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THE EVOLUTION OF THE RIGHT TO ADEQUATE FOOD IN INTERNATIONAL LAW. REFLECTIONS ON THE SIDELINES OF THE *LHAKA HONHAT* JUDGMENT

This paper seizes the opportunity of the judgment of the Inter-American Court of Human Rights (the “Court”) in the case *Comunidades indígenas miembros de la Asociación Lhaka Honbat (Nuestra Tierra) vs. Argentina* (6 February 2020) with a view to elaborating some considerations on the very nature of the right to food, its complexity and essential components. Particular attention is devoted to the close link between the right to food and the right to cultural identity, in consideration of the plaintiffs’ peculiar position. The analysis continues by identifying the primary challenges deriving from the classification of the right to food among the economic, social and cultural rights, in an international context characterized by a substantial dissymmetry in terms of development and resources availability. Some reflections are developed on the enforceability and justiciability of the right to food, both according to the thought of scholars, deeply divided in this regard, and in the evolution of international case law. In the *Lhaka Honbat* case, the Court analyzed the right to food autonomously, together with other economic, social and cultural rights, in the light of Article 26 of the American Convention on Human Rights (San José, 22 November 1969; the “Convention”) and condemned the defendant State to measures of reparation, including specific actions for access to adequate food and water. The new approach undertaken for the first time by the Court in this contentious case can be considered concurrently a step forward, in that it provides for specific redress in favour of indigenous communities, and a step backwards, in that it walks out on the concept of *vida digna*, which allows the construction of a direct link between certain social rights (including the right to adequate food) and the right to life enshrined in Article 4 of the Convention.