

COMMENT

Of Corruption and Food Insucurity

INDIA HAS SOMEHOW MANAGED to weave a 'solid' network of public food security programme that addresses the specific needs of different vulnerable categories of the population. And the Supreme Court has adopted a very dynamic approach to the economic and social rights of the people and in a certain number of landmark interim orders has given clear instructions to the States to guide them in the proper implementation of those public schemes. Therefore, on paper, India has all the tools to guarantee the food security of all. And yet hunger is on the rise.

In practice, rampant corruption and default of governance and transparency have seriously hampered the functioning of these programmes and undoubtedly weakened their impact on the food security of the poor.

Under the National Rural Employment Guarantee Scheme (NREGS), every household willing to do manual work for minimal wage is entitled to 100 days of employment per year. Its implementation has been universally welcomed as a big step toward the realization of the right to work for all, an essential component of their right to food. Nevertheless, it has been found by a FIAN Parallel Report (2008) that 'barely 3.2% of the registered households could avail 100 days of employment'. The 2007 Corruption Study found out that 15% of the Below the Poverty Line (BPL) households in India had to use a contact or to pay bribes to access the NREGS. In total INR 70 million (USD 1.54 million) were spent as bribes by BPL households to access the scheme. Worrying impact of the extent of corruption: 4% of them could not access the service because they could not afford the bribes.

The attribution of a BPL Card that formally entitles the poorest of the poor to a large number of benefits plays a crucial role in securing their right to health and right to food. The design of the BPL list in most states has been crippled with corruption at all the levels of the government. The head of the Orissa Chapter of Transparency International admitted that 30 percent of the BPL families do not have a BPL card because they "cannot afford to bribe officials to procure the card". In a previous hunger alert, the Asian Human Rights Commission (AHRC) has denounced the corruption of the system in which officials resort to their influential position to grant a BPL card. As the BPL card system is submitted to quotas, this corruption results in excluding poor households from its entitlements.

The victims are often left without legal remedies to these abuses, either because no independent legal redress procedures are available to them or, sometimes, simply because are unaware of their existence and mode of functioning.

The Second Administrative Reform Commission of India acknowledged that 'The grievance redressal machinery should reach out to the people in order to redress the

grievances as the poor workers who are denied their rights may not be easily forthcoming in complaining against established authorities'. Concrete measures have been taken to increase the accountability of the public food security programmes such as the obligation to hold social audits for each project launched under the NREGA.

The link between corruption and human rights has been asserted several times by established international authorities. As early as 1996, the Declaration of the World Food Summit expressly mentioned corruption as being one of the causes of food insecurity. Similarly, the UN Special Rapporteur on the right to food has mentioned in 2001 corruption as one of the seven major economic obstacles that hinder or prevent the realization of the right and stipulated that fighting corruption was one of the obligations of the State under its duty to guarantee the food security of all. The Supreme Court of India has reasserted in several interim orders the imperious necessity to fight against corruption in order to fulfil the right to food of all. □□□