Inventory of Norms Supporting the *Framework for Action for Food Security and Nutrition in Protracted Crises* (FFA)

*Prepared by Housing and Land Rights Network–Habitat International Coalition (HIC-HLRN) with contributions from FIAN International for the Civil Society and Indigenous Peoples’ Mechanism (CSM) for relations with the UN Committee on World Food Security (CFS)*

In this table, the current normative framework for implementing the United Nations Committee on World Food Security (CFS) *Framework for Action for Food Security and Nutrition in Protracted Crises* (FFA) is presented below in two columns under each of the 11 FFA Principles. In the left column are selected sub-principles, representing practical measures to realize the Principles. In the right column are citations of the corresponding international norms as developed, which align with, and support those measures with more specificity and legal authority. The norms in the right-hand column are led by the relevant permanent, binding and enforceable legal obligations of States (in **boldface**), followed by relevant declaratory law and temporary voluntary policy commitments, including major policy products of CFS and other UN System-wide policy-making bodies. The entries shown here are original texts, with any paraphrasing, summaries of, or commentary on contents of the norms in the right-hand column kept to a minimum for the purpose of brevity and shown in *italic*.

‘Norms’ here are those instruments deliberated by States to which they are either (voluntarily) committed, or legally obliged. Other related policy recommendations and other authoritative and explanatory references are found listed in the Resources section of the accompanying Civil Society and Indigenous Peoples’ Mechanism Report on the Use and Application of the FFA.

This framework reaffirms that the FFA adds no further obligations on the State. However, it presents an opportunity to consider how both those standing commitments and obligations relate to food security and nutrition, while preventing and/or resolving protracted crises.

(Please note the scheme of symbols referenced below as follows: § = article, ¶ = paragraph, ⊗ = target, and → = indicator.)

<table>
<thead>
<tr>
<th>Norms supporting selected sub-principles from FFA Principle 1: Align humanitarian and development policies and actions and enhance resilience, by:</th>
<th>Convention relative to the Protection of Civilian Persons in Time of War, 1949 (Geneva Convention IV or Fourth Geneva Convention) (GC IV)</th>
</tr>
</thead>
<tbody>
<tr>
<td>v. Providing timely, safe, sufficient humanitarian food and livelihoods assistance in a flexible manner, conforming with the beliefs, culture, traditions, dietary habits and preferences of individuals</td>
<td>- ‘The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances.’ (§1);</td>
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<td></td>
<td>- ‘In addition to the provisions which shall be implemented in peace-time, the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them.…’ (§2);</td>
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x. Promoting inclusive, non-discriminatory and sustained access to relevant basic services such as education, health, safe drinking water and sanitation

| - [to] ‘take the necessary measures to ensure that children under fifteen, who are orphaned or are separated from their families as a result of the war, are not left to their own resources, and that their maintenance, the exercise of their religion and their education are facilitated in all circumstances. Their education shall, as far as possible, be entrusted to persons of a similar cultural tradition (§ 24);
- The Occupying Power shall, with the cooperation of the national and local authorities, facilitate the proper working of all institutions devoted to the care and education of children and shall make arrangements for the maintenance and education, if possible, by persons of their own nationality, language and religion, of children who are orphaned or separated from their parents as a result of the war and who cannot be adequately cared for by a near relative or friend. All possible facilities shall be granted to internees to continue their studies or to take up new subjects. The education of children and young people shall be ensured; they shall be allowed to attend schools either within the place of internment or outside.’ (§ 50);
- ‘Grave breaches [include] wilfully causing great suffering or serious injury to body or health...’ (§ 147);

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) (AP II)

- Starvation of civilians as a method of combat is prohibited. It is, therefore, prohibited to attack, destroy, remove or render useless for that purpose, objects indispensable to the survival of the civilian population such as food-stuffs, agricultural areas for the production of food-stuffs, crops, livestock, drinking water installations and supplies and irrigation works (§14).
- If the civilian population is suffering undue hardship owing to a lack of the supplies essential for its survival, such as food-stuffs and medical supplies, relief actions for the civilian population which are of an exclusively humanitarian and impartial nature and which are conducted without any adverse distinction shall be undertaken subject to the consent of the High Contracting Party concerned (§ 18 - Relief societies and relief actions, ¶2).

International Covenant on Economic, Social and Cultural Rights (ICESCR)

- States parties obliged to respect, protect and fulfil human rights to decent work, food, education, health (§§6–8, 11, 12–13, 14) by ensuring self-determination, non-discrimination, gender equality, rule of law, maximum of available resources, progressive realization/non-retrogression, and international assistance and cooperation (§§1–3).

United Nations General Assembly (UNGA), 2030 Agenda (A/RES/70/1)

- ‘We must redouble our efforts to resolve or prevent conflict and to support post-conflict countries, including through ensuring that women have a role in peacebuilding and State-building. We call for further effective measures and actions to be taken, in conformity with international law, to remove the obstacles to the full realization of the right of self-
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<th>Determination of peoples living under colonial and foreign occupation, which continue to adversely affect their economic and social development as well as their environment.’ (¶35).</th>
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<tr>
<td><strong>UNGA, Declaration on the Granting of Independence to Colonial Countries and Peoples (A/RES/1514 (XV))</strong></td>
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<td>- ‘The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and cooperation.’ (§1);</td>
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<td>- ‘All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.’ (§2);</td>
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<td>- ‘Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.’ (§3);</td>
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<td>- ‘All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.’ (§4);</td>
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<td>- ‘Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.’ (§5);</td>
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<td>- ‘Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.’ (§6).</td>
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<td><strong>UNGA, Universal realization of the right of peoples to self-determination (A/RES/73/160)</strong></td>
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<td>- ‘Reaffirms that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;’ (§1);</td>
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<td>- ‘Declares its firm opposition to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;’ (§2);</td>
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<td>- ‘Calls upon those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, in particular the brutal and inhuman methods reportedly employed in the execution of those acts against the peoples concerned;’ (§3);</td>
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<td>- ‘Deplores the plight of millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and with honour;...’ (§4).</td>
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UNGA, Agencies Implementing Decolonization (AID) (A/RES/73/105, recalling 1514 (XV), 1541 (XV))
- ‘Recommends’ that all States intensify their efforts through the specialized agencies and other organizations of the United Nations system of which they are members to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and other relevant resolutions of the United Nations;’ (¶2);
- ‘Reaffirms’ that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant resolutions of the General Assembly;’ (¶3)
- ‘Also reaffirms’ that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of the Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;’ (¶4)
- ‘Urges’ those specialized agencies and other organizations of the United Nations system that have not yet provided assistance to Non-Self-Governing Territories to do so as soon as possible;’ (¶8).

Committee on Economic, Social and Cultural Rights (CESCR), General Comment (GC) 4: human right to adequate housing
- ‘must contain certain facilities essential for health, security, comfort and nutrition. All… should have sustainable access to natural and common resources, safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage and emergency services’ (¶8(b));
- ‘enable the expression of cultural identity and diversity;’ (¶8(g)).

CESCR, GC12: human right to adequate food
- ‘ensure adequate availability, accessibility, cultural and consumer acceptability, and quantity of nutritional food… (¶¶7–13);
- ‘[ensure] ‘availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture’ (¶8);
- ‘refrain at all times from food embargoes or similar measures which endanger conditions for food production and access to food in other countries. Food should never be used as an instrument of political and economic pressure….’ (¶37).

CESCR, GC15: The right to water
- ‘priority in the allocation of water must be given to the right to water for personal and domestic uses. Priority should also be given to the water resources required to prevent starvation and disease, as well as water required to meet the core obligations of each of the Covenant rights’ (¶6);
- ensure ‘sustainable access to water resources for agriculture to realize the right to adequate food... that disadvantaged and marginalized farmers, including women farmers, have equitable access to water and water management systems, including sustainable rain harvesting and irrigation technology... that there is adequate access to water for subsistence farming and for securing the livelihoods of indigenous peoples’ (¶7);
- ‘water supply for each person must be sufficient and continuous for personal and domestic uses...[including] drinking, personal sanitation, washing of clothes, food preparation, personal and household hygiene...’ (¶12(a));
- ‘for securing livelihoods (right to gain a living by work) and enjoying certain cultural practices (right to take part in cultural life) (¶6)....Water should be treated as a social and cultural good, and not primarily as an economic good.... All water facilities and services must be of sufficient quality, culturally appropriate and sensitive to gender, life-cycle and privacy requirements’ (¶12(c)(i));
- ‘refrain at all times from imposing embargoes or similar measures, that prevent the supply of water, as well as goods and services essential for securing the right to water. Water should never be used as an instrument of political and economic pressure’ (¶32);
- ‘International assistance should be provided in a manner that is consistent with the Covenant and other human rights standards, and sustainable and culturally appropriate’ (¶34);

UNGA, A/RES/64/292: The human right to water and sanitation
- ‘Calls upon States and international organizations to provide financial resources, capacity-building and technology transfer, through international assistance and cooperation, in particular to developing countries, in order to scale up efforts to provide safe, clean, accessible and affordable drinking water and sanitation for all...’ (¶2);
- ‘ensure the progressive realization of the human rights to safe drinking water and sanitation for all in a non-discriminatory manner...’ (¶5(a)).

UNGA, A/RES/70/169: The human rights to safe drinking water and sanitation
- ‘Calls upon States: (a) To ensure the progressive realization of the human rights to safe drinking water and sanitation for all in a non-discriminatory manner while eliminating inequalities in access, including for individuals belonging to groups at risk and to marginalized groups, on the grounds of race, gender, age, disability, ethnicity, culture, religion and national or social origin or on any other grounds, with a view to progressively eliminating inequalities based on factors such as rural-urban disparities, residence in a slum, income levels and other relevant considerations;...(h) To consult and coordinate with local communities and other stakeholders, including civil society and the private sector, on adequate solutions to ensure sustainable access to safe drinking water and sanitation; (i) To provide for effective accountability mechanisms for all water and sanitation service providers to ensure that they respect human rights and do not cause human rights violations or abuses; (h) To consult and coordinate with local communities and other stakeholders, including civil society and the private
sector, on adequate solutions to ensure sustainable access to safe drinking water and sanitation; (i) To provide for effective accountability mechanisms for all water and sanitation service providers to ensure that they respect human rights and do not cause human rights violations or abuses;’ (¶5);
- ‘Calls upon non-State actors, including business enterprises, both transnational and others, to comply with their responsibility to respect human rights, including the human rights to safe drinking water and sanitation, including by cooperating with State investigations into allegations of abuses of the human rights to safe drinking water and sanitation, and by progressively engaging with States to detect and remedy abuses of the human rights to safe drinking water and sanitation;’ (¶6).
- ‘Reaffirms that States have the primary responsibility to ensure the full realization of all human rights and to endeavour to take steps, individually and through international assistance and cooperation, especially economic and technical cooperation, to the maximum of their available resources, with a view to progressively achieving the full realization of the rights to safe drinking water and sanitation by all appropriate means, including, in particular, the adoption of legislative measures;...’ (¶9).

UNGA, New Urban Agenda (A/RES//71/256): States commit to:
- ‘Leave no one behind, by...ensuring equal rights and opportunities, socioeconomic and cultural diversity, and integration in the urban space, by enhancing liveability, education, food security and nutrition, health and well-being...’ (¶14(a))...;
- ‘promoting equitable and affordable access to sustainable basic physical and social infrastructure for all, without discrimination, including affordable serviced land, housing, modern and renewable energy, safe drinking water and sanitation, safe, nutritious and adequate food, waste disposal, sustainable mobility, health care and family planning, education, culture, and information and communications technologies’ (¶34);
- ‘promoting the development of urban spatial frameworks, including urban planning and design instruments that support sustainable management and use of natural resources and land...to...strengthen food system planning and enhance resource efficiency, urban resilience and environmental sustainability...’ (¶51);
- ‘promoting the creation and maintenance of well-connected and well-distributed networks of open, multipurpose, safe, inclusive, accessible, green and quality public spaces, to improving the resilience of cities to disasters and climate change, including floods, droughts risks and heatwaves, to improving food security and nutrition...’ (¶67);
- ‘giving particular consideration to urban deltas, coastal areas and other environmentally sensitive areas, highlighting their importance as ecosystems’ providers of significant resources for transport, food security, economic prosperity, ecosystem services and resilience....’ (¶68);
- ‘supporting local provision of goods and basic services and leveraging the proximity of resources, recognizing that heavy reliance on distant sources of energy, water, food and materials can pose sustainability challenges, including vulnerability to service supply disruptions, and that local provision can facilitate inhabitants’ access to resources...’ (¶70);
vi. Encouraging policies and actions aimed at strengthening sustainable local food systems, and fostering access to productive resources and to markets that are remunerative and beneficial to smallholders

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<tr>
<th>International Covenant on Economic, Social and Cultural Rights (ICESCR): States parties are obliged to:</th>
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<td>- [respect, protect and fulfill] ‘the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions’ (§11.1) by ensuring self-determination, non-discrimination, gender equality, rule of law, maximum of available resources, progressive realization/non-retrogression, and international assistance and cooperation (§§1–3).</td>
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<td>- [and] ‘…recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed: (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources; (b) Taking into account the problems of both</td>
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xxii. Investing in and strengthening prevention, preparedness, impact reduction, and disaster risk reduction strategies

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<th>xxii. Investing in and strengthening prevention, preparedness, impact reduction, and disaster risk reduction strategies</th>
<th><strong>food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need. (§11.2).</strong></th>
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</table>
| CESCR, GC12: The right to adequate food | - ‘adopt a national strategy to ensure food and nutrition security for all, based on human rights principles that define the objectives, and formulate policies and corresponding benchmarks; identify the resources available to meet the objectives and the most cost-effective way of using them’ (¶21);  
- ‘comply fully with principles of accountability, transparency, people’s participation, decentralization, legislative capacity, independence of the judiciary, good governance’ (¶23);  
- ‘address critical issues and measures in regard to all aspects of the food system, including the production, processing, distribution, marketing and consumption of safe food, as well as parallel measures in the fields of health, education, employment and social security’ (¶25);  
- ‘prevent discrimination in access to food or resources for food; include: guarantees of full and equal access to economic resources, particularly for women, including the right to inheritance and the ownership of land and other property, credit, natural resources and appropriate technology; measures to respect and protect self-employment and work that provides a remuneration ensuring a decent living for wage earners and their families; maintaining registries on rights in land (including forests)’ (¶26);  
- ‘adopt a framework law as a major instrument in the implementation of the national strategy concerning the right to food’ (¶29). |
| CESCR, GC14: The right to the highest attainable standard of health | - ‘promote conditions in which people can lead a healthy life, and extends to the underlying determinants of health, such as food and nutrition, housing, access to safe and potable water and adequate sanitation, safe and healthy working conditions, and a healthy environment’ (¶¶4, 11);  
- ‘ensure provision of health care, including immunization programmes against the major infectious diseases, and ensure equal access for all to the underlying determinants of health, such as nutritionally safe food and potable drinking water, basic sanitation and adequate housing and living conditions’ (¶36);  
- ‘Priority in the provision of international medical aid, distribution and management of resources, such as safe and potable water, food and medical supplies, and financial aid should be given to the most vulnerable or marginalized groups of the population’ (¶¶40, 65);  
- **Core obligation:** ‘ensure access to the minimum essential food which is nutritionally adequate and safe, to ensure freedom from hunger to everyone’ (¶43(b));  
- ‘protect consumers and workers from practices detrimental to health; e.g., by employers and manufacturers of medicines or food; the failure to discourage production, marketing and consumption of tobacco, narcotics and other harmful substances’ (¶51); |
CECSR, GC15: The right to water
- ‘prioritize...the water resources required to prevent starvation and disease’ (¶6);
- ‘ensure...sustainable access to water resources for agriculture to realize the right to adequate food’ (¶7);
- ‘prevent third parties from interfering in any way with the enjoyment of the right to water’ (¶23);
- ‘refrain at all times from imposing embargoes or similar measures, that prevent the supply of water, as well as goods and services essential for securing the right to water’ (¶32);
- ‘prevent...own citizens and companies from violating the right to water of individuals and communities in other countries’ (¶33);
- take measures to prevent, treat and control diseases linked to water, in particular ensuring access to adequate sanitation (¶37(i));
- ‘enforce laws to prevent the contamination and inequitable extraction of water; (ii) failure to effectively regulate and control water services providers; (iv) failure to protect water distribution systems (e.g., piped networks and wells) from interference, damage and destruction’ (¶44(b));

UNGA, United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDRoP) (A/RES/73/165)
- ‘States shall take appropriate measures to strengthen the resilience of peasants and other people working in rural areas against natural disasters and other severe disruptions, such as market failures’ (§16(5));
- ‘...measures should include:...Improving the functioning of markets at the global level and facilitating timely access to market information, including on food reserves, in order to help to limit extreme food price volatility and the attractiveness of speculation (§6(e)).

UNGA, 2030 Agenda (A/RES/70/1): States commit, by 2030, to:
- ‘...remove obstacles and constraints, strengthen support and meet the special needs of people living in areas affected by complex humanitarian emergencies (preamble, ¶23);
- ‘... adopt policies which increase productive capacities,...sustainable agriculture, pastoralist and fisheries development; sustainable industrial development; universal access to affordable, reliable, sustainable and modern energy services; sustainable transport systems; and quality and resilient infrastructure.’ (¶27);
- ‘...tackle water scarcity and water pollution, to strengthen cooperation on desertification, dust storms, land degradation and drought and to promote resilience and disaster risk reduction.’ (¶33);
- ‘build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters’ (¶ 1.5);
- ‘End hunger, achieve food security and improved nutrition and promote sustainable agriculture’ (Goal 2); ‘...ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that help
maintain ecosystems, that strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters and that progressively improve land and soil quality (Œ 2.4);
- ‘Take urgent action to combat climate change and its impacts’ (Goal 13); ‘Strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries’ (Œ 13.1); ‘Integrate climate change measures into national policies, strategies and planning...’ (Œ 13.2);
- ‘...sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans’ (Œ 14.2).

UNGA, Sendai Framework for Disaster Risk Reduction, 2015–2030 (A/RES/69/283): States committed to:

- ‘development, strengthening and implementation of relevant policies, plans, practices and mechanisms need to aim at coherence, as appropriate, across sustainable development and growth, food security, health and safety, climate change and variability, environmental management and disaster risk reduction agendas. Disaster risk reduction is essential to achieve sustainable development’ (¶19(h));
- ‘foster collaboration across global and regional mechanisms and institutions for the implementation and coherence of instruments and tools relevant to disaster risk reduction, such as for climate change, biodiversity, sustainable development, poverty eradication, environment, agriculture, health, food and nutrition and others, as appropriate’ (¶28(b));
- ‘strengthen the design and implementation of inclusive policies and social safety-net mechanisms, including through community involvement, integrated with livelihood enhancement programmes, and access to basic health-care services, including maternal, newborn and child health, sexual and reproductive health, food security and nutrition, housing and education, towards the eradication of poverty, to find durable solutions in the post-disaster phase and to empower and assist people disproportionately affected by disasters’ (¶30(j));
- ‘promote regular disaster preparedness, response and recovery exercises, including evacuation drills, training and the establishment of area-based support systems, with a view to ensuring rapid and effective response to disasters and related displacement, including access to safe shelter, essential food and non-food relief supplies, as appropriate to local needs’ (¶33(h)).

viii. Addressing immediate and long-term food security and nutrition needs of refugees and host populations and promoting durable solutions, including by facilitating refugee return to places of origin where possible

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<tr>
<th>All forms and scales of population transfer are prohibited as both a war crime in either International Armed Conflicts (IACs) or Non-International Armed Conflicts (NIACs), as well as a crime against humanity:</th>
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<tr>
<td><strong>Geneva Convention IV</strong></td>
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<tr>
<td>- ‘Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.’ (§49);</td>
</tr>
<tr>
<td>- ‘Grave breaches [include] wilfully causing...unlawful deportation or transfer (§147);</td>
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Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) (AP I)

- ‘No Party to the conflict shall arrange for the evacuation of children, other than its own nationals, to a foreign country except for a temporary evacuation where compelling reasons of the health or medical treatment of the children or, except in occupied territory, their safety, so require....’ (§78.1) ‘facilitating the return to their families and country of children evacuated’ (§78.3).

Protocol II

- ‘The displacement of the civilian population shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand. Should such displacements have to be carried out, all possible measures shall be taken in order that the civilian population may be received under satisfactory conditions of shelter, hygiene, health, safety and nutrition (§17.1). Civilians shall not be compelled to leave their own territory for reasons connected with the conflict (§17.2).

Rome Statute of the International Criminal Court (ICC Statute)

- ‘“crime against humanity” means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:....Deportation or forcible transfer of population’ (§ 7.1(d)) [meaning] ‘forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law; (7.2(d));
- ‘“war crimes” means:...Unlawful deportation or transfer...’ (§8.2(vii)); The transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory; (§ 8.2(b)(viii)).

Convention on the Status of Refugees (CSR)

- ‘Where a rationing system exists, which applies to the population at large and regulates the general distribution of products in short supply, refugees shall be accorded the same treatment as nationals... (§ 20);
- [States parties shall] ‘accord to refugees lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to their nationals’ (§23).

Customary international law:

Charter of the International Military Tribunal (Nuremberg) (IMTN)
- ‘War Crimes: namely, violations of the laws or customs of war. Such violations shall include, but not be limited to deportation... for any...purpose of civilian population of or in occupied territory and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated. (§6(b));

- ‘Crimes against Humanity: namely...deportation...committed against any civilian population, before or during the war; or persecutions on political, racial or religious grounds... Leaders, organizers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit any of the foregoing crimes are responsible for all acts performed by any persons in execution of such plan.’ (§6(c)).

- ‘Leaders, organizers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit any or’ the foregoing crimes are responsible for all acts performed by any person in execution of such plan.’ (§6(d)).

Charter of the International Military Tribunal for the Far East (IMTFE)

- ‘Crimes against Humanity: Namely...deportation, and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political or racial grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated. Leaders organizers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit any or’ the foregoing crimes are responsible for all acts performed by any person in execution of such plan.’ (§5(c)).


- ‘War Crimes: Any of the following war crimes constitutes a crime against the peace and security of mankind when committed in a systematic manner or on a large scale:’ ...‘Unlawful deportation or transfer of unlawful confinement of protected persons’ (§20(a)(vii); ‘The transfer by the Occupying Power of parts of its own civilian population into the territory it occupies’ (§20(c)(i));

- ‘Changes to the demographic composition of an occupied territory seemed to the Commission to be such a serious act that it could echo the seriousness of genocide.’ (Commentary, p. 105).


- ‘refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the
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<th>Governments or authorities responsible;’ (¶11)...‘repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation...’ (¶12).</th>
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<tr>
<td><strong>UNGA, 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 (R&amp;R) (A/RES/60/147)</strong></td>
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<td>- ‘Restitution should, whenever possible, restore the victim to the original situation before the gross violations of international human rights law or serious violations of international humanitarian law occurred. Restitution includes, as appropriate: restoration of liberty, enjoyment of human rights, identity, family life and citizenship, return to one’s place of residence, restoration of employment and return of property.’ (¶19).</td>
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<td><strong>CESCR, GC7: The right to adequate housing</strong></td>
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<td>- ‘...the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection [is] prima facie incompatible with the requirements of the Covenant’ (¶3, 1);</td>
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<td>- ‘...address tenure during the reconstruction phase. Persons who are temporarily displaced should be assisted in voluntarily, safely and with dignity returning to their place of origin Where restitution is possible and, as appropriate, with the assistance of UNHCR and other relevant agencies, refugees and displaced persons should be assisted in voluntarily, safely and with dignity returning to their place of origin, in line with applicable international standards. Procedures for restitution, rehabilitation and reparation should be non-discriminatory, gender sensitive and widely publicized, and claims for restitution should be processed promptly. Procedures for restitution of tenure rights of indigenous peoples and other communities with customary tenure systems should provide for the use of traditional sources of information...’ (Principle 24. Natural disasters, ¶5).</td>
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<td>- ‘Where possible, the original parcels or holdings should be returned to those who suffered the loss, or their heirs, by resolution of the competent national authorities. Where the original parcel or holding cannot be returned, States should provide prompt and just compensation in the form of money and/or alternative parcels or holdings, ensuring equitable treatment of all affected people.’ (Principle 14. Restitution, ¶2).</td>
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<td><strong>UNGA, The New York Declaration for Refugees and Migrants (A/RES/71/1): Member States committed to:</strong></td>
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<td>- ‘meet the essential needs of refugees, including by providing access to adequate safe drinking water, sanitation, food, nutrition, shelter, psychosocial support and health care, including sexual and reproductive health, and providing assistance to host countries and communities in this regard, as required’ (¶5(c));</td>
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<td>- ‘cooperate closely to facilitate and ensure safe, orderly and regular migration, including return and readmission, taking into account national legislation’ (¶41);</td>
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<td>- ‘reaffirm that everyone has the right to leave any country, including his or her own, and to return to his or her country... readmit...returning nationals and ensure that they are duly received without undue delay, following confirmation of their nationalities in accordance with national legislation’ (¶42);</td>
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<td>- ‘providing humanitarian assistance to refugees so as to ensure essential support in key life-saving sectors, such as health care, shelter, food, water and sanitation’...); ‘supporting host countries and communities in this regard, including by using locally available knowledge and capacities. We will support community-based development programmes that benefit both refugees and host communities’ (¶80).</td>
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<td>UNGA, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (A/RES/61/295)</td>
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<td>- ‘States shall provide effective mechanisms for prevention of, and redress for:...Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights...’ (§8(c)).</td>
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<td>UNGA, 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 (R&amp;R) (A/RES/60/147) [Recognizes that victims of gross violations are entitled to reparations, inclusive of: restitution, return, resettlements, rehabilitation, compensation, guarantees of non-repetition and satisfaction (see above)].</td>
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14
- ‘All refugees and displaced persons have the right to return voluntarily to their former homes, lands or places of habitual residence, in safety and dignity. Voluntary return in safety and dignity must be based on a free, informed, individual choice. Refugees and displaced persons should be provided with complete, objective, up-to-date, and accurate information, including on physical, material and legal safety issues in countries or places of origin.’ (¶1);
- ‘States shall allow refugees and displaced persons who wish to return voluntarily to their former homes, lands or places of habitual residence to do so. This right cannot be abridged under conditions of State succession, nor can it be subject to arbitrary or unlawful time limitations.’ (¶2);
- ‘Refugees and displaced persons shall not be forced, or otherwise coerced, either directly or indirectly, to return to their former homes, lands or places of habitual residence. Refugees and displaced persons should be able to effectively pursue durable solutions to displacement other than return, if they so wish, without prejudicing their right to the restitution of their housing, land and property.’ (¶3);
- ‘States should, when necessary, request from other States or international organizations the financial and/or technical assistance required to facilitate the effective voluntary return, in safety and dignity, of refugees and displaced persons.’ (¶4).

### Norms supporting selected sub-principles from FFA Principle 2: Improve the nutritional status of members of affected and at-risk populations, vulnerable and marginalized groups, as well as people living in vulnerable situations, over the short, medium and long term, by:

| i. Paying particular attention to nutritional needs during the first 1,000 days after conception, and of pregnant and lactating women, women of reproductive age and adolescent girls, infants, children under five, the elderly and people with disability; ii. Supporting nutrition-specific policies and actions, in particular exclusive breastfeeding up to six months where possible, and continued breastfeeding to two years of age and beyond, with appropriate complementary feeding; | **Convention on the Elimination of Discrimination against Women (CEDaW): States are obliged to:**  
- ‘ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation’ (§12(2)).**  

**Convention on the Rights of the Child (UNCRC): States are obliged to:**  
- ‘combat disease and malnutrition...through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking water...;...ensure appropriate pre-natal and post-natal health care for mothers;...ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation...’(§24(c)–(d)); provide material assistance and support programmes, particularly with regard to nutrition (§27.3);**  

**Charter for Food Crisis Prevention and Management in the Sahel and West Africa (2011)**  
- ‘parties concerned undertake to:...Improve/harmonise their criteria for assessing food/nutrition aid requirements by including analyses of:...The conditions of food use and nutrition in affected areas (health, water, hygiene, education, dietary habits and practices), particularly for the most vulnerable, such as pregnant and breastfeeding women, children under five, people living with HIV and AIDS, orphans, handicapped people, displaced populations, refugees and the elderly.'**
optimal infant and young child feeding...

- **Satisfy the specific nutritional requirements of the most vulnerable, such as pregnant and breastfeeding women, children under five, people living with HIV and AIDS, orphans, handicapped people, displaced populations, refugees and the elderly, by providing sufficient, safe and nutritious food;**.....*(Section 6)*.

CEDaW, General recommendation (GR) 27: Older women and protection of their human rights

- ‘ensure the full development and advancement of women throughout their life cycle in times of both peace and conflict, as well as in the event of any man-made and/or natural disaster. States parties should therefore ensure that all legal provisions, policies and interventions aimed at the full development and advancement of women do not discriminate against older women’ *(¶30)*.

CEDaW, GR30 on women in conflict prevention, conflict and post-conflict situations

- ‘Displaced women [face]...dire poverty and inequality can lead them to exchange sexual favours for money, shelter, food or other goods under circumstances that make them vulnerable to exploitation...Take the preventive measures necessary to ensure protection against forced displacement, in addition to the protection of the human rights of displaced women and girls, including access to basic services, during flight, displacement and in the context of durable solutions; Address the specific risks and particular needs of different groups of internally displaced and refugee women who are subjected to multiple and intersecting forms of discrimination, including women with disabilities, older women, girls, widows, women who head households, pregnant women, women living with HIV/AIDS, rural women, indigenous women, women belonging to ethnic, national, sexual or religious minorities, and women human rights defenders;’ *(¶¶53, 55(a)(b))*.

CEDaW GR32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women

- ‘women seeking asylum and women refugees be granted, without discrimination, the right to accommodation, education, health care and other support, including food, clothing and necessary social services, appropriate to their particular needs as women’ *(¶33)*.

UN Committee on the Rights of the Child (CRC), GC7: Implementing child rights in early childhood

- ‘...low quality institutional care is unlikely to promote healthy physical and psychological development and can have serious negative consequences for long term social adjustment, especially for children under 3 but also for children under 5 years old. To the extent that alternative care is required, early placement in family based or family like care is more likely to produce positive outcomes for young children....States...invest in and support forms of alternative care that can ensure security, continuity of care and affection, and the opportunity for young children to form long term attachments based on mutual trust and respect, for example through fostering, adoption and support for members of extended families. Where
adoption is envisaged “the best interests of the child shall be the paramount consideration”..., not just “a primary consideration”..., systematically bearing in mind and respecting all relevant rights of the child and obligations of States parties...’(¶36(b)).

**CRC, GC11: Indigenous children and their rights under the Convention**

- `take all reasonable measures to ensure that indigenous children, families and their communities receive information and education on issues relating to health and preventive care such as nutrition, breastfeeding, pre- and postnatal care, child and adolescent health, vaccinations, communicable diseases..., hygiene, environmental sanitation and the dangers of pesticides and herbicides’ (¶53).

**CRC, GC15 on the right of the child to the enjoyment of the highest attainable standard of health**

- States should ensure `...immunization against the common childhood diseases; growth and developmental monitoring, especially in early childhood; vaccination against human papillomavirus for girls; tetanus toxoid injections for pregnant women; access to oral rehydration therapy and zinc supplementation for diarrhoea treatment; essential antibiotics and antiviral drugs; micronutrient supplements, such as vitamins A and D, iodized salt and iron supplements...' (¶41); Exclusive breastfeeding for infants up to 6 months of age should be protected and promoted and breastfeeding should continue alongside appropriate complementary foods preferably until two years of age, where feasible.’ (¶44).
- ‘States have individual and joint responsibility...to cooperate in providing disaster relief and humanitarian assistance in times of emergency... prioritizing efforts to realize children’s right to health, including through appropriate international medical aid; distribution and management of resources, such as safe and potable water, food and medical supplies; and financial aid to the most vulnerable or marginalized children’ (¶88).

**CESCR, GC12**

- `[The core content of the human right to adequate food means meeting] `dietary needs...compliance with human physiological needs at all stages throughout the life cycle and according to gender and occupation. Measures may therefore need to be taken to maintain, adapt or strengthen dietary diversity and appropriate consumption and feeding patterns, including breastfeeding, while ensuring that changes in availability and access to food supply as a minimum do not negatively affect dietary composition and intake’ (¶9);

Food and Agriculture of the United Nations (FAO), Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (RtFG)
iii. Implementing nutrition-sensitive and gender-sensitive policies and actions across sectors, including those related to food systems, agriculture, food safety, health, hygiene and sanitation, social protection, and education

iv. Incorporating nutrition related objectives and indicators into food security and agriculture policies and programmes

[Outlines several activities that States shall undertake with regard to dietary composition, breastfeeding, preventing malnutrition with special emphasis on the needs and rights of both girls and boys, as well as pregnant women and lactating mothers, in all cultures (Guideline No. 10 on nutrition)].

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<td>- Requires States ‘to take the measures, including specific programmes, needed to improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems’ (§11(2)).</td>
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- ‘Recalls the link between armed conflict and violence and conflict-induced food insecurity and the threat of famine, and calls on all parties to armed conflict to comply with their obligations under international humanitarian law regarding respecting and protecting civilians and taking constant care to spare civilian objects, including objects necessary for food production and distribution such as farms, markets, water systems, mills, food processing and storage sites, and hubs and means for food transportation, and refraining from attacking, destroying, removing or rendering useless objects that are indispensable to the survival of the civilian population, such as foodstuffs, crops, livestock, agricultural assets, drinking water installations and supplies, and irrigation works, and respecting and protecting humanitarian personnel and consignments used for humanitarian relief operations’ (¶1);
- ‘Stresses in this regard that armed conflict, violations of international humanitarian law and international human rights law, and food insecurity can be drivers of forced displacement, and, conversely, forced displacement in countries in armed conflict can have a devastating impact on agricultural production and livelihoods, recalls the relevant prohibition on the forced displacement of civilians in armed conflict, and stresses the importance of fully complying with international humanitarian law and other applicable international law in this context’ (¶2);
- ‘Stresses the need for humanitarian assistance to be gender- and age-sensitive, and to remain responsive to the different needs of the population, ensuring that these needs are integrated in the humanitarian response’ (¶3).

[See also CEDaW GRs 27, 30, 32; CRC GCs 7, 11, 15; CESCR GC12 above.]

CESCR, GC12: The right to adequate food

- ‘the Covenant clearly requires that each State party take whatever steps are necessary to ensure that everyone is free from hunger and as soon as possible can enjoy the right to adequate food. This will require the adoption of a national strategy to ensure food and nutrition security for all, based on human rights principles that define the objectives, and the formulation of policies and corresponding benchmarks.’ (¶21);
- ‘States should set verifiable benchmarks for subsequent national and international monitoring....consider the adoption of a framework law as a major instrument in the implementation of the national strategy concerning the right to food. The
framework law should include provisions on its purpose; the targets or goals to be achieved and the time frame to be set for the achievement of those targets; the means by which the purpose could be achieved described in broad terms, in particular the intended collaboration with civil society and the private sector and with international organizations; institutional responsibility for the process; and the national mechanisms for its monitoring, as well as possible recourse procedures. In developing the benchmarks and framework legislation, States parties should actively involve civil society organizations. (¶29).

CEDaW, GR34 on the rights of rural women

- ‘Recognize [rural women’s] crucial contributions to local and national economies and to food production, as well as to the well-being of their families and communities, including through unpaid care work and work on family farms [concerning] the unremunerated domestic activities of women and their recognition in the gross national product’ (¶17(a));
- ‘States parties should establish enabling institutional, legal and policy frameworks to ensure that rural development, agricultural and water policies, including with respect to forestry, livestock, fisheries and aquaculture, are gender-responsive and have adequate budgets. States parties should ensure: (a) The integration and mainstreaming of a gender perspective in all agricultural and rural development policies, strategies, plans (including operational plans) and programmes, enabling rural women to act and be visible as stakeholders, decision makers and beneficiaries.... ensure that those policies, strategies, plans and programmes have evidence-based monitoring and clear evaluation frameworks; (b) The establishment of gender units with senior-level staff in ministries relevant to rural development, supported by adequate budgets, institutional procedures, accountability frameworks and effective coordination mechanisms; (c) The protection of the rights of rural women, specifically when planning rural development programmes linked to disarmament, demobilization and reintegration efforts in conflict and post-conflict environments....’ (¶36).

UNGA, 2030 Agenda (A/RES/70/1): States commit to:

- ‘End hunger, achieve food security and improved nutrition and promote sustainable agriculture’ by 2030 (SDG2):
- ‘...end hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to safe, nutritious and sufficient food all year round’ (¶2.1, →1: Prevalence of undernourishment; →2: Prevalence of moderate or severe food insecurity in the population, based on the FIES);
- ‘...end all forms of malnutrition, including achieving, by 2025, the internationally agreed targets on stunting and wasting in children under 5 years of age, and address the nutritional needs of adolescent girls, pregnant and lactating women and older persons’(¶2.2, →1: Prevalence of stunting (height for age < -2 standard deviation from the median of the WHO Child Growth Standards) among children under 5 years of age); →2: Prevalence of malnutrition (weight for height > +2 or < -2 standard deviation from the median of the WHO Child Growth Standards) among children under 5 years of age, by type (wasting and overweight); →3: Prevalence of anaemia in women aged 15–49 years, by pregnancy status (percentage));
- ‘double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment’ (2.3, →1: Volume of production per labour unit by classes of farming/pastoral/forestry enterprise size; →2: Average income of small-scale food producers, by sex and indigenous status);

- ‘ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that help maintain ecosystems, that strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters and that progressively improve land and soil quality’ (2.4, →1: Proportion of agricultural area under productive and sustainable agriculture);

- ‘By 2020, maintain the genetic diversity of seeds, cultivated plants and farmed and domesticated animals and their related wild species, including through soundly managed and diversified seed and plant banks at the national, regional and international levels, and promote access to and fair and equitable sharing of benefits arising from the utilization of genetic resources and associated traditional knowledge, as internationally agreed’ (2.5, →1: Number of plant and animal genetic resources for food and agriculture secured in either medium or long-term conservation facilities);

- ‘Increase investment, including through enhanced international cooperation, in rural infrastructure, agricultural research and extension services, technology development and plant and livestock gene banks in order to enhance agricultural productive capacity in developing countries, in particular least developed countries’ (2.a, →1: The agriculture orientation index for government expenditures; →2: Total official flows (official development assistance plus other official flows) to the agriculture sector);

- ‘Correct and prevent trade restrictions and distortions in world agricultural markets, including through the parallel elimination of all forms of agricultural export subsidies and all export measures with equivalent effect, in accordance with the mandate of the Doha Development Round’ (2.b, →1: Agricultural export subsidies);

- ‘Adopt measures to ensure the proper functioning of food commodity markets and their derivatives and facilitate timely access to market information, including on food reserves, in order to help limit extreme food price volatility’ (2.c, →1: Indicator of food price anomalies).

FAO, RtFG

- ‘States may also wish to develop a set of process, impact and outcome indicators, relying on indicators already in use and monitoring systems such as FIVIMS, so as to assess the implementation of the progressive realization of the right to adequate food.... to establish appropriate benchmarks to be achieved in the short, medium and long term, which relate directly to meeting poverty and hunger reduction targets as a minimum, as well as other national and international goals...’

- `Indicate:...The percentage of households without access to sufficient and safe water in the dwelling or within its immediate vicinity, disaggregated by region and urban/rural population and the measures taken to improve the situation;’ (¶48(b)).

**Norms supporting selected sub-principles from FFA Principle 3: Enable the provision of food and nutrition assistance and livelihood support, by:**

**Legal principles and obligations governing occupation, including:**

**Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land (The Hague Regulations of 1907)**

- `The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country.’ (§43; i.e., prohibiting an Occupying Power from altering the laws or legal system in an occupied territory)
- `...Private property cannot be confiscated.’ (§46);
- `Pillage is formally forbidden.’ (§47);
- `No general penalty, pecuniary or otherwise, shall be inflicted upon the population on account of the acts of individuals for which they cannot be regarded as jointly and severally responsible.’ (§50);
- `Requisitions in kind and services shall not be demanded from municipalities or inhabitants except for the needs of the army of occupation.’ (§52);
- `The occupying State shall be regarded only as administrator and usufructuary of public buildings, real estate, forests, and agricultural estates belonging to the hostile State, and situated in the occupied country. It must safeguard the capital of these properties, and administer them in accordance with the rules of usufruct.’ (§55 §42–56).

**Geneva Convention IV**

- [Requiring] `free passage of all consignments of...essential foodstuffs, clothing and tonics intended for children under fifteen, expectant mothers and maternity cases.’ (§23);
- Requiring `All protected persons who may desire to leave the territory at the outset of, or during a conflict, shall be entitled to do so...in satisfactory conditions as regards safety, hygiene, sanitation and food’ (§§35, 36);
- `Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.... Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.’ (§49);
- `The Occupying Power may not requisition foodstuffs, articles or medical supplies available in the occupied territory, except for use by the occupation forces and administration personnel, and then only if the requirements of the civilian population
have been taken into account. Subject to the provisions of other international Conventions, the Occupying Power shall make arrangements to ensure that fair value is paid for any requisitioned goods. The Protecting Power shall, at any time, be at liberty to verify the state of the food and medical supplies in occupied territories, except where temporary restrictions are made necessary by imperative military requirements. To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate. The Occupying Power may not requisition foodstuffs, articles or medical supplies available in the occupied territory, except for use by the occupation forces and administration personnel, and then only if the requirements of the civilian population have been taken into account.’ (§55);

- ‘The distribution of the relief consignments referred to in the foregoing Articles shall be carried out with the cooperation and under the supervision of the Protecting Power. This duty may also be delegated, by agreement between the Occupying Power and the Protecting Power, to a neutral Power, to the International Committee of the Red Cross or to any other impartial humanitarian body. Such consignments shall be exempt in occupied territory from all charges, taxes or customs duties unless these are necessary in the interests of the economy of the territory. The Occupying Power shall facilitate the rapid distribution of these consignments. All Contracting Parties shall endeavour to permit the transit and transport, free of charge, of such relief consignments on their way to occupied territories.’ (§61);

- ‘Daily food rations for internees shall be sufficient in quantity, quality and variety to keep internees in a good state of health and prevent the development of nutritional deficiencies. Account shall also be taken of the customary diet of the internees. Internees shall also be given the means by which they can prepare for themselves any additional food in their possession. Sufficient drinking water shall be supplied to internees.’ (§89);

- ‘The Detaining Power shall supply internees during transfer with drinking water and food sufficient in quantity, quality and variety to maintain them in good health, and also with the necessary clothing, adequate shelter and the necessary medical attention.’ (§127).

Protocol I

- ‘Starvation of civilians as a method of warfare is prohibited.’ (§54.1); ‘It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive.’ (§54.2); The prohibitions in paragraph 2 shall not apply to such of the objects covered by it as are used by an adverse Party: (a) As sustenance solely for the members of its armed forces; or (b) If not as sustenance, then in direct support of military action, provided, however, that in no event shall actions against these objects be taken which may be expected to leave the civilian population with such inadequate food or water as to cause its starvation or force its movement.’ (§54.3); ‘These objects shall not be made
Protocol II:
- ‘The civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations....’ (§13.1).
- The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.’ (§13.2).
- ‘Starvation of civilians as a method of combat is prohibited. It is therefore prohibited to attack, destroy, remove or render useless for that purpose, objects indispensable to the survival of the civilian population such as food-stuffs, agricultural areas for the production of food-stuffs, crops, livestock, drinking water installations and supplies and irrigation works.’ (§14).
- ‘If the civilian population is suffering undue hardship owing to a lack of the supplies essential for its survival, such as food-stuffs and medical supplies, relief actions for the civilian population which are of an exclusively humanitarian and impartial nature and which are conducted without any adverse distinction shall be undertaken subject to the consent of the High Contracting Party concerned.’ (§18.2).

Customary International Humanitarian Law
- ‘The use of starvation of the civilian population as a method of warfare is prohibited’ (Rule 53);
- ‘The parties to the conflict must allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need, which is impartial in character and conducted without any adverse distinction, subject to their right of control’ (Rule 54);
- `The parties to the conflict must ensure the freedom of movement of authorized humanitarian relief personnel essential to the exercise of their functions. Only in case of imperative military necessity may their movements be temporarily restricted’ (Rule 56).

UNSC, Protection of Civilians in armed conflict (S/RES/2417):
- *Demands* ‘all parties to armed conflicts fully comply with their obligations under international law, including international human rights law, as applicable, and international humanitarian law, in particular their obligations under the Geneva Conventions of 1949 and the obligations applicable to them under the Additional Protocols thereto of 1977 and 2005, to ensure the respect and protection of all medical personnel and humanitarian personnel exclusively engaged in medical duties, their means of transport and equipment, as well as hospitals and other medical facilities’ (preamble);
- ‘Strongly condemns the use of starvation of civilians as a method of warfare in a number of conflict situations and prohibited by international humanitarian law’ (¶5);
- ‘Strongly condemns the unlawful denial of humanitarian access and depriving civilians of objects indispensable to their survival, including wilfully impeding relief supply and access for responses to conflict-induced food insecurity in situations of armed conflict, which may constitute a violation of international humanitarian law’ (¶6);
- ‘Strongly urges States to conduct, in an independent manner, full, prompt, impartial and effective investigations within their jurisdiction into violations of international humanitarian law related to the use of starvation of civilians as a method of warfare, including the unlawful denial of humanitarian assistance to the civilian population in armed conflict, and, where appropriate, to take action against those responsible in accordance with domestic and international law, with a view to reinforcing preventive measures, ensuring accountability and addressing the grievances of victims;’ (¶10).

CESCR, GC12:
- ‘States have a joint and individual responsibility, in accordance with the Charter of the United Nations, to cooperate in providing disaster relief and humanitarian assistance in times of emergency, including assistance to refugees and internally displaced persons....’ (¶38);
- ‘such aid [should] be based on the needs of the intended beneficiaries and should not adversely affect local producers and local markets.’ (¶39).

FAO, RtFG
- ‘In the case of natural or human-made disasters, States should provide food assistance to those in need, may request international assistance if their own resources do not suffice, and should facilitate safe and unimpeded access for
v. Refraining from unilateral measures not in accordance with international law, including the Charter of the United Nations, and which endanger food security and nutrition, as stated in the 1996 Rome Declaration;

international assistance in accordance with international law and universally recognized humanitarian principles, bearing in mind local circumstances, dietary traditions and cultures.’ (Guideline 16.6).

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<td>“war crimes”, in the context of international armed conflicts, includes...Intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies as provided for under the Geneva Conventions;’ (§8.2(b)(xxv)).</td>
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[On 6 December 2019, the Assembly of State Parties to the ICC Statute adopted, by Resolution ICC-ASP/18/Res.5, an amendment to article 8 in order to insert a new §8.2(e)ix relating to intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including willfully impeding relief supplies, in the context of armed conflicts not of an international character]  


[Urge States to conduct, in an independent manner, full, prompt, impartial and effective investigations within their jurisdiction into violations of international humanitarian law related to the use of starvation of civilians as a method of warfare, including the unlawful denial of humanitarian assistance to the civilian population in armed conflict, and, where appropriate, to take action against those responsible in accordance with domestic and international law, with a view to reinforcing preventive measures, ensuring accountability and addressing the grievances of victims.]  

UNGA, 47/19, 48/16, 49/9, 50/10, 51/17, 52/10, 53/4, 54/21, 55/20, 56/9, 57/11, 58/7, 59/11, 60/12, 61/11, 62/3, 63/7, 64/6, 65/6, 66/6, 67/4, 68/8, 69/5, 70/5, 71/5, 72/4, A/RES/73/8:  

[Find the economic, commercial and financial embargo imposed by the United States of America against Cuba in violation of UN Charter.]  


[Condemn unilateral coercive measures, recalling that economic sanctions demonstrably cause death, aggravate economic crises, disrupt the production and distribution of food and medicine, constitute a push factor generating emigration, and lead to violations of human rights.]  

FAO, RtFG  

- ‘Food should never be used as a means of political and economic pressure’ (Guideline 16.1).
Rome Declaration on World Food Security and World Food Summit Plan of Action (1996)
- ‘Food should not be used as an instrument for political and economic pressure. We reaffirm the importance of international cooperation and solidarity as well as the necessity of refraining from unilateral measures not in accordance with the international law and the Charter of the United Nations and that endanger food security.’ (preamble);
- ‘It is essential that all members of the [WTO] respect and fulfil the totality of the undertakings of the Uruguay Round. For this purpose, it will be necessary to refrain from unilateral measures not in accordance with WTO obligations.’ ([37].

**The Hague Regulations of 1907** \[See §§46, 47, 52, 55 42–56 as cited under Principle 1 above.\]

Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (Geneva Convention I) (GC I); Convention for the Amelioration of the Condition of the Wounded, Sick, and Shipwrecked Members of Armed Forces at Sea (Geneva Convention II) (GC II); Convention Relative to the Treatment of Prisoners of War (Geneva Convention III) (GC III); Geneva Convention IV

- ‘In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions: (1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria….’ (common §3);

**Geneva Convention IV** \[See §§23, 35, 36, 49, 55, 61, 89, 127 as above.\]

**Protocol I** \[See §§54.1–2, 54.3–5, 70.1–2 as above.\]

**Protocol II** \[See §§13.1–2, 14, 18.2 as above.\]

CESCR, GC12: the right to food
- ‘States parties should refrain at all times from food embargoes or similar measures which endanger conditions for food production and access to food in other countries. Food should never be used as an instrument of political and economic pressure. In this regard, the Committee recalls its position, stated in its General Comment No. 8, on the relationship between economic sanctions and respect for economic, social and cultural rights….’ (International Obligations, ¶37).
CFS, Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the context of Food Security and Poverty Eradication (SSF Guidelines)

- ‘States should ensure that small-scale fishing communities are not arbitrarily evicted and that their legitimate tenure rights are not otherwise extinguished or infringed. States should recognize that competition from other users is increasing within small-scale fisheries areas and that small-scale fishing communities, in particular vulnerable and marginalized groups, are often the weaker party in conflicts with other sectors and may require special support if their livelihoods are threatened by the development and activities of other sectors...’ (Principle 5.9).
- ‘strive to restore access to traditional fishing grounds and coastal lands to small-scale fishing communities that have been displaced by natural disasters and/or armed conflict taking into consideration the sustainability of fisheries resources. States should establish mechanisms to support fishing communities affected by grave human rights violations to rebuild their lives and livelihoods. Such steps should include the elimination of any form of discrimination against women in tenure practices in case of natural disasters and/or armed conflict...’ (Principle 5.12).
- ‘all parties should protect the human rights and dignity of small-scale fisheries stakeholders in situations of armed conflict in accordance with international humanitarian law to allow them to pursue their traditional livelihoods, to have access to customary fishing grounds and to preserve their culture and way of life. Their effective participation in decision making on matters that impact them should be facilitated’ (Principle 6.18).

<table>
<thead>
<tr>
<th>ii. Protecting against all forms of gender-based violence, and sexual exploitation and abuse, particularly towards refugees and IDPs, to allow safe access to resources to meet food and nutrition needs.</th>
<th>UNSC 2467 (2019) [Reaffirming the commitment to the continuing and full implementation of resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), and 2242 (2015)]</th>
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<tr>
<td>- ‘Reiterates its demand for the complete cessation with immediate effect by all parties to armed conflict of all acts of sexual violence and its call for these parties to make and implement specific time-bound commitments to combat sexual violence, which should include, inter alia, issuance of clear orders through chains of command and development of codes of conduct prohibiting sexual violence and establishment of related enforcement procedures to ensure accountability for breaching these orders, commitments by individual commanders, investigation of all credible allegations including on the basis of information reported by relevant UN entities and accountability for those responsible, unimpeded access for monitoring and provision of services and humanitarian assistance in areas under their control;’ (¶1);</td>
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<tr>
<td>- ‘Urges Member States to strengthen access to justice for victims of sexual violence in conflict and post-conflict situations, including women and girls, who are particularly targeted, including through the prompt investigation, prosecution and punishment of perpetrators of sexual and gender-based violence, as well as reparations for victims as appropriate, acknowledges the inclusion of sexual and gender-related crimes among the most serious crimes of international concern...’ (¶15);</td>
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<td>-</td>
<td>`Calls upon all Member States to ensure that survivors of sexual and gender-based violence in conflict in the respective countries receive the care required by their specific needs and without any discrimination;' (¶16(a));</td>
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<td>-</td>
<td>`...urges Member States to protect victims who are men and boys through the strengthening of policies that offer appropriate responses to male survivors and challenge cultural assumptions about male invulnerability to such violence; requests further that the monitoring, analysis and reporting arrangements on conflict-related sexual violence focus more consistently on the gender specific nature of sexual violence in conflict and post-conflict situations against all affected populations in all situations of concern, including men and boys; (¶32).</td>
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CEDaW, GR32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women

-  `States parties have a duty to ‘refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions act in conformity with that obligation. That duty encompasses the obligation of States parties to protect women from being exposed to a real, personal and foreseeable risk of serious forms of discrimination against women, including gender-based violence, irrespective of whether such consequences would take place outside the territorial boundaries of the sending State party: if a State party takes a decision relating to a person within its jurisdiction, and the necessary and foreseeable consequence is that the person’s basic rights under the Convention will be seriously at risk in another jurisdiction, the State party itself may be in violation of the Convention. The foreseeability of the consequence would mean that there was a present violation by the State party, even though the consequence would not occur until later.’ (¶22); |
-  `States parties have an obligation to ensure that no woman will be expelled or returned to another State where her life, physical integrity, liberty and security of person would be threatened, or where she would risk suffering serious forms of discrimination, including serious forms of gender-based persecution or gender-based violence.’ (¶23). |


-  `Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against: (a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution and any form of indecent assault; (b) Slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation, or forced labour of children;' (Principle 11.2); |
-  `At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to: (a) Essential food and potable water;...’ (Principle 18.2(a)); |
-  `Special attention should be paid to the health needs of women, including access to female health care providers and services, such as reproductive health care, as well as appropriate counselling for victims of sexual and other abuses.’ (Principle 19.2). |

| iii. Respecting, and in accordance with Article 1 of the Geneva Conventions, | All Geneva Conventions (I-IV) |
| -  | `The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances.’ (common §1). |
ensuring respect for International Humanitarian Law, including that embodied in the Geneva Conventions and their Additional Protocols, as applicable.

[Also The Hague Regulations, IMTN, IMTFE, ILC 1991, G IV, AP I, AP II, ICC Statute as cited under Principle 1 above.]

UNGA/ILC, Articles on Responsibility of States for Internationally Wrongful Acts (ARISWA) (56/83)

‘a duty of cooperation in bringing ‘to an end through lawful means any serious breach [of a peremptory norm of general international law].’ (§ §40.1, 41.1). ‘No State shall recognize as lawful a situation created by a serious breach... nor render aid or assistance in maintaining that situation.’ (§41.2). ‘A breach of such an obligation is serious if it involves a gross or systemic failure by the responsible State to fulfil the obligation.’ (§40.2).

UNGA/ILC, Articles on the Responsibility of International Organizations (ARIO) (A/66/10)

[Responsibility of an international organization in connection with the act of a State or another international organization.]

‘Aid or assistance in the commission of an internationally wrongful act

- An international organization which aids or assists a State or another international organization in the commission of an internationally wrongful act by the State or the latter organization is internationally responsible for doing so if: (a) the former organization does so with knowledge of the circumstances of the internationally wrongful act; and (b) the act would be internationally wrongful if committed by that organization.’ (§13);

‘Direction and control exercised over the commission of an internationally wrongful act

- An international organization which directs and controls a State or another international organization in the commission of an internationally wrongful act by the State or the latter organization is internationally responsible for that act if: (a) the former organization does so with knowledge of the circumstances of the internationally wrongful act; and (b) the act would be internationally wrongful if committed by that organization.’ (§14);

‘Coercion of a State or another international organization

- An international organization which coerces a State or another international organization to commit an act is internationally responsible for that act if: (a) the act would, but for the coercion, be an internationally wrongful act of the coerced State or international organization; and (b) the coercing international organization does so with knowledge of the circumstances of the act....’ (§15);

‘Decisions, authorizations and recommendations addressed to member States and international organizations

- An international organization incurs international responsibility if it circumvents one of its international obligations by adopting a decision binding member States or international organizations to commit an act that would be internationally wrongful if committed by the former organization.
- An international organization incurs international responsibility if:
v. States shall fully observe their human rights obligations under international law, in order to achieve the progressive realization of the right to adequate food in the context of national food security;

vi. States, parties involved in conflict, and other

| o It authorizes a member State or international organization to commit an act that would be internationally wrongful if committed by the former organization and would circumvent an international obligation of the former organization, or recommends that a member State or international organization commit such an act; and |
| o That State or international organization commits the act in question because of that authorization or recommendation. |

- 3. Paragraphs 1 and 2 apply whether or not the act in question is internationally wrongful for the member State or international organization to which the decision, authorization or recommendation is directed.‘ (§16);

`Compliance with peremptory norms`

- Nothing in this Chapter precludes the wrongfulness of any act of an international organization which is not in conformity with an obligation arising under a peremptory norm of general international law.‘ (§25).

International Court of Justice (ICJ), Legality of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion of 9 July 2004)

- `...all States are under an obligation not to recognize the illegal situation resulting from the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem. They are also under an obligation not to render aid or assistance in maintaining the situation created by such construction. It is also for all States, while respecting the United Nations Charter and international law, to see to it that any impediment, resulting from the construction of the wall, to the exercise by the Palestinian people of its right to self-determination is brought to an end. In addition, all the States parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 are under an obligation, while respecting the United Nations Charter and international law, to ensure compliance by Israel with international humanitarian law as embodied in that Convention.’ (¶146).

ICESCR

- States must respect, protect and fulfil economic, social and cultural rights ‘individually or through international assistance and cooperation.’ (§2(1));

Charter for Food Crisis Prevention and Management in the Sahel and West Africa (2011)

- `governments and IGOs undertake to look for sustainable solutions to the structural causes of food /nutritional insecurity, particularly through:....`
- Implementing policies and programmes aimed at promoting the consumption of local food products;...
- Prohibit the implementation of any agricultural and/or trade policy, or the making of any commitment that would hamper efforts pursued by the countries and the region towards food and nutrition crisis prevention;...’ (Section 5).
| stakeholders should consider how their policies and actions could impact food security and nutrition in other regions and countries affected by protracted crises and consider relevant appropriate actions | **CESCR, GC8:** The relationship between economic sanctions and respect for economic, social and cultural rights

- ‘...they often cause significant disruption in the distribution of food, pharmaceuticals and sanitation supplies, jeopardize the quality of food and the availability of clean drinking water, severely interfere with the functioning of basic health and education systems, and undermine the right to work. In addition, their unintended consequences can include reinforcement of the power of oppressive elites, the emergence, almost invariably, of a black market and the generation of huge windfall profits for the privileged elites which manage it, enhancement of the control of the governing elite over the population at large.’ (¶3);
- ‘Just as the international community insists that any targeted State must respect the civil and political rights of its citizens, so too must that State and the international community itself do everything possible to protect at least the core content of the economic, social and cultural rights of the affected peoples of that State...’ (¶7);
- ‘...two sets of obligations flow from these considerations. The first set relates to the affected State. The imposition of sanctions does not in any way nullify or diminish the relevant obligations of that State party....[to take] ‘steps “to the maximum of its available resources” to provide the greatest possible protection for the economic, social and cultural rights of each individual living within its jurisdiction...’ (¶10);
- ‘The second set of obligations relates to the party or parties responsible for the imposition, maintenance or implementation of the sanctions, whether it be the international community, an international or regional organization, or a State or group of States.’ (¶11);
- ‘First, these rights must be taken fully into account when designing an appropriate sanctions regime.’ (¶12);
- ‘Second, effective monitoring, which is always required under the terms of the Covenant, should be undertaken throughout the period that sanctions are in force....’ (¶13);
- ‘Third, the external entity has an obligation “to take steps, individually and through international assistance and cooperation, especially economic and technical” in order to respond to any disproportionate suffering experienced by vulnerable groups within the targeted country...’ (¶14).

**CESCR, GC15 the right to water**

- ‘International cooperation requires States parties to refrain from actions that interfere, directly or indirectly, with the enjoyment of the right to water in other countries. Any activities undertaken within the State party’s jurisdiction should not deprive another country of the ability to realize the right to water for persons in its jurisdiction.’ (¶31);
- ‘States parties should refrain at all times from imposing embargoes or similar measures, that prevent the supply of water, as well as goods and services essential for securing the right to water. Water should never be used as an instrument of political and economic pressure.’ (¶32);
- ‘Steps should be taken by States parties to prevent their own citizens and companies from violating the right to water of individuals and communities in other countries. Where States parties can take steps to influence other third parties to respect
the right, through legal or political means, such steps should be taken in accordance with the Charter of the United Nations and applicable international law.’ (¶33);
- ‘Violations of the obligation to protect follow from the failure of a State to take all necessary measures to safeguard persons within their jurisdiction from infringements of the right to water by third parties.’ (¶44(b)).

CESCR, GC24 on State obligations in the context of business activities
- ‘States parties’ obligations under the Covenant did not stop at their territorial borders. States parties were required to take the steps necessary to prevent human rights violations abroad by corporations domiciled in their territory and/or jurisdiction (whether they were incorporated under their laws, or had their statutory seat, central administration or principal place of business on the national territory), without infringing the sovereignty or diminishing the obligations of the host States under the Covenant.’ (¶26);
- ‘Extraterritorial obligations arise when a State party may influence situations located outside its territory, consistent with the limits imposed by international law, by controlling the activities of corporations domiciled in its territory and/or under its jurisdiction, and thus may contribute to the effective enjoyment of economic, social and cultural rights outside its national territory.’ (¶28). [These include the] ‘Extraterritorial obligation to respect’ (¶29), ‘to protect’ (30–35), ‘to fulfil’ (¶¶36–37) [and to provide] Remedies (¶¶38–57).

vii. States, with the support of the UN system and international assistance and cooperation where appropriate, should ensure the food security and nutrition for refugees in their territory in accordance with their obligations under relevant international legal instruments

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<th>CSR and 1967 Protocol</th>
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<tr>
<td>- <em>Enshrines States’ duties of</em> <code>protection or assistance to’ persons </code>owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.’ (§1.A(2)).</td>
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<tr>
<td>- ‘No Contracting State shall expel or return (‘refouler’) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.’ (§33.1);</td>
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<tr>
<td>- ‘States shall accord to refugees lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to their nationals.’ (§23).</td>
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African Convention Governing the Specific Aspects of Refugee Problems in Africa
- ‘Refugees who freely decide to return to their homeland, as a result of such assurances or on their own initiative, shall be given every possible assistance by the country of asylum, the country of origin, voluntary agencies and international and intergovernmental organisations, to facilitate their return.’ (§V.5).
African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)

- States parties undertake to respect and ensure respect for the present Convention. In particular, States parties shall: a. Refrain from, prohibit and prevent arbitrary displacement of populations;... c. Respect and ensure respect for the principles of humanity and human dignity of internally displaced persons; d. Respect and ensure respect and protection of the human rights of internally displaced persons, including humane treatment, non-discrimination, equality and equal protection of law; e. Respect and ensure respect for international humanitarian law regarding the protection of internally displaced persons; f. Respect and ensure respect for the humanitarian and civilian character of the protection of and assistance to internally displaced persons, including ensuring that such persons do not engage in subversive activities; g. Ensure individual responsibility for acts of arbitrary displacement, in accordance with applicable domestic and international criminal law; h. Ensure the accountability of non-State actors concerned, including multinational companies and private military or security companies, for acts of arbitrary displacement or complicity in such acts; i. Ensure the accountability of non-State actors involved in the exploration and exploitation of economic and natural resources leading to displacement; j. Ensure assistance to internally displaced persons by meeting their basic needs as well as allowing and facilitating rapid and unimpeded access by humanitarian organizations and personnel; k. Promote self-reliance and sustainable livelihoods amongst internally displaced persons, provided that such measures shall not be used as a basis for neglecting the protection of and assistance to internally displaced persons, without prejudice to other means of assistance;... (§3: General Obligations Relating to States parties, ¶1).

- States parties shall: a. Take necessary measures to ensure that internally displaced persons are received, without discrimination of any kind and live in satisfactory conditions of safety, dignity and security; b. Provide internally displaced persons to the fullest extent practicable and with the least possible delay, with adequate humanitarian assistance, which shall include food, water, shelter, medical care and other health services, sanitation, education, and any other necessary social services, and where appropriate, extend such assistance to local and host communities; c. Provide special protection for and assistance to internally displaced persons with special needs, including separated and unaccompanied children, female heads of households, expectant mothers, mothers with young children, the elderly, and persons with disabilities or with communicable diseases;... (§4: Obligations of States parties relating to Protection from Internal Displacement, ¶2);

- States parties shall endeavour to protect communities with special attachment to, and dependency, on land due to their particular culture and spiritual values from being displaced from such lands, except for compelling and overriding public interests;... (§4.2);

- Members of armed groups shall be prohibited from: a. Carrying out arbitrary displacement; b. Hampering the provision of protection and assistance to internally displaced persons under any circumstances; c. Denying internally displaced persons the right to live in satisfactory conditions of dignity, security, sanitation, food, water, health and shelter; and separating members of the same family; d. Restricting the freedom of movement of internally displaced persons within
and outside their areas of residence;...’ (§7: Protection and Assistance to Internally Displaced Persons in Situations of Armed Conflict, ¶5);  
- ‘States parties shall: a. Take necessary measures to ensure that internally displaced persons are received, without discrimination of any kind and live in satisfactory conditions of safety, dignity and security; b. Provide internally displaced persons to the fullest extent practicable and with the least possible delay, with adequate humanitarian assistance, which shall include food, water, shelter, medical care and other health services, sanitation, education, and any other necessary social services, and where appropriate, extend such assistance to local and host communities; c. Provide special protection for and assistance to internally displaced persons with special needs, including separated and unaccompanied children, female heads of households, expectant mothers, mothers with young children, the elderly, and persons with disabilities or with communicable diseases; d. Take special measures to protect and provide for the reproductive and sexual health of internally displaced women as well as appropriate psycho-social support for victims of sexual and other related abuses; e. Respect and ensure the right to seek safety in another part of the State and to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk; f. Guarantee the freedom of movement and choice of residence of internally displaced persons, except where restrictions on such movement and residence are necessary, justified and proportionate to the requirements of ensuring security for internally displaced persons or maintaining public security, public order and public health;...’ (§9: Obligations of States parties Relating to Protection and Assistance during Internal Displacement, ¶2).

UNGA, New York Declaration for Refugees and Migrants, (A/RES/71/1): States commit to:  
- ‘ensuring the availability, accessibility, and adequacy of food internally displaced persons, refugees, and any victims of war crimes’ (¶80).

<table>
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<tr>
<th>Norms supporting selected sub-principles from FFA Principle 5: Empower women and their organisations, promote equal rights and participation for women and men, girls and boys, and address gender inequalities, by:</th>
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<tr>
<td>iii. Ensuring, and removing obstacles to, equal access for women to productive resources, assets, services, and income generating opportunities;</td>
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<td><strong>CEDaW: States parties are obliged to:</strong></td>
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<td>- ‘take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families’ (§14.1);</td>
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<td>- ‘shall take all appropriate measures to eliminate discrimination against women in rural areas’(§14.2), and ensure the right of rural women to participate in the elaboration and implementation of development planning, obtain training and education, benefit from extension services to increase their technical proficiency, to organize cooperatives, to access agricultural credits and loans and marketing facilities, and to have equal treatment in land and agrarian reform and land resettlement schemes (§ 14.2(a)–(g) among others).</td>
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<tr>
<td>CEDaW, GR34</td>
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- ‘ensure that macroeconomic policies, including trade, fiscal and investment policies, as well bilateral and multilateral agreements, are responsive to the needs of rural women and strengthen the productive and investing capacities of small-scale women producers. They should address the negative and differential impacts of economic policies, including agricultural and general trade liberalization, privatization and the commodification of land, water and natural resources, on the lives of rural women and the fulfilment of their rights. Similarly, development partners should also ensure that their development assistance policies focus on the specific needs of rural women.’ (¶12).
- ‘address specific threats posed to rural women by climate change, natural disasters, land and soil degradation, water pollution, droughts, floods, desertification, pesticides and agrochemicals, extractive industries, monocultures, biopiracy and the loss of biodiversity, in particular agro-biodiversity. They should alleviate and mitigate those threats and ensure that rural women enjoy a safe, clean and healthy environment. They should effectively address the impact of such risks on rural women in the planning and implementation of all policies concerning the environment, climate change, disaster risk reduction, preparedness and management and ensure the full participation of rural women in designing, planning and implementing such policies. States parties should also ensure the protection and security of rural women and girls in all phases of disasters and other crises, ranging from early warning to relief, recovery, rehabilitation and reconstruction.’ (¶13).
- ‘regulate the activities of domestic non-State actors within their jurisdiction, including when they operate extraterritorially. General recommendation No. 28 (2010) on the core obligations of States parties under article 2 reaffirms the requirement under article 2 (e) to eliminate discrimination by any public or private actor, which extends to acts of national corporations operating extraterritorially. States parties should uphold extraterritorial obligations with respect to rural women by, inter alia: not interfering, directly or indirectly, with the enjoyment of their rights; taking regulatory measures to prevent any actor under their jurisdiction, including private individuals, companies and public entities, from infringing or abusing the rights of rural women outside their territory; and ensuring that international cooperation and development assistance, whether bilateral or multilateral, advance the rights of rural women outside their territory. Appropriate and effective remedies should be available to affected rural women when a State party has violated its extraterritorial obligations.’ (¶14).

UNGA, 2030 Agenda (A/RES/70/1)
- ‘Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws...’ (SDG5, ⚫ 5a).

v. Promoting women and men’s equal participation and leadership in local institutions and decision-making processes, including ICESCR and International Covenant on Civil and Political Rights (ICCPR)
- ‘Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as...sex...’ (§2.1);

ICCPR
| agricultural cooperatives and farmers organisations; | - `Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; (c) To have access, on general terms of equality, to public service in his country.' (§25); |
| CEDaW | - `States parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies; (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government; (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.' (§7); |
| | - `States parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.' (§8); |
| | - `States parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right: (a) To participate in the elaboration and implementation of development planning at all levels;...` (§14.2(a); `To participate in all community activities;...` (§14.2(f); |
| UNSC, S/RES/1325 on Women, Peace and Security | - `Reaffirming the important role of women in the prevention and resolution of conflicts and in peace-building, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution,... |
| | - Recognizing that an understanding of the impact of armed conflict on women and girls, effective institutional arrangements to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security...` [and], |
| | - `Noting the need to consolidate data on the impact of armed conflict on women and girls,...`(preamble). |
| | - `Urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict'; (¶1); |
- *Encourages* the Secretary-General to implement his strategic plan of action (A/49/587) calling for an increase in the participation of women at decision making levels in conflict resolution and peace processes…’ (¶2).

CEDaW, GR30 on women in conflict prevention, conflict and post-conflict situations
- ‘Ensure women’s equal participation in national, regional and international organizations, as well as in informal, local or community-based processes charged with preventive diplomacy’ (¶33(b)).

CEDaW, GR34 on the rights of rural women: *States parties should:*
- address specific threats posed to rural women by climate change, natural disasters, land and soil degradation, water pollution, droughts, floods, desertification, pesticides and agrochemicals, extractive industries, monocultures, biopiracy and the loss of biodiversity, in particular agro-biodiversity. alleviate and mitigate those threats and ensure that rural women enjoy a safe, clean and healthy environment. effectively address the impact of such risks on rural women in the planning and implementation of all policies concerning the environment, climate change, disaster risk reduction, preparedness and management and ensure the full participation of rural women in designing, planning and implementing such policies. also ensure the protection and security of rural women and girls in all phases of disasters and other crises, ranging from early warning to relief, recovery, rehabilitation and reconstruction…’ (¶12);
- ‘…ensure…The protection of the rights of rural women, specifically when planning rural development programmes linked to disarmament, demobilization and reintegration efforts in conflict and post-conflict environments…’ (¶36(c));
- ‘in conflict or post-conflict situations…ensure rural women’s participation as decision makers in peace-building efforts and processes’ (¶54(f)).

CEDaW, GR37 on older women and protection of their human rights
- ‘States parties should ensure that all policies, legislation, plans, programmes, budgets and other activities related to disaster risk reduction and climate change are gender responsive and grounded in human-rights based principles…’ (¶26).

CESCR, GC16
- ‘States parties should take steps…as part of their obligation to fulfil, to ensure that in practice, men and women enjoy their economic, social and cultural rights on a basis of equality (¶21).

CFS, policy recommendation on gender, food security and nutrition
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<th><strong>FAO, RtFG</strong></th>
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<td>- ‘consult with civil society organizations and other key stakeholders at national and regional levels, including small-scale and traditional farmers, the private sector, women and youth associations, with the aim of promoting their active participation in all aspects of agricultural and food production strategies.’ (Principle 3.8) ‘These strategies should be transparent, inclusive and comprehensive, cut across national policies, programmes and projects, take into account the special needs of girls and women, combine short-term and long-term objectives, and be prepared and implemented in a participatory and accountable manner.’ (Principle 3.9).</td>
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<tr>
<th><strong>CEDaW, GR35, updating GC19: on gender-based violence against women</strong></th>
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<td>- ‘States should ‘take...measures in the areas of prevention, protection, prosecution and punishment, redress, data collection and monitoring and international cooperation, in order to accelerate elimination of gender-based violence against women....with an approach centred around the victim/survivor, acknowledging women as right holders and promoting their agency and autonomy, including the evolving capacity of girls, from childhood to adolescence....designed and implemented with the participation of women, taking into account the particular situation of women affected by intersecting forms of discrimination’ (¶28).</td>
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| **SDG 5: ‘Achieve gender equality and empower all women and girls,**

- **5.1 End all forms of discrimination against all women and girls everywhere**
- **5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate**
- **5.5 Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision making in political, economic and public life**
- **5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws**
- **5.b Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women**
- **5.c Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels...’** |

- **FAO, RtFG**
- ‘ensure that relevant institutions provide for full and transparent participation of the private sector and of civil society, in particular representatives of the groups most affected by food insecurity.’ (Principle 5.6).
- ‘promote women’s full and equal participation in the economy and, for this purpose, introduce, where it does not exist, and implement gender-sensitive legislation providing women with the right to inherit and possess land and other property….’ (Principle 8.6);
- ‘the participation of local and indigenous communities and farmers in making national decisions on matters related to the conservation and sustainable use of genetic resources for food and agriculture…’ (Principle 8.12);
- ‘cooperate with all stakeholders, including regional and international consumer organizations, in addressing food safety issues, and consider their participation in national and international fora where policies with impact on food production, processing, distribution, storage and marketing are discussed… (Principle 9.9);
- ‘provide information to individuals to strengthen their ability to participate in food-related policy decisions that may affect them, and to challenge decisions that threaten their rights…. (Principle 11.5);
- ‘Food assistance should be provided with the fullest possible participation of those affected, and such food should be nutritionally adequate and safe, bearing in mind local circumstances, dietary traditions and cultures…’ (Principle 14.5).

Commission on the Status of Women (CSW 58), Agreed Conclusions (2014)
- ‘...states must ensure the participation in law and policy making of affected or potentially affected rights holders, including women and girls (rural and urban)’ 42(tt).

CFS, VGCT
- ‘Consultation and participation: engaging with and seeking the support of those who, having legitimate tenure rights, could be affected by decisions, prior to decisions being taken, and responding to their contributions; taking into consideration existing power imbalances between different parties and ensuring active, free, effective, meaningful and informed participation of individuals and groups in associated decision-making processes....’ (Principle 2.6);
- ‘welcome and facilitate the participation of users of land, fisheries and forests in order to be fully involved in a participatory process of tenure governance, inter alia, formulation and implementation of policy and law and decisions on territorial development, as appropriate to the roles of State and non-state actors, and in line with national law and legislation....’ (Principle 4.10);
- ‘develop relevant policies, laws and procedures through participatory processes involving all affected parties, ensuring that both men and women are included from the outset. Policies, laws and procedures should take into account the capacity to implement. They should incorporate gender-sensitive approaches, be clearly expressed in applicable languages, and widely publicized....’ (Principle 5.5);
\- `ensure coordination between implementing agencies, as well as with local governments, and indigenous peoples and other communities with customary tenure systems...’ (Principle 5.6).
\- `take into account the tenure rights of others and anyone who could be affected should be included in the consultation, participation and decision-making processes. Such policies should ensure that the allocation of tenure rights does not threaten the livelihoods of people by depriving them of their legitimate access to these resources.’ (Principle 8.7);
\- `States should allocate tenure rights and delegate tenure governance in transparent, participatory ways, using simple procedures that are clear, accessible and understandable to all, especially to indigenous peoples and other communities with customary tenure systems. Information in applicable languages should be provided to all potential participants, including through gender-sensitive messages...’ (Principle 8.9);
\- `promote and provide equitable, secure and sustainable rights to those resources, with special attention to the provision of equitable access for women. Effective participation of all members, men, women and youth, in decisions regarding their tenure systems should be promoted through their local or traditional institutions, including in the case of collective tenure systems. Where necessary, communities should be assisted to increase the capacity of their members to participate fully in decision making and governance of their tenure systems.... (Principle 9.2);
\- `strive, where necessary, together with representative institutions of affected communities and in cooperation with affected communities, to provide technical and legal assistance to affected communities to participate in the development of tenure policies, laws and projects in non-discriminatory and gender-sensitive ways....’ (Principle 9.10);


4. Principle 4: The right to equality between men and women:
\- 4.1 States shall ensure the equal right of men and women, and the equal right of boys and girls, to housing, land and property restitution. States shall ensure the equal right of men and women, and the equal right of boys and girls, inter alia, to voluntary return in safety and dignity, legal security of tenure, property ownership, equal access to inheritance, as well as the use, control of and access to housing, land and property.
\- 4.2 States should ensure that housing, land and property restitution programmes, policies and practices recognize the joint ownership rights of both male and female heads of the household as an explicit component of the restitution process, and that restitution programmes, policies and practices reflect a gender-sensitive approach.
\- 4.3 States shall ensure that housing, land and property restitution programmes, policies and practices do not disadvantage women and girls. States should adopt positive measures to ensure gender equality in this regard.'
### Norms supporting selected sub-principles from FFA Principle 6: Improve the targeting and design of context-specific policies and actions and enhance decision-making:

| iv. Early warning systems and food and agriculture information systems, which detect and monitor threats to livelihoods as well as lives, should be integrated components of broader comprehensive analysis systems | CEDaW, GR30 on women in conflict prevention, conflict and post-conflict situations.  
- ‘States should...effectively address the impact of such risks on rural women in the planning and implementation of all policies concerning the environment, climate change, disaster risk reduction, preparedness and management and ensure the full participation of rural women in designing, planning and implementing such policies. States parties should also ensure the protection and security of rural women and girls in all phases of disasters and other crises, ranging from early warning to relief, recovery, rehabilitation and reconstruction’ (¶12);  
- ‘Establish early warning systems and adopt gender-specific security measures to prevent the escalation of gender-based violence and other violations of women’s rights...’ (¶33(b));  
- ‘Include gender-related indicators and benchmarks in the results management framework of such early warning systems...’ (¶33(d));  
- ‘Address the gendered impact of international transfers of arms, especially small and illicit arms, including through the ratification and implementation of the Arms Trade Treaty’ (¶33(e)).  
  
UNGA, 2030 Agenda (A/RES/70/1)  
- ‘Strengthen the capacity of all countries, in particular developing countries, for early warning, risk reduction and management of national and global health risks’ (SDG3: Ensure healthy lives and promote well-being for all at all ages...’ (¶3.d);  
- ‘Improve education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning SDG Goal 13: Take urgent action to combat climate change and its impacts, SDG13, ¶13.3);  
  
UNGA and United Nations Economic and Social Council (ECOSOC), Implementation of General Assembly resolution 67/226 on the quadrennial comprehensive policy review of operational activities for development of the United Nations system (A/71/63–E/2016/8)  
- ‘Violations of human rights are often our best early warning signs of trouble. Prevention...needs to be an integral part of the activities of the United Nations development system...’ (¶9);  
- ‘Operationalizing the new [United Nations development system] will require...the right skill sets and tools to anticipate risks...’ (¶79).  
  
FAO, RTFG  
- ‘States should put in place adequate and functioning mechanisms of early warning to prevent or mitigate the effects of natural or human-made disasters. Early warning systems should be based on international standards and cooperation, on
reliable, disaggregated data and should be constantly monitored. States should take appropriate emergency preparedness measures, such as keeping food stocks for the acquisition of food and take steps to put in place adequate systems for distribution.’ (Guideline 16.7).

International Disaster Response Law (IDRL) Guidelines [not deliberated by States]
- ‘all States should have procedures in place to facilitate the expeditious sharing of information about disasters, including emerging hazards that are likely to cause disasters, with other States and assisting humanitarian organizations as appropriate, including the United Nations’ Emergency Relief Coordinator.’ (Part II, §7.1);
- ‘States should adopt comprehensive legal, policy, and institutional frameworks and planning for disaster prevention, mitigation, preparedness, relief and recovery which take full account of the auxiliary role of their National Red Cross or Red Crescent Society, are inclusive of domestic civil society, and empower communities to enhance their own safety and resilience. States, with the support, as appropriate, of relevant regional and international organizations, should devote adequate resources to ensure the effectiveness of these frameworks...’ (Part II, §8.1).

- ‘promote scientific research on disaster risk patterns, causes and effects; disseminate risk information with the best use of geospatial information technology; provide guidance on methodologies and standards for risk assessments, disaster risk modelling and the use of data; identify research and technology gaps and set recommendations for research priority areas in disaster risk reduction; promote and support the availability and application of science and technology to decision making; contribute to the update of the publication entitled “2009 UNISDR Terminology on Disaster Risk Reduction”; use post-disaster reviews as opportunities to enhance learning and public policy; and disseminate studies...’ (¶25(g));
- [by] ‘generating evidence-based and practical guidance for implementation in close collaboration with States and through the mobilization of experts; reinforcing a culture of prevention among relevant stakeholders through supporting development of standards by experts and technical organizations, advocacy initiatives and dissemination of disaster risk information, policies and practices, as well as by providing education and training on disaster risk reduction through affiliated organizations; supporting countries, including through national platforms or their equivalent, in their development of national plans and monitoring trends and patterns in disaster risk, loss and impacts; convening the Global Platform for Disaster Risk Reduction and supporting the organization of regional platforms for disaster risk reduction in cooperation with regional organizations; leading the revision of the United Nations Plan of Action on Disaster Risk Reduction for Resilience; facilitating the enhancement of, and continuing to service, the United Nations Office for Disaster Risk Reduction Scientific and Technical Advisory Group in mobilizing science and technical work on disaster risk reduction; leading, in close coordination with States, the update of the publication entitled “2009 UNISDR Terminology on Disaster Risk Reduction”, in line with the terminology agreed upon by States; and maintaining the stakeholders’ commitment registry; (§48(c).
Charter for Food Crisis Prevention and Management in the Sahel and West Africa (2011)
- ‘...governments and IGOs undertake to look for sustainable solutions to the structural causes of food/nutritional insecurity, particularly through:
- Ensuring that each country has a policy and an operational strategy for food and nutrition security along with implementation programmes drawn up on a participative basis and validated by all stakeholders;
- Implementing overarching development and investment policies that encourage local food production (national and regional), including policies on agricultural training, farmer support, strengthening national and regional food markets and increasing the incomes of vulnerable population groups;
- Promoting more productive agriculture through provision of significant support to pastoral farmers and fishermen in...access to land and credit, agricultural inputs, water control, market organisation;
- Ensuring that biofuel development policies are coherent with food and nutrition security objectives;
- Implementing policies and programmes aimed at promoting the consumption of local food products;
- Fostering food and nutrition research and training and strengthening food safety through measures such as legislation and regulation;
- Funding effectively from their own financial resources the implementation of priority food and nutrition security policies and programmes;
- Prohibit the implementation of any agricultural and/or trade policy, or the making of any commitment that would hamper efforts pursued by the countries and the region towards food and nutrition crisis prevention;
- Ensure the right to food in accordance with national priorities, particularly through new laws and action plans as well as financing. (Section 5).

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<th>Norms supporting selected sub-principles from FFA Principle 7: Improve inclusiveness and ownership, particularly country ownership, of food security and nutrition policies and actions, by:</th>
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<td>i) Engaging, where possible, members of affected and at-risk populations in decision making;</td>
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<td>iv) Coordinating and aligning support amongst stakeholders, who participate as cooperation</td>
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<td><strong>Respect, protect and fulfil the right to self-determination:</strong></td>
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<td><strong>Charter of the United Nations</strong></td>
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<td>- ‘...develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples’ (§1.2);</td>
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<td>- ‘...respect for the principle of equal rights and self-determination of peoples’ (§55);</td>
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<td>- ‘Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost,</td>
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partners, with national policies and actions for food security and nutrition, as developed through country owned multi-stakeholder and multi-sectoral platforms and processes;

vi) Strengthen, as appropriate, country-owned, multi-stakeholder and multi-sectoral platforms and processes to address food insecurity and malnutrition in protracted crises;

viii) Civil society organisations and private sector entities should be invited to participate in multi-stakeholder processes through their own autonomous and self-organised national mechanisms, as appropriate. National and local governments should promote and support the participation of organisations and networks of affected people and communities.

within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:
- to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;
- to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement’ (§73).

ICESCR
- ‘All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence’ (§1.2).

International Labour Organisation (ILO), Rural Workers' Organisations Convention, 1975 (No. 141)
- ‘All categories of rural workers, whether they are wage earners or self-employed, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations, of their own choosing without previous authorisation.’ (§3.1);
- ‘The principles of freedom of association shall be fully respected; rural workers' organisations shall be independent and voluntary in character and shall remain free from all interference, coercion or repression.’ (§3.2);
- ‘The acquisition of legal personality by organisations of rural workers shall not be made subject to conditions of such a character as to restrict the application of the provisions of the preceding paragraphs of this Article.’ (§3.3);
- ‘In exercising the rights provided for in this Article rural workers and their respective organisations, like other persons or organised collectivities, shall respect the law of the land.
- The law of the land shall not be such as to impair, nor shall it be so applied as to impair, the guarantees provided for in this Article.’ (§3.1);
- ‘It shall be an objective of national policy concerning rural development to facilitate the establishment and growth, on a voluntary basis, of strong and independent organisations of rural workers as an effective means of ensuring the participation of rural workers, without discrimination as defined in the Discrimination (Employment and Occupation) Convention, 1958, in economic and social development and in the benefits resulting therefrom.’ (§4);
- ‘In order to enable organisations of rural workers to play their role in economic and social development, each Member which ratifies this Convention shall adopt and carry out a policy of active encouragement to these organisations, particularly with a view to eliminating obstacles to their establishment, their growth and the pursuit of their lawful
activities, as well as such legislative and administrative discrimination against rural workers' organisations and their members as may exist.' (§5.1);
- 'Each Member which ratifies this Convention shall ensure that national laws or regulations do not, given the special circumstances of the rural sector, inhibit the establishment and growth of rural workers' organisations.' (§5.2);
- 'Steps shall be taken to promote the widest possible understanding of the need to further the development of rural workers' organisations and of the contribution they can make to improving employment opportunities and general conditions of work and life in rural areas as well as to increasing the national income and achieving a better distribution thereof.' (§6).

**ICJ rulings on the obligation to respect, protect and fulfil the right of self-determination as an obligation erga omnes:**

- 'In view of the importance of the rights [to self-determination] involved, all States can be held to have a legal interest in their protection.' (p. 32, ¶33);
- 'Every State has the duty to promote, through joint and separate action, realization of the principle of equal rights and self-determination of peoples, in accordance with the provisions of the Charter, and to render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of the principle...' (Ibid., p. 199, ¶156).

- '...the termination of the Mandate and the declaration of the illegality of South Africa's presence in Namibia are opposable to all States in the sense of barring erga omnes the legality of a situation which is maintained in violation of international law: in particular, no State which enters into relations with South Africa concerning Namibia may expect the United Nations or its Members to recognize the validity or effects of such relationship, or of the consequences thereof.' (¶126).

**ICJ, Western Sahara, Advisory Opinion, General List No. 61 (ICJ Reports of 1975)**
- '...the decolonization process to be accelerated which is envisaged by the General Assembly in this provision is one which will respect the right of the population of Western Sahara to determine their future political status by their own freely expressed will. This right is not affected by the present request for an advisory opinion, nor by resolution 3292 (XXIX); on the contrary, it is expressly reaffirmed in that resolution. The right of that population to self-determination constitutes therefore a basic assumption of the questions put to the Court.' (p. 36, ¶70).

- `...the right of peoples to self-determination, as it evolved from the Charter and from United Nations practice, has an *erga omnes* character, is irreproachable...’ *(Ibid., p. 102, ¶29)*;
- `Related rights in this case included the right to territorial integrity and unity and permanent sovereignty over natural wealth and resources, as corollaries of the right to self-determination of peoples.’ p. 192, ¶1).


- `Palestinian people and its “legitimate rights”. The Court considers that those rights include the right to self-determination, as the General Assembly has moreover recognized on a number of occasions.’ (p. 184, ¶22);
- `[T]he obligations violated by Israel include certain obligations *erga omnes*. As the Court indicated in the Barcelona Traction case, such obligations are by their very nature “the concern of all States” and, “In view of the importance of the rights involved, all States can be held to have a legal interest in their protection.” ...The obligations *erga omnes* violated by Israel are the obligation to respect the right of the Palestinian people to self-determination, and certain of its obligations under international humanitarian law’ *(Ibid., p. 199, ¶55)*.

UNSC, Letter dated 29 January 2002 from the Under-Secretary-General for Legal Affairs, the Legal Counsel, addressed to the President of the Security Council (S/2002/161)

- `The principle of “permanent sovereignty over natural resources” as the right of peoples and nations to use and dispose of the natural resources in their territories in the interest of their national development and well-being was established by the General Assembly...While the legal nature of the core principle of “permanent sovereignty over natural resources,” as a corollary to the principle of territorial sovereignty or the right of self-determination, is indisputably part of customary international law...’ (¶14);
- `...if further exploration and exploitation activities were to proceed in disregard of the interests and wishes of the people of Western Sahara, they would be in violation of the principles of international law applicable to mineral resource activities in Non-Self-Governing Territories ‘(¶25).

UNGA, Declaration on the Granting of Independence to Colonial Countries and Peoples (1514 (XV))

- `The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and cooperation.’ (§1);
- `All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.' (§2);
- `Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.' (§3);
- `All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected....' (§4).

UNGA, Permanent sovereignty over natural resources (1803 (XVII))

- `The right of peoples and nations to permanent sovereignty over their natural wealth and resources must be exercised in the interest of their national development and of the well-being of the people of the State concerned.' (§1);
- `International co-operation for the economic development of developing countries, whether in the form of public or private capital investments, exchange of goods and services, technical assistance, or exchange of scientific information, shall be such as to further their independent national development and shall be based upon respect for their sovereignty over their natural wealth and resources.' (§6).

UNGA, The Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations (2625 (XXV))

- `Every State has the duty to refrain from any forcible action which deprives peoples...of equal rights and self-determination of their right to self-determination and freedom and independence.... By virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and every State has the duty to respect this right in accordance with the provisions of the Charter.
- Every State has the duty to promote, through joint and separate action, realization of the principle of equal rights and self-determination of peoples, in accordance with the provisions of the Charter, and to render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of the principle, in order:
  (a) To promote friendly relations and co-operation among States; and
  (b) To bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned; and bearing in mind that subjection of peoples to alien subjugation, domination and exploitation constitutes a violation of the principle, as well as a denial of fundamental human rights, and is contrary to the Charter.'

UNGA, Declaration on the Establishment of a New International Economic Order (A/RES/3201 (S-VI))
The new international economic order should be founded on full respect for the following principles:

- Sovereign equality of States, self-determination of all peoples, inadmissibility of the acquisition of territories by force, territorial integrity and non-interference in the internal affairs of other States;
- (b) The broadest co-operation of all the States members of the international community, based on equity, whereby the prevailing disparities in the world may be banished and prosperity secured for all;...
- (c) Full and effective participation on the basis of equality of all countries in the solving of world economic problems in the common interest of all countries, bearing in mind the necessity to ensure the accelerated development of all the developing countries, ...as well as those developing countries most seriously affected by economic crises and natural calamities...;...
- (e) Full permanent sovereignty of every State over its natural resources and all economic activities. In order to safeguard these resources, each State is entitled to exercise effective control over them and their exploitation with means suitable to its own situation, including the right to nationalization or transfer of ownership to its nationals, this right being an expression of the full permanent sovereignty of the State. No State may be subjected to economic, political or any other type of coercion to prevent the free and full exercise of this inalienable right;
- (f) The right of all States, territories and peoples under foreign occupation, alien and colonial domination or apartheid to restitution and full compensation for the exploitation and depletion of, and damages to, the natural resources and all other resources of those States, territories and peoples;
- (g) Regulation and supervision of the activities of transnational corporations by taking measures in the interest of the national economies of the countries where such transnational corporations operate on the basis of the full sovereignty of those countries;
- (h) The right of the developing countries and the peoples of territories under colonial and racial domination and foreign occupation to achieve their liberation and to regain effective control over their natural resources and economic activities;
- (i) The extending of assistance to developing countries, peoples and territories which are under colonial and alien domination, foreign occupation, racial discrimination or apartheid or are subjected to economic, political or any other type of coercive measures to obtain from them the subordination of the exercise of their sovereign rights and to secure from them advantages of any kind, and to neo-colonialism in all its forms, and which have established or are endeavouring to establish effective control over their natural resources and economic activities that have been or are still under foreign control;...
- (q) The need for all States to put an end to the waste of natural resources, including food products;...’ (§4).

UNGA, Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (A/47/136)

- ‘States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.’ (§1.1);
- ‘States shall adopt appropriate legislative and other measures to achieve those ends. 1. Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely
and without interference or any form of discrimination. 2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life. 3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation. 4. Persons belonging to minorities have the right to establish and maintain their own associations. 5. Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.’ (§2);
- `Persons belonging to minorities may exercise their rights...individually as well as in community with other members of their group, without any discrimination. 2. No disadvantage shall result for any person belonging to a minority as the consequence of the exercise or nonexercised of the rights set forth in the present Declaration.’ (§3);
- `States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.’ (§4).

UNGA, UNDRIP (A/RES/61/295)
- `Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.’ (§3);
- `Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.’ (§4);
- `States shall provide effective mechanisms for prevention of, and redress for: Any action which has the aim or effect of dispossessing them of their lands, territories or resources...’ (§8(b));
- `Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.’ (§26.1);
- `Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.’ (§26.2);
- `States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.’ (§26.3).
- `States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples’ laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.’ (§27);
| - `Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.' (§28.1); |
| - `Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.' (§28.2); |
| - `Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.' (§29.1). |

**UNGA, Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (A/47/136)**

`States shall take all measures where required to ensure that persons belonging to minorities may exercise fully their human rights and fundamental freedoms without any discrimination and in full equality before the law.' (§4);

**Commission on Security and Cooperation in Europe (CSCE), Final Act of the Conference of 1975 (Helsinki Accords)**

**Equal rights and self-determination of peoples:**

- `The participating States will respect the equal rights of peoples and their right to self-determination, acting at all times in conformity with the purposes and principles of the Charter of the United Nations and with the relevant norms of international law, including those relating to territorial integrity of States.`
- `By virtue of the principle of equal rights and self-determination of peoples, all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development.`
- `The participating States reaffirm the universal significance of respect for and effective exercise of equal rights and self-determination of peoples for the development of friendly relations among themselves as among all States; they also recall the importance of the elimination of any form of violation of this principle.' (¶ VIII).

**CFS, VGGT**

- `States and other parties should regularly review and monitor policy, legal and organizational frameworks to maintain their effectiveness. Implementing agencies and judicial authorities should engage with civil society, user representatives and the broader public to improve services and endeavour to prevent corruption through transparent processes and decision-making. Information about changes and their anticipated impacts should be clearly stated and widely publicized in applicable languages' (Guideline 5.8);
- ‘States should develop and publicize policies covering the allocation of tenure rights to others and, where appropriate, the delegation of responsibilities for tenure governance. Policies for allocation of tenure rights should be consistent with broader social, economic and environmental objectives. Local communities that have traditionally used the land, fisheries and forests should receive due consideration in the reallocation of tenure rights. Policies should take into account the tenure rights of others and anyone who could be affected should be included in the consultation, participation and decision-making processes. Such policies should ensure that the allocation of tenure rights does not threaten the livelihoods of people by depriving them of their legitimate access to these resources.’ (Guideline 8.7).

Norms supporting selected sub-principles from FFA Principle 8: **Promote effective and adequate financing to address the challenges of food security and nutrition in protracted crises, by:**

| i) Supporting flexible, predictable and multi-year financing mechanisms for crisis-risk management and reduction activities that facilitate timely and more cost-effective responses; | UNGA, Addis Ababa Agenda for Action (AAAA) on Financing for Development(A/RES/69/313) |
| ii) Encouraging the development and use of innovative financing mechanisms, including those that release funds according to changes in early warning indicators or triggers; | - ‘Shocks from financial and economic crises, conflict, natural disasters and disease outbreaks spread rapidly in our highly interconnected world. Environmental degradation, climate change, and other environmental risks threaten to undermine past successes and future prospects. We need to ensure that our development efforts enhance resilience in the face of these threats. (¶4); |
| iii) Building strategic financing partnerships and synergies among different actors to underpin a holistic response, and avoid duplication and gaps; | - ‘...national and regional development banks also play a valuable countercyclical role, especially during financial crises when private sector entities become highly risk-averse. We call on national and regional development banks to expand their contributions in these areas, and further urge relevant international public and private actors to support such banks in developing countries. (¶33); |
| iv) Pursuing financing policies and procedures that are | - ‘Development finance can contribute to reducing social, environmental and economic vulnerabilities and enable countries to prevent or combat situations of chronic crises related to conflicts or natural disasters. We recognize the need for the coherence of developmental and humanitarian finance to ensure more timely, comprehensive, appropriate and cost-effective approaches to the management and mitigation of natural disasters and complex emergencies. We commit to promoting innovative financing mechanisms to allow countries to better prevent and manage risks and develop mitigation plans. We will invest in efforts to strengthen the capacity of national and local actors to manage and finance disaster risk reduction, and to enable countries to draw efficiently and effectively on international assistance when needed....’ (¶66) ‘to support efforts by least developed countries, landlocked developing countries and small island developing States to build their national capacity to respond to various kinds of shocks, including financial crisis, natural disasters and public health emergencies, including through funds and other tools....’ (¶68); |
| | - ‘...many countries remain vulnerable to debt crises and some are in the midst of crises, including a number of least developed countries, small island developing States and some developed countries...’ (¶93); |
| | - ‘We recognize the need to assist developing countries in attaining long-term debt sustainability through coordinated policies aimed at fostering debt financing, debt relief, debt restructuring and sound debt management, as appropriate. We will continue to support the remaining HIPC-eligible countries that are working to complete the HIPC process. On a case-by-case basis, we could explore initiatives to support non-HIPC countries with sound economic policies to enable them to address the...’ (¶93); |
flexible enough to respond rapidly to changing needs;
v) Adopting appropriate risk management mechanisms including risk financing tools to help leverage greater levels of financing;
vii) Facilitating the unimpeded flow of remittances, in accordance with national and international law, and fostering financial inclusion including through improved financial services and cash transfer systems, which can build resilience;

| issue of debt sustainability. We will support the maintenance of debt sustainability in those countries that have received debt relief and achieved sustainable debt levels.’ (¶94);...
| - ‘We affirm the importance of debt restructurings being timely, orderly, effective, fair and negotiated in good faith. We believe that a workout from a sovereign debt crisis should aim to restore public debt sustainability, while preserving access to financing resources under favourable conditions. We further acknowledge that successful debt restructurings enhance the ability of countries to achieve sustainable development and the sustainable development goals. We continue to be concerned with non-cooperative creditors who have demonstrated their ability to disrupt timely completion of the debt restructurings....’ (¶98);
| - ‘We note the increased issuance of sovereign bonds in domestic currency under national laws and the possibility of countries voluntarily strengthening domestic legislation to reflect guiding principles for effective, timely, orderly and fair resolution of sovereign debt crises.’ (¶101);
| - ‘We recognize that severe natural disasters and social or economic shocks can undermine a country’s debt sustainability, and note that public creditors have taken steps to ease debt repayment obligations through debt rescheduling and debt cancellation following an earthquake, a tsunami and in the context of the Ebola crisis in West Africa. We encourage consideration of further debt relief steps, where appropriate, and/or other measures for countries affected in this regard, as feasible. We also encourage the study of new financial instruments for developing countries, particularly least developed countries, landlocked developing countries and small island developing States experiencing debt distress, noting experiences of debt-to-health and debt-to-nature swaps.’ (¶102);...
| - ‘Regulatory gaps and misaligned incentives continue to pose risks to financial stability, including risks of spillover effects of financial crises to developing countries, which suggests a need to pursue further reforms of the international financial and monetary system. We will continue to strengthen international coordination and policy coherence to enhance global financial and macroeconomic stability. We will work to prevent and reduce the risk and impact of financial crises, acknowledging that national policy decisions can have systemic and far-ranging effects well beyond national borders, including on developing countries. We commit to pursuing sound macroeconomic policies that contribute to global stability, equitable and sustainable growth and sustainable development, while strengthening our financial systems and economic institutions. When dealing with risks from large and volatile capital flows, necessary macroeconomic policy adjustment could be supported by macroprudential and, as appropriate, capital flow management measures.’ (¶105)

FAO, RtFG

| - ‘States should put in place adequate and functioning mechanisms of early warning to prevent or mitigate the effects of natural or human-made disasters. Early warning systems should be based on international standards and cooperation, on reliable, disaggregated data and should be constantly monitored. States should take appropriate emergency preparedness measures, such as keeping food stocks for the acquisition of food, and take steps to put in place adequate systems for distribution.’ (Guideline 16.7).
### Norms supporting selected sub-principles from FFA Principle 9: In situations of conflict and instability, address food insecurity and undernutrition in a conflict-sensitive manner and contribute to peacebuilding initiatives, by:

<table>
<thead>
<tr>
<th>ii. Identifying opportunities to support and reinforce peace initiatives, particularly local initiatives, as elements of food security and nutrition related interventions, recognizing and promoting the roles of women in these interventions and in reconciliation and confidence building</th>
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<tbody>
<tr>
<td><strong>UNGA, 2030 Agenda: States commit to</strong></td>
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<tr>
<td>- ‘resolve or prevent conflict and to support post-conflict countries, including through ensuring that women have a role in peacebuilding and State-building... [and] to remove the obstacles to the full realization of the right of self-determination of peoples living under colonial and foreign occupation’ (Preamble, ¶23);</td>
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<tr>
<td>- ‘Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels’ (SDG16).</td>
</tr>
<tr>
<td>- ‘...work individually and together, at national, regional and multilateral levels, on practical measures that... promote conflict prevention, resolution and reconciliation, and support post conflict peace-building and reconstruction... uphold full respect for human rights, promote the peaceful settlement of conflicts based on justice and the rule of law, and address a climate of impunity... promote a comprehensive approach to armed violence reduction issues, recognizing the different situations, needs and resources of men and women, boys and girls...’ (¶9).</td>
</tr>
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### Norms supporting selected sub-principles from FFA Principle 10: Mitigate the effects of natural and man-made disasters, adapt to climate change, and promote sustainable use of natural resources, by:

<table>
<thead>
<tr>
<th>v. Developing and implementing comprehensive disaster risk reduction and management policies and actions</th>
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<tr>
<td><strong>UNGA, 2030 Agenda (A/RES/70/1)</strong></td>
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<tr>
<td>- Strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries (SDG3, ¶3.D, 13.1).</td>
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<td><strong>UNGA, Sendai Framework for Disaster Risk Reduction 2015–2030 (A/RES/69/283). [See also ¶¶25(g) and 48(c) under Principle 6 above.]</strong></td>
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<tr>
<td>- ‘Urges States to take all appropriate measures to ensure compliance with the relevant international obligations under international humanitarian law in relation to the protection of the environment in times of armed conflict;’ (¶3);</td>
</tr>
<tr>
<td>- ‘Calls on all Member States to implement applicable international law related to the protection of the environment in situations of armed conflict, including in their domestic legislation as appropriate and in line with international obligations which they have signed on to, and to consider expressing consent to be bound by relevant international agreements to which they are not yet parties;...’ (¶4);</td>
</tr>
<tr>
<td>Situations, including smallholders;</td>
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| vii. Respecting legitimate tenure rights of individuals, farmers, smallholders, small-scale food producers, indigenous peoples and members of affected and at-risk populations, in line with the VGGT in particular, but not limited to, the contexts of climate change, natural disasters and conflicts, and in line with the ‘Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication’ (SSF Guidelines) viii. Taking steps by all stakeholders, and in all types of protracted crises, to respect the existing rights under international law of members of affected and at-risk populations, and their ability to access and use their natural resources | **Geneva Convention IV:**
- "Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive....Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies." (§49).

**Protocol I:**
- "It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive." (§54.1).

**Protocol II:**
- "The civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations...." (§13.1).
- "The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited." (§13.2).
- "It is therefore prohibited to attack, destroy, remove or render useless for that purpose, objects indispensable to the survival of the civilian population such as food-stuffs, agricultural areas for the production of food-stuffs, crops, livestock, drinking water installations and supplies and irrigation works." (§14).

**CESCR, GC7**
- "the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection [is] *prima facie* incompatible with the requirements of the Covenant" (¶3, 1); |

**ICJ, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion (ICJ Reports 2004)**
<table>
<thead>
<tr>
<th>natural resources</th>
<th>respect the existing rights under international law of members of affected and at-risk populations, and their ability to access and use their natural resources</th>
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<tr>
<td>- `the obligation to make reparation for the damage cause to all the natural or legal persons concerned.’ (¶¶146, 151, 153).</td>
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<tr>
<td>- Israel is accordingly under an obligation to return the land, orchards, olive groves and other immovable property seized from any natural or legal person for purposes of construction of the wall in the Occupied Palestinian Territory. In the event that such restitution should prove to be materially impossible, Israel has an obligation to compensate the persons in question for the damage suffered. The Court considers that Israel also has an obligation to compensate, in accordance with the applicable rules of international law, all natural or legal persons having suffered any form of material damage as a result of the wall’s construction.’ (¶153);</td>
<td></td>
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<tr>
<td>- `...all States are under an obligation not to recognize the illegal situation arising from the construction of the wall, not to render aid or assistance in maintaining that situation and to co-operate with a view to putting an end to the alleged violations and to ensuring that reparation will be made therefor.’ (¶146).</td>
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- `The responsible State is under an obligation to make full reparation for the injury caused by the internationally wrongful act.’ (§31.2); |
| Forms of reparation |
| - `Injury includes any damage, whether material or moral, caused by the internationally wrongful act of a State.’ (§31.2). |
| Restitution |
| - `A State responsible for an internationally wrongful act is under an obligation to make restitution, that is, to re-establish the situation which existed before the wrongful act was committed, provided and to the extent that restitution: (a) Is not materially impossible; (b) Does not involve a burden out of all proportion to the benefit deriving from restitution instead of compensation.’ (§35). |
| Compensation |
| - `The State responsible for an internationally wrongful act is under an obligation to compensate for the damage caused thereby, insofar as such damage is not made good by restitution.’ (§37.1); |
| - `The compensation shall cover any financially assessable damage including loss of profits insofar as it is established.’ (§36). |
| Satisfaction |
| - `1. The State responsible for an internationally wrongful act is under an obligation to give satisfaction for the injury caused by that act insofar as it cannot be made good by restitution or compensation. 2. Satisfaction may consist in an |
acknowledgement of the breach, an expression of regret, a formal apology or another appropriate modality. 3. Satisfaction shall not be out of proportion to the injury and may not take a form humiliating to the responsible State....’ (§37.2).

UNGA, UNDRoP (A/RES/73/165)
- ‘Peasants and other people living in rural areas have the right to land, individually and/or collectively,... including the right to have access to, sustainably use and manage land and the water bodies, coastal seas, fisheries, pastures and forests therein, to achieve an adequate standard of living, to have a place to live in security, peace and dignity and to develop their cultures.
- States shall take appropriate measures to remove and prohibit all forms of discrimination relating to the right to land, including those resulting from change of marital status, lack of legal capacity or lack of access to economic resources.... provide legal recognition for land tenure rights, including customary land tenure rights not currently protected by law, recognizing the existence of different models and systems. States shall protect legitimate tenure and ensure that peasants and other people working in rural areas are not arbitrarily or unlawfully evicted and that their rights are not otherwise extinguished or infringed.... recognize and protect the natural commons and their related systems of collective use and management...’ (¶2, 3);
- [States] ‘shall incorporate protections against displacement into domestic legislation that are consistent with international human rights and humanitarian law. States shall prohibit arbitrary and unlawful forced eviction, the destruction of agricultural areas and the confiscation or expropriation of land and other natural resources, including as a punitive measure or as a means or method of war.’ (¶17).

UNGA, R&R (A/RES/60/147)
[recognizes that victims of gross violations are entitled to reparations, inclusive of: restitution, return, resettlements, rehabilitation, compensation, guarantees of non-repetition and satisfaction, (Sections VII–IX)].

United Nations Commission on Human Rights (UNCHR), forced eviction (1993/77)
- ‘Affirms that the practice of forced evictions constitutes a gross violation of human rights, in particular the right to adequate housing’ (¶1).

UNCHR, Prohibition of forced eviction (2004/28)
- ‘Reaffirms that the practice of forced eviction that is contrary to laws that are in conformity with international human rights standards constitutes a gross violation of a broad range of human rights, in particular the right to adequate housing (¶1).

CFS, VGGT
- ‘All forms of tenure should provide all persons with a degree of tenure security which guarantees legal protection against forced evictions that are inconsistent with States’ existing obligations under national and international law, and against harassment and other threats.’ (Guideline 4: Rights and responsibilities related to tenure, ¶4);
- ‘acknowledge the emergence of informal tenure arising from large-scale migrations.’ (Guideline 10: Informal tenure, ¶1);
- ‘...ensure that all actions regarding informal tenure are consistent with their existing obligations under national and international law, and with due regard to voluntary commitments under applicable regional and international instruments, including as appropriate to the right to adequate housing.’ (Guideline 10, ¶2);
- ‘provide legal recognition to informal tenure, this should be done through participatory, gender-sensitive processes, having particular regard to tenants. In doing so, States should pay special attention to farmers and small-scale food producers. These processes should facilitate access to legalization services and minimize costs. State should strive to provide technical and legal support to communities and participants.’ (Guideline 10, ¶3);
- ‘take all appropriate measures to limit the informal tenure that results from overly complex legal and administrative requirements for land use change and development on land. Development requirements and processes should be clear, simple and affordable to reduce the burden of compliance.’ (Guideline 10, ¶4);
- ‘address tenure during the reconstruction phase. Persons who are temporarily displaced should be assisted in voluntarily, safely and with dignity returning to their place of origin Where restitution is possible and, as appropriate, with the assistance of UNHCR and other relevant agencies, refugees and displaced persons should be assisted in voluntarily, safely and with dignity returning to their place of origin, in line with applicable international standards. Procedures for restitution, rehabilitation and reparation should be non-discriminatory, gender sensitive and widely publicized, and claims for restitution should be processed promptly. Procedures for restitution of tenure rights of indigenous peoples and other communities with customary tenure systems should provide for the use of traditional sources of information (Guideline 24: Natural disasters, ¶5);
- Where possible, the original parcels or holdings should be returned to those who suffered the loss, or their heirs, by resolution of the competent national authorities. Where the original parcel or holding cannot be returned, States should provide prompt and just compensation in the form of money and/or alternative parcels or holdings, ensuring equitable treatment of all affected people. (Guideline 14: Restitution, ¶2).

CFS, SSF Guidelines

- ‘States should ensure that small-scale fishing communities are not arbitrarily evicted and that their legitimate tenure rights are not otherwise extinguished or infringed. States should recognize that competition from other users is increasing within small-scale fisheries areas and that small-scale fishing communities, in particular vulnerable and marginalized groups, are often the weaker party in conflicts with other sectors and may require special support if their livelihoods are threatened by the development and activities of other sectors’ (Guideline 5.9).
- 'strive to restore access to traditional fishing grounds and coastal lands to small-scale fishing communities that have been displaced by natural disasters and/or armed conflict taking into consideration the sustainability of fisheries resources. States should establish mechanisms to support fishing communities affected by grave human rights violations to rebuild their lives and livelihoods. Such steps should include the elimination of any form of discrimination against women in tenure practices in case of natural disasters and/or armed conflict’ (Guideline 5.12).

UNGA, UNDROP (A/RES/73/165)

- 'States shall take appropriate measures to strengthen the resilience of peasants and other people working in rural areas against natural disasters and other severe disruptions, such as market failures…..’ (¶16.5);
- 'Peasants and other people living in rural areas have the right to land, individually and/or collectively, in accordance with article 28 of the present Declaration, including the right to have access to, sustainably use and manage land and the water bodies, coastal seas, fisheries, pastures and forests therein, to achieve an adequate standard of living, to have a place to live in security, peace and dignity and to develop their cultures.’ (§17.1);
- 'States shall take appropriate measures to remove and prohibit all forms of discrimination relating to the right to land, including those resulting from change of marital status, lack of legal capacity or lack of access to economic resources.’ (§17.2);
- 'States shall take appropriate measures to provide legal recognition for land tenure rights, including customary land tenure rights not currently protected by law, recognizing the existence of different models and systems. States shall protect legitimate tenure and ensure that peasants and other people working in rural areas are not arbitrarily or unlawfully evicted and that their rights are not otherwise extinguished or infringed. States shall recognize and protect the natural commons and their related systems of collective use and management.’ (§17.3);
- 'Peasants and other people working in rural areas have the right to be protected against arbitrary and unlawful displacement from their land or place of habitual residence, or from other natural resources used in their activities and necessary for the enjoyment of adequate living conditions. States shall incorporate protections against displacement into domestic legislation that are consistent with international human rights and humanitarian law. States shall prohibit arbitrary and unlawful forced eviction, the destruction of agricultural areas and the confiscation or expropriation of land and other natural resources, including as a punitive measure or as a means or method of war.’ (§17.4);
- 'Peasants and other people working in rural areas who have been arbitrarily or unlawfully deprived of their lands have the right, individually and/or collectively, in association with others or as a community, to return to their land of which they were arbitrarily or unlawfully deprived, including in cases of natural disasters and/or armed conflict, and to have restored their access to the natural resources used in their activities and necessary for the enjoyment of adequate living conditions, whenever possible, or to receive just, fair and lawful compensation when their return is not possible.’ (§17.5);
- 'Where appropriate, States shall take appropriate measures to carry out agrarian reforms in order to facilitate the broad and equitable access to land and other natural resources necessary to ensure that peasants and other people working in rural areas enjoy adequate living conditions, and to limit excessive concentration and control of land, taking into account its social
| Function. Landless peasants, young people, small-scale fishers and other rural workers should be given priority in the allocation of public lands, fisheries and forests.’ (§17.6); |
| - States shall take measures aimed at the conservation and sustainable use of land and other natural resources used in their production, including through agroecology, and ensure the conditions for the regeneration of biological and other natural capacities and cycles...’ (§17.7); |
| - States shall comply with their respective international obligations to combat climate change. Peasants and other people working in rural areas have the right to contribute to the design and implementation of national and local climate change adaptation and mitigation policies, including through the use of practices and traditional knowledge...’ (§18.3); |
| - States shall take appropriate measures to promote and protect the traditional knowledge, innovation and practices of peasants and other people working in rural areas, including traditional agrarian, pastoral, forestry, fisheries, livestock and agroecological systems relevant to the conservation and sustainable use of biological diversity.’ (§20.2); |
| - Nothing in the present Declaration may be construed as diminishing, impairing or nullifying the rights that peasants and other people working in rural areas and indigenous peoples currently have or may acquire in the future.’ (§28.1); |
| - The human rights and fundamental freedoms of all, without discrimination of any kind, shall be respected in the exercise of the rights enunciated in the present Declaration. The exercise of the rights set forth in the present Declaration shall be subject only to such limitations as are determined by law and that are compliant with international human rights obligations. Any such limitations shall be non-discriminatory and necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.’ (§28.2). |

**UNGA, 2030 Agenda**

- ‘We are...determined to conserve and sustainably use oceans and seas, freshwater resources, as well as forests, mountains and drylands and to protect biodiversity, ecosystems and wildlife...to tackle water scarcity and water pollution, to strengthen cooperation on desertification, dust storms, land degradation and drought and to promote resilience and disaster risk reduction...’ (¶33); |
- ‘By 2030, achieve the sustainable management and efficient use of natural resources...’ (SDG 12@2). |

**FAO, RtFG**

**Guideline 16: Natural and Man-made Disasters**

- ‘Food should never be used as a means of political and economic pressure.’ (¶1); |
- ‘In situations of occupation, international humanitarian law provides, inter alia: that to the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population; that it should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the Occupied Territory are inadequate; and that if the whole or part of the population of an Occupied Territory is inadequately supplied, the
Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal. (¶3);
- ‘States reaffirm the obligations they have assumed regarding the protection, safety and security of humanitarian personnel.’ (¶4);
- ‘In the case of natural or human-made disasters, States should provide food assistance to those in need, may request international assistance if their own resources do not suffice, and should facilitate safe and unimpeded access for international assistance in accordance with international law and universally recognized humanitarian principles, bearing in mind local circumstances, dietary traditions and cultures.’ (¶7);

UNGA, The Future We Want, (A/RES/66/288)
- ‘We recognize the importance of early warning systems as part of effective disaster risk reduction at all levels in order to reduce economic and social damages, including the loss of human life, and in this regard encourage States to integrate such systems into their national disaster risk reduction strategies and plans. We encourage donors and the international community to enhance international cooperation in support of disaster risk reduction in developing countries, as appropriate, through technical assistance, technology transfer as mutually agreed, capacity-building and training programmes. We further recognize the importance of comprehensive hazard and risk assessments, and knowledge- and information sharing, including reliable geospatial information. We commit to undertake and strengthen in a timely manner risk assessment and disaster risk reduction instruments. (¶ 187).

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<tr>
<th>Norms supporting selected sub-principles from FFA Principle 11: Develop institutional and organisational capacities, by:</th>
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<tr>
<td>i) Supporting, and strengthening local and national institutional and organisational capacities in a sustainable manner, and complementing them where needed, avoiding to create or reinforce dependency on international assistance;</td>
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<tr>
<td>ii) Introducing policies and actions that fight corruption and fraudulent practices, in all their forms, when</td>
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<tr>
<td>United Nations Convention against Corruption (UNCAC) (A/RES/58/4)</td>
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<tr>
<td>The only legally binding universal anti-corruption instrument, UNCAC obliges States to undertake preventive and remedial measures to combat corruption in the public and private sectors, including criminalization and law enforcement; extradition; international cooperation; asset recovery (freezing, seizure and capture of assets); investigation; protection of witnesses, experts, victims and reporting persons; return, recovery and disposal of assets; training; technical assistance and information exchange. UNCAC covers many forms of corruption such as bribery, money laundering, embezzlement, misappropriation or other diversion of property, trading in influence, abuse of functions, concealment, obstruction of justice and various acts of corruption in or between the public or private sectors, prohibiting also: (a) The establishment of off-the-books accounts; (b) The making of off-the-books or inadequately identified transactions; (c) The recording of non-existent expenditure; (d) The entry of liabilities with incorrect identification of their objects; (e) The use of false documents; and (f) The intentional destruction of bookkeeping documents earlier than foreseen by the law.</td>
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<tr>
<td>AU, African Charter on Values and Principles of Public Service and Administration</td>
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supporting food security and nutrition in protracted crises;

iii) Rebuilding and supporting, where appropriate, informal and traditional institutions and organizations that help to foster sustainable local livelihoods;

iv) Reinforcing or re-establishing agricultural innovation and research for development capacities at country level should also be undertaken; and

v) Designing and implementing policies and actions that strengthen effective national governance in the field of food security and nutrition.

- ‘Public Service Agents shall demonstrate integrity and respect all rules, values and established codes of conduct in the performance of their duties.’ (§1.2); ‘...not solicit, accept, or receive directly or indirectly any payment, gift, donation, or reward in kind or cash, for services rendered.’ (§10.2) ‘...on no account use their positions for political or personal gains. In all circumstances, they shall act with impartiality and loyalty.’ (§10.3).

- ‘States parties shall enact laws and adopt strategies to fight corruption through the establishment of independent anti-corruption institutions.’ (§12.1); ‘...institute national accountability and integrity systems to promote value-based societal behaviour and attitude as a means of preventing corruption.’ (§12.3) ‘...promote and recognize exemplary leadership in creating value-based and corruption-free societies.’ (§12.4).

- ‘Public Service and Administration shall constantly sensitise public service agents and users on legal instruments, strategies and mechanisms used to fight corruption.’ (§12.2).

Council of Europe, Criminal Law Convention against Corruption (ETS No. 173)

States parties are obliged to provide for effective and dissuasive sanctions and measures, including deprivation of liberty that can lead to extradition, making liable legal entities for offences committed to benefit them, subjecting them to effective criminal or non-criminal sanctions, including monetary sanctions for specific types of corruption, including:

- Active and passive bribery of domestic and foreign public officials;
- Active and passive bribery of national and foreign parliamentarians and of members of international parliamentary assemblies;
- Active and passive bribery in the private sector;
- Active and passive bribery of international civil servants;
- Active and passive bribery of domestic, foreign and international judges and officials of international courts;
- Active and passive trading in influence;
- Money-laundering of proceeds from corruption offences;
- Accounting offences (invoices, accounting documents, etc.) connected with corruption offences.
- ETS No. 173 incorporates provisions on aiding and abetting, immunity, criteria for determining the jurisdiction of States, liability of legal persons, the setting up of specialised anti-corruption bodies, protection of persons collaborating with investigating or prosecuting authorities, gathering of evidence and confiscation of proceeds, and enhanced international co-operation (mutual assistance, extradition and the provision of information) in the investigation and prosecution of corruption offences (§§3–14).

Council of Europe, Criminal Law Convention against Corruption Additional Protocol

Obliges States to adopt the necessary measures to establish, as criminal offences, the active and passive bribery of domestic and foreign arbitrators and jurors, and extends the scope of ETS No. 174 to arbitrators in commercial, civil and other
matters, as well as to jurors, thus complementing ETS No. 174 provisions aimed at protecting judicial authorities from corruption.

Council of Europe, Civil Law Convention against Corruption (ETS No. 174)

*States parties are obliged to incorporate these principles and rules into their domestic law, taking into account their own particular circumstances, including:*

- Compensation for damage;
- Liability (including state liability for acts of corruption committed by public officials);
- Contributory negligence: reduction or disallowance of compensation, depending on the circumstances;
- Validity of contracts;
- Protection of employees who report corruption;
- Clarity and accuracy of accounts and audits;
- Acquisition of evidence;
- Court orders to preserve the assets necessary for the execution of the final judgment and for the maintenance of the status quo pending resolution of the points at issue;
- International co-operation;
- Monitoring of implementation (§§3–14).

Inter-American Convention against Corruption (B-58)

*Obliges States to undertake a set of preventive measures, criminalizing certain acts of corruption, including transnational bribery and illicit enrichment, to strengthen cooperation among its States parties in areas such as mutual legal assistance and technical cooperation, extradition and identification, tracing, freezing, seizure and forfeiture of property/proceeds obtained and derived from or used in the commission of acts of corruption, among others.*


- ‘Urges Member States carefully to consider the problems posed by the international aspects of corrupt practices, especially as regards international economic activities carried out by corporate entities, and to study appropriate legislative and regulatory measures to ensure the transparency and integrity of financial systems and transactions carried out by such corporate entities’ (¶7);
- ‘Calls upon States, relevant international organizations and financing institutions to extend to the Secretary-General their full support and assistance in the implementation’ (¶10); regulating the conduct of public official concerning: conflict of interest and disqualification (§II), disclosure of assets (§III), acceptance of gifts or other favours (§IV), confidential information (§V), and political activity.’ (§VI).
UNGA, Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (A/RES/40/34)

- ‘States commit to ensure:...access to justice and fair treatment,’ ‘restitution,’ ‘restitution,’ ‘compensation’ and ‘assistance’ for ‘Victims’...who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States, including those laws proscribing criminal abuse of power.’ (§A.1). [and] ‘acts or omissions that do not yet constitute violations of national criminal laws but of internationally recognized norms relating to human rights....’ (B.18).

UNGA, R&R (A/RES/60/147)

- ‘Reaffirming the principles enunciated in the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power...’ (preamble).

UNGA, 2030 Agenda (A/RES/70/1) States commit to:

- ‘Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels’ (SDG 16);
- ‘Promote the rule of law at the national and international levels and ensure equal access to justice for all’ (¶16.3);
- ‘By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime’ (¶16.4);
- ‘Substantially reduce corruption and bribery in all their forms’ (¶16.5);
- ‘Develop effective, accountable and transparent institutions at all levels’ (¶16.6);
- ‘Ensure responsive, inclusive, participatory and representative decision making at all levels’ (¶16.7).

UNGA, New Urban Agenda (A/RES/71/256) States commit to:

- ‘...strengthen national, subnational and local institutions to support local economic development, fostering integration, cooperation, coordination and dialogue across levels of government and functional areas and relevant stakeholders....’ (¶47);
- ‘promote compliance with legal requirements through strong, inclusive management frameworks and accountable institutions that deal with land registration and governance, applying transparent and sustainable management and use of land, property registration and sound financial systems....’ (¶104);
- ‘support subnational and local governments...to implement transparent and accountable expenditure control instruments for assessing the necessity and impact of local investment and projects, based on legislative control and public participation, as appropriate, in support of open and fair tendering processes, procurement mechanisms and reliable budget execution, as
well as preventive anti-corruption measures to promote integrity, accountability, effective management and access to public property and land, in line with national policies...’ (¶138);

- ‘promote capacity development programmes to help subnational and local governments in financial planning and management, anchored in institutional coordination at all levels, including environmental sensitivity and anti-corruption measures, embracing transparent and independent oversight, accounting, procurement, reporting, auditing and monitoring processes, among others, and to review subnational and national performance and compliance... (¶151).

FAO, RtFG

- ‘States should take measures, where and if necessary, to develop, strengthen, implement and maintain effective anticorruption legislation and policies, including in the food sector and in the management of emergency food aid. (Guideline 5.5);

- ‘States should establish transparent, non-discriminatory eligibility criteria in order to ensure effective targeting of assistance, so that no one who is in need is excluded, or that those not in need of assistance are included. Effective accountability and administrative systems are essential to prevent leakages and corruption.’ (Guideline 13.3)

CFS, VGGT

- ‘States should... Prevent tenure disputes, violent conflicts and corruption....take active measures to prevent tenure disputes from arising and from escalating into violent conflicts....endeavour to prevent corruption in all forms, at all levels, and in all settings. (Guideline 3A.5);

- ‘Implementing agencies and judicial authorities should engage with civil society, user representatives and the broader public to improve services and endeavour to prevent corruption through transparent processes and decision making. Information about changes and their anticipated impacts should be clearly stated and widely publicized in applicable languages.’ (Guideline 5.8);

- ‘States and non-state actors should endeavour to prevent corruption with regard to tenure rights. States should do so particularly through consultation and participation, rule of law, transparency and accountability. States should adopt and enforce anti-corruption measures including applying checks and balances, limiting the arbitrary use of power, addressing conflicts of interest and adopting clear rules and regulations. States should provide for the administrative and/or judicial review of decisions of implementing agencies. Staff working on the administration of tenure should be held accountable for their actions...provided with the means of conducting their duties effectively....protected against interference in their duties and from retaliation for reporting acts of corruption. (Guideline 6.9). States and non-state actors should further endeavour to prevent corruption in the allocation of tenure rights.’ (Guideline 8.9) ’...in relation to tenure systems of indigenous peoples and other communities with customary tenure systems, by consultation and participation, and by empowering communities.’ (Guideline 9.12). ‘...particularly through increasing transparency, holding decision-makers accountable, and ensuring that impartial decisions are delivered promptly.’ (Guideline 10.5);
- ‘State and non-state actors should adhere to applicable ethical standards.…publicize and monitor the implementation of these standards in the operation of markets in order to prevent corruption, particularly through public disclosure.’ (Guideline 11.7)
- ‘All parties should endeavour to prevent corruption, particularly through use of objectively assessed values, transparent and decentralized processes and services, and a right to appeal.’ (Guideline 16.6).
- ‘States should ensure that information on tenure rights is easily available to all, subject to privacy restrictions. Such restrictions should not unnecessarily prevent public scrutiny to identify corrupt and illegal transactions. States and non-state actors should further endeavour to prevent corruption in the recording of tenure rights by widely publicizing processes, requirements, fees and any exemptions, and deadlines for responses to service requests.’ (Guideline 17.5). ‘…in valuation through transparency of information and methodologies, in public resource administration and compensation, and in company accounts and lending. (Guideline 18.5) ‘…in taxation administration, through increased transparency in the use of objectively assessed values.’ (Guideline 19.3) ‘in dispute resolution processes’ (Guideline 21.5) ‘…by establishing safeguards against improper use of spatial planning powers, particularly regarding changes to regulated use. Implementing agencies should report on results of compliance monitoring.’ (Guideline 20.4).

### i) Engaging, where possible, members of affected and at-risk populations in decision making;

### ii) Enabling informed decision-making by members of affected and at-risk populations, by endeavouring to provide accessible and understandable information in a timely manner;

### iii) Promoting, following and strengthening accountability processes, and adequate, transparent and accessible feedback and complaint mechanisms, so that responses are

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<td>- ‘1. Everyone shall have the right to hold opinions without interference. 2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. 3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: For respect of the rights or reputations of others; For the protection of national security or of public order (ordre public), or of public health or morals….’ (§19)</td>
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<td>o Any propaganda for war shall be prohibited by law.</td>
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<td>o Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.’ (§20).</td>
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<td>- ‘each State Party shall…take such measures as…necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate. (a) Adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration and, with due regard for the protection of privacy and personal data, on decisions and legal acts that concern members of the public; (b) Simplifying administrative procedures, where appropriate, in order to facilitate public access to the competent decision-making authorities; and (c)</td>
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�continuously improved; Publishing information, which may include periodic reports on the risks of corruption in its public administration....’ (§10).
- ’Each State Party shall take appropriate measures...such...as: (a) Enhancing the transparency of and promoting the contribution of the public to decision-making processes; (b) Ensuring that the public has effective access to information; (c) Undertaking public information activities that contribute to nontolerance of corruption, as well as public education programmes, including school and university curricula; (d) Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption. That freedom may be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary...’ (§13).

African Charter on Values and Principles of Public Service and Administration
- ’Public Service and Administration shall make available to users information on procedures and formalities pertaining to public service delivery.’ (§6.1) ’Public Service and Administration shall inform users of all decisions made concerning them, the reasons behind those decisions, as well as the mechanisms available for appeal.’ (§6.2); ‘...shall establish effective communication systems and processes to inform the public about service delivery, to enhance access to information by users, as well as to receive their feedback and inputs.’ (§6.3); ‘...shall ensure that administrative procedures and documents are presented in a user-friendly and simplified manner.’ (§6.4).

Charter for Food Crisis Prevention and Management in the Sahel and West Africa (2011)
- The governments and IGOs [intergovernmental organizations] undertake to:....
  - Regularly produce reliable and timely information that is needed for decision making;
  - Co-operate to support the establishment or reinforcement of efficient, operational information systems within national and regional institutions;
  - Provide these information and Early Warning Systems with sustainable funding and appropriate institutional anchorage;
  - Improve the reliability, independence and accessibility of information by 1) drafting a consensual set of guidelines on producing, verifying and disseminating information; and 2) implementing a procedure for assessing information quality based on an independent certification structure;
  - Promote research to improve the understanding and forecasting of risks, expand knowledge of local adaptation strategies and improve analyses of household, community and country vulnerability;
  - Promote dialogue and exchanges among stakeholders/institutions on the aforementioned issues.

The governments, TFPs [technical and financial partners] and CSOs [civil society organizations] undertake to:
- Co-operate in order to (a) prevent duplicate information, particularly between national, regional and international information systems and (b) produce joint vulnerability analyses based on harmonised, consensual methodology. This
closer co-operation should enable the actors to make well-targeted recommendations to national and regional decision-making bodies, NGOs and UN agencies;
- Share the information produced primarily within consultative and co-ordination structures in order to harmonise the resulting analyses before they are more widely disseminated, particularly to the media.
- Information should also be shared about any actions an actor intends to carry out in response to a crisis situation that has been identified in compliance with national and regional decisions;

3: Information and Analysis of the Food and Nutritional Security Situation

The CSOs undertake to:

- Support the institutional anchorage of information systems for improved sustainability and ownership by local actors;
- Monitor and question the various intervening parties in order to improve the functioning of national and regional decisions;' (§3).