

**Urging The United States Congress, New York State Governor And  
New York State Legislature To Codify Into Law The Right To Food  
As A Fundamental Human Right**

Referred to: The Economic Development, Planning, Education, Employment, Arts and Agriculture Committee (Chairman Cahill and Legislators Corcoran, Criswell, Hewitt, Litts, Maloney and Sperry) and The Health, Human Services and Housing Committee (Chair Walter and Legislators Corcoran, Erner, Lopez, Nolan, Petit, and Uchitelle)

Legislators Chris Hewitt and Megan Sperry and Legislators Criswell, Uchitelle and Walter offer the following:

WHEREAS, the Universal Declaration of Human Rights, was adopted by the UN General Assembly on December 10, 1948; and

WHEREAS, Article 25 specifies that “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing, and medical care and necessary social services...”; and

WHEREAS, at the 34<sup>th</sup> Session of the Human Rights Council held in Geneva in 2017, the United States declined to join consensus on the annual resolution on the right to food; and

WHEREAS, in explaining the vote the United States submitted the following: “The United States supports the right of everyone to an adequate standard of living, including food, as recognized in the Universal Declaration of Human Rights. Domestically, the United States pursues policies that promote access to food, and it is our objective to achieve a world where everyone has adequate access to food, but we do not treat the right to food as an enforceable obligation. The United States does not recognize any change in the current state of conventional or customary international law regarding rights related to food.”; and

WHEREAS, S.4649, amending the Global Food Security Act of 2016, introduced in the US Senate on July 27, 2022 recognizes in its finding “(1) According to the World Food Programme of the United Nations, nearly 193,000,000 people faced acute food insecurity and required urgent assistance in 2021, compared to 108,000,000 people who were in such a situation in 2016. (2) According to Food and Agricultural Organization’s Food Price Index, the cost of food in 2022 has risen to the highest levels on record, representing a 57 percent increase compared to the cost of food 2016. According to the World Bank, every 1 percent increase in food prices pushes 10,000,000 more people into extreme poverty worldwide. (3) According to the February 2022 ‘Worldwide Threat Assessment of the U.S. Intelligence Community’, ‘The economic fallout from COVID–19, combined with conflict and weather extremes, has driven hunger worldwide to its highest point in more than a decade, which increases the risk of instability.’; and

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WHEREAS, the United States Department of Agriculture reports that over 38 million people in the country, including 12 million children, are food insecure, defined as a household-level economic and social condition reflecting an inability to provide enough food for every person to live an active, healthy life; and

WHEREAS, in 2021 53 million people turned to food banks and community programs for help putting food on the table; and

WHEREAS, there are strong correlations between low food security and the probability of working-age adults with chronic diseases, such as high blood pressure, heart disease, hepatitis, stroke, cancer, asthma, arthritis, and diabetes; and

WHEREAS, scientific evidence and research shows that hunger, defined as an individual-level physiological condition that may result from food insecurity, has long-term physical and psychological consequences, serious implications for public health, and is endemic, affecting individuals of all ages, across the lifespan; and

WHEREAS, the COVID-19 pandemic increased food insecurity among families with children, with Black, Latino and Indigenous communities, already facing hunger at much higher rates before the pandemic, experiencing higher levels of food insecurity and hunger than before the pandemic; and

WHEREAS, despite the assertions made by the US Senate in S.4649 and shocking conditions reported by government departments and non-profit organizations the United States has failed to address hunger and food security on a national level; and

WHEREAS, the 130<sup>th</sup> Legislature of the State of Maine became the first US state to propose an amendment to their State Constitution to designate the Right to Food, declaring “All individuals have a natural, inherent, and unalienable right to save and exchange seeds and the right to grow, raise, harvest, produce, and consume the food of their own choosing for their own nourishment, sustenance, bodily health and well-being, as long as an individual does not commit trespassing, theft, poaching or other abuses of private property rights, public lands or natural resources in the harvesting, production or acquisition of food.”; and

WHEREAS, the ratification of the amendment by Mainers on November 2, 2021 is being globally heralded as a significant development for the promotion and protection of economic, social and cultural rights (ESCRs) in the United States; and

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WHEREAS, Article XVII of the New York State Constitution establishes that the aid, care, and support of the needy are public concerns and shall be provided by the state and by such of its subdivisions; and

WHEREAS, Feeding America states that over 1.8 million New Yorkers, of whom over 596,000 are children, face hunger; and

WHEREAS, it is estimated that in 2021, over 21,000 residents of Ulster County were food insecure, with a 17% rate of child food insecurity; and

WHEREAS, a number of actions by the New York State Legislature have sought to address food insecurity, including: A963/S901 signed by the Governor on February 16, 2021 to facilitate the donation of food from supermarkets to food relief organizations and divert edible excess food from landfills, a number of unsuccessful bills to make seed purchased to grow food for personal consumption exempt from sales and use taxes, and pending legislation to establish a program for state purchase of fresh produce from New York farms to distribute to food deserts identified by the commissioner of agriculture and markets; and

WHEREAS, current actions by the New York State Legislature have fallen short of adequately addressing the serious and imminent threat that food insecurity and hunger poses to families in Ulster County and across the state; now, therefore be it

RESOLVED, that the Ulster County Legislature calls upon the New York State Legislature to propose an amendment to the State Constitution to preserve and guarantee the right to food as a fundamental human right in New York State; and, be it further

RESOLVED, that the Ulster County Legislature urges the Legislature to adopt and the Governor to sign measures to improve access to affordable, healthy food for all New Yorkers; and, be it further

RESOLVED, that the Ulster County Legislature urges the New York Congressional Delegation to propose and pass an amendment to the United States Constitution codifying that food is a fundamental human right; and, be it further

RESOLVED, that the Ulster County Legislature entreats the New York Congressional Delegation to encourage the United States become a party to the United Nations International Covenant on Economic, Social and Cultural Rights (ICESCR); and, be it further

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RESOLVED, the Clerk of the Ulster County Legislature shall forward copies of this resolution to New York Governor Hochul, Senate Majority Leader Stewart-Cousins, Assembly Speaker Heastie, Senate and Assembly Agriculture Chairs Hinchey and Lupardo, and all Ulster County elected Assemblymembers and Senators, and members of the US Senate and House of Representatives,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 16      NOES: 7  
(Noes: Legislators Corcoran, Fabiano, Hansut,  
Litts, Lopez, Roberts, and Ronk)

Passed Committee: Economic Development, Planning, Education, Employment, Arts and Agriculture on October 4, 2022

Passed Committee: Health, Human Services and Housing on October 7, 2022

FINANCIAL IMPACT:  
NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 18<sup>th</sup> Day of October in the year Two Thousand Twenty-Two, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 21<sup>st</sup> Day of October in the year Two Thousand Twenty-Two.

Submitted to the County Executive this  
21<sup>st</sup> Day of October 2022.

|s| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

Approved by the Acting County Executive this  
24<sup>th</sup> Day of October 2022.

|s| Johanna Contreras  
Johanna Contreras, Acting County Executive