

Rights-based Approaches to Food Security in Protracted Crises

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From 22 October 2013 to 20 November 2013, the Global Forum on Food Security and Nutrition (FSN Forum) hosted the fourth e-discussion of the Community of Practice on Food Insecurity on Protracted Crises. This latest e-discussion in 2013 focused on “rights-based approaches to food security in protracted crises,” soliciting the participation of the worldwide FSN Forum community of experts and practitioners to exchange knowledge that is intended to inform the global dialogue and decision-making processes.

Background and Introduction

In 2012, the Committee on World Food Security (CFS) endorsed a two-year consultative process to develop an Agenda for Action for Addressing Food Insecurity in Protracted Crises, which the CFS will consider in 2014 to address food insecurity in protracted crises through a fully consultative and inclusive process. The expected outcome is a greater understanding of the multi-dimensional causes of protracted crises, the sharing of more-effective analytical tools to help identify root causes and devise the appropriate combination of political and technical responses to address them.

Claiming over 4,500 Members from 170 countries and territories, the FSN Forum allows stakeholders such as academics, researchers, development practitioners and experts from governments, civil society and private sector to actively participate in the debate on topics of the global food security and nutrition agenda and to provide constructive feedback to several policy formulation processes.

The Forum’s e-discussions have enabled practitioners and experts in every region to take part in policy-making processes and to have an impact in the fight against hunger and malnutrition. These e-discussions aim to strengthen the interaction and knowledge exchange within the community; provide an accessible, transparent and inclusive link between relevant stakeholders and food security policy making; and bridge the knowledge divide by disseminating achievements, research outputs and best practices in the field of food security and nutrition.

The Community of Practice on Food Insecurity in Protracted Crises has participated in a series of five such online discussions to date, exploring critical topics linked to how we can more effectively address food insecurity in protracted crises. The first of these e-discussions addressed the topic: “From Repeated Crisis to Long-term Food Security” (07–27 December 2010), which received 53 contributions. The next e-discussion broached the subject of “Addressing food insecurity in protracted crises: adequate and appropriate funding mechanisms,” (17 April –19 May 2013), with 22 contributions. Also in 2013, the FSN Forum organized the e-discussion on “Addressing food insecurity in protracted crises: Resilience-building programming” (17 June through 12 July 2013), which registered 41 contributions.

Addressing Human Rights-based Approaches

The present e-discussion addressing “rights-based approaches to food security in protracted crises” elicited 28 contributions from the Forum participants and, more specifically, considered the *human rights* dimensions of food security in that context. Moderators of the e-discussion were FAO FSN Forum Coordinator Mauricio Rosales and Joseph Schechla, coordinator of Habitat International Coalition’s housing and Land Rights Network, based in Cairo. Mr. Schechla also served as rapporteur.

This e-discussion explored both theoretical and practical efforts to ensure food security and nutritional needs through human rights-based approaches in protracted crises. The present report summarizes those contributions as suggestions for consideration in the Agenda for Action to be taken up in the New Year.

What distinguished this topic from previous e-discussions, is that it already benefitted from a well-developed normative framework of treaties, general principles and norms of international law, and provided an opportunity to “operationalize” those binding and bonding standards of universal application to policies, programs, projects and relationships, both within institutions as well as in the field.

This e-discussion recognized that the global community, faced with the suffering that accompanies food insecurity, is challenged also to address its causes rooted in violations of human rights as defined in international law. A further challenge lies in ensuring human rights through the harmonization of humanitarian and development aid processes with human rights norms.

Identifying the Problem

The moderators prefaced the e-discussion by pointing out that, for every human right, states bear corresponding obligations to respect, protect and fulfill that specific human right. These include, but are not limited to the human right to adequate food. In order to operationalize that right, the exercise of several “process” human rights also must be upheld at the same time.

Rights to property, both as a human right and as specific rights enshrined in local law, include the “right to own property individually and in association with others.” Given the context of food security in protracted crises, the rights to equitable access to land and natural resources can make a life-and-death difference for persons and communities, even entire peoples. Both the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights emphasize among their over-riding implementation principles that “In no case may a people be deprived of its own means of subsistence” (common Article 1.2).

International law also establishes that all states bear the obligation not to recognize, support, cooperate or transact with, or to benefit from an illegal situation resulting in gross violations of human rights or a breach of a peremptory norm of international law, such as the practice of torture or the denial of self-determination. That means that all states bear self-executing individual, collective, domestic and extraterritorial obligations to prevent, end and remedy such illegal situations. Thus, the notion of working *on* a crisis, rather than merely *in* a crisis, becomes an imperative for operations in institutions as well as in the field, particularly for states and UN Charter-based specialized organizations.

The customary-law standard of the Universal Declaration of Human Rights establishes, in its preamble, that human rights constitute “a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society...secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.” Therefore, while the formula of respect, protection and fulfillment of human rights is the primary obligation of all states, those states also bear the obligation to ensure those human rights are upheld by those parties—foreign or domestic—operating within and from within their territory of jurisdiction and effective control.

The international principle of humanitarian intervention has become an emerging standard, within the limits of state sovereignty. In certain crises affecting food security, a state may be required first to declare a famine, in order to engage the mechanisms of international food assistance. A state’s duty to do so forms one example of how the implementation principle of international cooperation—also enshrined in both human rights Covenants—complements the extraterritorial obligation specific to the human right to food.

The delivery of such aid may positively affect the realization of the human right to food in the immediate term, but derogate other human rights in the longer term. The prolonged nature of food aid without sufficient other remedial measures, in addition to the great drain on aid resources, actually may have corrosive effects on several human rights. Prolonged food aid in isolation of development and human rights interventions may displace further the capacities and opportunities of local people to rise from the crisis, while local land and natural resources, institutional capacities, policy-making authority and other local assets are degraded, leaving little with which communities can resist violations, sustain resilience and/or rebuild livelihoods in a self-determined future.

With the entire bundle of human rights in mind, this discussion allows us to raise these and other dilemmas in addressing food security in protracted crises. It also seeks to identify ways that concerned parties can go beyond building in resilience to cope with crises toward actually resolving crises to the furthest extent possible. That would make the innovative difference of the work *on* protracted crises that the Agenda for Action seeks.

With this complex challenge in mind, the e-discussion moderators asked the community of practice for their knowledge and experiences in response to three provocative questions:

1. How can we apply rights-based approaches in areas with weak or no central government control?
2. What are the challenges (e.g., economic causes and consequences, political dimensions, logistic, resource constraints)?
3. What are the lessons from good and bad practices (e.g. improvement of coordination, integration and harmonizing of approaches: immediate and long-term; humanitarian/relief, development and human rights; transitional justice and accountability; etc.)?

General Observations

While some e-discussion participants clearly had internalized the human rights approach, others shared their apprehension about the human rights approach to food security in protracted crises. They expressed that the human rights approach seemed “abstract” and difficult to apply in practice. The discussion, thus, reflected the reality in the field of food and nutrition, among others, where the language of human rights remains stuck at the level of ethics and claims, without sufficiently operationalizing principles in practice. Indeed, winning a forensic argument assigning responsibilities under human rights law does not put nutritious food in people’s stomachs. While participating in the discourse on practice, the honest skeptics nonetheless explained that they were keen to understand the practical meaning of the human rights approach [MF].

The e-discussion asserted that we also have to speak human rights language, using corresponding terminology, methodologies and formulae, in order to become more familiar with their meaning and relevance to actual practice. This implies also a mentality shift from working to “identify beneficiaries” instead to “deliver service to rights holders” [EV].

By way of explanation, the discussion elucidated the theoretical point that, both in the Human Rights Covenants and in modern statecraft, states and their agents are obliged to ensure conditions and practices that enable the realization of human rights. These include the over-riding principles of (1) self-determination, (2) nondiscrimination, (3) gender equality, (4) rule of law, (5) ensuring progressive realization (nonretrogression) in the enjoyment of rights, (6) the application of the maximum of available resources and (7) international cooperation. Therefore, as a binding principle of operation, both bilateral and multilateral agencies share this framework [JS].

In this light, applying human rights in any context, and no less in protracted crises, the process can be as important as the objective. While nutritious food is a human need, so too are the “process” human rights that also must be upheld simultaneously. These include the human rights to participation, freedom of expression, freedom of association, freedom of peaceful assembly, freedom of (access to and imparting) information. Indispensable, too, may be the exercise of the human right to education, shelter, access to clean water, sanitation, privacy and security of person. Therefore, the discussion reflected a perception that the human rights approach requires recognition and pursuit of these human rights and needs in their inextricable bundle [JS, MR, AM, ERN].

With a view to pre-empting crises, participants reaffirmed that it is a government's duty to ensure social justice in the economic relations that aim at development, achieve social balance such that realizes equal opportunities and raises standards of living. This is in addition to upholding the diversity and continuum of tenure rights (the “plurality of ownership”); and economic partnership between and among the public, private, cooperative, popular and mixed sectors. As pointed out, some of the means to carry out this duty call for removing centralization and developing legal and judicial legislations to protect rights [MMB].

The e-discussion also cautioned against a narrow perception of protracted crises as those conditions that prevail only in cases of conflict, natural disaster, and/or in failed or frail states. The example of prolonged homelessness and borderline starvation in developed countries that maintain food banks raised a further dimension. The members of relatively stable and affluent societies who live in pockets of food insecurity also deserve a place in our prolonged-crisis purview [MSJ]. Others pointed also to the crisis endured by small producers everywhere, who face the loss of their lands and productive resources, leading to food insecurity [YJZ, EV, UG].

As a general consideration, participants repeated the observation that violations often are the causes of crises [MJ, JS]. Therefore, the preventive and remedial dimensions of the human rights approach emerge when considering the root causes of, accountability for, and equitable resolutions to crises.

1. Weak (fragile) or absent states

In response to the question of how can we apply rights-based approaches in areas with weak or no central government control or services, respondents diagnosed the hazards that arise in such situations. For one, these cases are characterized by a lack of effective monitoring tools and systems [MK], complicating prevention, mitigation and early-warning strategies.

2. Challenges

In response to the question as to what are the challenges, participants were forthcoming with a rich inventory of economic causes and consequences, political dimensions, logistic, resource constraints, including the following:

Respondents repeated the need for effective, objective and public accountability mechanisms to ensure that all parties uphold human rights principles and other obligations [DMC]. Although some may find it difficult to understand and to see how it might be applied in practice [MF], the contributions from people living in protracted crisis offered clarification.

As with emerging (not-yet-codified) rights or seemingly abstract notions of their application and normative content, the examples from violations can be illustrative. For example, the human rights dimensions of land, development, environment or energy, which are not yet reflected in international human rights law instruments, are intuitively understood through their deprivation. Protracted crises reveal the normative content, causes, state obligations and harmful consequences of land and natural

resource deprivation, for example, and, in turn, call for the identification of responsible factors and parties, as well as the contours of remedy and reparations.

Illustrating the need for access to energy as an entitlement linked to the human right to food, one practice cited from India involves the government doles out grain as an entitled every impoverished family. India's Food Water Security Coalition has critiqued this practice as insufficient, proposing instead the provision of cooked food at workplaces and residences to ensure nutrition and to benefit those without sufficient access to energy needed for food preparation [SB].

Among the examples cited were the denial of access to and benefit from the people's natural resources in Saharawi refugee camps. There the Sahrawis' displacement and occupation of their country have made them almost totally dependent on international aid to survive. Those causative factors have contributed to a third of women with anemia, and one-third of children suffering from chronic malnutrition [GNB]. In such cases, the difference between the "abstraction" and "operationalization" of human rights may be a matter of political will [JS].

The denial of a people's sovereignty over its natural resources was a recurrent theme [JS, MJ, MK, GNB, MS]. External support of a people's sovereign rights can be more important and effective than external food relief or other development aid. In general, respondents noted also the factors of unhelpful international and regional policies that surround crisis situations [AR]. In a small-but-telling example, it was noted that even the FAO's list of identifiable countries of e-discussion participants omitted Palestine. Instead, the available list offered only "West Bank." Significantly in the context of the e-discussion on human practice on protracted crises, this demonstrated that the institution omitted to recognize the State of Palestine and symbolically fragments the Palestinian people as their population transfer, colonization and occupation aim to do in fact.

Another obstacle to realizing human rights in protracted crises is weak ecological awareness and culture [AD]. The neglect of the cause and effect of environmental degradation can lead to crises, including protracted crises, at various scales, affecting food security through material loss or impeded access.

The e-discussion identified the challenge posed by the lack of organized, structured and pluralistic community involvement [AD]. The absence of social solidarity, collective and reciprocal action, as well as the marginalization of certain social groups can affect food security in ways that are exacerbated in a crisis. Several participants referred to vulnerable groups and groups subject to inequality and discrimination in various contexts, among them the marginalized classes and the poor, minorities, children and women [UG, AR, SR, MJ, SY, AD]. One vivid example was the context of protracted crisis in Iraq [AR]. As an aspect of a vicious cycle of human rights violations, refugees and displaced persons create further demands on limited local resources [MJ].

Some respondents identified the need for leadership and determination to work together. The lack of a single, national spirit and peaceful coexistence among groups of the same society leads to conflict within the country and the various partners of the political process. Among the features of this crisis of leadership cooperation are administrative corruption and the squandering of public money [AR, SM].

The e-discussion revealed the prevalence of this coordination failure, leading to inefficiencies of major players [AR, UG]. Respondents pointed to the challenges posed by the lack of a sufficient regional and local development strategy covering essentially the choices for land management respecting the rural-urban symbiosis, the lack of infrastructure, as well as the lack of protection and enhancement of natural resources [AR, AD]. Some referred to the challenges posed by irresponsible investment and misdirected relief aid [MS, MJ].

Added to this is the lack of coordination of development programs and domination by sectoral approaches, the failure to build institutional capacity and meet the funding needs of rural communities to produce their own requirements of nutritious food. Among the undesirable consequences of such policy failure is the reliance on not hand-outs, as opposed to effective self-reliance [AD, SM].

Several e-discussion participants referred the challenges that small producers face. Among them is the expropriation of natural resources for industrialization and/or expansion of cities. These trends cause peasant populations who lose their arable land, plunging them in to crisis.

The e-discussion provided an inventory of challenges and obstacles to the realization of human rights both as causes and causes for perpetuating crises that affect food security and food sovereignty. Domestically, a lack of transparency in the work of state institutions and the government remains well below the level of stated ambition [AR], while the lack of transparency and adherence to human rights norms internationally continues to absolve irresponsible trade and investment and extraterritorial behavior of states and other actors.

The rush for control over food and productive resources has left food as a coercive tool and/or punishment domestically and extraterritorially [MJ]. The e-discussion provided some illustrative examples. Participants alluded to the lack of implementation of the decisions, commitments and obligations at both domestic and international levels that would contribute to the provision of the minimum requirements for human beings to live in freedom and dignity [AR]. Rather, the occurrence of crises, uprising and opposition has seen states and authorities renege on these principles [AR].

3. Solutions

When it came to identifying the lessons from good and bad practices, the e-discussion produced a repertoire. The question offered a broad scope, calling for examples in the improvement of coordination, integration and harmonizing of approaches: immediate and long-term; humanitarian/relief, development and human rights; transitional justice and accountability; etc. For the purpose of organizing the contributions, the following summary distinguishes between (A) those good and bad practices that respondents offered as proposals and principles for potential for action and (B) those specific examples that respondents reported as tried and proven practices.

Proposals/principles:

In general, respondents called for the further development of a common language and culture to be shared between the "development people," the "emergency people" and the "human rights people. Awareness raising measures and professional training, with corresponding messages for the general public, to promote the needed harmony and integration of values, while ensuring the integration of short- and long-term goals [MJ, EV]. For citizens suffering from the protracted crisis areas to participate effectively, they should be informed about their rights to basic needs (food, clothing and shelter, etc.) [UG].

Preventive schemes should begin within ourselves and family members, while also in the public sphere, to develop a culture not of consumers, but of conservers. Reliance on locally produced food and material, while supporting resource-management alternatives (e.g., seed banks, water-harvesting methods) and devising ways to reduce consumption, would constitute local coping strategies, while reducing the need of negative coping strategies [MJ].

Also on the preventive and mitigation side, climate change-impacting agriculture is forcing a conservation agenda. Specifically, home plots and local drip and low-sprinkler irrigation deserve consideration [SB]. Kenya's recent constitutional reform has enabled—and required—local authorities to develop and implement an enabling urban agriculture plan, providing a good-practice example [MJ].

As a complement to order to ensure livelihoods and evade crises and combat food insecurity, governments and other actors must ensure investment that ensures gainful employment [KVP]. A priority principle is the advancement of women's empowerment in all fields [KVP]. In doing so, civil society can coordinate with the private sector for training and jobs, including by calling for the private sectors help ensure investment that advances human rights-based development and increasing cooperation among the civil society, private sector and knowledge sectors [UG].

The e-discussion observed also that organizations involved in food aid may justify their existence by providing food distribution even where livelihoods could have been used as a tool to achieve food security. Food aid can save lives in emergencies, but, when prolonged, it becomes detrimental. One contribution suggested that the amount of money used in food aid is excessive [RD].

À propos to the related challenge of extraterritorial behavior of states and practitioners identified above, external support of a people's sovereign rights can be more important and effective than external food relief and other development interventions that only "manage" a crisis, without aiding its resolution. Instead of unhelpful international and regional policies that surround crisis situations, states and multilateral actors must operationalize their human rights and other international law obligations in their extraterritorial behavior [AR, JS]. In a matter common to two ongoing cases of protracted crisis (Palestine and Western Sahara) was the call for international efforts to remove the militarized wall [GNB] that the respective occupying powers have erected across both countries.

In such cases, the international human rights norms and approach remains "abstract" when states and other duty-bound parties flout them. In general, however, proposed solutions focused on the need for transitional-justice processes. With such prospects in mind, integrated interventions would have to begin early, long before arriving at a post-crisis phase, by documentary, advocacy, diplomatic and other efforts to uphold the norms and correct behaviors that dismiss, condone or enable gross human rights violations.

Solutions involve also applying the reparation framework¹ [JS, MJ, MMB]. In this scenario, applying the **Maastricht Principles** on Extraterritorial State Obligations in the area of Economic, Social and Cultural Rights constitutes an appropriate step toward operationalizing human rights to prevent, resolve and cease prolonging certain protracted crises, including states' self-executing obligations to desist from recognizing, transacting with, or benefitting from parties to an illegal situation causing gross violations of human rights or breaches of other peremptory norms of international law [MJ, JS].

Governments need to become aware that social aspects of policies and solutions are vital, and not so daunting and complicated, in order to face the reality of their mistaken approaches to the management of public situations. Addressing the social aspects is often essentially a matter of granting (operationalizing) rights [DMC]. Such a pragmatic and nonpolitical approach as providing the appropriate seeds, land and other productive resources to the right people could mitigate or resolve major food security challenges. Grand solutions often can be discarded in favor of adequately entrusting the problem solving to communities. Vital to local solutions is local and ancestral knowledge [DMC]

The e-discussion asserted that only organized and united citizens who are conscious and proud of their material and immaterial wealth can develop their land sustainably. The state (i.e., governments, institutions, leaders, policies, legal systems) should support policies, programs, projects and practices that allow communities to achieve their own objectives [AD].

¹ "Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law," A/RES/60/147, 21 March 2006.

Stop sectoral projects and anchor development in the concept of an integrated vision for the lands [AD]. At the same time, development policies and practices also should unblock and promote communities' vision for their own development. This would put the rural school and cultural centers at the heart of the vision [AD].

The e-discussion proposed that it is imperative that the strategic choice and decision-making processes involve *all* stakeholders [AD]. Respect, protection and fulfillment of the right of peoples to self-determination in realizing their human right to food and food sovereignty within their state should manifest as support for communities' participation in developing farming and agricultural policies [RD, MH]. The absence of direct state intervention should logically leave room for a local-development process conducive to decentralization. Thus, states and successive governments, as well as all development actors, should broaden the space for, and enable affected, vulnerable and marginalized people to play a primary role in ensuring their survival and protection, as well as build resilient livelihoods. This would involve, for example, (re)organizing farmers in associations through which they and their allies can protect their lands and interests, and maximize their income [MS, YS, AD].

As a matter of principle, the e-discussion supported the engagement of civil society organizations as a partner in decision making. In areas of protracted crises, this would mean supporting efforts to empower civil society organizations and the professional organizations [MS, MMB].

Development actors should maintain two-way communication with affected communities, ensuring that the process and outcome of decision making in every stage of the emergency program cycle is fully transparent. Decision making must take into account the special needs of children and female-headed households, the aged and the disabled and the generally unequal access of women and men to power and resources, including in the distribution of food, seeds, fertilizers and other inputs [YS, AD].

More specifically, participants recommended the following approaches for decision-making purposes in coordination with supporting agencies in weakened, fragile, failed or absent states:

1. Form coordinating committees from among the competent entities and authorities at the municipality and districts levels, if functioning;
2. Cooperate with/formulate larger coalitions among functioning local public bodies/authorities, in order to enable special monitoring committees affiliated to the local community;
3. Organize regular plenary meetings to discuss problems, proposals and achievements;
4. Form base-level, representative, popular committees to represent the people to communicate with local authorities/entities, or to function in place of absent or dysfunctional public bodies;
5. Positive use of temples, mosques and churches as dispute-resolution and/or complaint centers, and for consulting with local people about their needs and aspirations;
6. Stimulate the role of local activists in spreading the awareness of rights in the culture, capacity and repertoire of communities' to demand and claiming them;
7. Support the community to establish an accountability mechanism;
8. Develop autonomous, innovative means to uphold rights to, and protect natural resources;
9. Define and educate on ways to reduce consumption [MJ, EV, MK].

Regular human rights monitoring, including routine spot checks, should enable easily accessible and confidential complaint mechanisms, focus group discussions, continuous learning and improvement, as well as timely response to people affected by crises that leave them food insecure. This would require context-sensitive feedback channels that identify conduct that causes further harm; i.e., gender-based violence, exploitative labor practices, sexual exploitation and abuse [YS].

Create awareness, including environmental awareness, among beneficiaries. That would operationalize the three components of sustainable development: ecological, economical and social, the three columns buttressed together by human rights norms [RD, AD, YS]. One respondent asserted that the freedoms brought about by respect for human rights, although important, should be addressed when production is already in place, for they only address social sustainability and lack the other two [RD]. While that view contradicts the interdependency theory of human rights based development, it does reflect the view that human rights norms, without their operationalization in practice, are insufficient [JS, MF].

The respondents emphasized that interventions should include facilitation of communities' documentation of events, violations and corresponding rights [MJ]. Thus, affected communities should be at the center of analysis/assessment of the record of events and developments toward identifying any underlying structural causes and consequences [MJ]. These recommendations also coincide with one of the core principles and processes of transitional justice, which involves the preservation of memory—and evidence—as an early priority. This practical expression of respect for victims and their voice enables the effective operation of the other complementary transitional-justice processes: prosecution, reparations, institutional reform and (national) reconciliation.

In general, proposed solutions involve transitional justice processes. Integrated interventions should begin early, before getting to a post-crisis phase, by documentary other efforts to uphold the norms against the violations. This involves also applying the reparation framework ([A/RES/60/147](#)) [JS, MJ, MMB].

On the subject of international legal norms, the e-discussion saw the proposal for a Convention on Crisis and Multicrisis due to Anthropogenic and Nonanthropogenic Causes [RM]. Its implementation would involve mapping for each country the "geography" of expected crises and degrees of risk. Risk maps and databases would link different types of crises to probabilities of occurrence within a given territory. Countries would be classified according to their susceptibility to certain types of crisis and their resistance and resilience potential.

In this vision, countries would share rapid-response agencies and joint activities, educational programs and information systems, conduct drills and be institutionally prepared to provide food and water distribution systems and water. The implementing agency would have the character of a public international organization.

The implementing institution would maintain diagnostics of demography, population distribution, food production potential and watershed data. The environmental scope of the data and preparedness would consider the country in the context of a wider environmental zone, tracking the seasonal and climate pressures and susceptibility to disaster. The proposal also asserts that the lesser the native surface environment of a country, the greater its environmental instability [RM].

Other visions called for mainstreaming risk analysis and engaging early warning systems that monitor human rights violations [MJ]. While such mechanisms exist in various forms, integrating the human rights norms into the continuum of preventive, humanitarian, remedial, development and accountability actions is a conversation that still needs to advance.

As noted in the General Observations above and the observations on extraterritorial obligations of states, operationalizing CFS guidance such as the VGGT, Agenda for Action and other human rights obligations, all states—and not only states suffering from crises—bear treaty-bound obligations to apply human rights norms and methods. The e-discussion repeated the specific recommendation that the Agenda for Action include an inventory of applicable norms in its Appendix C [MJ].

On a related matter, the e-discussion also produced the recommendation that the Agenda for Action prepare an implementation-support package that enables all stakeholders to realize rights and obligations, with a focus on states honoring their current humanitarian and human rights obligations through their governments [MJ]. These recommendations support the principle raised in the High Level Expert Forum that "Promoting compliance with existing international humanitarian and human rights obligations and CFS policy guidance as the most legitimate source of policy guidance."

Tested/proven:

The e-discussion took good note of food-based policies, programs and legislation, including constitutional changes, that enable participation and accountability mechanisms. In particular, these include the African Commission on Human and Peoples' Rights and the ECOWAS Court of Justice. Also, implementation of human rights-based regional policies was noted in the case of CARICOM countries and Portuguese-speaking countries in Africa [MR].

At the level of jurisprudence, the Supreme Courts in India and Nepal have rendered important decisions that have affirmed the human right to food. In 2012, South Africa's High Court ordered a revision of the Marine Living Resources Act and the creation of the Small-scale Fishers Policy to ensure the socio-economic rights of small-scale fisherfolk [MR].

Other contributions pointed to the positive outcomes from establishing a laboratory for experimentation and agro-research and disseminating lessons learned among small producers on increasing production that aims at fulfillment of their human rights to livelihood. One specific example involves the use of modern methods in cultivating palm trees and providing expertise in modern processing and marketing of date products for their unique qualities and benefits in arid countries [QM, MJZ].

In the same vein, e-discussion participants cited implementation of projects to develop a cadre of trainees and interns to facilitate marketing the production of small producers, especially youth and women, as matter of operationalizing their human rights [YJZ, MJZ, RS]. Other proven approaches combine the realization of the human rights to education, health and food at once by promoting technology transfer, nutritional education and diversity of diet [RS].

The social movements of landless persons such as the *Movimentos de Trabalhadores Rurais sem Terra* (Brazil) have proved to be good-practice examples by cultivating unexploited land to realize the "social function of property" (i.e., land). Applying this notion in practice would ensure secure tenure rights, including ownership rights, of marginalized people [MH, RS]

Conclusion

In their composite form, the many observations and recommendations from the e-discussion participants have covered a wide range of human rights approaches, encompassing also the technical, relief, developmental and remedial dimensions of protracted crises. These include calls for changes in the mind as "abstract" as developing the language and premise of delivering existing services as a matter of rights, rather than as a don to "beneficiaries" of a magnanimous act of relief. The cultural shift called for in these entries links conservationist approaches to duties and obligations to consume less as a preventive measure, to promote local production and producers, integrate rural and urban development policies, and end imperious exclusion of affected parties, especially marginalized groups, in planning and decision making.

As calls for remedial action and correcting the behavior of institutions and field operations, more ambitious recommendations call for desisting from wasteful approaches that derogate rights in the long

run, and adopting behaviors that comply with international law requirements actively to combat violations of the bundle of human rights in protracted crises such as conflict, occupation and war.

Acknowledging the violations that result from previous approaches and behaviors invokes also the rights of victims to reparations as an entitlement, as well as a function of transitional justice. Meanwhile, harmonizing the emergency, development and human rights cultures enables the purview of a continuum of processes that helps us see better how frontloading work in the institutions and fieldwork related to food security and nutrition involves a practical matter of operation, as well as a change in thinking and a longer strategic vision in planning. The inventory of norms again proposed here would help practitioners to understand their role as that of the duty holders that they are, especially as representatives of states and UN Charter-based bodies that share binding human rights obligations.

Participants in e-discussion on HRBA

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Gaici Nah Bachir [GNB]	International Network for the Study of the Effects of Mines and Walls in Western Sahara (REMMSO), Western Sahara
Martin Fowler [MF]	agricultural economist, Uganda
Demetrio Miguel Castillo [DMC]	Universidad Tecnológica de Santiago (UTESA), Dominican Republic
KV Peter [KVP]	World Noni Research Foundation , India

**Global Participation
in e-discussion on HRBA
(by region)**

Country	Entries	PAX
Argentina	1	1
Benin	1	1
Dominican Republic	1	1
Egypt	1	1
England	1	1
Guyana	1	6
India	4	4
Iraq	2	2
Italy	3	3
Jordan	1	1
Malaysia	1	1
Morocco	2	2
Nigeria	1	1
Palestine	2	2
Rwanda	1	1
Tunisia	1	1
Uganda	1	1
Western Sahara	1	1
Yemen	1	1
Total	27	32

Entries by Region

Africa (SS)	4
Asia	5
Europe	4
Latin America	3
MENA	11
Oceania	0
Global	27