



Violations of the Human Right to Food During COVID-19 in the United States¹

**Submission to the United Nations Special Rapporteur on the Right to Food
Mr. Michael Fakhri**

Submitted on June 19, 2019 by:

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¹ Excerpts from this submission are from the University of Miami School of Law Human Rights Clinic Joint Submission to the Human Rights Council for its 36th Session of the Universal Periodic Review of the United States entitled [The Human Right to Food in the Context of Political Participation, Equality and Nondiscrimination](#).

Introduction: The Right to Food in the United States and the COVID-19 Pandemic

All people in the U.S. should have their human right to food fully realized. While the U.S. has taken some steps to demonstrate its commitment to economic, social, and cultural rights, the right to food remains one of the most violated human rights in the country. The U.S. played a significant role in the elaboration and adoption of the Universal Declaration of Human Rights in 1948², which consists of 30 articles affirming the full range of individuals' human rights. Furthermore, the U.S. ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)³ and the Convention Against Torture (CAT)⁴ in 1994, both of which prominently contain economic, social, and cultural rights, including the right to food.⁵ The U.S. also took part in the development of the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (Right to Food Guidelines), and even committed to their adoption by the Food and Agriculture Organization of the United Nations (FAO) in 2004.⁶ However, the lack of recognition of economic, social and cultural rights on a federal level shows how the human right to food has been grossly neglected by the U.S.⁷ The lack of recognition of economic, social and cultural rights in the U.S. is further made evident through the U.S.' refusal to ratify the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which defines the right to food as the right to feed oneself and one's families with dignity, through sufficient availability, accessibility, and adequate fulfilment of dietary needs in a sustainable manner.⁸ While the U.S. ratified the International Covenant on Civil and Political Rights (ICCPR) in 1992, this treaty only makes up half of the International Bill of Human Rights.⁹

Right to food violations in the U.S. are a direct result of violations of Article 25 and Articles 2 and 26 of the ICCPR, which enshrine the human right to political participation and the right to equality and non-discrimination.¹⁰ Violations of Article 25 stem from the demise of political ethics by allowing corporate lobbying to have undue influence on the political process responsible for food system laws and policies.¹¹ Corporate lobbying impedes peoples' right to political participation in the governance of their food systems, from small-scale farm production to the distribution and consumption of food.¹² Additionally, the human right to food in the U.S. is intertwined with

² UN General Assembly, *Universal Declaration of Human Rights*, 10 December, 1948
<https://www.un.org/en/universal-declaration-human-rights/>

³ UN General Assembly, *International Convention on the Elimination of All Forms of Racial Discrimination*, 21 December 1965, United Nations, Treaty Series, vol. 660, p. 195,
<https://www.ohchr.org/en/professionalinterest/pages/cerd.aspx>

⁴ UN General Assembly, *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, 10 December 1984, United Nations, Treaty Series, vol. 1465.
<https://www.ohchr.org/en/professionalinterest/pages/cat.aspx>

⁵ *Id.*

⁶ *Right to Food*, Food & Ag. Org. of the U.N. <http://www.fao.org/policy-support/policy-themes/right-to-food/en/> (accessed October 2).

⁷ *Id.*

⁸ *Id.*

⁹ *Fact Sheet No.2 (Rev.1)*, The International Bill of Human Rights, OHCHR,
<https://www.ohchr.org/Documents/Publications/FactSheet2Rev.1en.pdf> accessed October 2.

¹⁰ U.N., *Int'l Covenant on Civ. and Pol. Rts.*, General Comment Adopted by the Human Rights Committee, U.N. Doc. CCPR/C/21/Rev.1/Add.7 (1996).

¹¹ *International Covenant on Civil and Political Rights art. 25*, Dec. 19, 1966, S. Treaty Doc. 95-20, 999 U.N.T.S. 171.

¹² *Id.*

structural discrimination on the basis of race, gender, and socioeconomic status because hunger and malnutrition disproportionately affect people of color, women and children, and the poor, among other marginalized groups. This is a clear violation of Articles 2 and 26, which guarantee equality before the law.¹³

The COVID-19 crisis has brought to light the stark inequities that leave tens of millions in persistent hunger and poverty in the U.S. and almost a billion worldwide. More than 30 million people across the nation applied for unemployment benefits in the last six weeks alone, and millions more will likely lose their jobs in the weeks to come. What will follow is an equally staggering rise in food insecurity. COVID-19 is pushing the emergency feeding system to its limits, exposing the true extent of the hunger problem in the United States at its roots. The U.S. emergency feeding system, a network of 60,000 frontline pantries, soup kitchens and food banks anchored in almost every community in the U.S., is critical at a time like this. That's what it was designed for in the early 1970s – *emergency relief*. On the frontline of the COVID-19 crisis, WhyHunger's Hotline¹⁴ has seen a 600% increase in calls over the past few weeks from individuals facing hunger. Community institutions are doing an essential and life-sustaining job of distributing food against all odds. However, the private charitable emergency feeding system in the U.S.—the largest and most sophisticated in the world—has historically never been able to meet the demand or make a real dent in the rate of food insecurity which has hovered between 11 - 12% over the past 30 years. It is simply not possible to 'foodbank' our way out of hunger. Even before the pandemic, 37 million Americans were struggling to get food on the table, while four out of five workers lived paycheck to paycheck. Hunger advocates generally focus on defending existing (and inadequate) government nutrition assistance while the average American citizen looks to the private charitable sector to meet the "emergency" needs of hungry families, rather than recognizing citizens, communities and the natural resources we depend on as *rights holders* and governments as *duty bearers*. The right to food is both a call to action and a global legal framework for coordinated reform in food and agriculture. As the pandemic reshapes public life around the globe, it also offers an opportunity to organize and protect everyone's basic human right to food in the U.S.

In an effort to address questions two and three of Special Rapporteur Fakhri's questionnaire, which will be used to inform his thematic report to the United Nations General Assembly, this submission focuses on the violations of the right to food that are intimately intertwined with systemic racism and have a disproportionate effect on people of color, women and children, immigrants, and low-wage workers.

¹³ International Covenant on Civil and Political Rights art. 26, Dec. 19, 1966, S. Treaty Doc. 95-20, 999 U.N.T.S. 171.

¹⁴ See WhyHunger's website: <https://whyhunger.org/>.

Question 2: What measures did national, federal, provincial or local governments put in place to ensure access to food for the individuals in vulnerable situations such as older persons, children, women, rural communities, LGBT persons, national or ethnic, cultural, religious and linguistic minorities, and indigenous peoples?

Violations of the human right to food in the U.S. are intimately intertwined with and lead directly to violations of Article 2(1) and Article 26 of the ICCPR, as well as violations of Article 5(e) of the ICERD.¹⁵ Food insecurity is linked with structural discrimination on the bases of race, gender, and socioeconomic status. The Human Rights Committee’s General Comment 18 on non-discrimination defines discrimination as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect or nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural, or any other field of public life.”¹⁶ Marginalized communities, such as LGBTQ+ individuals, women, people of color, Indigenous people, undocumented immigrants, and low-income populations, experience violations of the adequacy, availability, and accessibility dimensions of the right to food. These violations have been exacerbated during the COVID-19 pandemic.

People of color experience a higher risk of food insecurity during the COVID-19 pandemic because of structural and interpersonal racism.

Health disparities resulting from violations of the Right to Food in the U.S.—such as malnutrition and lack of access to nutritious food resulting from structural racism—make people of color

¹⁵ Article 2(1) of the ICCPR states that “Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

Similarly, Article 26 states that “[a]ll persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

Meanwhile, Article 5(e) includes “[e]conomic, social and cultural rights” as among the rights that state parties should ensure are enjoyed by all citizens “without distinction as to race, colour, or national or ethnic origin...” Although the treaty itself does not mention the right to food, Paragraph 1 of General Recommendation 20 on Article 5 states that “the rights and freedoms mentioned in article 5 do not constitute an exhaustive list,” and include those derived from “...the Universal Declaration of Human Rights.” As noted earlier, the Universal Declaration recognizes the right to food. The General Recommendation further notes that although Article 5 does not create rights, it “assumes the existence and recognition of these rights.”

Sources: ICCPR, *supra*, art. 2 ¶1; art. 26.

International Convention on the Elimination of All Forms of Racial Discrimination, Dec. 21, 1965, 660 U.N.T.S. 195, 212.

Committee on the Elimination of Racial Discrimination, General Recommendation 20, at 124, U.N. Doc. A/51/18 Annex VIII (1996) (<http://hrlibrary.umn.edu/gencomm/genrexx.htm>)

¹⁶ Human Rights Comm., CCPR General Comment No. 18: Non-discrimination, (1989).
<https://www.refworld.org/docid/453883fa8.html>

especially vulnerable to devastation from COVID-19.¹⁷ More specifically, high blood pressure, diabetes, heart disease, lung disease, and autoimmune disease have been disproportionately found in communities of color; these conditions increase the risk for severe illness from COVID-19 (and although the elderly are most vulnerable, the CDC notes that the aforementioned risk factors affect people of any age).¹⁸ In multiple cities, there is a disparity between death rates of communities of color and white communities.¹⁹ In New York City, for instance, the death rate among Hispanics is 50% higher than that of whites.²⁰ Meanwhile, although African Americans make about 13% of the population in some states, they are also about 34% of the total COVID-19 deaths in those states.²¹ The vulnerabilities of people of color indicate that governments need to consider the potential impacts of their reopening strategies on citizens, including people of color and other marginalized groups.

Women are especially vulnerable to food insecurity during the COVID-19 pandemic due to discrimination and inadequate protection.

The gender impacts of the virus are complex. Preliminary data suggests that men are disproportionately affected by the virus.²² However, the disease infects both men and women and can be lethal for the latter as well. Furthermore, the societal impact on women because of the pandemic and the measures taken to counteract it must also be highlighted. Lockdowns, for instance, reduce women's mobility, thus reducing their options if they need to escape abuse and

¹⁷ Health issues for blacks, Latinos and Native Americans may cause coronavirus to ravage communities, USA Today.com, <https://www.usatoday.com/story/news/nation/2020/03/30/coronavirus-cases-could-soar-blacks-latinos-and-native-americans/2917493001/> (last visited June 21, 2020).

¹⁸ Men and Black People are More Likely to be Hospitalized by Coronavirus, CDC Says, BostonGlobe.com, <https://www.bostonglobe.com/2020/04/08/metro/cdc-report-males-black-residents-may-be-disproportionately-affected-by-coronavirus/> (last visited June 21, 2020).; People Who Are at Higher Risk for Severe Illness, CDC.gov, https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fspecific-groups%2Fhigh-risk-complications.html (last visited June 21, 2020).

¹⁹ Latino Communities in the US Devastated by Covid-19, CNN.com, <https://www.cnn.com/2020/05/09/us/hispanic-population-coronavirus-impact/index.html> (last visited June 21, 2020).; Virus is Twice as Deadly Black and Latino People than Whites in N.Y.C., NYTimes.com, <https://www.nytimes.com/2020/04/08/nyregion/coronavirus-race-deaths.html> (last visited June 21, 2020).; How COVID-19 is Impacting Indigenous Peoples in the U.S., PBS.org, <https://www.pbs.org/newshour/nation/how-covid-19-is-impacting-indigenous-peoples-in-the-u-s>. (last visited June 21, 2020).

²⁰ Latino Communities in the US Devastated by Covid-19, CNN.com, <https://www.cnn.com/2020/05/09/us/hispanic-population-coronavirus-impact/index.html> (last visited June 21, 2020).

²¹ How COVID-19 is Impacting Indigenous Peoples in the U.S., PBS.org, <https://www.pbs.org/newshour/nation/how-covid-19-is-impacting-indigenous-peoples-in-the-u-s> (last visited June 21, 2020).

²² Men and Black People are More Likely to be Hospitalized by Coronavirus, CDC Says, BostonGlobe.com, <https://www.bostonglobe.com/2020/04/08/metro/cdc-report-males-black-residents-may-be-disproportionately-affected-by-coronavirus/>. (last visited June 21, 2020).

violence.²³ In fact, domestic violence reports have increased in the U.S.²⁴ Similarly, the concentration of women in care work has put these women in a difficult position.²⁵ COVID-19 is extremely dangerous to the elderly, which raises concerns about dangers in elderly care work.²⁶ Unpaid care work for women with children has increased as a result of necessary school closures due to the pandemic.²⁷ Some women have also had to quit their jobs and lose access to income in order to take care of their children.²⁸ Female informal workers could also sustain a disproportionate impact on their income.²⁹ The aforementioned income impacts could expose these women and their families to food insecurity.³⁰ An additional gender impact of the pandemic is found in landlord-tenant relationships. Advocates are concerned that some tenants may be more vulnerable to sexual harassment from their landlords, as landlords may ask vulnerable tenants—who are otherwise unable to pay their rent due to the pandemic—for sexual favors as payment.³¹

Indigenous communities are prone to food insecurity and lack of access to nutritious food during the COVID-19 pandemic as a result of discriminatory government policies.

The public health problems affecting Indigenous communities in the U.S. are interlinked with violations of the right to food, such as physical distance from accessible nutritious food, and an inability to obtain food in a culturally appropriate manner.³² Such a crisis, coupled with overcrowded households resulting from multiple generations living in the same home, create what Kevin Allis of the National Congress of American Indians called a “recipe for disaster” for Indigenous communities facing COVID-19.³³ Additionally, the physical distance of some Indigenous reservations from health facilities makes testing difficult for these communities.³⁴ Some experts believe that this may explain why different Indigenous reservations have widely different rates of COVID-19 infection.³⁵ Additionally, there is some evidence to suggest that a lack

²³ CWGL Presentation; FIAN International. “The Impact of COVID-19 On the Human Right to Food and Nutrition, Preliminary Monitoring Report” 5 (April 2020). Impact of COVID-19 on the Human Right to Food and Nutrition, FIAN.org, https://www.fian.org/files/files/Preliminary_monitoring_report_-_Impact_of_COVID19_on_the_HRtFN.pdf (last visited June 21, 2020).

²⁴ Caroline Bettinger-Lopez & Alexandra Bro, A Double Pandemic: Domestic Violence in the Age of COVID-19, Council on Foreign Relations (May 13, 2020), <https://www.cfr.org/in-brief/double-pandemic-domestic-violence-age-covid-19> (last visited June 21, 2020).

²⁵ CWGL Presentation; Catherine Powell, The Social and Economic Costs of Unpaid Caregiving, Council on Foreign Relations (Jul 27, 2017), <https://www.cfr.org/blog/social-and-economic-costs-unpaid-caregiving>. (last visited June 21, 2020).

²⁶ *Id.*

²⁷ FIAN International, *supra* at 5; CWGL Presentation.

²⁸ FIAN International, *supra* at 5.

²⁹ FIAN International, *supra* at 5.

³⁰ *Id.*

³¹ Her Landlord Asked To Spend The Night With Her After She Lost Her Job And Couldn’t Afford Rent, BuzzFeedNews.com, <https://www.buzzfeednews.com/article/amberjamieson/renter-sexually-harassed-by-landlord-during-coronavirus> (last visited June 21, 2020).

³² See our UPR submission.

³³ Health Issues for Blacks, Latinos and Native Americans May Cause Coronavirus to Ravage Communities, USA Today.com, <https://www.usatoday.com/story/news/nation/2020/03/30/coronavirus-cases-could-soar-blacks-latinos-and-native-americans/2917493001/>. (last visited June 21, 2020).

³⁴ *Id.*

³⁵ How COVID-19 is Impacting Indigenous Peoples in the U.S., PBS.org, <https://www.pbs.org/newshour/nation/how-covid-19-is-impacting-indigenous-peoples-in-the-u-s>. (last visited June 21, 2020).

of complete plumbing facilities may be related to high COVID-19 cases in some Indigenous communities.³⁶

One example of an Indigenous community facing the pandemic is the Navajo Nation. About 3,740 people have tested positive for COVID-19 as of May 15 2020, and about 127 have died.³⁷ Dr. Loretta Christensen, Chief Medical Officer for the Navajo Nation at the Indian Health Service, expressed concerns in April that health guidelines may be difficult for some to follow.³⁸ “[Y]ou’re saying, ‘Go buy groceries for two or three weeks and shelter in place and don’t come out,’ but people can’t afford groceries for two or three weeks,” she said in an interview with NBC.³⁹ The Navajo Nation’s stay-at-home order expires in June.⁴⁰ Additionally, the tribe had a strict lockdown period in the weekend between May 16-May 18 as a response to a recent increase in cases.⁴¹ Additionally, a few weeks prior, the tribe’s three hospitals were filled to capacity as some had predicted, and numerous patients had to be transferred off of the reservation to other facilities.⁴²

³⁶ *Id.*

³⁷ Navajo Nation Residents to Be Under Strictest Lockdown Yet, USNews.com, <https://www.usnews.com/news/best-states/utah/articles/2020-05-15/arizona-county-leads-in-covid-19-cases-on-navajo-nation>. (last visited June 21, 2020).

³⁸ Coronavirus Batters the Navajo Nation, and it's About to Get Worse, NBCNews.com, <https://www.nbcnews.com/health/health-news/coronavirus-batters-navajo-nation-it-s-about-get-worse-n1187501>. (last visited June 21, 2020).

³⁹ *Id.*

⁴⁰ Navajo Nation Residents to Be Under Strictest Lockdown Yet, USNews.com, <https://www.usnews.com/news/best-states/utah/articles/2020-05-15/arizona-county-leads-in-covid-19-cases-on-navajo-nation>. (last visited June 21, 2020).

⁴¹ *Id.*

⁴² *Id.*

Question 3: What were the conditions under which food workers such as agricultural labourers, store workers, transporters, cooks, and shopkeepers had to work? What measures did national, federal, provincial or local governments put in place to ensure the safety and welfare of these workers? Were any special provisions and protections made for migrant workers?

Undocumented immigrants and food supply workers are at greater risk of food insecurity during the COVID-19 pandemic.

The anxious environment created by discriminatory U.S. immigration policy under President Trump’s administration has been exacerbated by the COVID-19 pandemic and resulted in more extreme violations of the accessibility dimension of the right to food for undocumented food workers. Undocumented immigrants were excluded from both the Families First Coronavirus Response Act and the CARES Act and thus, cut out of provisions to ensure COVID-19 testing and care as well as economic relief, undermining our collective safety and economic future. This exclusion combined with the Trump administration’s immigration enforcement policies have created an atmosphere of fear for undocumented immigrants which prevents them from accessing health care and food, even as they make up a significant part of the workforce of the food and farm industry.⁴³ Many undocumented immigrants are afraid to apply for their children’s food stamps or subsidized school lunch or even access food through a non-governmental food pantry because of the fear of being arrested and deported by Immigration and Customs Enforcement (ICE), resulting in food insecurity.⁴⁴ Additionally, whereas undocumented immigrants are excluded from participating in SNAP, some eligible immigrants fear that they may be deported for applying to government assistance, placing them under food insecurity as well.⁴⁵ These fears also make undocumented immigrants less likely to participate in surveys, which makes it “difficult to accurately measure food insecurity” in their households.⁴⁶

During the COVID-19 pandemic, U.S. farmworkers have had to face considerable workplace risks despite their vulnerabilities because they are essential workers.⁴⁷ According to Antonio Tovar, interim General Coordinator for the Farmworker Association of Florida, many U.S. farmworkers

⁴³ Samragyee De, WhyHunger, *From the Intern’s Desk: Immigration & Hunger: The Choices our Neighbors Are Making Today*, (2018). <https://whyhunger.org/category/blog/from-the-interns-desk-immigration-hunger-the-choices-our-neighbors-are-making-today/> (last visited June 21, 2020).

⁴⁴ *Id.*

⁴⁵ *E.g. Id.*; International Human Rights Clinic, *Nourishing Change: Fulfilling the Right to Food in the United States* (New York: NYU School of Law) at 13, 36 n.53 (2013).

(“Currently the following groups of non-citizens are eligible for SNAP benefits if they meet other eligibility requirements: lawful permanent residents who have lived in the United States for five years; children under the age of eighteen; refugees, asylees, or individuals granted a stay of deportation; women and children petitioning for legal permanent resident status under the Violence against Women Act (VAWA) who have resided in the country for at least five years; members of the U.S. Armed forces, former members of the U.S. Armed Forces, and dependents of current and former service members; those receiving dis-ability benefits; and those with forty quarters of work history. Undocumented immigrants are currently excluded from participating in SNAP.”)

⁴⁶ Molly Knowles, Joanna Simons, Mariana Chilton, *Food Insecurity and Public Health*, in *Food and Public Health*, 171, 177 (Allison Karpyn ed. 2018).

⁴⁷ If they do not work, billions of crops could be put at risk, and the food supply system could collapse. See Face Mask Scarcity Leaves California Farmworkers Unprotected, TheCounter.org, <https://thecounter.org/without-face-masks-california-farmworkers-covid-19-coronavirus/> (last visited June 21, 2020).

have been exposed to pesticides that have compromised their immune and/or respiratory systems, making them vulnerable to severe COVID-19 illness.⁴⁸ Additionally, many farmworkers have pre-existing conditions that make them vulnerable to severe COVID-19 illness, such as diabetes.⁴⁹ Some of these pre-existing conditions result from violations of the right to food in the U.S. In addition, the demand for masks as a result of the pandemic caused a shortage of masks for California farmworkers in March.⁵⁰ Workers in this area rely on masks to protect them from pesticides, fungicides, fungi, smoke from wildfires, or field dust, which could lead to respiratory problems.⁵¹ One fungus, *Coccidioides immitis*, causes a disease called Valley Fever that can result in respiratory problems.⁵²

Even though they are categorized as essential workers, farmworkers do not have access to adequate social protection schemes. Many farmworkers do not have access to adequate safety nets should they be infected or be forced to stop working for any other reason.⁵³ Health problems are compounded by a lack of access to healthcare coverage. A U.S. Department of Labor survey found that 47% of farmworkers reported having healthcare workers compared to 91.5% of the population.⁵⁴ Meanwhile, social distancing is harder for farmworkers who live together and/or commute to work in trucks full of other people.⁵⁵ Additionally, farmworkers might not work in areas free of exposure to the virus or to harmful substances that make them more vulnerable to severe COVID-19 illness. Furthermore, it may be more difficult for farmworkers to wash their hands if handwashing stations are too distant from where they work.⁵⁶ Many companies have taken some steps to prevent the spread of the virus in farms, though not all.⁵⁷ Finally, another problem facing farmworkers is lack of information. Some farmworkers reported to PBS NewsHour that

⁴⁸ Pre-existing Conditions, No Sick Leave and Health Insurance Put Farm Workers at Increased Coronavirus Risk, TheCounter.org https://thecounter.org/farmworkers-uninsured-covid-19-coronavirus/?utm_source=The+Counter+Subscribers&utm_campaign=a606cc2ca8-EMAIL_CAMPAIGN_2020_03_10_06_24_COPY_01&utm_medium=email&utm_term=0_75a28a0eaf-a606cc2ca8-511635737 (last visited June 21, 2020).

⁴⁹ *Id.*

⁵⁰ Face Mask Scarcity Leaves California Farmworkers Unprotected, TheCounter.org, <https://thecounter.org/without-face-masks-california-farmworkers-covid-19-coronavirus/> (last visited June 21, 2020).

⁵¹ *Id.*

⁵² *Id.*

⁵³ How the COVID-19 Pandemic is Sending American Agriculture into Chaos, PBS.org, <https://www.pbs.org/newshour/show/how-the-covid-19-pandemic-is-sending-american-agriculture-into-chaos> (last visited June 21, 2020).

⁵⁴ Pre-existing Conditions, No Sick Leave and Health Insurance Put Farm Workers at Increased Coronavirus Risk, TheCounter.org, https://thecounter.org/farmworkers-uninsured-covid-19-coronavirus/?utm_source=The+Counter+Subscribers&utm_campaign=a606cc2ca8-EMAIL_CAMPAIGN_2020_03_10_06_24_COPY_01&utm_medium=email&utm_term=0_75a28a0eaf-a606cc2ca8-511635737 (last visited June 21, 2020).

⁵⁵ How the COVID-19 Pandemic is Sending American Agriculture into Chaos, PBS.org, <https://www.pbs.org/newshour/show/how-the-covid-19-pandemic-is-sending-american-agriculture-into-chaos> (last visited June 21, 2020).

⁵⁶ *Id.*

⁵⁷ Face Mask Scarcity Leaves California Farmworkers Unprotected, TheCounter.org, <https://thecounter.org/without-face-masks-california-farmworkers-covid-19-coronavirus/> (last visited June 21, 2020).

they were not getting adequate information about the virus, which according to Armando Elenes of United Farm Workers makes them more vulnerable to infection.⁵⁸

Meanwhile, meat workers are also facing significant problems. About 30 meat processing plants have closed at some point in the past two months due to COVID-19 outbreaks.⁵⁹ For example, over 100 workers at JBS meat-processing plants tested positive for COVID-19 in April, including some deaths.⁶⁰ The company had to close some of its U.S. plants in April.⁶¹ On April 28, President Trump issued an executive order directing meat packing plants to reopen.⁶² As of May 14, roughly 30 meat workers have died of COVID-19, and over 10,000 have been infected or exposed to the virus.⁶³ Additionally, four USDA food safety inspectors have died from COVID-19.⁶⁴ Furthermore, COVID-19 outbreaks in meat packing plants have had impacts up and down the food chain, disrupting American food supply.⁶⁵ This illustrates that meat workers, like farmworkers, are extremely vulnerable during the pandemic despite the essential role that they play in the U.S. food system.

Recommendations to The United States

- Ratify ICESCR, CEDAW, and CRC.

Food Should Be Adequate and Nutritious

- Increase and protect supplemental food and nutrition programs.
- Regulate the marketing and labeling of unhealthy food.
- Implement universal school food programs focusing on nutrition and addressing the existing stigma surrounding free and reduced meals, such as Breakfast After the Bell.
- End proliferation of fast food restaurants in low-income neighborhoods and ensure that fresh and affordable food is accessible in all neighborhoods.
- Meaningfully incorporate nutrition into right to food laws, policies, and programs.

Food Systems Should Be Controlled by The People

- Adopt a rights-based national plan to end hunger the incorporates strong civic participation from those most affected.

⁵⁸ How the COVID-19 Pandemic is Sending American Agriculture into Chaos, PBS.org, <https://www.pbs.org/newshour/show/how-the-covid-19-pandemic-is-sending-american-agriculture-into-chaos> (last visited June 21, 2020).

⁵⁹ Thirty Workers, Four USDA Inspectors Dead Amid Meat Plant Coronavirus Outbreaks, Time.com, <https://time.com/5836973/usda-inspector-meat-workers-dead-coronavirus/> (last visited June 21, 2020).

⁶⁰ Corrupt billionaire brothers' meat plants are riddled with coronavirus, NYPost.com, <https://nypost.com/2020/04/18/billionaire-brothers-meat-plants-riddled-with-coronavirus/> (last visited June 21, 2020).; Seventh JBS Greeley employee dies from COVID-19, Denverpost.com, <https://www.denverpost.com/2020/05/06/seventh-jbs-greeley-employee-coronavirus-death/> (last visited June 21, 2020).

⁶¹ *Id.*

⁶² Thirty Workers, Four USDA Inspectors Dead Amid Meat Plant Coronavirus Outbreaks, Time.com, <https://time.com/5836973/usda-inspector-meat-workers-dead-coronavirus/> (last visited June 21, 2020).

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ America's meat shortage is more serious than your missing hamburgers, Vox.com, <https://www.vox.com/recode/2020/5/8/21248618/coronavirus-meat-shortage-food-supply-chain-grocery-stores> (last visited June 21, 2020). For more information, please see full COVID-19 memo.

- Reverse Citizens United.
- Strengthen anti-trust laws.
- Protect the fishing, hunting, water, and land rights of Indigenous peoples.
- Empower existing community outreach frameworks to address the right to food.
- Adopt a rights-based national plan to end hunger that incorporates strong civic participation from those most affected.
- Regulate corporate influence over research and lobbying on food.
- Require increased transparency of corporate campaign donations and lobbying.

Food Should Be Economically Accessible

- Ensure adequate working conditions, living wages, and gender and racial equity.
- Secure and protect land access for independent producers, particularly people of color and Indigenous communities.
- Pay reparations to communities whose labor has been systematically exploited and have been dispossessed of their land since the founding of the U.S. and address the unequitable redistribution of land.
- Address access, adequacy and quality of affordable housing, the immigration system, healthcare, and employment.
- Promote and fund cooperative ownership of land and community food stores.

Food Should Be Environmentally Sustainable

- Support, subsidize and incentivize independent and small-scale food producers.
- Incentivize food producers that implement sustainable practices.
- Hold agricultural companies liable for their impacts on the environment, which taint water and food supplies.