

**Workshop no. 6 and title:** Rights based approach to food aid:

**Main points of discussion:**

Introduction to the theme by Michael Windfuhr

World food crisis – Rural development as a development issue is coming back

Food Aid convention – renegotiation - a window of opportunity.

Why a rights based approach to hunger? Based on analysis of the causes of hunger. People affected by hunger are marginalised. Therefore, a rights based approach.

The right to adequate food – food should be available, acceptable, accessible

The right to food creates obligations to states

Key features to the right to food:

- do no harm
- access to productive resources
- enabling package

Voluntary guidelines on the right to food – structured by the elements of a national rights based strategy

Food Aid should not be over estimated. But food aid has been an important destroyer.

Berlin consensus from May 2007:

TAFAD position:

- do no harm
- Support in fulfilment – keep the existing commitment
- Untie food aid from interests in donor countries
- Food Assistance Convention

Value added of a rights based approach:

- helpful tool to complement dev. Policy approaches. As rights create entitlements, a rights based framework can be seen as an important tool to effectively demand policy changes from govts
- a rights based framework can help to mobilize more political will to change vested interest and bad policies
- a rights based framework does not tolerate too many trade-offs , particularly not content of certain HR is affected negatively
- FAC renegotiation is a window of opportunity
- Do not put all humanitarian assistance into a food aid basket. Other approaches are more easily linked to long term solutions

Nanna skau:

What is the difference between a rights based approach and a needs based approach?

MW: from the perspective of the hungry – the rba is empowering it gives him a right to claim action. A needs based approach disempower clients. The rba clarify the roles that different actors have – including holding local govt.s accountable to their obligations – and how they fail.

NS: Is the risk of humanitarian assistance that becomes an obstacle for finding a proper solution? Or hindering humanitarian clients in claiming their rights?

MW: In delivering hum. Ass. Important to be aware of the rba frame

NS: Hum funds are limited. Often humanitarian space is narrow and hum. Organisations are in no position to claim state obligations.

MW: Don't see a divide between hum. Ass and dev. Ass. But a competition of donor policies.

NS: Lack of investment in food and agriculture. Is there a need for a change in development in order to achieve a rba? F.ex. focusing on other sectors

MW: Interesting why rural development has lacked interest. One of the reasons may be the focus on delivering visible results.

NS: WFP argues that Food aid is a stability tool.

MW: hum aid is a form of implementing the right to food. Still the food aid should not be delivered in a way that harms

NS: Are any states actually reporting on the voluntary guidelines? Are the guidelines working as intended?

MW: No reporting/monitoring regulations on food security in the UN system

MW: rights based approach is not replacing a humanitarian needs based approach. But underlining the do no harm principle and having a longer term approach in the early intervention

NS: Food assistance convention is focusing on the humanitarian response now in a non –food surplus era. How to link it to a RBA with a focus on state obligations

MW: the convention should be focused on a food crisis situation but focused on a rights based approach

### **Discussion:**

DCA: Don't see a conflict in working rights based in both humanitarian and dev. Interventions The RBA gives the NGOs a strong tool for legitimacy. Interventions rooted in the rights of the people. People are not beneficiaries but rights holders. Empowering people.

Schiller inst.: A Just New World Economic Order – stop speculation in even the most essential things like food, water etc. the right to development.

DCA: On conflicting issues related to food aid and rba DCA has good results of combining the two. Fd aid can be used strategically to safe guard. Safety net programmes – is it the answer?

MG: Is RBA the solution to filling the gap between relief and dev. ?

MW: Not the only instrument but helpful approach

MW: important that people learn about their rights. Help hum. actors in remembering rights components – f.ex. transitional justice ect. in post conflict. In failed states the approach should be creating the basis rights awareness.

?: The issue of discrimination of groups of people defines who has the right to food. Clan in DRC means “the people with whom you eat.”

DCA: Helpful to use a rba to target most vulnerable groups and identifying duty bearers – which exist even in conflict situations and

NS: in conflicts rights are deliberately being violated by parties to the conflict – often incl. the govt. therefore, a rba is indeed relevant. But a conflict between the impartiality of humanitarian assistance and the rb-approach

MW: RBA is not the solution to all problems. But helpful

Integrating the two – the humanitarian and the long term dev. Rba approach – for instance through a partnership with NGOs on the latter.

MW: Distribution of land crucial.

### Main challenges:

More opportunities than challenges! : Use RAB to hold actors accountable, awareness of rights. Extending the rba to the humanitarian area without interfering with the humanitarian principles

### Action Points:

- A window of opportunity renegotiating the Food Assistance Convention (not food aid convention)
- Not principle conflict between a rights based approach and a humanitarian needs based approach

- Implementation of the voluntary guidelines of the right to adequate food is what is missing – to bring them into practice
- Holding actors accountable is crucial – even in fragile circumstances
- Encouraging potential of people being aware of their own rights – people become a subject instead of an object to aid.
- the renegotiation should addressed as a window of opportunity. Important to expand the negotiation to include the dev. countries.

**Main challenges identified:**

**Suggested actions:**

