

## **THIRD CONVENTION ON THE RIGHT TO FOOD AND WORK CONCLUDING RESOLUTION**

The Third Convention on the Right to Food and Work was held in Bodh Gaya on 6-8 April 2007. Detailed discussions were held on various aspects of the right to food and work, including: the current agrarian crisis; the public distribution system; children's right to food; the National Rural Employment Guarantee Act; social exclusion in food-related programmes; social security of the urban poor and unorganized sector; right to food of vulnerable groups; coercive change of land use; divisive policies such as BPL "targeting"; hunger deaths; and struggles for the right to food in Bihar.

Various demands were formulated at the Convention workshops. These demands, summarized in Annexure 1, may be considered as proposed demands for further campaign work. In some cases, core groups have been formed to take forward the deliberations and demands formulated at the Convention. Constituent organizations of the right to food campaign are invited to support these follow-up activities.

The Convention takes special note of a set of proposed action points aimed at giving greater prominence to issues of social equity (including the elimination of caste discrimination) in the campaign. These are summarized in Annexure 2. We support this agenda and appeal to all constituent organizations to incorporate it in their work.

Some specific action points have also emerged from the Convention. We are united in our commitment to the following actions:

1. Efforts will be made to build associations, organizations and unions of NREGA workers, so that they are empowered to struggle for their own entitlements under the Act.
2. We shall work together for full implementation of the Supreme Court judgement of 13 December 2006 on ICDS, as well as earlier orders. In particular, a campaign will be launched to activate the principle of "anganwadi on demand". Campaign activities on maternity entitlements, infant nutrition and survival will also be intensified.
3. Efforts will be made to build a campaign on the universalization of the public distribution system (PDS). A one-day seminar will be held with a view to submitting PDS recommendations to the Wadhwa Commission.

4. Padyatras will be organized to find out and understand people's concerns and demands relating to the agrarian crisis, and convey these demands to elected representatives and the public.
5. Greater attention will be paid in all campaign activities to disadvantaged and marginalized groups including widows, single women, old people, disabled persons, street children, homeless people, refugees, sex workers and their children, people with HIV/AIDS and their children, and migrant workers.
6. Efforts will be made to make Governments accountable through the Supreme Court in the matter of recent hunger deaths reported from various states.
7. Further work will be initiated on issues of social security for unorganized workers, including the extension of employment guarantee to urban areas and a comprehensive legislation for unorganized sector workers (covering regulation of employment as well as social security).

The need was felt to take a united position on the following key issues:

1. **No coercive displacement:** We are opposed to coercive displacement of people, (especially in the context of dams, military areas, Special Economic Zones, and other elitist projects), and we condemn police violence on people and movements resisting coercive displacement. We demand the repeal of the Land Acquisition Act 1894 and Special Economic Zones Act 2006.

2. **Universalization with equity:** We advocate universal provision of basic services and facilities related to nutrition, health and education, with priority to disadvantaged groups.

The Convention also expresses concern about a number of interlinked recent developments that threaten to further undermine the right to food, including the deepening agrarian crisis, the growing influence of corporate interests in food and agrarian policy, the rising incidence of hunger deaths, the continuing neglect of infants and children in public policy, persistent gender discrimination, unequal struggles for water resources, and the disempowerment of Dalits and other disadvantaged groups. We reaffirm our commitment to working together for the right to food through all democratic means, as expressed in the campaign's foundation statement.

**Bodh Gaya, 8 April 2007**

**ANNEXURE 1**  
**Summary Recommendations of Convention Workshops**

**Note:** Parallel workshops on various themes were held at the Bodh Gaya Convention (6-8 April 2007). Below is a list of proposed “campaign demands”, and related conclusions that were reached at these workshops.\*

**DAY 1: 6<sup>th</sup> APRIL 2007**

**Parallel Workshop 1 (Day 1): Subsidised Food-For-All in the Public Distribution System - Building a Campaign Towards It. And about the Justice Wadhwa Commission.**

1. If PDS is not universalized through the Supreme Court, we should push for it through the campaign.
2. A one-day workshop should be convened with a view to preparing submissions to the Wadhwa Committee. Information about the work of this Committee should be widely circulated.
3. We should oppose the withdrawal of the APL quota.

**Parallel Workshop 2 (Day 1): Children’s Right to Food - Reviewing the Campaign and Building Action.**

*ICDS-related*

1. Many participants stressed the importance of better awareness, monitoring and participation. Various experiences of relevant action were shared, such as community mobilization for maternity entitlements in Hazaribagh (Jharkhand) and a “bal adhikar yatra” in Gujarat.
2. It was agreed that pressure needs to be built from both ends (from the top as well as from the bottom) in order to be effective.
3. There was much discussion of the recent Supreme Court judgement on ICDS (13 December 2006), and how to ensure that it is implemented. It was resolved that efforts would be made to activate the principle of “anganwadis on demand”. A draft application form was circulated for this purpose.
4. The need was felt for better norms for the creation and placement of anganwadis, consistent with “universalization with quality”.

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\* This Annexure is based on workshop notes and reports; some of these were incomplete.

5. It was pointed out that all ICDS services should receive adequate attention, not just those relating to food and nutrition.
6. It was argued that the campaign should work more closely with anganwadi workers' organizations.
7. The National Campaign for Dalit Human Rights (NCDHR) expressed an interest in collaborating with the Right to Food Campaign to build public pressure for the implementation of Supreme Court orders relating to elimination of social exclusion in ICDS, including giving priority to Dalit and Adivasi hamlets in the creation of new anganwadis.

#### *Other issues*

1. There was a widely-shared concern about the spread of corruption in ICDS, mid-day meals and related programmes. For instance, teachers often inflate school attendance figures to siphon off mid-day meal allocations (sometimes under pressure from their superiors). Various means of checking corruption were discussed, including social audits, use of the Right to Information Act, vigilance committees, and community monitoring.
2. One participant mentioned some interesting initiatives that have been taken in Ranchi District, including the setting up of a Helpline to respond to any enquiries or complaints relating to ICDS and other schemes covered by Supreme Court orders on the right to food.
3. It was suggested that a debate should be initiated on the possible provision of non-vegetarian items in mid-day meals, to overcome discriminatory notions of food "pollution and purity".
4. It was noted that the mandatory allocation of "Rs 2 per child per day" for supplementary nutrition under ICDS (in the Supreme Court judgement of 13 December 2006) also extends to children under the age of six months. Some organizations are demanding that this allocation should be spent on services related to breastfeeding and "infant and young child feeding" (IYCF). The workshop participants expressed their support for this demand.
5. It was proposed that a convention similar to the "children's right to food" convention held in Hyderabad in April 2006 should be held later this year.

#### **Parallel Workshop 3 (Day 1): Fragmenting the Poor: The struggle against BPL-APL divisions.**

##### *General Consensus on the BPL*

1. Provision of basic rights such as health, education and foodgrains should be kept free from considerations of BPL/APL and these should be universally applicable to all. (Issues relating to right to shelter were also discussed, but no consensus could be arrived at.)

### *2007 BPL Census*

1. BPL Survey / Identification process should not have any centrally determined quota for identification of poor people. In case there is a quota it should be based on the food consumption figures as provided by the NSSO Round 61.
2. Criteria for the BPL Census should be discussed widely with civil society groups and the public in general before final adoption. This should be in addition to the mandatory role of SC Commissioners on the Right to Food as ordered by the Supreme Court.
3. Tribals, Dalits, single women, uncared for aged, disabled persons and HIV-positive people should be automatically considered as BPL. Only those with government jobs or high-paying private jobs/business should be excluded. But the onus of proving that any such household does not belong to the BPL category should be with the government.
4. The survey process should be carried out by a steering committee formed at the Ward Sabha level together with a government employee who does not belong to / work in the place. The Panchayati Raj setup at the lowest levels should also have much greater role than at present.

### **Parallel Workshop 4 (Day 1): Food Security and Social Security of Vulnerable Groups (Old, Single, Disabled, Homeless, Refugee, Migrant etc.)**

(See Annexure 2.)

### **Parallel Workshop 5 (Day 1): Untouchability and Discrimination in the context of the Right to Food**

(See Annexure 2.)

### **Parallel Workshop 6 (Day 1): Agrarian Crisis, People's Struggle and Critiquing State Intervention**

1. The agricultural policy of the country should be farmer-centric and not produce-centric.
2. Agricultural is a source of livelihood, and should not be commercialised.
3. Farmers should have control over seeds and grain markets.
4. There should be adequate minimum support prices (MSPs), and no interest on agricultural loans. There should be no coercive recovery of agricultural loans.
5. Agricultural institutes should concentrate on farmers' interests and not be driven by funding agencies.

6. Padyatras should be organized to find out and understand people's demands (relating to the agrarian crisis), and convey these to people's representatives and Parliament. Dialogues/meetings should also be convened at the state, district and village levels.
7. Policies relating to electricity, seeds, energy, water, etc. should be formulated keeping farmers' interests in mind.
8. There should be no coercive acquisition of agricultural land. Where possible, the land of closed industrial units should be used.
9. The take-over of agriculture and farming by multinational interests should be resisted.
10. There should be a guaranteed minimum monthly income for all farmers.

### **Parallel Workshop 7 (Day 1): Coercive Change of Land Use, Displacement of People and its Impact on Food Security**

#### *Main Conclusions*

1. No coercive acquisition of agricultural land for non-agricultural purposes.
2. All new industries should be set up on previously identified industrial zones or on plots of land of factories that have closed down.
3. Opposition to SEZs and SEZ Act.
4. Urban poor should have property rights over residential plots.
5. Repeal and oppose the Land Acquisition Act.
6. There should be no displacement of livelihoods.

#### *Further Suggestions*

1. All forces of peoples' resistance should be brought together so that they can collectively challenge the anti-poor development model of the states.
2. Regularisation of homestead land rights of low-income groups living on those lands.

#### *Resolutions*

1. "We pay our respects to and salute those people who are still fighting the governments' anti-poor policies and actions or have been martyred for this cause."
2. "We believe that displacement from livelihood is intrinsically linked to growing food insecurity and hunger and hence the Right to Food Campaign also recognizes this aspect of food rights within this campaign".

### **Parallel Workshop 8 (Day 1): Right to Food and Social Security of the Urban Poor and the Unorganised Sector**

1. The Employment Guarantee Act should be extended to urban areas so that the urban poor are also ensured certain minimum work.
2. The social security legislation for unorganized sector workers must include regulation of employment.
3. Information about all government schemes pertaining to the urban poor should be imparted to the urban poor as well as the organizations working on this issue.
4. A meeting should be organized on Unorganised Sector issues, especially that of urban housing.
5. Urban poor should have ownership rights to residential plots.
6. GOI should prepare a policy wherein it spends 3% of GDP on health and social security of the urban poor and unorganised workers.

### **Parallel Workshop 9 (Day 1): Hunger Deaths and the Responsibility of the State**

(No report was received for this workshop.)

### **Self-Organised Session (Day 1): On Livelihoods and Food Security of Women: Self Help Groups (SHGs) and the Micro Finance Bill 2007**

1. The policy guiding SHGs today reflects state's withdrawal from social sector spending and reduces accountability.
2. This phenomenon has severe implications for the lives, livelihoods and food security of the poor and marginalised, especially women.
3. There is a need to consciously rethink SHG policy and programme design since directly or indirectly we are all in the business of mobilising collectives and SHGs.
4. Immediate action needs to be taken against the Micro Finance Bill that has been tabled in Parliament.
5. All groups present made a commitment to take forward discussions on these issues at various forums within their organisations, states and regions.

**DAY 2: 7<sup>th</sup> APRIL (PARALLEL WORKSHOPS ON EMPLOYMENT GUARANTEE)****Parallel Workshop 1: Social Audits and ensuring key principles of implementation**

This workshop introduced the participants to the principles of social audit, in the context of the National Rural Employment Guarantee Act (NREGA). The following suggestions were also made:

1. In pursuance of the official Operational Guidelines of NREGA, clear guidelines on social audit should be formulated by the government,
2. Three per cent of NREGA funds should be ear-marked for the provision of special employment opportunities to disabled persons.
3. Fines for violations of the Act should be raised from Rs 1000 to 10,000, to ensure more effective redressal.
4. Strict guidelines on sexual harassment at the workplace should be enforced.

**Parallel Workshop 2: Wages (Minimum Wages, Measurement, Time-Motion Studies, Grain Component)**

1. A National Minimum Wage should be determined.
2. The wage should be time-based and not on piece-rate.
3. Grain component should form 50% of the wage. (at PDS rates).

**Parallel Workshop 3: Women in NREGA**

1. Crèches should be provided at the worksite, along with a place for breastfeeding.
2. Toilets should be provided for women.
3. Women should get minimum wage.
4. Land of single women should be developed in NREGA works.

**Parallel Workshop 4: Sharing Strategies of Organization: Unionisation of NREGA Workers.**

1. The campaign should help to build workers' organizations for the implementation of NREGA, from village to national level.

**Parallel Workshop 5: Project Development/Shelf of Works – Development of SC/ST Areas.**

1. Organisations of SC/ ST people should take up the issues related to NREGA.
2. SC/ST land development should be carried out extensively in all areas.
3. Progress monitoring report should be prepared and submitted to the various stakeholders, especially the BDO and Collector, on a regular basis.
4. Gram Sabhas should play a greater role in the decision making of the shelf of works/ projects etc.
5. Perspective plans should be prepared in all the areas of Dalit and Tribals in consultation with them.
6. Productive works should be planned which could lead to self employment and better economic returns.
7. Social audits should be mandatory in all NREGA works in Dalit and Tribal dominated areas.
8. Micro Plans should be made with SC/ ST focus.

## **ANNEXURE 2**

### **Recommendations Relating to Social Equity and Caste Discrimination**

**Note:** Parallel workshops on ‘Caste Discrimination in the context of the Right to Food’ and ‘Food and Social Security of Vulnerable Groups’ were held on 6<sup>th</sup> April 2007. The Convention takes special note of the proposed actions that were formulated in the workshops, with a view to giving greater prominence to issues of social equity (including the elimination of caste discrimination) in the campaign. These recommendations are presented below.

#### **Parallel Workshop on “Untouchability and Discrimination in the context of the Right to Food”**

1. The Right to Food Campaign to recognize that caste system continues to determine one’s access to security, livelihood, property, work opportunities, which are critical to “right to food”. Dalits have low access in all the above and hence face greatest insecurity with regard to food.
2. The Right to Food Campaign should expand the understanding of social exclusion and caste discrimination around food and water, so that the dalit right to food can be adequately addressed.
3. Right to Food Campaign should facilitate greater involvement of dalit organizations in the campaign.
4. Include the implementation of minimum and livable wages as instrumental to food security.
5. Land reform is very necessary for the Dalits. Also appoint a commission to study the status of land to dalits under land reforms.
6. Enactment of a comprehensive SC & ST Land Protection and Development Act to protect and prevent encroachment and alienation.
7. Policy to ensure that land will be assigned in the names of Dalit and Adivasi women or in joint names of women in the families.
8. Proceedings to be initiated against officials under section 4 of SC/ST (POA) Act for willful negligence in preventing / not implementing Supreme Court orders in land cases.
9. Provide agricultural land to dalits in joint name of women and support services to produce food crops.
10. Address the inequalities in food and healthcare access to dalit children and women.
11. Orientation and sensitization of government officials on dalit issues, so that they are non-discriminatory in service delivery like ICDS, health care, NREGA etc.
12. Special activities and Campaign should be initiated to implement Supreme Court orders regarding ICDS, especially in the case of Dalits.
13. Special action should be taken by Right to Food Campaign to fulfill right to food of Dalit children and fight against malnutrition related problems.

14. Demand for residential schools for Dalit children - so as to increase education and decrease hunger.
15. Enact “Anti-Discrimination Bill” so that complaints of discrimination can be legally addressed.
16. Locate ICDS centres, primary/middle schools, PDS shops, health sub-centres in Dalit habitations - ensuring community participation and management to be given to Dalits.
17. All SC/ST families to be eligible for BPL cards.
18. Collect disaggregated data according to gender and social groups on development indicators, access, participation in decision-making etc., which becomes the basis for government planning and resource allocation.
19. Rituals and cultural practices, which compel dalits to be dependent on upper-castes for food, should be abolished immediately. The civil society should also sensitise people about differing food practices and thus helping to remove notions of purity and pollution attached with food.
20. Promote civil society dialogue and debate on exclusion and discrimination on current legislations that promote dalit development and welfare.
21. Special activities should be taken by the Right to Food Campaign to stop bonded labour system and manual scavenging.
22. Initiate a fact-finding mission to investigate discrimination and untouchability in Right to Food and work issues.
23. National Consultation should be held on the NREGA and Dalits.

**Parallel Workshop on “Food Security and Social Security of the Vulnerable Group (Old, Single, Disabled, Homeless, Refugee, Migrant etc.)”**

1. The term ‘Vulnerable Groups’ should include the following: widows, single women, old people, disabled persons, street children, homeless people, refugees, sex workers and their children, people with HIV/AIDS and their children, migrant workers (and amongst all these, particularly adolescent girls and women).
2. Pensions for widow, elderly people and single women should be raised to Rs 1000-1500 per month.
3. Roaming ration cards should be provided to all migrant families.
4. ICDS programme should be extended to street children, migrant children, child labourers, children of sex workers and HIV/AIDS-affected persons.
5. Crèche facilities should be provided to working women.
6. National Maternity Benefit Scheme (NMBS) should not be withdrawn; should be kept separate from Janani Suraksha Yojana (JSY).