

Action Sheet 18

Food Aid and Nutrition



Key message

If delivered strategically and in a protection-sensitive manner, food aid will not only save lives but also help rebuild communities, and foster peace and reconciliation efforts. If provided without regard to the political environment or the underlying causes of displacement and food insecurity, food aid may do more harm than good.

For food aid to be effective, it must be accompanied by other support measures, such as education on food preparation, or the provision of non-food items such as cooking fuel and utensils. In addition, food security goes hand in hand with income-generation, self-reliance and development activities. This aspect of food security is dealt with in another part of the Handbook, (see *Action Sheet on Livelihoods, Part V.16*).

1. Food insecurity and malnutrition during internal displacement

The use of the term *food security* in this chapter should be understood as *having physical and economic access to sufficient and sustainable food to meet their dietary needs in order to lead a healthy and productive life*.

It is essential to ensure that food aid not only contributes to preserving the life and adequate nutrition levels of those affected by displacement, but also realizes its full potential to become, itself, an agent of protection.

As an agent of protection, food aid can help ensure, for example, that children, particularly girls, have access to education. School feeding programmes encourage children to attend school regularly and in greater numbers.

Access to adequate food and nutrition is, together with access to water, one of the most important humanitarian concerns for any human being. During displacement, all stages of nutrition – production, procurement, preparation, allocation and consumption of food – are disrupted.¹ Communities that may have previously developed group coping mechanisms and solidarity networks to mitigate the impact of food shortages, find themselves suddenly scattered.

Poverty and food shortages can expose displaced people to serious risks, such as sexual exploitation of women and girls. Mothers may feel compelled to use any means to obtain food for their children, including by agreeing to sexual favours or prostitution in exchange for food or the means to obtain it.

Inadequate nutrition among children can seriously affect their physical and mental development, may prevent them from attending school, and push them into child labour to contribute to the family's income.

2. Responsibility of the State

States should do everything possible to promote the full enjoyment of the right to adequate food for everyone within their territory. Some of these measures would be immediate; others would be long-term to progressively achieve the full realization of the right to food. In this context, States must:

¹ Pejic, Jelena, "The Right to Food in Situations of Armed Conflict: The Legal Framework," in *IRRC*, December 2001, Vol. 83, No. 844, pp. 1097-1109.

- take steps to secure the right to adequate food whenever an individual or group is unable to enjoy this right on their own. This includes preventing discrimination concerning access to food and preventing malnutrition or starvation. If the State does not have the resources to do so, it should seek international support;
- strengthen people's resources and means to ensure their livelihood, including food security. This includes enforcing security measures along roads and in settlements, agricultural areas and marketplaces;
- ensure that food not only provides the optimum nutrition required for a healthy and active life, but that it is also culturally acceptable and free from harmful substances;
- take conflict-resolution and -prevention measures to ensure access to and sharing of vital resources for food preparation, such as firewood;
- abstain from taking any measure that could prevent IDPs and other affected populations from having access to food;

3. The role of human rights and humanitarian actors

Food aid is often the first form of humanitarian aid to protect the lives of war-affected populations. Food aid in displacement situations must focus on strengthening the capacity of national authorities to restore food security.

In the short term, this implies supporting the distribution of emergency rations and related non-food items. In the long term, it consists of assisting national actors in the development of opportunities to either generate income with which to obtain food, or to produce food in the places of origin or relocation.



In our work we can...


Assessment and analysis (see Part III.1)

- Liaise with national and international food-aid agencies at the very onset of a crisis. They are usually the first to have access to displaced populations and they can obtain first-hand information on the overall conditions and most pressing protection gaps.
- Where not available locally, seek expertise and advice should be sought through the Global Emergency Shelter Cluster. They can field a specialist to coordinate activities in this sector, at least for the initial assessment/planning period to undertake an evaluation and make specific recommendations for the (re)orientation of the programme.
- Ensure that any food-aid and nutrition assessments are carried out in conjunction with specialized protection and community services staff to ensure wide-ranging identification of protection risks for individuals of different ages, sex and backgrounds.
- Food-aid and nutrition assessments should include tools to look beyond the food related needs and into the (potential) protection concerns of a community:
 - To identify who are the most invisible groups in the community, the power relations, and the existing specific needs of any group according to age/sex. This may help to ensure that food distribution does not exacerbate vulnerability.
 - To ensure that the community's and individuals' own coping mechanisms are supported and, if possible, reinforced, for example, by assessing the level of "visibility" of IDPs and whether they hide to protect themselves. This will greatly affect how food is distributed.
 - To ensure that specific nutrition needs and traditions of different groups are protected, including children, elderly persons, chronically ill persons, pregnant and lactating women and indigenous groups.
- Joint assessments on food and related sectors should include displaced populations who are not in camps or broader settlements, but also those dispersed in smaller groups and living with host families.

- The food needs and nutrition and public health conditions of the host communities should also be assessed early to avoid creating tensions. Eventually, any food-aid programme should be approached with a broader perspective.
- Familiarity with conditions in both the area of displacement and the area of origin is of utmost importance to ensure culturally appropriate food and local procurement of food and non-food items to the extent possible.

Planning and programming of food aid and nutrition-support programmes

*In war torn countries where infrastructure has been destroyed, markets depleted and where there is no possibility of growing or purchasing food, food warehouses and convoys have been repeatedly attacked. On occasion, IDP settlements have been attacked by fighters, either during or immediately after a food distribution, as was the case in Liberia in the late 1990s. The realization that food aid could be diverted and fuel conflict prompted some NGOs and UN agencies to issue the **Joint Principles of Operation**, a first attempt at a code of conduct for humanitarian actors that operated in Liberia in the late 1990s and early 2000s.*

- Coordinate all food distribution activities within the country team, particularly with the CCCM, protection, health, nutrition, education and agriculture sectors/clusters or working groups, and the WFP-led logistics common service area and food sector.
- Joint planning and programming between protection and specialized food agencies and public institutions is vital to mainstream protection-related aspects in the programming of food aid.
- Avoid turning food aid into a pull factor for encampment if there are other alternatives (see Part V.13).  If the situation allows, a food-aid system that enables IDPs to live among host families or in a more dispersed manner should be prioritized, in spite of the greater logistical constraints it may entail.
- The possession of food should not expose IDPs to further human rights violations:
 - Undertake joint planning with the community, including IDP women and men, as well as IDP leaders, to ensure that adequate measures are taken to maximize safety measures and avoid risks for the population.
 - Calculate the frequency of distributions trying to avoid any eventual protection risks; the greater the time between distributions the larger the quantities distributed, which may put IDPs and other affected populations at risk of attacks and pillage.
 - Plan the location of distribution points and their distance from places of residence taking into account possible risks for recipients of food aid; they should not have to traverse long distances or go through conflict zones where they may be exposed to serious safety risks, particularly women and children.

Registration for food distribution

Registration systems should be devised in cooperation with other agencies and should include relevant information to help address food and other protection needs.

- At a minimum, registration should be based on family groups and should include the names of all male and female adults in the family. All data should be disaggregated by age, sex, place of origin, and ethnic background.
- The practice of registering only the male *head-of-household* / *head of family* should be discouraged and, certainly, never used to exclude the registration of other adult family members.
- Registration should be combined with sensitization that the food provided is for the family groups and not only for the person whose name is being registered for distribution.
- Given the sensitivity of the information, personal data and lists of recipients should be kept strictly restricted to concerned actors and kept safe from unintended use.
- Births should be registered in a timely manner and the necessary adjustments should be made accordingly on the lists for food distribution.

<p>Distribution procedures</p>	<ul style="list-style-type: none"> ● Ensure that standard procedures are in place and well known to all, to guarantee the safety of women and children during food distribution. ● Ensure the adoption of a zero-tolerance policy for sexual exploitation and other forms of abuse of power by aid workers or those providing food aid. To this end, it is important to: <ul style="list-style-type: none"> – hire female staff for key managerial positions in food aid programmes – make sure that all IDPs are aware of their entitlements and rights; – maintain complaint referral mechanisms and mailboxes in the camps or collective settings for the population to communicate their concerns – ensure that distributions are undertaken by a combined group of stakeholders, including men and women, to avoid corruption and deviation; – make sure that women are also on the receiving end of the distributions, either in the company of their spouses or alone to directly receive the food rations for their family. – monitor the store’s management and record-keeping frequently; – provide safe waiting areas for children during lengthy food-distribution processes to avoid any forms of violence and abuse or family separation during that time; – ensure that all humanitarian staff know the consequences of abuse of power. ● provide transportation assistance, if needed, so women, children, older persons and persons with disabilities have access to food.
<p>Monitoring of food aid distribution and its effects</p>	<p>Conduct regular food basket monitoring to assess the adequacy of food distribution systems.</p> <ul style="list-style-type: none"> ● Conduct regular consultations and post-distribution monitoring with the community to assess the impact of food distributions, use of food, or protection problems that might arise during or after distributions. Involve the community in identifying solutions. Regularly monitor the use of food rations by recipients to ensure that aid is not being diverted after the distributions. ● In camp situations, consult with camp management and protection agencies on the possible presence or infiltration of armed elements and provide relevant information relating to food monitoring. ● Monitoring mechanisms should include a system for referral of detected cases that need immediate response, such as medical care, legal assistance and counselling in cases of food-related sexual exploitation, abuse or corruption. ● Undertake country-wide surveys with other agencies to identify instances of food blockage by armed actors or others and discriminatory access to food aid. These should be followed up by the Protection Cluster or working group and the HC, with the relevant stakeholders. ● Monitor whether school feeding projects retain and increase the percentage of boys and girls at school and revise the programmes as necessary. ● Monitor whether food aid has a negative impact on the level of prostitution or survival sex among women and, if so, determine possible causes, such as a lack of diversity in food items, or insufficient quantities. ● Ensure appropriate monitoring of the nutrition status of the population by specialized agencies.
<p>Training and awareness-raising</p>	<p>In order to ensure that protection is incorporated into food-aid programmes:</p> <ul style="list-style-type: none"> ● Provide training on protection issues to those involved in food distribution and monitoring to make sure that they understand the all the implications of food aid, and are able to anticipate and/or detect abuses. ● Provide training to food-aid staff and those of related sectors on the mandates and specific tasks of protection agencies, as well as referral mechanisms. ● Maximize the use of food-distribution exercises as venues to promote awareness of certain protection issues, including access to education, separated children, nutrition, and female genital mutilation.

Do you have suggestions about other activities? If so, share them with us at hqidphb@unhcr.org



4. Key actors and coordination structures

Ensuring an effective response requires a multi-sectoral and coordinated effort by a range of local, national and international actors. These include, for example:

- At the **national level**, in addition to displaced people and the affected communities, key partners include Government line ministries, such as social welfare, health, public health, education, religious affairs, interior, police, justice; faculties of medicine, public health, agronomy, local industries and professional organizations; local NGOs and civil society, particularly women's and youth organizations.
- At the **international level**, WHO leads and coordinates food related issues globally. UNICEF is the lead for the global nutrition cluster. They work in close partnership with UN and international agencies, such as ICRC, UNHCR, WHO, FAO, OHCHR, IFRC, as well as with a large group of international NGOs specialized in food and/or nutrition, such as Action contre la Faim, IRC, Oxfam, Save the Children Fund, World Vision and other agencies with expertise in the fields of food aid, nutrition, protection, public health, self-reliance, security, logistics, education.

5. Key legal principles

Access to adequate food is both an **individual right** and a **collective responsibility**. The right to freedom from hunger is intrinsically linked to the right to life; at the very minimum, States must ensure that populations in their territory do not starve.²

The right to food does not mean that the State has an obligation to feed everyone. **States have a general obligation to work toward “progressive realization”** of the right to food and the right to be free from hunger using the maximum of “available resources.”³ States are also required to create conditions that guarantee food security, for example through legislation, public policy and specific programmes.

States also have an immediate **obligation to avoid discrimination in access to adequate food**; this includes discrimination on the basis of displacement. The Guiding Principles on Internal Displacement⁴ establish that “humanitarian assistance shall be carried out in accordance with the principles of humanity and impartiality and without discrimination.”

“The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement.

The right to adequate food shall therefore not be interpreted in a narrow or restrictive sense which equates it with a minimum package of calories, proteins and other specific nutrients.”

In humanitarian emergencies, the obligation to fulfil the right to food also applies; “whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to *fulfil (provide)* that right directly. This obligation also applies for persons who are victims of natural or other disasters.”⁵ The Guiding Principles⁶ establish that 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.”

² See art 25 of UDHR and Art. 11.1 and 2 of ICESCR

³ Article 2.1 of the ICESCR, see also Article 4 of the CRC.

⁴ Guiding Principle 24.1

⁵ General Comment 12 (1999); The right to adequate food; UN Committee on Economic Social and Cultural Rights; See also Guiding Principle 25 which states that “The primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities”.

⁶ Guiding Principle 18.2

Where **States are unable to provide food assistance to prevent malnutrition and starvation, they are required to seek international assistance**, including from bilateral, UN and NGO sources.⁷ States in a position to assist 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. Food aid should, as far as possible, be provided in ways which do not adversely affect local producers and local markets, and should be organized in ways that facilitate the return to food self-reliance of the beneficiaries. Such aid should be based on the needs of the intended beneficiaries. Products included in international food trade or aid programmes must be safe and culturally acceptable to the recipient population.⁸

International humanitarian law (IHL) includes the **prohibition of attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population**. This prohibition is a norm of customary law and applies in both international and non-international armed conflicts.⁹ This includes foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works. IHL also **prohibits the use of starvation of the civilian population as a method of warfare**, also a customary rule that applies in international and non-international armed conflicts.

Using **starvation as a weapon of war constitutes a war crime** under the Statute of the International Criminal Court.¹⁰ Under IHL, this rule does not prohibit the use of siege to achieve a military objective. However, when conducting such military operations, the parties to the conflict are to respect another customary rule: they “must allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need which is impartial in character and conducted without adverse distinction, subject to their right of control.”¹¹



Resources

- *Food Aid and Livelihoods in Emergencies: Strategies for WFP*, WFP, WFP/EB.A/2003/5-A, 2003.
- *Joint Assessment Mission Guidelines (UNHCR/WFP)*, 2004
- *Food and Nutrition Needs in Emergencies*, UNHCR, UNICEF, WFP and WHO, 2003.
- *UNHCR Handbook for Emergencies*, 2007
- *Food Distribution Guidelines*, WFP, (new edition forthcoming).
- *Nutrition in Emergencies: WFP Experiences and Challenges*, WFP, WFP/EB.A/2004/5-A/3, 2004.
- *Targeting in Emergencies*, WFP, WFP/EB.1/2006/5, 2006.



Useful websites

- Food and Agriculture Organization (FAO): www.fao.org
- Right to Food: www.righttofood.org
- World Food Programme (WFP): www.wfp.org
- United Nations Children Fund (UNICEF): www.unicef.org

⁷ ICESCR art. 2.1. This is reinforced in art. 11.2 under which States “shall take, individually and through individual cooperation” measures to fulfil the right of everyone to be free from hunger.

⁸ CESCR General Comment 12.

⁹ Rule 54, Customary International Humanitarian Law, Vol. 1: Rules

¹⁰ ICC Statute art. 8(2)(b)(xxiv).

¹¹ Rule 55, Customary International Humanitarian Law, Vol. 1: Rules . Art 54 (2) Protocol I, art. 14 Protocol II.