

PROGRAMME POLICY

Sustainable access to **food and adequate nutrition** through production, entitlements and increased purchasing power for women and men

Advocacy for increased and **gender sensitive food security** at national and international levels

Empowerment of the poorest to influence resource allocation and reduction of vulnerability to adverse changes

Strengthened links between the right to food and:
reduced vulnerability to hiv and aids;
improved resilience to natural and man-made disasters;
and efforts in relief and rehabilitation



THE RIGHT TO FOOD

DCA Programme Policy: The Right to Food

DCA Focus

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1. Background

In spite of global food production exceeding the global food requirements, and expanding opportunities for communication, trade and transport at the global level, approximately 815 million women and men are still denied access to a stable supply of the most basic calorie and nutrient requirements. Eighty % of the food insecure live in rural areas in developing countries. Food insecurity is thus a matter of unequal distribution, rather than insufficient production, and consequently, solving the problem of food insecurity involves addressing the structural causes to unequal access to food, rather than solely promoting increased production per se.

The unequal access to food has serious implications for all aspects of human life in the short and long run as it negatively affects quality of life, health, and capacity to learn as well as reduces the energy available for labour and for participation in democratic processes. Moreover, it undermines human dignity and leads to risky behaviour as short term needs take precedence over longer-term sustainable coping strategies. Hunger can push people into debt, bonded labour, migration in search for employment, offering sexual services for money and other types of risk-taking behaviour that have far-reaching consequences and lead to increased dependency and vulnerability in the short and long run. Mobilisation and empowerment through making right-holders comprehend their human rights, resources and potential; to share experiences and formulate common goals, are powerful instruments for change.

International and national agricultural and food markets are characterised by inequities in distribution of resources and decision-making that affect all links in the global food chains. Multi-national companies increasingly seek to gain intellectual property rights to crop varieties and technologies as well as control over food marketing, consequently limiting choices for poor countries and impoverished farmers. Moreover, access to global food markets are hampered by trade barriers, regulations and subsidy systems that tend to favour those with economic and decision-making power. The increasing focus on extraterritorial obligations - the obligation of a state to regulate the activities of its trans-national companies - provides

opportunities for international assistance and cooperation to address these issues in a rights context.

Among the impoverished in rural areas, the majority are women and they are discriminated against at many levels. Often, women either have no formal rights, or are unable to realize their rights to own or inherit property such as land or water; they are ignored by traditional development and extension systems, have no decision-making power over the allocation and use of resources, and are the ones to eat last and least within the household. Women are often seen as carriers of culture, and if they challenge existing cultural, economic and political practices, will face violence and social exclusion. Moreover, some of the coping strategies available to women when the family is faced with food insecurity render them vulnerable to violence and disease. In addition, women may be subjected to discrimination and exclusion on the grounds of ethnicity, caste and health status. In spite of being subjected to discrimination worldwide, women and other marginalised groups demonstrate stamina and strength, and can work as powerful agents for change that benefit all members of the community.

In addition to structural food insecurity, some food crises are sparked by sudden natural events over which humans have little immediate control. However, the impact and duration of the effects of natural or human-induced crises are to a large extent determined by political and social factors that are controlled by human decisions.

The current climate changes caused by excessive emission of greenhouse gasses, lead to unpredictable and extreme weather patterns. This poses a particular challenge to poor countries and marginalised areas, and the most impoverished in those areas that become extremely exposed to droughts and floods in particular. Actions to counter climate change are possible and required at all levels to avoid further marginalisation of the most vulnerable.

Most governments - also those in the poor countries - have signed the international UN conventions dealing with food security, obliging them to respect, protect and fulfil the right to food of all citizens, and this right is also referred to directly or indirectly in a large number of national constitutions and poverty reduction strategy plans. Due to the complexity and interaction of factors affecting food security, it is necessary to take an inter-disciplinary approach to improve the access to food as well the availability and utilisation of food.

The right to food has been high on the global agenda for a number of years, and features prominently in the Millennium Development Goals, notably MDG # 1: "Eradicate extreme poverty and hunger" where target number two is to "reduce by half the proportion of people who suffer from hunger" by 2015. The most recent report on progress indicates that in Sub-Saharan Africa and southern Asia the number of hungry has increased, while the percentage has fallen slightly. In other countries the progress towards fulfilling the MDGs is slow.

Numerous international efforts, initiatives, resolutions and agreements have been formulated around food security, but most have not gained sufficient public momentum to achieve genuine change. The right to food has been rising on the international agenda, and an increasing number of institutions are adopting a rights approach to food security, highlighted by the following milestones:

- Incorporation of the right to food in international covenants and conventions, notably the 1966 "International Covenant on Economic, Social and Cultural Rights" that also recognised the fundamental right to be free from hunger. These rights must be enforced and the obligations understood and implemented

- At the World Food Summit in 1996, the NGO forum adopted a declaration calling for the drafting of a Code of Conduct on the human right to adequate food, supported by more than 800 NGOs
- Appointment by the UN Human Rights Commission of a Special Rapporteur on the Right to Food, reporting to the UN Human Rights Council. Comprehensive and analytical Country Reports are made publicly available as they emerge
- In 1999, the Committee on Economic, Social and Cultural Rights issued General Comment No. 12 on the Right to Adequate Food - the fullest description to date of what the right to food encompasses
- Establishment by the FAO Council of an Intergovernmental Working Group that has formulated a set of "Voluntary Guidelines" to support the progressive realization of the right to adequate food
- The UN General Assembly resolution adopted in 2005 stating that private actors (including transnational corporations) and financial institutions (including the World Bank and the IMF) are required to respect the right to food

In spite of being firmly established in international law, the right to food is often not explicitly mentioned in national law. However, it is often considered to be an intrinsic part of the right to an adequate standard of living mentioned in many national constitutions in various forms.

In line with the UN definition of the right to food, DCA has adopted the following overall definition:

"The right to adequate food is realized when every man, woman and child, alone or in community with others, enjoys physical and economic access at all times to adequate, safe and nutritious food or the means for its procurement to meet their dietary needs and food preferences for an active and healthy life"

2. Objectives of the policy

The **overall objective** of DCA's right to food policy is:

Local communities and groups of impoverished and marginalized people are increasingly capable of claiming and upholding their right to food and livelihood sustainability, as well as of addressing the immediate and structural causes behind their food insecurity.

DCA objectives:

- Advocacy campaigns address structural barriers to food security for the impoverished and emphasise the obligation and role of duty-bearers
- Participation and influence by the poorest women and men on resource allocation in decision-making forums relevant for the right to food
- Equitable access to food for individual and community rights-holders through sustainable production, income generation and legal claims
- Capacity development on organisational, financial, technical and advocacy issues is facilitated by DCA

3. DCA focus

3.1. Actors

Rights-Holders

The rights-holders DCA focuses on in achieving the right to food are the most impoverished and marginalised rural women and men, with little or no access to resources, inputs and services and with little experience in influencing decision-making processes that affect their livelihoods. Within this group, DCA focuses on the most vulnerable of rights-holders such as people with little or no access to land and other inputs, women, orphans, families affected by hiv/aids as well as poor people in disaster-prone areas. DCA also focuses on pastoralists and indigenous or tribal peoples that may be denied both individual and collective rights. While DCA recognises that urban food insecurity is intrinsically linked to rural food insecurity, we are not addressing urban food insecurity for the time being as the partners' and DCA capacities are focused on the rural issues.

Rights-holders are entitled to food morally, and through international - and sometimes national - law, but those who have no access to information and education and are deprived of a dignified life, are not in a position to claim their rights without support. The role of DCA and its partner organisations along with other non-state actors is consequently to assist poor and marginalized people in claiming and upholding their human right to food.

Women perform the majority of the agricultural tasks in most rural societies, and are responsible for production and preparation of food as well as almost all reproductive tasks. Moreover the special dietary needs of women as they go through pregnancy and lactation require special focus. The burden of caring for the sick that also mainly lies with women has been further exacerbated by the increasing prevalence of hiv and aids. A thorough understanding of the different roles and potentials of women and men is therefore essential to efficiently achieve equitable and just sustainable food security.

Individual and collective claims by right-holders is strengthened by supporting civil society networks and social movements for mobilisation, documentation and advocacy activities at local, national and international levels.

Duty-Bearers

The obligation to respect, protect and fulfil human rights of the citizens lies primarily with the nation state. While the state is the main duty-bearer in theory, in practice it often violates and deprives its citizens of the right to food. UN has established that private actors (including transnational corporations) and financial institutions (including the World Bank and the IMF) also play a role as duty-bearers and are required to respect the right to food and collaborate with the Special Rapporteur on the right to food. Other non-state actors such as development agencies and

church-based organisations have a moral and social obligation to promote the fulfilment of the right to food. However, just like the states, these actors can in some cases be abusers of the right to food and must thus also be carefully assessed.

Financial constraints are sometimes used as an excuse for the failure of poor states to fulfil their duty, but in many cases respecting and protecting the right to food is not particularly costly. The obligation to fulfil may require inputs beyond the means of current budgets of poor states, but changing priorities within the existing budget or applying for external support are avenues available to states to solve this problem. States as duty-bearers must in any case take steps to the maximum of their ability at any given time to protect against regression and to focus on the most food insecure in times of limited resources.

Under certain circumstances states can be held accountable under international human rights law. This can be the case when a donor or foreign government finances a project in another country and this activity has implications for local people regarding e.g. access to land or water. A state is also obliged to protect people in another country in case a private company of that state infringes on the rights of people and their access to food in a foreign country. This is known as the concept of extraterritorial obligations and is becoming increasingly significant in the work on the right to food. The process of International obligations covers the acts and omissions of international organisations and, by extension, the obligations of their member states.

Duty-bearers can be held accountable for the fulfilment of obligations and for ensuring that the right to food is justiciable by coordinated civil society awareness, documentation, information and advocacy activities. A target for this advocacy will often be the relevant government and its ministries whose role it is to formulate and integrate human rights law at the national level and to implement the national policies at central and local levels. National human rights commissions and ombudsmen are often not very focused on food as a human right and could be a target for sensitisation on right to food issues as well.

In addition to being a target for advocacy campaigns, government officials at all levels can also be crucial allies in the work to secure access to food. Duty bearers at international, local and household levels also play significant roles and can be held accountable at the various levels.

3.2. Focus Areas

3.2.1. Actions for Increased *Accountability*

The national state is obliged to respond to the responsibility to respect, protect and fulfil the right to food through acknowledging this obligation, and by creating a space that enables the enforcement of these rights. DCA lobbying for legal reform mainly targets the nation state as the legal duty-bearer that has responsibilities from local to international level. Other duty-bearers may be included to supplement the work for increased access to productive resources and social security schemes within and outside agriculture, as well as for ensuring participation by marginalised groups in decision-making processes regarding the right to food. DCA advocates to ensure that national policy-making stays poverty-focused through the mechanisms established under the decentralisation processes that are on-going in many DCA focus countries.

Advocacy

These activities are based on the rights-holders' priorities and are carried out by the rights-holders themselves, or in cooperation with civil society networks, alliances, social movements and the like.

Examples:

- A stronger and consistent integration of a human rights perspective in the work for food security with a focus on gender aspects of access to food
- Advocacy and lobbying on incorporation of specific integration of the right to food in national constitutions
- Advocacy to address the causes of climate change and environmental degradation and pointing out ways to counter these at all levels from individual to international action
- Advocacy and lobbying for a stronger poverty focus in food related policy formulation and increased budget allocations to production systems, extension and research related to the right to food
- Advocacy and lobbying bilateral agencies for increased priority to agriculture-related activities
- Establishment of national and local institutions that handle issues relevant to the right to food and, in cases where they already exist, work for social auditing of their practices
- Distribution of gender disaggregated documentation to media, other civil society actors as well as duty-bearers to influence decision-making
- Support for alternative reports to relevant UN bodies, notably the reports of the UN Special Rapporteur on the Right to Food
- Documentation and Advocacy on abuses committed by multi-national and transnational corporate organizations on e.g. land and water rights, forced migration, etc.
- Documentation of the effects on marginalized groups of the enforcement of intellectual property rights, patents and the introduction of GMOs in agriculture, as well as pointing out alternatives.

Legal Enforcement and Access to Remedies

These are actions addressed to duty-bearers typically aimed at justice systems. They are aimed at ensuring that those whose rights are violated do access justice and receive adequate redress or compensation. Activities are first and foremost directed at the national level through courts or officially recognised alternative dispute mechanisms at local and community levels.

In the event that domestic mechanisms fail, these actions can also include efforts directed at regional and/or international human rights protection bodies e.g. the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, the UN Human Rights Council etc.

Examples:

- Support for presentation of cases of systemic violations of the right to food to national, regional and international courts
- Support to formulation of laws to provide legal protection against discriminatory inheritance laws, grabbing of property from widows, land grabbing by landlords, allocation of resources to private companies that threatens the livelihoods of the local community (e.g. mining, dam construction, polluting enterprises)
- Support to public litigation cases for further definition of the existing rights to food and the links to other rights
- Support to Alternative Dispute Resolution Systems - linked where possible to the formal justice system

Capacity-Building of Duty-Bearers

These are actions directed at duty-bearers to enable them to focus on the right to food of the marginalised and discriminated women and men. It is important to focus on duty-bearers at the local level (such as local religious leaders, traditional leaders, husbands and the media) as well as legal national duty-bearers when addressing issues of land and water reform as well as access to justice systems.

Examples:

- Capacity-building of local government officers, justice operators, government extension workers and actively involving them in working on the right to food
- Sensitization of religious and traditional leaders around abuses and discrimination that affect access to food
- Sensitization of men and promotion of their potential role in reducing incidences of gender discrimination
- Influencing the agenda-setting of research priorities in national institutions to ensure that research gives priority to issues that are most pressing for the impoverished in rural areas
- Training and exposure of media personnel in order to promote equitable access to food

3.2.2. Actions for Political and Legal *Empowerment*

Sharing of information, awareness raising and mobilisation among the rights-holders are essential for achieving empowerment to claim the right to food. In many cases, the mobilisation is closely linked to existing or emerging decentralised and collective structures such as farmer organisations, unions of agricultural workers or other community-based organisations. If these do not exist, DCA gives support to the formation of new structures. DCA also supports networks of like-minded civil society organisations and relevant formal and informal agricultural and nutritional research institutions to strengthen structures for empowerment at the national level.

Support to para-legal work focuses on legal empowerment to enable rights-holders to act on violations of their access to food. These fora form an opportunity for mobilisation around the legal, technical and advocacy aspects of the right to food, and contribute to establishing participatory and sustainable structures to facilitate claims of the right and access to food.

It is essential to analyse and change social and cultural norms that discriminate and hinder access to food for individuals and groups, be it on the basis of gender, ethnicity or health status. Change is achieved through inclusion, solidarity and understanding of the universality of the right to food.

At the household level, unequal power structures within the family often hinder equitable control over resources and thus impede empowerment of some of the household members, usually in particular the women and girl children. It is important to address the intra-household power structures with regard to decision-making on the use of income accruing to the household from farm and non-farm production or from remittances from abroad.

Examples:

- Community training on human right aspects of the right to food at local, national and global levels
- Mobilization and leadership training for members of disadvantaged groups
- Strengthening and supporting the formation of farmers field schools, credit groups, grain banks, village development committees and the like at the local level, and linking them with formal structures where such exist

- Support relevant individual and collective identification processes as a means of empowerment and access to entitlements
- Training for communities and marginalised groups on the right to food and accessing mechanisms for facilitating and securing this right
- Strengthening of traditional and community-based dispute resolution mechanisms that are non-discriminatory and rights-sensitive
- Gathering documentation and information and sharing it between disadvantaged groups and their organizations at public functions

3.2.3. Actions for Security and *Protection*

Actions for security address the economic, social and physical security of the rights-holders in question and are aimed at meeting their rights for basic security, be it physical, economic, or social. These actions are addressed to rights-holders and are typically those that involve the provision of material inputs or services, including legal services when this is not covered by government support.

This support should always be provided in an empowering and sustainable manner with the active involvement and influence of the rights-holders. Access to service provision in relation to food security is an important incentive for engagement and legitimacy in demanding rights. Since rights claims can compete and lead to conflict, it is important to analyse the various interests and risks involved, and incorporate measures to protect groups and individuals claiming their rights.

Examples:

- Training in sustainable integrated agricultural methods to increase and stabilize production, reduce vulnerability to climate changes and minimize negative effects on the environment
- Facilitation of mobilization around savings, credit and other financing activities for women and men to enhance farm or non-farm related production and/or income generation
- Strengthening of farmers' groups to establish seed and grain banks, insurance schemes and to facilitate joint marketing strategies for a stable income
- Facilitation of access to legal aid and legal assistance for individual cases of abuse - both the long-term denial of the right to food and when abuses are linked to advocacy and enforcement actions
- Provide food aid in cases of acute need, caused by natural events or man-made unequal distribution, and ensure that food aid is strategically linked to subsequent rehabilitation and development activities

DCA can support construction of infrastructure such as wells, feeder roads, dams, irrigation systems etc, in situations where it serves a strategic purpose for sustaining the impact of other interventions to achieve the right to food, and where this infrastructure is not provided by the government system or through other NGOs' activities. Likewise, DCA supports capacity development activities in the broad sense, but education as such can only be supported where e.g. literacy is a prerequisite for benefiting from other right to food activities in the fields of e.g. income generation, seed banks, etc. Handing out free items will only take place in severe emergency situations.

4. DCA's Work with Partners

DCA works in partnership and alliances with other civil society organisations from community to international level, ensuring strategic and

operational coordination, alignment and harmonisation among the various actors involved as far as possible. In particular, the Action by Churches Together (ACT) network is a prioritised framework for this effort.

Many DCA partners in working with the right to food have for a long time worked with food security by providing services mainly related to agriculture, such as inputs and extension services in the absence of sufficient governmental service delivery, while only a limited number have implemented a broader range of activities, including advocacy. It is thus a particular challenge with many partner organisations to change the joint focus from service provision to a rights based approach with the ensuing policy, personnel and organisational consequences. Many partners also provide service delivery in the form of emergency food aid, and are involved in disaster preparedness activities that provide an excellent backdrop for linking emergency aid to the more long-term rights-based food security activities. To incorporate the full range of the activities required in a rights based approach is a positive challenge to DCA and partners alike.

The specific political, social and cultural context in the DCA focus countries forms the entry point for determining the actions that can and should be supported under the right to food programme type.

In this regard, DCA should always function in a facilitating role at the national level and support these national processes *inter alia* by:

- Facilitating methodological and capacity development support to partners as required
- Linking partners to national or regional "research" or human rights institutions for assistance in analyses and documentation for furthering programme strategy development or advocacy
- Promoting South-South co-operation on mobilisation, legal enforcement and advocacy strategies
- Facilitating exposure of poor and marginalised groups to relevant peer experiences
- Continuing the dialogue with partners on strategic approaches in work around discrimination, political participation and access to justice
- Linking national advocacy agenda to relevant international and supranational institutions and bodies where these can have an impact and influence on the national or local level

In keeping with its rights-based commitment, DCA will also ensure that partners are fully involved and influence policy and programme development in achieving the right to food.

Accountability mechanisms will be developed at country level for involving partners and in the long-term the rights-holders themselves in the planning, monitoring and assessment of programmes. These mechanisms will be used to develop and follow up on mutual objectives and commitments and for ensuring an open and respectful dialogue between DCA and partners.

DCA ensures that mutual rights and responsibilities are established through negotiated partner agreements. DCA must also take on the responsibility to facilitate the protection of partners and groups, should their activities bring them in any risk or danger.

5. Conclusion

The present policy represents DCA's current overall organisational understanding of the issue and outlines strategic decisions made by DCA in order to deal with it. Various tools and guidelines to help operationalise the policy already exist and/or will be developed. Further information can be found in the DCA Intranet (Programme & Project Manual) or by contacting the Programme Development Unit.

Although it is not the intention to revise this policy on an ongoing basis, it is certainly also not carved in stone. As experience develops, new insights are gained, and the world changes around us, there will be a need to also further develop DCA's policies, strategies and related tools. Thus, from time to time they should be the subject of discussion both with partners and between staff at different levels.

Please contact the Programme Development Unit with any pertinent ideas, needs, experiences or points of view you feel might enrich DCA's policy and practice in attempting to support the poor and excluded in having their rights fulfilled.

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