus. States should not only facilitate the access to humus of its current population, but also make sure to protect humus for future generations.

Added value of the right to humus

So far this document has merely tried to support the right to humus concept by referring to existing formulations in international human rights instruments in which the right to adequate food is enshrined. It may be noted that the highlighted formulations suggesting the existence of something like a right to humus all relate to the right to adequate food. While these human rights instruments on the right to food may therewith cover the right to humus implicitly, it is argued that it is necessary to name the right to humus explicitly. The “right to humus” has an added value.

The notion of the right to humus may in fact strengthen efforts towards the realisation of the right to adequate food, by emphasising aspects of sustainability. Actions and policies based on a narrow interpretation of the right to adequate food may actually lead to the undermining of this right. In concrete terms, the right to food cannot be effectively realised by producing the largest possible amount of food today if this compromises the potential to produce food in the future. During the last couple of decennia 24% of the global land area has been degrading¹⁰. Once even a single hectare of humus rich soil has been degraded enough, it is basically impossible to grow food on this hectare in the near future. A focus on humus directs the attention to the “resources required to produce food”. Human induced soil degradation is a human rights violation. The right to humus provides a framework that forces us to ask what

⁹ Guideline 8.13, Voluntary Guidelines on the Right to Food of the Food and Agriculture Organization of the United Nations (FAO) 2004

¹⁰ Bai, Z.G, Dent D.L., Olsson, L., and Schaeoman, M.E. 2008. Global assessment of land degradation and improvement. 1. Identification by remote sensing. Report 2008/01, ISRIC-World Soil Information, Wageningen.

impact our actions have on the use, preservation and formation of humus. Depending on how the food is produced, every single bite of bread, rice, apple, mango, tomato or other food, could be supporting the systematic violation of the human right to humus.