

# FIAN INTERNATIONAL HANDBOOK

2008



**FIAN INTERNATIONAL**

Willy-Brandt-Platz 5  
69115 Heidelberg, Germany  
Tel.: +49-6221-6530030  
Fax: +49-6221-830545  
E-mail: [fian@fian.org](mailto:fian@fian.org)  
<http://www.fian.org>

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Rolf Künnemann, Yifang Tang and Sabine Pabst  
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## Contents

INTRODUCTION	<b>5</b>
PART 1: WHAT IS FIAN? 1.1 The Goals 1.2 The Organisation 1.3 The Working Methods	<b>6</b>
PART 2: FIAN AT WORK 2.1 The Different Working Areas of FIAN 2.2 Working Methods 2.3 Lobby Work and Monitoring 2.4 Capacity Building 2.5 Communications, Publications and Media	<b>8</b>
FIAN'S WORK: LOOP OF 8	<b>18</b>
PART 3: ORGANISATIONAL STRUCTURE OF FIAN 3.1 Members, Groups and Sections 3.2 Financial Cooperation	<b>19</b>
ANNEX 1: LIST OF ACRONYMS	<b>26</b>
ANNEX 2: THE FIAN INTERNATIONAL STATUTE	<b>26</b>
ANNEX 3: FIAN INTERNATIONAL RULES OF PROCEDURE	<b>31</b>
ANNEX 4: STRATEGIC PLAN 2007-2010	<b>34</b>
ANNEX 6: FIAN INTERNATIONAL DIRECTORY	<b>45</b>
ANNEX 7: RULES OF PROCEDURESON FIAN-INTERVENTIONS	<b>47</b>
ANNEX 8: CLEARANCE SHEET FOR FIAN INTERVENTIONS IN CONFLICTS	<b>48</b>
ANNEX 9: GUIDELINES FOR FIAN GROUPS AND CO-ORDINATIONS	<b>50</b>
ANNEX 10: FIAN INTERNATIONAL GUIDELINES FOR FINANCIAL COOPERATION	<b>52</b>
ANNEX 11: RULES OF PROCEDURES ON FINANCIAL TRANSPARENCY	<b>53</b>
CONTENTS OF THE CD	<b>55</b>

## Introduction

This FIAN International Handbook provides basic information and guidance to FIAN sections, coordinations, local groups, individual members and supporters as well as newly interested persons to give them a better understanding about FIAN. It aims at informing about goals, working methods and structure of FIAN, and giving an idea about how to get involved and become active for the cause of the human right to food and a world free from hunger. In addition, it carries links to literature for specific other information, like FIAN publications, and includes tools on the right to food and on human rights capacity building.

This handbook consists of three parts:

**Part 1** provides general information about FIAN, its history, its vision and mission and major goals. It also gives a short overview about its working methods.

**Part 2** informs about the different working areas of FIAN, the programs, the different working methods, like FIAN letter actions, Fact Finding Missions and case work, campaigns, lobby work, capacity building and media and public relations work.

**Part 3** introduces FIAN's structure and gives guidance and suggestions on what FIAN members and supporters could or should do. It introduces group work, elaborates on FIAN sections, and explains how FIAN functions.

Whenever useful, suggestions about further FIAN publications and links to other information are added in the text.

The **Annex** includes some additional information like the FIAN statutes, rules of procedures and other important documents.

A supplementary CD contains additional FIAN publications or further study documents for clarification and to further follow up on an issue like international human rights documents and relevant publications - the respective links are indicated in the main text with the symbol ➡. Moreover the CD contains the soft version of the handbook and its annexes.

We hope to revise the handbook regularly in the future to adjust to the needs and suggestions of our readers. Please let us know if you have additional questions which need to be tackled in our next edition of the handbook.

We hope this handbook will prove useful in building up FIAN, its effectiveness and impact.

Special thanks go to Dr. Rolf Künnemann and Yifang Tang for their valuable contributions!

With kind regards

Sabine Pabst

FIAN International Secretariat  
pabst@fian.org  
www.fian.org

## Part 1

### What is FIAN?

“The aim of FIAN shall be to contribute throughout the world to the implementation of the provisions of the International Bill of Human Rights by working for the protection of the human right to food and, above all, the right to feed oneself of persons or groups threatened by or suffering from hunger and malnutrition, especially peasants, agricultural workers, landless labourers, squatters, sharecroppers, and others whose land rights or agricultural labour rights have been or are being violated. FIAN should keep strictly independent of all political and confessional groupings.” FIAN Mandate

#### 1.1 THE GOALS

More than 850 million people in the world suffer from hunger and malnutrition. Scarce or low quality food, contaminated water and the resulting diseases are part of the normal course of life for these women, men and children. They lack control over basic resources like land, seeds or income to be able to feed themselves adequately. They also lack political power and access to justice in order to claim what should be a matter of course: to be free from hunger and having access to adequate food – a basic human rights, that is enshrined in international law.

When hunger is reported, this is often done in connection with natural disasters. Hunger is seen as a stroke of fate that disrupts people's lives over night. But hunger is not fate! Less than 10% of the hunger victims worldwide are hungry due to natural disasters. For most of them, hunger is part of the normal course of life – a daily catastrophe that is beyond the field of vision of the public and policy makers.

The situation is paradox: most of the world's hungry are found where food is produced – in the rural areas. More than other groups, hunger affects indigenous people, small peasants, landless people, fisher folk. 60 to 70 % of the hungry and undernourished are women and girls.

The work of FIAN is based on the international human rights treaties, in particular the International Covenant on Economic, Social and Cultural Human Rights. Starting from the indivisibility and universality of human rights, FIAN is engaged in the struggle for the realization of the right to food in different parts of the world. This must include the possibility for every person to claim their right in court when it has been violated.

In order to win the struggle against hunger, political, social and economic conditions must be created that allow every person to realize their right to feed themselves. This automatically includes justice, non-discrimination and equal opportunities, as well as an economic order that is consistent with human rights standards.

FIAN, that enjoys consultative status at the United Nations, is doing a unique work in fighting for more than two decades for the realisation of the right to adequate food. FIAN makes conflicts between unequal counterparts public and brings the unacceptable living conditions and acts of injustice people are subjected to before an international audience.

At the national level in individual states FIAN works towards the implementation of the right to food. By intervening in concrete cases, remedies are sought for the victims of violations and the states' authorities of a given country are held accountable for their obligations to respect, protect and fulfill the right to food.

At the international level FIAN works towards the creation of procedures as a means of improving the implementation of the right to food in individual states. Together with other organizations, FIAN is participating in the construction of a human rights culture in which social, economic and cultural rights are seen on an equal footing with political and civil human rights.

#### FIAN'S VISION AND MISSION

FIAN is an international human rights organization that since more than 20 years advocates for the realization of the right to food. FIAN consists of national sections and individual members in over 50 countries around the world. FIAN is a not-for-profit organization without any religious or political affiliation and has consultative status to the United Nations.

FIAN's mission is to expose violations of people's right to food wherever they may occur. We stand up against unjust and oppressive practices that prevent people from feeding themselves. The struggle against gender discrimination and other forms of exclusion is integral part of our mission. We strive to secure people's access to the resources that they need in order to feed themselves, now and in the future.

FIAN analyzes and documents concrete cases of violations of the right to food. We raise awareness on the right to food among social movements, non-governmental organizations and governmental bodies. We respond to requests from victim groups, whose right to food is threatened or has been violated and mobilize support. With protest letter campaigns, advocacy and recourse to the law, we exert public pressure in order to hold governments accountable for violations of the right to food. We follow up on cases until the victims get appropriate redress. Within the United Nations system and other legal regimes, we advocate respect of human rights in order to strengthen and improve the international human rights protection.

FIAN's vision is a world free from hunger, in which every woman, man and child can fully enjoy their human rights in dignity, particularly the right to adequate food, as laid down in the Universal Declaration of Human Rights and other international human rights instruments.

## 1.2 THE ORGANISATION

FIAN was founded in 1986 with the special aim of supporting victims in their struggle for the realisation of the right to food. FIAN is the only international human rights organisation concentrating its work entirely on economic, social and cultural rights with a special focus on the right to food. This human right is enshrined in the Universal Declaration on Human Rights and the International Covenant on Economic, Social and Cultural Rights, a treaty signed by 157 states that came into force in 1976 (please look at box 3 for more information). From this document of international law emanates the obligation of the states parties to implement the right to adequate food. In the first place, FIAN understands the right to food as being able to actively acquire food for oneself – either through adequately remunerated work or through tilling the land. Hence FIAN speaks of the right to food as *the right to feed oneself*. The right to food, of course, also contains the right to be provided food in situations where access to food would otherwise not be secured.

FIAN is built up by national sections and individual members in more than 50 countries in Africa, the Americas, Asia and Europe. It co-operates closely with people from the affected communities, landless and small peasants, rural workers, fisher folk, pastoralists, indigenous people, women, children, the unemployed and the urban poor.

The sections are national parts of FIAN International with an established organisational structure of their own, while co-ordinations are groups of activists from which a section is later formed. The International Secretariat of FIAN is situated in Heidelberg, Germany.

FIAN sees networking as an important asset for addressing human rights violations and for constructing a human rights culture, and co-operates and co-ordinates many of its activities with other human rights organisations. FIAN is a non-partisan, registered association governed by an elected international executive committee (IEC). All members of the IEC serve in a voluntary capacity.

➔ Please consult:

Annex 5: List of countries with FIAN members

Annex 6: FIAN International Directory

## THE HUMAN RIGHT TO FOOD

Universal Declaration of Human Rights (1948), Art. 25:  
“Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care and necessary social services, and the right to the security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”

International Covenant on Economic, Social and Cultural Rights (1976), Art. 11:

“1. The States Parties to the present Covenant recognize 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. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programs, which are needed: (...)”

General Comment 12 is currently the most authoritative UN interpretation of the right to food in international law. It is referring to the ICESCR of 1966.

“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 to means of its procurement.”

## 1.3 THE WORKING METHODS

The work of FIAN relies on a case to case basis. On the request of people who have been forcibly evicted from their land, whose drinking water has been contaminated by the residues of a mining company or who do not get any social support from their government despite being below the poverty line – FIAN’s task is to research and clearly identify the violators of human rights in these and similar contexts. When violating governments or states authorities or private companies or large landowners, who abuse human rights suddenly have their name publicly mentioned in newspapers or reports presented to the United Nations and receive hundreds of protest letters sent out by outraged people all over the world, the pressure may get unbearable. Afraid of losing their reputation by this “naming and shaming”, these actors, although powerful, often may refrain from acts that threatened people’s access to food and food producing resources.

FIAN also cooperates with other stakeholders in order to attain long-term effects. At the level of United Nations and further international institutions, FIAN advocates to improve the right to food protection system and

to establish new instruments, like the Right to Food Guidelines, adopted by the World Food Organisation in 2004. At the state level, FIAN informs judges, lawyers and other authorities to make them understand their obligations in order to be able to enforce human rights against opposing powerful interests.

The basis of FIAN's work is the direct contact with the people affected by violations of their human rights. People that have been marginalised and have decided to stand up against injustice, on their request receive support by FIAN and likeminded organisations and individuals all over the world. This international attention serves as a protection shield as well as a means of encouragement and contributes to people's determination in claiming their rights against all odd and suppression.

FIAN documents and publicizes violations of the right to feed oneself and works towards ending them through international interventions, campaigns and lobbying activities, and human rights capacity building.

➔ Please consult:

- CD: I) Important Legal and Quasi Legal Documents
- Universal Declaration of Human Rights
  - International Covenant on Economic, Social and Cultural Rights
  - General Comment No. 12
  - General Comment No. 15

- CD: II) The different work areas of FIAN / Capacity Building
- The Road to Freedom – A Textbook on Human Rights by Rolf Künnemann (FIAN International 2004) [*Introduces basic human rights concepts (e.g. human rights standards and states obligations, implementation and enforcement etc.). Explains all groups of human rights and gives suggestions on how to use human rights against oppression.*]
  - The Right to Food: A Resource Manual for NGOs by Rolf Künnemann and Sandra Epal-Ratjen (FIAN International 2004) [*Explains with plenty of cases and examples how to use the human right to food against hunger, malnutrition and oppression, gives many examples for the different states obligations under the right to food.*].

## Part 2 FIAN at Work

### 2.1 THE DIFFERENT WORKING AREAS OF FIAN

Over the past 20 years, the right to food has come a long way. During these years FIAN could contribute at both ends, supporting local victims of right to food violations in numerous concrete cases in all continents, and contributing to the further national and international standard setting on the right to food. The FIAN approach to stress the inter-relatedness of both levels has turned out to be fruitful, to the benefit of the individual rights-holder at the local level as well as to the further strengthening of the human rights protection system. With regard to the latter, FIAN put a priority on the international standard setting. The strengthened procedure of State's and parallel reporting on economic, social, and cultural human rights in the UN human rights system, the elaboration of the UN General Comment No. 12 (1999) on the Right to Food (as the most authoritative legal interpretation of the right to food in international law), and the adoption of the "Voluntary Guidelines on the Right to food by the FAO member states (2004) mark three important milestones.

Despite strengthened and more widely accepted international right to food standards, the scandal of chronic hunger in a world of plenty, affecting more than 850 million people, is still abound, particularly affecting the rural poor, whose right to food is violated in numerous cases, mostly due to the duty holders' lack of political will to respect, protect and fulfill their obligations. Accordingly, the challenge for ahead will be the improvement of the implementation of the right to food at the national level in full compliance with internationally accepted standards. Apart from the inaction of national actors, the increasingly important role of the international agents (e.g. World Bank, transnational co-operations) in an economically more and more globalised world needs to be approached as well.

FIAN's strategic plan 2007 -2010 is following a program approach consisting of five program areas plus FIAN's dual track approach to fight gender discrimination. It seeks to give orientation in that context, considering both, general trends, risks and opportunities in the "outside" world as well as FIAN's specific profile in order to identify how FIAN can maximise its impact and add value by its involvement - to the ultimate benefit of the most vulnerable suffering from hunger and struggling for a livelihood in dignity.

Sections have to concentrate two thirds of their programme work on some of these programmes.

Programme 1: Peasants' Access to land and agricultural resources from the human rights' perspective

Programme 2: Right to Water

Programme 3: Extraterritorial State Obligations (ETO)

Programme 4: Monitoring States' Right to Food Policies

## Programme 5: Justiciability

Gender: Fighting Right to Food Violations from a Gender Perspective

➔ Please consult:

Annex 4: FIAN International Strategic Plan 2007 - 10

CD: II) The Different Work Areas of FIAN / Right to Food and Gender

- Fighting Right to Food Violations from a Gender Perspective—the FIAN Gender Strategy 2007–2010 [Introduces and explains the FIAN Gender Strategy, its concepts, objectives and its thematic and implementation part]

### 2.1.1 Programme 1: Peasants' Access to Land and Agricultural Resources from the Human Rights' Perspective

Missing access to productive resources - particularly land - is one of the key reasons why people suffer systematic and chronic hunger (50 percent of the hungry worldwide are marginalized smallholder farmers, another 22 percent belong to the landless). Women are often particularly discriminated. While they only represent a small share of agrarian reform beneficiaries, their exclusion in land markets and other forms of market oriented mechanisms is compound.

FIAN's work on access to land aims at increasing the national and international awareness for the problem of access to land and other related resources and at analysing the relevance of the issue from a human rights perspective, so that the relevance of the problem is accepted by major national and international actors. This will help to solve concrete cases as well as to develop additional human rights protection standards for individuals, groups or communities threatened by landlessness and forced evictions. The specific problems of women are integrated into the programme. The focus is on access to land and the related resources needed to live in dignity and enjoy the right to feed oneself. The programme also incorporates the dimension of eco-destruction.

### 2.1.2 Programme 2: Right to Water

In many countries water gets increasingly scarce and water related oppressions are a major threat. Moreover in many areas there is an overuse of water endangering the long term feasibility and sustainability of agriculture. The contamination of water, e. g. in the context of mining or industries, further increases the scarcity of clean water for consumption and irrigation. The scarcity and pollution problems of water are becoming one of the biggest global challenges and issues in the coming years. Water supply is also very much gender biased, since scarcity of water increases considerably women's and girls' work burden and limits their capacity to follow productive activities or their access to education.

These developments are both a rationale to work on the issue and a chance to highlight the relevance of a rights-based-approach. The right to water and deriving working strategies represent important assets for the struggle in defence of water access. The emphasis on land rights in the FIAN mandate and FIAN's increasing commitment for gender equality is a contribution to an enhanced understanding of the right to water by underlining the secure access to water in agricultural production and by investigating gender dimensions with regard to the right to water.

### 2.1.3 Programme 3: Extraterritorial State Obligations (ETO)

Over the 20 years of FIAN case work, the significance of the impact of state activities outside their boundaries or of states neglect of international regulation both bilaterally and multilaterally has clearly increased. The old approach by many human rights bodies has been to focus its work on the domestic obligations of the nation state (those towards persons within its territory). However, with the increasing interdependence of national economies and the increasing influence of intergovernmental and private actors on the enjoyment of ESCR, FIAN had to draw the lessons from its case work and find new ways to address the issue of responsibility and accountability of the different actors playing a role in the realisation of the right to food. States have the obligations to respect, protect and fulfil the right to food both at home and abroad. Breaches of Extraterritorial State Obligations (ETOs) can therefore take various forms such as a forcible eviction through a dam or mining project decided and financed in the framework of bilateral or multilateral development cooperation (with the World Bank policy advice playing a particular role); or the signature of an international agreement (like a new trade regulation for instance) which can impede the enjoyment of the right to food abroad. Furthermore, there is a gender dimension of ETO violations (for instance when women only have limited access to compensation, or when they are discriminated through resettlement measures or international policies that are designed in a gender blind manner). International trade (and its impact on the livelihood of smallholders), promotion of investment beyond the social legislation of foreign states, and the home states' support of – or acquiescence to - human rights abuses by transnational corporations are some areas of concern.

### 2.1.4 Programme 4: Monitoring States' Right to Food Policies

In November 2004, the Council of the Food and Agriculture Organisation (FAO) of the United Nations adopted the "Voluntary Guidelines to support the progressive realisation of the right to adequate food in the context of national food security", which process FIAN has substantially influenced. The FAO Right to Food Guidelines can be considered as one of FIAN's biggest success stories. A number of sections contributed to this

success through their advocacy work. Now the time has come for civil society across the world to broadly use this instrument and to monitor their own governments' efforts to end hunger.

FIAN's focus is on the national implementation of the right to adequate food. Since the VG describe in detail what measures states should take and what they should avoid, they are a good tool to monitor if governments respond adequately to hunger and malnutrition. By assessing state's performance based on the VG, FIAN can contribute to re-orient states' policies towards the realisation of the right to food.

The VG introduce a rights' based methodology to food security policies which impose on states to concretely identify root causes and victims of hunger and adopt their policies according to the findings by focusing all efforts on targeting the most vulnerable first. With view to the high affectedness of women by hunger and malnutrition the VG bear also a high potential to tackle gender related dimensions of right to food violations. This in turn will help preventing and combating violations of the right to food.

### 2.1.5 Programme 5: Justiciability

State authorities forcibly displace small peasants or indigenous people from their land or stand by while others do so. Irresponsible behaviour by state authorities deprives people of their right to a minimum standard of social security, deprives landless people of their right to land and leaves the unemployed to their fate. Too many states violate international human rights law and often, their own national laws. Nevertheless, it is very rare that the victims can successfully claim their rights in the courts.

Justiciability of the right to food means that victims of violations of this right have the possibility to bring their cases to court, and get positive judgements which preferably refer to the right to food including compensation for the damage suffered and a guarantee for non repetition. Victims should be able to rely on the expeditious enforcement of the court's orders by the competent states' authorities. The justiciability of the right to food is a necessary element of its full realization.

On the national level, up to now the case work of FIAN has used the right to food basically in political appeals before authorities, governments and legislators. However, in order to enforce the right to food, it is not only the executive and legislative powers, but also the judicial power who are obliged to respect, protect and fulfil access to food. The justiciability of the right to food has a number of important consequences: What a court decides stays valid even after a change in government. Moreover, a positive judgement benefits not only the victims in a particular case, but can be used positively in other cases as well (precedent). Many similar judgements point to a deficiency in the legal and political system and may be used for political lobby on the right to food.

Justiciability is essential for the right to food as a legal right. Within this programme, FIAN is designing and implementing strategies to position the right to food in the jurisprudence of countries and regions.

### 2.1.6 Gender

Although formal gender equality has been enshrined in international law and many national constitutions and legislations, the de facto enjoyment of the right to food is all too often gender biased. Where the human right to food is violated or threatened, women and girls are often specifically or more severely affected.

The right to food is impaired for women by various factors: Limited access to and control over resources, lower salaries, insecure and unstable labour conditions, gender biased labour markets, discrimination in laws, regulations and programmes, limited enjoyment of the right to education, inadequate public health care, and exclusion from decision making processes. In addition, intra household food discrimination prevails in many regions of the world. The specific needs of women who require special protection are often neglected, e.g. through lack of protection of pregnant workers, insufficient maternity leave or discrimination in social transfer programmes. The struggle against all forms of discrimination, including gender discrimination, is integral part of FIAN's mandate. FIAN applies a dual track gender approach, aiming at both gender mainstreaming through different working areas and a focus on gender issues and on women's right to food in order to overcome existing inequalities.

Therefore mainstreaming gender has to be carried out within all FIAN programmes, and is therefore made part of all five programme descriptions. Commitment for a dual track gender approach also requires specific activities with a focus on gender or the empowerment of women to overcome existing inequalities.

➔ Please consult:

CD: II) The Different Work Areas of FIAN [*Different background documents related to the five programs*]

## 2.2 WORKING METHODS

### 2.2.1 Case Work and Interventions

The core of FIAN work is case-based: A case is a violation of the right to food that affects a concrete person or a concrete group of persons. Cases are the central category for FIAN's work against violations of the right to food. In a broad sense, all FIAN work addressing cases of violations of the right to food is case-work. An "International FIAN case" is a case adopted by the International Executive Committee (IEC) for group work or cleared by the IEC for letter action. Each letter action is either linked to an existing case or gives rise to a new one. FIAN Interventions are measures taken to stop or prevent violations of the right to adequate food in the mandate of FIAN. They are based on a human rights analysis of the situation, on a judgement of the type of violation, identification of the authority responsible, and on clarity that the demands made by FIAN are rights-based. Interventions by FIAN entities imply legal and political consequences for FIAN and are therefore not to be undertaken without the involvement of the respective bodies legally responsible for the FIAN entity. For international interventions this is the IEC. Interventions can take place in territories with or without FIAN section/co-ordination.

When approached by victims of a violation of the right to feed oneself, FIAN researches and documents the case. Responsible researchers at FIAN International Secretariat (IS) receive information from victims or their support groups directly or from journalists, counter part organizations, or from FIAN members. Usually a considerable amount of research work is being done by the respective FIAN section and those FIAN members and groups, who are working closely with the case in their country. If the case is an adopted case, a lot of research work is also carried out by the members of the group, which has adopted the case. When after deep analysis of the information received the facts are verified and the right to food violation is made clear, it has to be made sure that the affected persons are in agreement with FIAN intervening into their case. This is because they can determine best whether FIAN International intervention could help or not, as sometimes international intervention could have contrary results and jeopardize the situation of the affected persons.

➔ Please consult:

Annex 8: FIAN Clearance Sheet: Formate to submit relevant case information needed by FIAN to proceed with the case.

CD: II) The different work Areas of FIAN/Case Work and Interventions

- Successes for Human Dignity – Successes in the Fight against Hunger, FIAN International 2007 [*Collection of illustrated cases in which FIAN's work had an impact*].

### 2.2.1.1 FIAN Letter Actions

An international FIAN letter action is an effort of letter writing by many senders coordinated by the International Secretariat. The International Secretariat then formulates letters to the authorities of the state in question, demanding an end to the violation and remedies for the victims. The members of FIAN worldwide and other interested people participate by sending out these protest letters. In the aftermath, FIAN continues observing the development of these cases with the help of its local partners and, if necessary, acts again. By reaching out to the media, FIAN builds awareness about the cases it is working on within the general public.

At present there are the following five types of letters sent out through the International FIAN Secretariat:

- **Special Interventions ("sisis" - Individual Letters by the Secretary General of FIAN International)**
- **Rapid Responses (participation by General Secretaries and Presidents of sections and FIAN International)**
- **Urgent Actions (participation varies internally and externally) – intended to have as many senders as possible**
- **Campaign Actions (around October 16, the World Food Day)**
- **Emergency Actions of the Global Campaign on Agrarian Reform (similar to Urgent Actions, but distribution through the Emergency Network of the Agrarian Reform Campaign)**

In the following the focus will be on Rapid Responses, Urgent Actions, and Campaign Actions, as they are the ones in which FIAN members all over the world are expected to actively participate. Individual letters by the Secretary General (sisis) are not a letter action in the true sense as they are single letters. Emergency actions are letter actions in the context of the Global Campaign for Agrarian Reform and are not solely coordinated by the IS, but jointly with La Via Campesina.

#### Rapid Responses

Instead of a full-fledged urgent action, it may often be sufficient to launch such a rapid response. Rapid responses usually go without much press coverage. Sections/coordinations in the respective language group commit themselves to send one letter (by the Secretary General or president as the case may be) on each rapid response. The IS will only send a minimum profile on the situation: It will be in the cover e-mail with the letter attached.

#### Urgent Actions

Whereas rapid responses are internal letter actions sending one letter per section, sections will distribute urgent actions widely to their members and to other channels. Sections should distribute their chosen urgent actions first of all to their groups and members for

participation. Moreover they should use like-minded networks (who have an interest in the country, in the issue etc.) via email etc. Groups are free to collect signatures in form of petitions or to send letters collectively, as they see fit, even though individual letters are preferred. Urgent actions should be accompanied with medium level media attention, if possible.

Besides distributing an urgent action to the sections according to the schedule, the IS will distribute it through its email list serves.

### Campaign Actions

Campaign Actions are urgent actions surrounded by additional special activities in form of a case campaign with more pressure, media awareness and fund raising. The IS will provide additional detailed background, a press release, very careful follow up and there should be good chance to succeed. Eventually they should be accompanied by activities (perhaps of a spectacular nature), such as marches, sit-ins, demonstrations in front of embassies, which would generate wide popular support and publicity. Moreover they should be linked to a programme and carry the message of this programme into the public or otherwise be a lobby action. The sections shall look for high media attention contextualising the programme (campaign action).

Letter actions have a number of objectives. First of all, and most importantly, the objective of a letter action is to contribute to remedy for the violation of the right to food, and in particular the realisation of the demands at the end of the letter proposal. There are a number of other aspects as well:

- **A letter action aims at strengthening the bargaining position, the spirit, and the security of the victims and their respective support groups.**
- **It aims at popularizing human rights analysis under the human right to food by considering specific cases, and thereby provide substance for discussions in groups all over the world on the human right to feed oneself, and material for trainings and education and by calling people to action.**
- **It aims at organisation building by improving networking with new participants in territories with FIAN sections, or recruiting new members in areas without FIAN sections.**
- **Letter actions (if linked to an adopted case) aim at reaching the objectives of this case.**
- **Letter actions aim at realizing the objectives in the different strategic programmes as part of the respective programme work.**
- **Letter actions represent FIAN's core approach, which is action-oriented and participatory and thus attractive for newly interested persons**

- **Letter actions aim at recruiting new supporters. Their follow up allows continuing contact with interested persons**
- **Letter actions increase the visibility of FIAN.**

### 2.2.1.2. Fact Finding Missions/Research Missions

Every year, FIAN conducts international fact-finding missions and research missions. During these fact-finding human rights violations are uncovered and documented. FIAN interviews those affected, informs the authorities, and demands that those responsible be held accountable. The human rights analysis that forms part of such research is often well received by the press. Fact finding missions are official visits of one or more FIAN members from outside the territory of the victims. Their purpose is not only to inform themselves about the violation, but to get in touch with responsible authorities and the media in order to find remedy for the violation. Research visits have a more modest mandate without an action component.

FIAN uses these missions as a basis for further action: global letter campaigns, the accompanying of court cases, personal talks with government officials, complaints, and reports submitted to the United Nations or regional human rights bodies. In addition to all these methods, a great deal of perseverance and the support of many people are needed.

➔ Please consult:

- CD: II) The different work Areas of FIAN/Case Work and Intervention
  - Guidelines for Fact Finding Missions
  - Guidelines for Research Missions
  - Fact Finding Mission reports

### 2.2.1.3. Long Term Case Work by Groups

Case work is long term intervention work of FIAN on a case of violations (or threats of violations) of the right to food (or related components of the right to water) in the mandate of FIAN – with clear objectives to stop (or prevent) the violation in a reasonable time period. For a local FIAN group to carry out international case-work the respective case has to be adopted by the IEC. The case is then in the responsibility of the whole organisation and entrusted with a group in a country different from the victims' country. In case work, local groups act as some sort of campaign secretariat for this case. The groups will be assisted by the international and national secretariats in their case work. Case-work can give a specific identity to a group: much will depend on the groups as there may be no other campaign secretariat working on this case. Case-work refers to immediate matters of (economic, social or even physical) life and death for the affected communities/individuals. Case-work includes much more than letter writing – namely press work, stands, demonstrations, personal advocacy, fact finding, documentation, etc.

In case-work, the local group carries a great responsibility:

By adopting the case the IEC accepted a certain objective, strategy and commitment for the whole organisation. If the local group entrusted with this case on behalf of the IEC does not take up this struggle, others will probably not do it – and if they do, they won't do it on the basis of the human right to feed oneself.

In case-work as elsewhere - FIAN's job is advocacy, not politically organizing the victims.

National case work is possible under certain circumstances and within the limits of the rules of procedures for interventions (see annex).

## **SPECIAL TOPIC I: CASES**

### **A. How Do Cases Work?**

A case is an intervention of FIAN pursued by local FIAN groups for a relatively long time, sometimes several years. Each stable group should take responsibility for a case. Aims chosen for the case-work are not utopian, but have a chance to be realized within 2 or 3 years. Once the aim has been reached (or proved hopeless) the group can ask the IEC to close its case and get a new case.

Each case has to be accepted by the IEC, who carries the ultimate responsibility for the case. The case is handed over to the group by the IS, who will also serve as a consultant to the group entrusted with the case.

When the case is handed over, the group receives a case-sheet describing the aims of case-work in the respective situation and giving some suggestions for case-work and important information and documentation. The group will follow the instructions on the case-sheet.

A case is not handed over to more than one group, unless warranted by exceptional circumstances. Groups start their case work normally together. Only for bigger groups and/or in the course of time, some persons will get specialized in the case. But as much as possible should be done together.

Each group has specific knowledge and qualification which can be useful in case work depending on the choice of the case. This could be specific linguistic abilities, knowledge of the region, or other personal experience. The IS will take these into account as far as possible when entrusting a particular group with a case.

### **B. Case Work and Progress of Work**

Contact has to be built up with the victimized or vulnerable group and/or its support groups. The group should always be up to date and know new developments as quickly (and perhaps even in more detail) than the responsible authority. The group should try to build its own information and action network. The information network will serve as additional source of information. The action network will provide allies to make the issue known and to put certain issues on the agenda of authorities, agencies and politicians.

When cooperating within the action network, the FIAN group should remain aware of the mandate in its own activities. The group should as much as possible recur to international and national (human rights) law.

### **C. Where Do Cases Come from?**

The source of information behind the case sheets is FIAN's network of researchers, as indicated above (1.B). When a situation requires more prolonged and persistent attention it may be considered to be proposed for case-work. This situation may be a new situation, on which FIAN has not worked so far - or may otherwise be triggered by a recent urgent action or hotline requiring long term follow up.

### **D. The Other Activities in Case Work**

#### **a. Public Relations and Press**

Publicity and press work are very important, as in many cases these situations are not well known in the international public. Sometimes the respective FIAN group is the only international group entrusted with information of human rights violations in a specific remote area or of people who cannot articulate them internationally. Everything will then depend on the FIAN group to get its case known in the public and bring it onto the agenda of some decision makers nationally and internationally. The local press can be attracted to the case, if it is dealt with by the local group. If the group is known and has a good standing in its local community the local press will report. Press clippings can be sent to the respective governments/embassies to document the public interest for this case. Press work needs time and patience (see below) to build trust with the respective people responsible for such issues in the respective newspaper or radio/TV.

#### **b. Lobby activities**

Lobbying local and international decision makers is an important part of case work. If such a lobby is prepared by some public relations work so that the case is somewhat known, then lobby work by writing or (better) visiting the respective decision maker can contribute to an improvement of the situation and can even prevent a violation of the right to food. But even without careful preparations by public relation, lobbying on a case is something quite useful as at least some of the decision makers are committed to human rights even without the public watching.

Lobbying always takes some courage to walk up to an influential person. There is no need to be afraid. Lobby work may take some efforts to be well prepared for such meeting, but normally a FIAN group knows much more about its case than most other people. Lobbyists need some self-control not to show or even feel disappointment or anger and not to get side-tracked.

### c. Writing a Dossier

At some stage case-work may result in the group writing a draft dossier. A FIAN dossier is a publication of FIAN International on a specific case. Such a dossier can serve as a tool in case-work, for example as a collection of material or information for the press and public. A dossier can also serve upon completion of the case work as a documentation of the case (and of the group's work on it), and as an inspiration to others. Sometimes groups write a first draft, which is then researched and edited by the IS.

### E. The Case as a Means of Identification

Case work is something that identifies a group. It is something rather personal - not only because sometimes in the course of case work groups get into personal contact with the victims or their support groups:

By taking charge of a case a local FIAN group will be able to obtain very "personal" results in its FIAN work.

The fate of case work will basically depend on their group and its work. What this group fails to do, will not be done by anybody else. On the other hand, a (complete or partial) success with "its case" will be something very personal as the success is due to the inventiveness and persistence of this particular group.

On the other hand the group in its case work need not see itself isolated but rather as an integral part of FIAN International, on which it can rely both in terms of information and action to assist in the case. The group should keep in mind that the IS is there to assist and to help by carrying out letter actions, or suggest some other means to involve a larger part of FIAN International.

A case working group makes a vital contribution to FIAN. Without case work FIAN International would not be the same. Through case work groups become a motor of the organisation.

➔ Please consult:

CD: II) The different work Areas of FIAN/Case Work and Interventions

- The Art of Persistence – FIAN Case Work, FIAN International 2002 [*Contains practical hints for FIAN case work*].

### 2.2.2. Campaigning

In addition to individual case-work, FIAN launches campaigns involving the global FIAN network and partner organizations. At present, FIAN International is involved in the Global Campaign for Agrarian Reform and the Campaign Face It – Act Now. Violations of the right to feed oneself are often very similar across different countries because the root causes are the same. For example, the concentration of land in the hands of a few wealthy landowners in some countries leads to a typical pattern of violation of the right to food. FIAN campaigns address these issues by going beyond the specificity of

an individual case and mobilizing the global public in favor of policy reforms in as many countries concerned as possible.

#### 2.2.2.1. Global Campaign on Agrarian Reform

The Global Campaign on Agrarian Reform is jointly coordinated with La Via Campesina. La Via Campesina is an movement coordinating organisations of small and middle peasants, agricultural workers, rural women and indigenous communities in Africa, the Americas, Asia and Europe. It underlines the agrarian reform as a special system of resource sharing programmes (including the right to access productive resources and capital). The campaign emphasises the sustainability of enhanced "people's agriculture" (versus agribusiness).

The Global campaign on Agrarian Reform is based on three pillars:

- Support to national movements for agrarian reform issues, including an emergency network, fact finding missions and media work;
- Exchange of experiences and ideas in the struggle, including the organization of seminars and conferences;
- Influence the international policy debate.

➔ Please consult:

CD: II) The different Work Areas of FIAN / Program1/  
FIAN Fact Sheet: Agrarian Reform – A human rights obligation

#### 2.2.2.2. Face It – Act Now

This campaign was started in 2007. It seeks to create broad support among European citizens for the right to food to solve concrete hunger cases in developing countries. At the same time European institutions should use the public attention given to these problems in order to demand more and far reaching changes in governance from partner governments in the South. In order to gain broader support for actions against hunger in Europe the campaign is using specific cases of violations of the right to food. The use of concrete cases gives faces and palpable stories to the anonymous group of 850 million hungry people. The target groups get information on these specific cases and are invited to act and support the victim groups through postcard and letter writing campaigns. The direct action of concerned citizens will on the one hand directly help to improve the situation of the victims. On the other hand the cases are illustrative examples of bad governance. They can also indirectly be used to encourage governments in developing countries to address policy gaps and end discriminatory practices. The action is based on well-founded collaboration between civil society groups in Europe and in the South.

If you want to know more have a look at  
[www.face-it-act-now.org](http://www.face-it-act-now.org)

### 2.3. LOBBY WORK AND MONITORING

Human rights, which include the right to food, are best seen as the basic laws of global society. In its Charter, the United Nations views the protection and promotion of human rights as one of the most important tasks. This is why the United Nations set up the Human Rights Commission immediately after it was founded and passed the Universal Declaration of Human Rights, the founding document of various international treaties that together constitute international human rights law. Within this body of law, the two human rights covenants – The International Covenant of Political and Civil Rights and The International Covenant of Economic, Social and Cultural Rights, are the most central treaties. This latter is of crucial importance as it entrenches the right to food as a human right.

FIAN has consultative status with the United Nations and contributes to the development of the system of human rights protection. In its work, FIAN concentrates on the United Nations Committee on Economic, Social, and Cultural Rights. FIAN has developed a multi-level working relationship with the Committee in the following areas:

- a) FIAN has contributed to the Committee's general debates on the interpretation of the ICESCR. These debates are generally included in the general comments of the Committee. For example, FIAN had a great influence on the elaboration of General Comment No. 12 on the right to adequate food and participated in the debates regarding the right to water.
- b) Furthermore, FIAN presents or supports the presentation of alternative reports to those produced by the ICESCR state members. These alternative reports give the Committee the opportunity to compare the information presented by states with civil society's view of the ESCR situation in the respective country. The results of the comparisons are included in the Concluding Observations, which often incorporate the recommendations on the right to food presented by FIAN and the organizations supported by FIAN.
- c) In addition, FIAN frequently organizes parallel events to further inform the members of the Committee about the human rights situation in a particular country, putting civil society representatives of that country in direct contact with the Committee and allowing the Committee to hear testimonies firsthand from victims. Another kind of more general parallel event is aimed at contributing to the general development of international standards for human rights in different areas. For example, in November 2007 a lunch meeting was organised to present different initiatives on the monitoring of public policies based on rights, with the purpose of facilitating discussion to identify common strategies and to clarify targets for the future between different actors from the international community.

Another quite different example of a body working for the right to food at the heart of United Nations is the Human Rights Council, which replaced the former Human Rights Commission in 2007. The Human Rights Council has planned the implementation of a mechanism called the Universal Periodic Report (UPR), whereby the Council reports on the human rights' situation of each of the member states of the United Nations. Organisations from civil society are expected to participate in the elaboration of UPRs for each country by presenting brief reports on the situation of all each and every human right in their respective countries. The Council then considers these opinions at the time of compiling the reports for each of the countries. Within the UPR framework, FIAN has already presented brief reports on India and Ghana.

Another area of work done by the Human Rights Council and also the ESCR Committee is fortified by the Special Procedures, for example the Thematic Working Groups or the Special Rapporteurs. FIAN has collaborated very closely with the Special Rapporteur of the United Nations on the Right to Food for many years. The Rapporteur has not only visited countries where FIAN works and supported events and public discussions, but he has also contributed to increasing the visibility of the cases defended by FIAN.

FIAN has also carried out fundamental lobbying within the framework of the NGO Coalition for an Optional Protocol to the ICESCR. Using this process, which began in 1991, FIAN has vastly contributed to the content, as well as the legal strategy, in order to move forward an individual complaints procedure for violations of the Covenant of the United Nations. After a long process of negotiation, coordination and lobbying, a final version of the Protocol was submitted to the United Nations Council during the first half of 2008 by the intergovernmental working group that had devised it. In June of that same year the Council adopted the Protocol by consensus and sent it to the General Assembly of the Nations to be adopted in December 2008. The Optional Protocol will go into effect three months after its ratification by 10 states. After this fantastic achievement, FIAN is already planning lobbying activities at the national level to encourage the ratification of the Protocol.

FIAN also lobbies the specialised bodies of the United Nations, other international and regional agencies, governments and NGOs to improve the existing legal and political instruments related to the right to food. For example, FIAN carried out an important task of lobbying for the adoption of the Voluntary Guidelines for the Right to Food in the FAO. In November 2004 the FAO adopted the "Voluntary Guidelines" for the effective implementation of the Right to Adequate Food. The Voluntary Guidelines, along with other international tools and guides that have been developed during the last decade, are used by FIAN to strengthen and support its cases. Since the Voluntary Guidelines describe in detail which measures states should take and which they should avoid, the guidelines are a good way, from

a human rights' perspective, of monitoring whether or not governments are dealing with cases of hunger and malnutrition correctly.

➔ Please consult:

CD: I) Important Legal and Quasi Legal Documents

- FAO Right to Food Guidelines
- Reports of the Special Rapporteur on the Right to Food

II) The Different Work Areas of FIAN /Program 4

- Screen State Action Against Hunger – How to Use the Voluntary Guidelines on the Right to Food to Monitor Public Policies
- Parallel Reporting before the UN CESCR – Writing a Parallel Report on the Situation of the Right to Adequate Food in Co-operation with FIAN International

## 2.4. CAPACITY BUILDING

### Aim of Capacity Building in FIAN

To strengthen people interested in the right to food and multipliers already working in this area for long time. To equip them with in depth knowledge, skills & motivation towards promoting the right to food and provide clear guidance for specific collaborated actions to fight for the realisation of the right to food of the victims.

FIAN is engaged in capacity building of actors working in key areas relevant for the realisation of the human right to food. These activities cover a wide range from international arena, national authorities, non-governmental organisations as well as grassroots initiatives and individuals. Following are the main target groups:

- **FIAN members/activists**
- **Government organisations, parliamentarians, district collectors, etc.**
- **Civil society organisations NGOs, Academia**
- **Victim groups and their representatives**
- **Victim support groups**

People who are well-informed and aware are needed in Northern and Southern countries in order to carry out human rights work. FIAN contributes to this through professional publications, press and public relations work and action-oriented seminars and workshops.

Following specific activities and outputs of FIAN's work on capacity building have been:

- **preparation of information and resource material (textbooks, brochures, manuals, power-point presentations, Seminar CDs, collection of background material in different languages) for creating awareness, providing in depth knowledge and prepared material for introductory trainings;**

- **implementation of trainings, seminars , workshops related to different topics in the area of the right to food and with different approaches and target groups.**

FIAN is actively engaged in human rights capacity building throughout the world. FIAN organizes and holds workshop on social, economic and cultural rights in general and the right to food in particular for members of FIAN sections in its organization building activities. Human rights education is also actively pursued in cooperation with partner organizations and NGOs. The aim of such workshops is to make the right to food and the obligations of states known to both victims of violations and human rights activists.

Proposals and support on how to conduct Human Rights Capacity Building Programmes can be obtained through the FIAN International Secretariat.

## 2.5. COMMUNICATIONS, PUBLICATIONS AND MEDIA

FIAN regularly publishes a journal (Right to Food Quarterly) and an electronic newsletter on right to food matters. Likewise documents, studies and reports on specific topics produced by activists and academics are continuously published. Simultaneously, FIAN constantly briefs international media on its activities. The international FIAN website [www.fian.org](http://www.fian.org) provides all necessary information about the organization in English and Spanish. This includes all international publications, press releases, cases, urgent actions, program descriptions as well as basic information about FIAN as an organization. Furthermore, the Worldwide Map directly links to all FIAN sections and co-ordinations around the world and links up to all relevant country information. In this way, FIAN contributes significantly to informing and sensitizing the global public about issues related to the right to food.

➔ Please consult:

CD: III) Organisational Structure of FIAN

- A Guide to Media Work for FIAN Sections, Coordinations and the International Secretariat.

## SPECIAL TOPIC II: PRESS AND MEDIA WORK

### The Communications Strategy

FIAN has to communicate in two “channels”. The first channel will concentrate on “close” and immediately interested target groups, the second channel will aim at the general public. In the early stage FIAN has to rely almost completely on the first channel: More or less personal approaches to sympathetic target groups. In course of time emphasis will start shifting to include the second channel: Using the means of mass communication, media etc to reach the public at large. Both channels are mutually reinforcing. The personal approach will strengthen the general knowledge about FIAN. And mass knowledge about FIAN greatly facilitates the personal approach, which is unavoidable once it comes to stable financial and other support for FIAN. Eventually - a balanced communication will be reached on both channels, giving maximum result.

### Relations to the Public and Media

FIAN has to be in regular contact with the public and press. This will greatly help FIAN to promote economic human rights, to influence decision makers, and to help victims of human rights violations.

#### a. Relations with the press

The press is an immensely useful vehicle for FIAN's message. The press can distribute information from FIAN, which is not available for the press from other sources. FIAN can draw the attention of journalists to land evictions and other facts that would otherwise not be reported because there is no other channel of information for the press.

Moreover FIAN can influence how the press reports on certain events by promoting the coherent use of human rights terminology. Whether a certain event is reported as a triumph of development, as a sad story of marginalized people or as a violation of the right to feed oneself will depend very much on FIAN and its press work.

One elementary but useful form of press work is “Letters to the editor”. This can be done by the section with national media, and by the local groups for local media. Such letters will give the opportunity to promote both FIAN's point of view and FIAN's name.

For press work in general it is always good to have the articles prepared, even if you have distributed press declarations. Don't expect too much from journalists even if they come to your event or press conference. You have to assist them as far as possible.

When you make a press conference you should call your main journalists in advance. Don't be disappointed if only a few show up to your press conference. These few are important. Relations with journalists need time to build trust.

If you have a guest from a victim group, don't forget to include the media in his/her programme.

#### b. How to make it click

Your information will get into the media because it can draw the attention of the public, and not necessarily because it is relevant from the human rights point of view. In order to get attention you may want to link it to something else that does draw attention. This can be something of local interest, like your local group, a visitor etc..

One way to make the link to public attention is to hook FIAN's message or concern onto some other “hot news” like the visit of the president from a respective country in a section's territory, some topic somehow linked to a FIAN case etc.. In order to be successful, however, you have to react quickly. News must be hot and geared to something relevant to a wider public at that particular point in time.

You should always make use of special events in time like Human Rights Day (December 10), World Food Day (October 16) or World Conferences to get your message into the media. Sometimes journalists have to write something at the occasion and are open to FIAN news and FIAN's message.

## FIAN's work: Loop of 8

### FIAN STRATEGY – “THE LOOP OF 8” FIAN'S MAIN CATEGORIES OF WORK

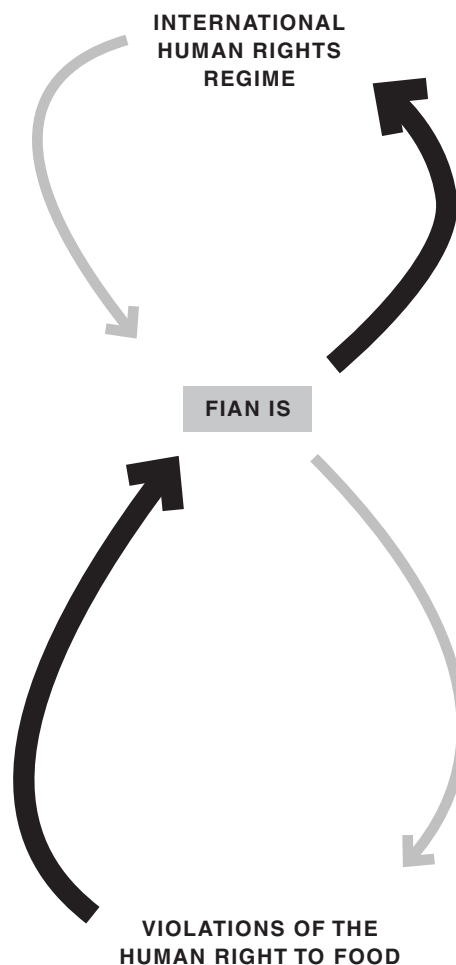
FIAN's human rights approach has been placing emphasis on legal interpretation of the right to food as a human right, which gives legal claims to citizens and groups and which places binding obligations on governments to respect, protect and fulfil the right to food. This approach has determined FIAN's methods of work, its overall organisation of work and its organisational structure.

In addressing potential or direct violations of the right to food at local level, FIAN takes a relational and multi-level approach, which involves both the rights-holders and the ultimate duty-bearers: The people and groups threatened by or suffering from hunger and malnutrition, and the national governments and governmental bodies. Moreover, FIAN actively seeks to mobilise the international human rights machinery in bringing pressure on local governments and other duty-bearers.

The development of the international human rights regime is ultimately aimed at improving the tools and instruments available for the respect, protection and fulfilment of ESC rights. This development is enhanced by the active use of the system in addressing local cases and by bringing the actual cases of violations and their characteristics to the attention of the human rights system, thereby facilitating the substantive, procedural and instrumental development of the international human rights regime.

These two upstream and downstream processes between case work and national/international human rights regimes can be visualized as an 8 with case and regimes forming the upper (regimes), respectively lower part of the 8 (cases), and with a synergy relation between them – the “loop of 8”. This is an essential pulse or epicentre in all FIAN's work. They two parts of the 8 are closely interrelated and the one feeds the other. Combined with the relational approach focusing on rights-holders and duty-bearers and the focus on duty-bearers at various levels (local, national, international), this constitutes FIAN's strategic cocktail and this is directly reflected in the methods and organisation of work that FIAN has chosen.

The *down stream* process is captured by FIAN's intervention and education work and the *upstream* is captured in FIAN's lobby and advocacy work.



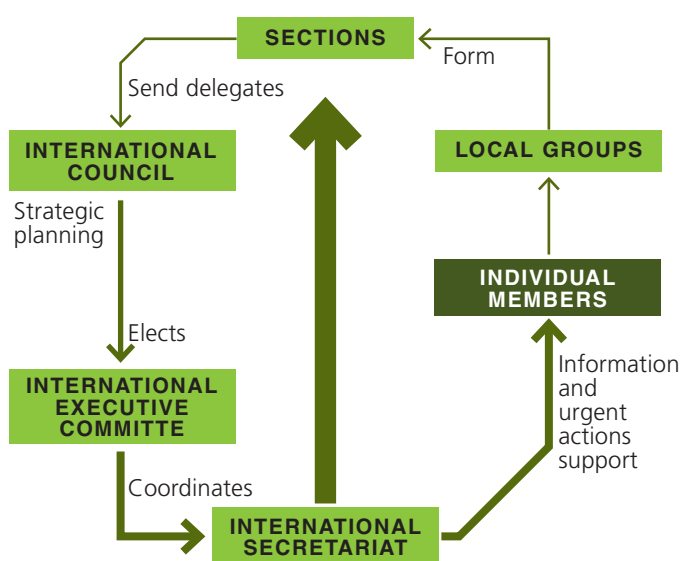
## Part 3

### Organisational Structure of FIAN

#### 3.1. MEMBERS, GROUPS AND SECTIONS

FIAN is an organisation based ultimately on individual membership with a clear organisational structure. There are different types of members at FIAN International: *Individual members, sections, co-ordinations, affiliated groups and supporting members*. Institutions can become supporting members of FIAN (institutional membership). Supporting members support FIAN financially or otherwise, but this special membership status is not linked to any political rights within the organisation.

FIAN's Structure Chart



Everyone who wants to commit himself/herself personally to the human right to feed oneself should become an individual member of FIAN International. For this matter he/she should apply for membership with the IEC/IS. If there is a section in the country of his/her residence he/she should normally apply with the board/secretariat of the national section. Every individual member of a section is also an individual member of FIAN International. Individual members who are not at the same time a member of a section are sometimes called "direct members".

All FIAN members (except the supporting members) are expected to participate in urgent actions and/or other forms of intervention, campaign, lobby and education on behalf of the human right to feed oneself. They pay their annual membership fee. Members of sections carry some rights and duties in their section according to the national statutes.

➔ Please consult:

Annex 2: FIAN International Statutes

#### 3.1.1. FIAN Groups

Volunteers are involved in FIAN groups all over the world. They organise information activities, panel discussions, actions and press work and through that contribute to the struggle against the continuing scandal of hunger. They put pressure on those responsible.

One of their most important tasks is to get involved for and with the victims of human rights violations. Over long stretches of time FIAN groups support people, whose right to feed themselves has been violated. They remain in close contact with them, exchange information, coordinate strategies, and act jointly.

Local groups are medium-or long term institutions which secure the presence of FIAN in a certain area. Local groups can be affiliated groups to FIAN International. Seed groups and coordination groups are specific forms of such affiliated groups. Usually, however, local groups are part of sections.

In the statutes of FIAN as well as in a number of sectional statutes, local groups are mentioned as part of the organisational structure and have specific rights – such as additional voting rights in annual assemblies of their sections. Local groups consist entirely of FIAN members.

Any FIAN section normally starts with a group (seed group): One or several persons interested in building FIAN in their territory involve others to build a seed group, to meet regularly, participate in urgent actions and get to know FIAN. A seed group may start small with just three persons, but more working capacity is required to advance quickly. Normally it will take some time to build up capacity and hard work in close cooperation and consultation with the IS until a local seed group feels prepared for the next step.

#### 3.1.2. FIAN Co-ordinations

When a seed group feels confident to make itself known in its territory and build up a section it applies for status as a coordination group with the IS. Under the FIAN statutes a "FIAN coordination group" is an affiliated group of FIAN. It has to consist of at least three individual members of FIAN International. Usually the IS asks for 6 or more members and some stability and FIAN experience before it grants the status of a coordination

After being recognized as a coordination by the IS, this new coordination group in cooperation with the IS will make public its address and its intention to build a section in territory X. It can act as the local representative of FIAN International and has the purpose to build a section. It will then be called a "FIAN co-ordination X". Normally its territory will be a country. Once a co-ordination has been established it takes over the mailing of urgent actions coming in from the IS, and perhaps their translation into local languages different from English and Spanish. Normally, a co-ordination will not be registered as an organisation in its country. Its members are members of FIAN International – and apply for such membership

with the IS – either directly or through the coordination group. If the IS is in touch with new direct members or interested persons in this territory it will refer their addresses to the Co-ordination.

The co-ordination will in different parts of its territory start to build up a network of persons participating in urgent actions and willing to help building up a section. The co-ordination will try to get some publicity through FIAN campaigns and increase FIAN membership. Usually it pays not to rush the founding process of a section but wait until a second or third local group has been established. This will provide more stability and a better starting position for quicker growth in the future as it helps to avoid or reduce local biases in the country from the very beginning.

➔ Please consult:

Annex 9: Guidelines for FIAN Groups and Coordinations [*These guidelines clarify the special nature of FIAN Groups and Coordinations, their role in the overall organisational structure of FIAN, expectations by FIAN International*].

### 3.1.3. FIAN Sections

Once the co-ordination has achieved some stability and wishes to represent FIAN in the country on a permanent base, a national section can be founded. The following procedural conditions have to be met: 1) there are at least *ten* individual members in the country; 2) the section gets accepted under *national law*; 3) a formal request along with the *draft statutes* has been submitted to the IEC, 4) the IEC *accepted the section* and its *statutes*. Its statutes have to be coherent with the statutes of FIAN International.

Groups and individual members are represented in their respective section according to its statutes.

Establishing a strong national section is the organisational aim for FIAN in every country. The sections work towards the aims of FIAN International under the conditions given in their respective national context. Each section will be different. And these differences will be appreciated as they provide for the richness and strength of FIAN as an organisation. Each section will work in its own language, taking into account the cultural background and local possibilities in their territory. Their national character does not prevent the sections from integrating themselves into the general structure of FIAN International. As members of FIAN International, they are duty-bound by the International Statutes.

FIAN International requires its sections to have a democratic structure similar to the international structure. Each section therefore needs a National Board. The board consists of President, Vice-President, Treasurer and possibly other persons. It cooperates with the IEC/IS.

The work of the Board will depend on whether the section has a secretariat or not. If there is no secretariat, one board member should take over the functions of a

secretary – at least until a professional secretariat has been established. Normally the sectional statutes provide for a national secretariat headed by a secretary general. The tasks of the board can include the following: The board decides the daily affairs of the section's work, passes on information to its members and the public, invites the participation in interventions and secures the financial development of the section. The Board takes over the coordination of members and groups. In return the groups will assist the Board in its tasks. Each individual member of the section is admitted by the National Board.

As stated above, FIAN IS assists the sections, co-ordinations and members. For every section and co-ordination, there is a responsible country officer at the IS

The tasks of Country Officers among others are to:

- 1) accompany the organisation building process of FIAN in country X,
- 2) secure the flow of country specific information from FIAN International to the section/co-ordination (and eventually groups & members) in X,
- 3) guard the overall coherence of FIAN as an organisation in country X,
- 4) know about IS activities for/in X,
- 5) facilitate the flow of communication from X to the IS & ensures that safeguard mechanisms are functioning in situations of difficulties.

The country officer is the main contact person for the section/co-ordination when addressing the IS.

FIAN IS is directly responsible for those members residing in countries where there is no FIAN section (direct members). These members will get regular information and publications directly from the IS. Every member of a FIAN-section is also a member of FIAN International.

## SPECIAL TOPIC III: BUILDING UP A FIAN SECTION

### A. Founding of a National Section

#### a. The National Statutes

When a national FIAN coordination is about to turn into a FIAN section, it needs to be recognized both by the law of the country and by FIAN International. In particular it needs its own statutes, a founding document, in line with the Statutes of FIAN International and recognizable before national law. Moreover it needs to have at least 10 direct members of FIAN International (cf. statutes art. 6.2). Once the coordination group is confident to start the formal founding process, it will therefore draft statutes and send them around to the (main) members of its national network and convene a meeting. Most national statutes are drafted along the lines of the international statutes. This meeting could be the founding meeting once the coordination can be sufficiently sure (through

contact with the IEC/IS) that its statutes are acceptable except for minor changes. Once the coordination and its network have reached agreement on a final draft, they submit this draft to the IEC for approval together with a written application for admission as a section together with the respective number of members and their signatures. After admission it starts the legal procedures for getting the statutes recognized before the law. The founding itself is a good occasion for publicity.

#### ***b. The National Board***

At the occasion of the founding meeting, a Board for the section has to be elected. This board should contain a sufficient range of people from different parts of the territory and different backgrounds who will distribute the responsibilities among themselves and replace the coordination group, which will then become a simple local FIAN group. It is important, however, that some secretarial capacity is generated either within the Board, or outside. For the first period the secretarial tasks can be shouldered by a number of local FIAN groups, tasks like mailing of material like urgent actions and others, translations, organizing meetings, public relations and press work, membership drives, fund raising etc., but eventually some professional secretariat should come about. In the longer run the Board and Secretariat should be assisted by Sectional Working Groups consisting of members from different local groups and individual members.

#### ***c. The Growth of the Section***

Once the section has been recognized direct members of FIAN International in this territory will become members of the section and will henceforth be indirect members of FIAN International and rather identify themselves as members of "FIAN X". The section can for some time build up its strength on a voluntary base by building up groups and recruiting members and supporters and by fund raising. After a certain point fund raising will become particularly important to generate the first (part-time) position in a small secretariat. This process may be further stimulated by embarking on projects which will permit some outside funding, which will (and must) in turn strengthen the structure and fund raising capacity of the section.

Growth of the sections means not only growth of membership but also growth of the local groups. They should form the backbone of the organization. It is here where the leadership skills and the spirit of FIAN develops. Some intermediary working groups between the local groups and the board have proved particularly useful both for assisting the section in its work and for recruiting new members to take over responsibilities in the Board. The Board will guide the secretariat which in turn helps to recruit new members and supporters and found new local groups.

## **B. Structure of a Section**

### ***a. The National Board***

Each section needs a National Board. The Board consists at least of three persons. The president, vice-president and the treasurer. A Board of 5 or 8 persons will be able to achieve more. One Board member should take over the functions of a secretary - at least until a professional secretariat has been established. The secretary should be in close touch with the IS. The Board meets several times per year. It is elected by the section's general assembly, which should meet at least once a year. The Board should to some extent reflect the diversity in the section. This will facilitate its work of constructing FIAN.

The Board decides the daily affairs of the section's work, passes on information to its members and the public, invites the participation in interventions and secures the financial development of the section. The Board takes over the coordination of members and groups. In return the groups will assist the Board in its tasks.

In the long run the Board and its Secretariat should be assisted by Sectional Working Groups (on specific campaigns, on fund raising etc.) Such working groups consist of members of different local groups as well as some individual members. They should be established once a number of local groups have formed and stabilized. Sectional Working Groups cannot and must not replace the local groups, who are the "backbone" of the section. They are, however, an important supplement to bridge the gap between the local groups and the Board. Of course, these Working Groups can only have few meetings every year due to the amount of travelling involved.

### ***b. The Members of the Section***

The individual members of the section are admitted by the National Board. These are persons who participate in the urgent actions and/or other forms of intervention, campaign, lobby and education on behalf of the human right to feed oneself. They pay their annual membership fee. Members carry some rights in the section according to the statutes.

It may be wise to offer a special status as "supporting member" or "supporter" for persons or institutions, who want to be a member of the section and support the section with regular fees, without becoming active.

The most important members of each section are the local groups (see 3. below). They form the backbone of the section. They also deserve a special representation in the general assembly. There are some sections which have restricted the right to vote in the general assembly to the delegates of the group, and have only a few regional representatives of individual members. This can be justified by the fact that most of the sectional work is carried by the local groups, and hence it is them who should have the main say in the general assembly.

## C. Tasks of a Section

### a. *Promoting Solid Growth*

Sections are there to grow. They carry in the respective country the work of FIAN for the human right to feed oneself. Much will depend on their strength. For this matter they need to develop in terms of a growing number of members, of finances, and of secretarial capacity. The section has to make FIAN known in its country also in order to enrol more members. Moreover members have to receive FIAN training in order to be in a better position to perform their work for the right to feed oneself. Hence internal training is a very important task of the section. Training keeps members interested and gives them the possibility to develop their relationship with FIAN. It thereby contributes to the consolidation of the section.

The section also has to look after the local groups. The section assists and coordinates much of the work of local groups described below. The section does the national press work and represents FIAN in the country vis-a-vis the public.

### b. *Interventions, campaigns and lobbying*

The interventions of FIAN International are normally proposed by the IS. Each section has in addition the possibility to start its own interventions within certain internationally agreed framework. The section provides for the distribution of the international interventions to the national FIAN members and the national public. The section will also have an eye on the case-work of the local groups. Ultimately responsible for the case is the IEC via the IS.

Each section will decide whether it wants to participate in a campaign offered by FIAN International and will coordinate the campaign in its territory. The section will represent FIAN in lobbying with its own government on demands of campaigns or interventions.

For example, sections have to concentrate two thirds of their programme work on some of the programmes decided upon by FIAN International.

### c. *Capacity Building*

Developing the capacity of national FIAN members is important for the consolidation and effectiveness of the national section. In terms of capacity building, the sections must not only be inward-looking, but also consider other NGOs, and the general public. The human rights education of the national public is an important task of each national section.

### d. *Fund Raising*

Sections coordinate the fund raising for FIAN in their respective territories. With this fund raising they finance not only their own work but contribute through their membership fees to the funding of FIAN International.

National Sections may also establish links with national funding agencies to fund national and international FIAN work.

## D. Rights and Duties of a FIAN Section

The rights and duties between different sections and also between the IEC/IS and the section are first of all based on the fact that sections are members of FIAN International and consist of individual members of FIAN International. There are also different sets of rules of procedures to be followed by all the entities. However, within such given framework, FIAN sections carry out their activities on their own, and according to the given national circumstances.

What are the rights of sections? These are, for example, the right to participate in the policy decisions of FIAN by sending a delegate to the IC. Every section has to stick not only to the statute and mandate, but to respect all other decisions of the Council and the IEC. A section has the opportunity through the Council to influence such decisions and the composition and attitude of the IEC. This, however, does not dispense a section of adhering to rules and regulations as they stand.

And what are the obligations? There are several obligations FIAN sections and co-ordinations must follow: 1) work in the mandate of FIAN and contribute to the achievement of the aims set out; 2) to assure this: closely cooperate and regularly communicate with the IEC/IS and – as far as possible – with other sections; 3) sending of financial statement (before April 1 of the following year) as well as audit report (before November 15 of the subsequent year) to FIAN IS; 4) Payment of dues (based on membership fees and donations for each calendar year) to FIAN International before February 15 of the subsequent year.

➔ Please consult:

Annex 3: FIAN International Rules of Procedure

### 3.1.4. The International Council (IC)

The International Council (IC) can be considered as the *parliament* of FIAN. It is the highest decision making body of the organisation. It meets every second year and takes political decisions on priorities and trends of FIAN. The IC elects the International Executive Committee (IEC), the auditors and the election committee.

The IC consists of the delegates of the different sections. Each section can nominate one, two or even more delegates, depending on its size. These national candidates are generally elected in a general assembly meeting of the respective section.

IC meetings are held every second year. In the year between the IC meetings there should be regional meetings or a Biannual International Conference (BIC). These should focus on intensive discussion of FIAN work, strategy and working techniques. Participants in a regional meeting should include the IEC members in the region, who should actively participate. Participants in a BIC should include all IEC members. Each section should be represented by its IC delegates and/or other members. Participation shall not necessarily be limited to FIAN-members. The results of the regional meetings or the BIC should be evaluated at the subsequent IEC and IC meetings

Each section makes sure that their delegates do participate in the IC meetings. In some cases financial help for travel expenses may be sought from FIAN International both for the IC meetings, the BIC and the regional meetings. The IS should be provided with the names and addresses of the delegates of the national sections one week after their election by their respective section.

### 3.1.5. The International Executive Committee (IEC)

The International Executive Committee (IEC) is the governing board of FIAN. It is responsible for FIAN's daily affairs and can be seen in some sense as the *government* of FIAN. Its members are directly elected by the IC. The IEC consists of the President, the Vice-President, the Treasurer and up to six other members. With the exception of the treasurer, everybody in the IEC has to come from a different section or country. The IEC meets twice a year. The IEC employs the Secretary General and the International Secretariat (IS) as secretarial assistance in its current affairs.

### 1.6. The FIAN International Secretariat (IS)

FIAN International Secretariat (IS) deals with current affairs of FIAN. It works under the guidance of the IEC. The IS is headed by the Secretary General. The IS is closely cooperating with the sections and members, it deals with research and interventions, with international campaigns and lobby work, with capacity building, organisational development, and with communication and publications. It works as a technical service for the IEC. The IS assists the sections, co-ordinations, groups and members. Its office is located in Heidelberg, Germany.

## 3.2. FINANCIAL COOPERATION

FIAN can count on a high investment of voluntary time (a spirit that remained vigorous from the beginning until today). The grassroots based growth of membership and sections in the first ten years of FIAN's life involved fairly little outside funding.

The first decade of FIAN showed how much can be done with very little money: Nine sections were founded in this period. The 1990s also showed, however, the limits of voluntarism, the importance of some staff in sections to carry the sections further. The second decade of FIAN was then marked by the growing importance of project funds for the IS and the sections and certain threats of an "NGOisation" of FIAN: Becoming a network of secretariats/offices with very few members.

One important feature – in particular in the 2000s – has been the increasing financial cooperation between the sections and the IS. The IS accompanied the sections, did consortial projects with the European sections and others and avoided counterproductive self-competition in project fund raising and assisted the trend that almost all sections now have a professional secretariat – again largely based on project funding

### 3.2.1. Financial Sources for FIAN Programs

There are several ways FIAN generates funds to conduct programs. These are

- 1) Contributions of FIAN members
- 2) Donations,
- 3) Income from sales and interests, and
- 4) Project grants of donor agencies and institutions.

In 2005, 91% of FIAN's income came from donor agencies and institutions, 6% from FIAN members and 3% from sales and interests. A further diversification of funds, including a significant increase of membership fees and donations in the financial mix, is a key objective for FIAN's future strategy on finance.

➡ Please consult:

Annex 10: Guidelines for Financial Cooperation  
Annex 11: Rules of Procedure on Financial Transparency  
CD: III) Organisational Structure of FIAN  
- FIAN Annual Reports 2005/2006  
- No Money, no Honey – Donation Based Fundraising for the Right to Food, FIAN International 2003 [Contains practical hints for FIAN donation based fund raising, public awareness activities, and membership recruitment. (CD/FIAN documents)]

### 3.2.2. The FIAN Solidarity Fund

The Solidarity Fund was created for the support of FIAN sections as well as co-ordinations. The idea behind its creation is to help new or economically weak FIAN sections and co-ordinations to build up FIAN's work in their countries. This includes building up the organisational structure of FIAN, broadening the impact of FIAN (e.g. by way of urgent actions (see below), monitoring work by FIAN groups) and spreading the message of FIAN (through public events, human rights education). Travel expenses of coordinators or delegates to international FIAN meetings could also be covered.

Any FIAN section or coordination can apply to the IS in writing specifying the purposes and the amount sought for this purpose. However, there is a ceiling for application fixed at 2500 US dollars and is subject to the overall availability of funds and therefore not guaranteed. There are two deadlines in a year: April 1 and October 1. Last but not least: any solidarity fund application should be consulted in advance before application with sections' and co-ordinations' liaison persons.

### 3.2.3. Application for external funds by FIAN sections, co-ordinations and local groups

Fund raising and project acquisition of sections is largely the responsibility of the sections themselves. There are, however, consultation, coordination and reporting duties of sections with the IEC/International Secretariat and corresponding duties of the IS (laid down in the Rules of Procedures on Financial Transparency and the Guidelines on co-financing sections and co-ordinations).

➔ Please consult:

Annex 11: Rules of Procedures on Financial Transparency  
- FIAN International Guidelines on Co-financing FIAN Sections/Co-ordinations

The IS has a duty to

- **help build up the capacity of the sections for grassroots fund raising and for raising private donations,**
- **advise on project possibilities, if necessary**
- **prevent internal competition between sections for project funding,**
- **promote the cooperation between sections in bilateral or multilateral projects,**
- **secure that quality standards in project implementation and reporting are kept by the sections**

FIAN sections can individually apply for external funds. However, sections can run external projects only after adoption of the section by FIAN International and registration with the local authorities. If these requirements are not met (for example in the case of a coordination applying) needs special clearance by the treasurer of FIAN International and the International

Secretariat is needed to run external projects. One more thing to remember - any application for external projects which are higher than 2500 USD and surpass 25% of a section's own income (from membership fees and donations) should be shared well in advance with the treasurer of FIAN International and the International Secretariat before sending applications to funding agencies to allow an effective coordination of applications prepared by FIAN entities. In exceptional circumstances, an intervention into the process of application (for example possibility to stop) can be made by the IEC.

### SPECIAL TOPIC IV: RECRUITING NEW MEMBERS

Recruiting new members is obviously one of the most important tasks for FIAN: As important as it is in itself to participate in FIAN actions and interventions and to spread human rights education and training, getting organized in an international network like FIAN is a prerequisite for becoming more effective and making the right to feed oneself heard. Therefore FIAN is a membership based organization.

In view of the fact that FIAN is an important organization with a good name, recruiting new members is both pleasant and rewarding. People will tell you: "Whow, this FIAN is a good thing, why have I not heard of FIAN yet?"

FIAN does indeed render an important service even to persons or groups, who do not feel at risk of being economically deprived - and even to the rich. Sometimes FIAN's human rights work, which has a lot to do with social justice, may be misinterpreted by rich people as leading to social conflict and therefore as being destructive to their security or position. In reality the quality of life of the rich is improved by social justice. Human rights are an instrument of justice and therefore peaceful settlement of conflicts, which will otherwise cost all members of the community much dearer than the inevitable "cost" of justice would do.

#### *Techniques of recruitment*

Almost everybody could be either a member or a supporter. So the world is full of people who could do something for FIAN. Why don't you go out and get them? Start with people you know well. If you yourself have a good understanding of FIAN, if your group and section is committed and works well - people will be happy to support FIAN. Written information is important (see below). But even more important is your personal commitment in talking to people and convincing people.

Some sections carry out recruitment campaigns involving their members - using the slogan "Members recruit members". Local Groups can have a recruitment officer who is in charge of the group's recruitment efforts.

There is a standard measure of recruitment which can be taken by FIAN members in all their public activities. The organizers of the event should have prepared lists to be passed around during the event and also available at a prominent place, where the participants can fill in their names and addresses and indicate whether they want to become members, receive urgent actions or more information on FIAN.

Sometimes people will not join immediately, but express interest. It may be a good idea to keep interested persons in your regular mailing list for a few months so that they receive some urgent actions/magazines. And then call them or write them to find out how they want to relate to FIAN in the future - as a member, supporter, donor or not at all.

Written material for recruitment; standard leaflet and coupon

Written material is important when you contact people.

A small standard leaflet with a card (or coupon) offering membership or supporter status is the basic equipment for recruiting members. Don't forget your account number. Such a simple, well thought out and good looking leaflet should be the first and foremost written material of every section. Every local group and every member should have such leaflets in store.

The standard leaflet should be attractive so that people want to know more. If more information is requested, follow-up must be quick to be effective.

You (your group or section) should always be able to follow up with more material and communication. Don't, however, bombard people with more than they can grasp at a time.

### ***Oral presentation***

"How to present FIAN?" Every active FIAN member is constantly confronted with this question. "How do I get people interested?" and eventually "How do I hold a meeting to present FIAN?". When recruiting members you will always have to have a good idea of whom you are talking to in order to find the appropriate type of motivation.

An oral presentation should be positive, getting across the main message, and one or two (not more) concrete examples of successful FIAN work. Unless you talk in front of experts it will be unnecessary to pile up lots of information. Your personal testimony is much more important. If you relate positively to the audience you can be confident to give a good oral presentation.

## ANNEX 1: List of Acronyms

ARC	Agrarian Reform Campaign
BIC	Biannual international conference of FIAN
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CERD	Convention on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
CRC	Convention on the Rights of the Child
CSO	Civil Society Organisation
ESC Rights	Economic, Social and Cultural Rights
ETO	Extra territorial states obligations
FAO	Food and Agricultural Organisation
FFM	Fact Finding Mission
FIAN	FoodFirst Information and Action Network
GC	General Comment
GCAR	Global Campaign for Agrarian Reform
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
IS	International Secretariat
IC	International Council of FIAN
IEC	International Executive Committee of FIAN
MDGs	Millennium Development Goals
NGOs	Non-Governmental Organizations
TNC	Transnational Company
UDHR	Universal Declaration of Human Rights
UN	United Nations
VG	Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security, adopted by the 127 <sup>th</sup> Session of the FAO Council in November 2004
WB	World Bank

## ANNEX 2: The FIAN International Statute

(AS AMENDED BY THE INTERNATIONAL COUNCIL AT VIENNA, AUSTRIA, 12 - 15 MAY 1994)

### §1 Name, location, financial year

- 1.1 The society carries the name "FIAN-FoodFirst Information & Action Network" and shall be registered; after registration it carries the addition "e.V."
- 1.2 The location of the society is Heidelberg.
- 1.3 The financial year is the calendar year.

### §2 Aims of FIAN

CONSIDERING that every person has the fundamental human right to be free from hunger and the duty to extend the same duty to others;

RECOGNISING that:

- a) all continents have the potential to produce more than enough food for their population even at low and intermediate levels of input;
- b) in many countries, even where per capita food production has increased, there exists large pockets of malnutrition and risk of famine;
- c) the situation of the people afflicted by hunger and malnutrition arises from social inequality, oppression, neo-colonialism in all its forms and discrimination in particular against women;

BELIEVING that hunger can be eradicated only by attacking its causes and helping to remove those political, social and economic obstacles which prevent the hungry from obtaining their internationally recognized human right to food and especially their right to feed themselves;

AFFIRMING that:

- a) the causes of people's inability to feed themselves lie in the neglect and destruction of participatory rural social and food production structures and entail environmental degradation;
- b) hunger when it is a violation of human rights cannot be separated from cases of structural and individual oppression;
- c) all human rights and fundamental freedoms are indivisible and inter-dependant; equal attention and urgent consideration should be given to the implementation, promotion and protection of economic, social and cultural, civil and political rights;

THE AIM OF FIAN shall be to contribute throughout the world to the implementation of the provisions of the International Bill of Human Rights by working for the protection of the human right to food and, above all, the right to feed oneself of persons or groups threatened or suffering from hunger and malnutrition, especially peasants, agricultural workers, landless labourers, squatters, sharecroppers, and other whose land rights or agricultural labour rights have been or are being violated. FIAN should strictly keep independent of all political and confessional groupings.

### §3 Objectives of FIAN

3.1 The objective of FIAN is the support of activities aiming at:

the realisation of the human right to food in all parts of the world (International Covenant on Economic, Social and Cultural Rights) and the human right to feed oneself in particular;

respect for human rights and particular attention to groups and individuals persistently discriminated against (women, indigenous peoples);

tolerance in all fields of culture and the mutual understanding of all peoples.

3.2 FIAN shall pursue this objective by the co-operation of national sections, groups and individuals in the field of development education and by advocating the human right to food nationally and internationally. This will include in particular material and non-material support for

- a) the documentation of violations of the human right to food,
- b) public information activities
- c) activities aiming at the prevention of violations of the human right to food.

### §4 Non-Profit Status

4.1 FIAN shall pursue exclusively and directly charitable objectives in the sense of the article on "charitable purposes" of the West German tax law.

4.2 FIAN works as a non-profit organisation; it shall not primarily pursue objectives for its own economic interests.

4.3 The funds of FIAN shall only be used for the objectives under this statute. No part of the receipts or assets of FIAN is to be transferred to any of its members, except as a remuneration for activities laid down in an employment or other work or service contract.

4.4 Upon resignation, revocation of membership or disbandment no members shall have their paid contributions refunded nor shall they have any claim on the financial assets of FIAN.

4.5 No person shall be financially reimbursed by expenditure not pertaining to the objectives of FIAN.

4.6 Upon disbandment or cessation of its previous objectives, the financial assets must be used for non-profit purposes in the field of the realisation of human rights in accordance with the tax laws. Decisions about the future use of those assets can only be implemented with the consent of the revenue-office.

### §5 Methods

5.1 In order to achieve the aforesaid objectives FIAN shall work as an international organisation on the basis of the Universal Declaration of Human Rights and the International Human Rights Covenants, independent of governments, political parties, ideologies and religions.

5.2 FIAN shall always seek the co-operation of the groups and individuals affected by violations of human rights within its mandate.

5.3 FIAN shall serve the work of participating groups and individuals. These groups and individuals act independently within the frame work of this statute and in accordance with the agreed programme.

- 5.4 The members of FIAN shall
- observe the mandate of FIAN
  - respect the necessity of restricting themselves to factual and well-founded statements.
  - strictly keep independent of all political and confessional groupings.
  - be factual and correct in form and expression.

### §6 Members of FIAN.

6.1 The members of FIAN are:

- national sections,
- affiliated groups,
- individual members,
- supporting members.

The members of national groups and affiliated groups are also members of FIAN:

6.2 The national sections shall consist of at least two FIAN-groups or ten individual members. They shall observe the aims and objectives

of FIAN by applying the methods outlined by FIAN. The founding of a national section needs the consent of the International Executive Committee, to whom it should also submit its statutes for approval.

- 6.3 Affiliated groups have at least three members. The society sets up working rules according to which members are taken on to a group. FIAN groups have to become members of the respective national section. If there is no national section, such groups can be affiliated directly to FIAN. The groups have to pursue the aims and objectives of FIAN by applying the methods outlined by FIAN.
- 6.4 Individual members are members of a group or members who are not yet able to find a group or section, whatever the reason might be.
- 6.5 FIAN may admit individuals or juridical persons as supporting members. Supporting members regularly pay a supporting fee.

## § 7 Criteria for Membership

- 7.1 National sections are admitted as members by the International Executive Committee.
- 7.2 Groups, individual and supporting members are admitted as members by the Executive Committee of the national section, whom the group, individual or supporting member shall be affiliated to and if such a section does not exist - by the International executive Committee. The International Executive Committee also decides in the case of problems as to which section the group, the individual or supporting member is to be affiliated or whether (in exceptional cases) the group, the individual or supporting member shall be directly affiliated to FIAN.
- 7.3 Applications for admission have to be made in writing.
- 7.4 If an application for admission has been turned down the reason must be given in writing.

## § 8 Termination of Membership

- 8.1 The membership is terminated
- for national sections and groups in case of disbandment, for individual and supporting members in case of death.
  - by voluntary resignation which has to be declared to the International Executive Committee no later than six months before the end of the year. If the respective group, individual or supporting member is a member of a national section, resignation has to be declared to the national section no later than six month before the end of the year.

- by revocation of membership.

### 8.2 Revocation of membership can occur, if

- a national section, affiliated group, an individual or supporting member fails to pay its annual fee (fixed in accordance with this statute) within six months after the end of the financial year.
- a national section, affiliated group, an individual or supporting member does not act according to the aims and objectives of FIAN or does not apply the methods outlined by FIAN or violates this statute in some other way.

In case a) membership will be revoked by the International Executive Committee, who shall give the member the opportunity to present his case before this step is taken. If the respective group, individual, or supporting member is member of a national section, it will be deprived of its membership status by the respective national section after having been given the opportunity of presenting his case.

In case b) membership shall be revoked by the International Council (if the member is a national section or does not belong to any national section) if there is a majority of three quarters of the votes cast upon proposal by the International Executive Committee or a national section. If the member is a member of a national section, the membership shall be revoked by the general meeting of the respective section upon proposal of the Executive Committee of this section.

If a revocation of a membership is planned for a meeting, it has to be put onto the agenda and the member concerned has to be informed well before the meeting. The member must be given the opportunity of presenting his case.

## § 9 Organs of FIAN

The organs of FIAN are

- the International Council - IC
- the International Executive Committee - IEC
- the International Secretariat - IS
- the Advisory Board
- the Executive Committees of the national sections
- the auditors
- the special representative/s appointed by FIAN for special functions.

## § 10 The International council

- 10.1 The IC shall meet at intervals of approximately one year, but in any event of not more than two years. The meeting shall be called by the chairperson of the IEC under the direction of the IEC no later than 42 days before the date hereof. The agenda and the location shall be sent with the invitation. The a.m. period shall

start the day after the invitations have been sent out.

If the agenda includes a proposal for an amendment of statute, the invitation shall specify which articles of the statute are to be amended and how.

Every member eligible to participate can submit to the IEC additions to the agenda in writing not less than 14 days before the respective meeting of the IEC.

- 10.2 Eligible to participate and vote are
- a) the members of the IE.
  - b) the representatives of the national sections.
- All national sections shall have the right to appoint one representative to the IC meeting. In addition they may appoint further representatives, whose number shall depend on the number of groups and individual members belonging to the respective sections:
- a national section may appoint in addition either
- for 10 - 49 groups: one representative
  - for 50 - 99 groups: two representatives,
  - for 100 or more groups: three more representatives or, if it consists primarily of individual members, for 500 - 2499 individual members: one additional representative, for 2500 or more: two ore representatives.
- 10.3 The representatives of a national section are elected in a general meeting of the respective section. The meeting is called by the chairman of the Executive Committee on behalf of the latter at least 21 days before the scheduled meeting; the information on agenda and location is to be sent with the invitation.
- The representatives are elected for a period of two years. They stay in office until the results of the next election are announced.
- 10.4 Representatives unable to participate in a meeting may appoint a proxy to vote on their behalf. The proxy must be a member of FIAN. If a national section is not able to send as many representatives as it is entitled to according to 10.2, it may authorize its representative/s to cast votes up to its maximum entitlement under 10.2 thereof.
- 10.5 A national section not having paid its fee for the previous financial year is not eligible to vote. The IEC may decide upon application of the representative/s of the respective section that the delegates may vote in spite of their section's default.

## § 11 Procedures of the Meeting

- 11.1 The chairperson of the IEC or the Vice-Chairperson shall preside the meeting.
- 11.2 The IC shall have no quorum.
- 11.3 The IC is responsible for the following:
- a) Directions to the IEC concerning the measures for the implementation of FIAN's aims and objectives, and the methods outlined by FIAN.
  - b) Election of members of the IEC.
  - c) Appointment of special representatives.
  - d) Election of auditors.
  - e) Clearing of the annual reports and the IEC.
  - f) Fixing of the annual fee and date of payment for the national sections and the affiliated groups, the individual and supporting members not belonging to national sections.
  - g) Revocation of membership according to §8.2b.
  - h) Amendment of statute and disbandment.

In the IC each representative and member of the IEC shall have one vote. In votes on amendments of statute the members of the IEC shall not vote if there are representatives in the IC.

- 11.4 The IC decides by a simple majority of valid votes cast. In case of a tie the motion is rejected. A majority of at least two thirds of the valid votes cast is necessary for an amendment of statute. At least three quarters of the valid votes cast are necessary for a revocation of membership, a change of the objectives of FIAN or for disbandment.
- 11.5 In special cases (including the election of the IEC) decisions may also be taken by voting in writing, requiring the majorities under §11.4. The invitation to vote in writing and the motion in question have to be sent to all members of the IC by the Chairperson of the IEC at least 21 days before the deadline.
- The members of the IC shall send their votes to the chairperson of the IEC. Votes not meeting the deadline shall be invalid. The chairperson and a further member of the IEC shall count the votes. The chairperson of the IEC shall inform the members of the IC of the result not later than 14 days after the deadline.
- ## § 12 Elections
- 12.1 Secret ballot and/or individual votes must be carried out if so requested by any member of the organs.
- 12.2 If in an individual election there is only one candidate, this candidate will be elected if he/she obtains the majority of votes. If there are

several candidates, a person will be elected on the first ballot, if he/she obtains the majority of valid votes cast. If further ballots become necessary, the candidate obtaining the largest number of valid votes will be elected.

- 12.3 The details shall be regulated by the rules of procedure.

### § 13 Extraordinary meetings of the International Council

The IEC may if necessary call extraordinary meetings of the IC. The IEC must call such a meeting if so requested by at least one third of the national sections. Extraordinary meetings shall be called by the IEC in writing not less than 28 days before the meeting. The invitation must include the agenda and the location. The time period starts on the day after the invitation has been sent.

### § 14 The International Executive Committee

- 14.1 The IEC shall consist of the treasurer and two to eight regular members. The members of the IEC shall be members of FIAN: Not more than one member of a national section or affiliated group may be elected as a regular member to the Committee.

The IC shall elect the members of the IEC individually among them the chairperson, vice-chairperson and treasurer.

- 14.2 The members of the IEC shall be appointed for two years. They will stay in office until the next elections. Re-election is possible.
- 14.3 If a member of the IEC has to leave office during his/her term for whatever reason, the remaining members may appoint a substitute for the rest of the term of the one who left. The IEC is entitled if necessary to charge a person with two offices. The substitute and/or the redistribution of offices needs the election by the next IC.

### § 15 Responsibilities and procedures of the International Executive Committee

- 15.1 The judicial and the extra-judicial representation of the society are guaranteed by at least two out of the following three: chairperson, vice chairperson and treasurer.
- 15.2 The IEC is responsible for all affairs of FIAN; except for those , that have been specifically assigned to other bodies of the organization by this statute.

- 15.3 The IEC shall meet at least once a year. Further meetings have to be called if so requested by the majority of members of the IEC. The meetings shall be called by the chairperson of the IC: The agenda needs not be included with the invitation.

- 15.4 The IEC shall have no quorum. If a member is unable to participate, it can appoint another member of FIAN in writing as his/her proxy.

- 15.5 In general the chairperson will preside the meeting. Decisions shall be passed with the majority of valid votes cast. In case of a tie the motion shall be rejected.

- 15.6 Decisions of the IEC may also be arranged by telephone with subsequent written confirmation.

- 15.7 The decisions of the IEC shall be included in the minutes according to §20. Every member of the IEC shall receive a copy of the minutes.

- 15.8 The function of a member of the IEC is an honorary function. They can be remunerated appropriately for the expenses they incurred in their activities for FIAN.

### § 16 International Secretariat

- 16.1 The IEC establishes the IS and appoints a network secretary for the conduct of current affairs. He/she shall work under the direction of the IEC.

- 16.2 The IEC decides on the location of the office of the IS. This decision needs the consent of the IC.

- 16.3 Upon decision by the IEC the network-secretary shall appoint such professional staff as are necessary for the proper conduct of the affairs of FIAN. The details of the terms of employment shall be determined by the IEC.

- 16.4 The network-secretary shall participate in the meetings of the IEC, but shall not be eligible to vote. If he/she is unable to participate, another member of the IS may be authorized by him/her as a substitute.

### § 17 Advisory Board

- 17.1 The members of the Advisory Board shall be appointed by the IEC for three years. They need not be members of FIAN.

- 17.2 The members of the Advisory Board shall give FIAN their advice.

- 17.3 Every member of the Advisory Board can participate in the IEC meetings.

- §18 Membership fees**
- 18.1 The members of FIAN are obliged to pay fees, whose amounts shall be fixed separately for the national sections, groups, individual and supporting members and may depend on the size of the respective national section or group.
- 18.2 Members of a national section shall not pay fees to FIAN but only to their national section. The amount shall be fixed by the general assembly of the respective national section.

- §19 The auditors**
- The auditors shall be elected by the IC for a period of two years. They shall neither be a member of the IEC nor of the IS nor of the Advisory Board. They shall audit once a year the annual balance of FIAN before the IS presents it to the IEC. They have to explain every annual balance to the IC:

- §20 The records of the FIAN organs**
- 20.1 The decisions reached by the IC have to be laid down in writing by the secretary of the meeting, and have to be signed by the respective chairperson and the secretary of the meeting. The meeting shall appoint a secretary at the beginning of the meeting.
- 20.2 If decisions have been taken in writing in the cases provided for by this statute, they shall also be put into the minutes, which shall be signed by the chairperson of the IEC and another IEC member.

- §21 Disbandment of FIAN**
- 21.1 The disbandment of FIAN can be decided only by an IC meeting especially called for this purpose and with a majority according to §11.4. This IC meeting also appoints the liquidators.
- 21.2 The financial assets remaining after liquidation shall only be transferred to non-profit purposes in the field of the implementation of human rights.

## ANNEX 3: FIAN International Rules of Procedure

ISSUED BY THE INTERNATIONAL COUNCIL  
VIENNA, 1994, AMENDED IN ROME 2002

### o. Introductory Remarks on the different tasks of IC and IEC:

Art. 15.2 of the statutes reads:

*“The IEC is responsible for all affairs of FIAN, except for those, that have been specifically assigned to other bodies of the organisation by this statute.”*

This article makes it clear that the task of the IC is to give guidance and directions of the IEC. The IEC has the overall responsibility for the execution of the activities of FIAN, including the elaboration of programmes, methods, and budgets. However, specific tasks have been assigned to the IC in Art. 11.3 of the statutes.

- i) Directions to the IEC (a)
- ii) Elections of IEC and other officers and clearing of IEC (b,c,d,e)
- iii) Fixing of annual fee (f)
- iv) Revocation of membership (g)
- v) Amendment of statute, disbandment (h).

### 1. General Rules for Meetings

- 1.1 Participation in IEC and IC meetings is restricted to the respective IEC members and IC delegates. Rare exceptions may be made to this rule, upon invitation by the president.
- 1.2 All agenda items for the IC shall be prepared in writing. The reports of the national sections shall be available at least three weeks prior to the IC meeting and IEC shall present a written report to the IC, and this will also be presented orally.
- 1.3 Minutes from the IC and the IEC meetings shall be finalised at the latest two months after the meeting.

### 2. IEC-Meetings

- 2.1 Each year there are at least two IEC meetings.
- 2.2 Topics for the agenda of IEC meetings should be introduced by a one-page paper available at least three weeks before the meeting. These papers should include a reference to previous work or procedures done on this issue. National Delegates and IEC members are invited to send these papers to the IS at least three weeks before the meeting. The IS would distribute them within a week to all IEC members.

2.3 The IEC has the direct responsibility for the staff of the IS. Any problems at the IS should be brought to the attention of the IEC.

2.4 The IEC decides upon an internal description of tasks and distribution of labour. It must be clear for the IS whom to approach on which matters and in which situations.

2.5 The IEC has to prepare for every IC-meeting a written report and statement of accounts about its work, decisions and about finances. This report shall be circulated to all delegates at least 5 weeks before the IC meeting.

### 3. IC-Meetings

3.1 IC meetings are held every second year. In the year between the IC meetings there shall be a Biannual International Conference (BIC). The Biannual International Conference shall focus on intensive discussion of FIAN work, strategy and working techniques. Participants should include the IEC members. Each section should be represented by its IC delegates and/or other members. Participation shall not necessarily be limited to FIAN-members.

3.2 Each section makes sure that their delegates do participate in the IC meetings. In some cases financial help for travel expenses may be sought from FIAN International both for the IC meetings and the Biannual International Conference. The IS should be provided with the names and addresses of the delegates of the national sections one week after their election by their respective section.

3.3 For preparing the IC, the preparatory committee (prep.com; consisting of chairperson, vice-chairperson and/or treasurer, secretary general) gets in touch by telephone or in person some 6 weeks before the IC meeting to prepare it.

3.4 Topics for the agenda and proposals for decision should be introduced by a one-page paper normally at least 3 months before the meeting. This should give enough time for sections to discuss such matters. Delegates of national sections or IEC members should send these proposals to the IS, which communicates them within the next week to all delegates and IEC members.

Only in cases of urgency or recent new developments a proposal period of 4 weeks will be acceptable. The inclusion of these late issues has to be accepted by the preparatory committee.

3.5 The meetings of the IC shall have the following agenda:

1. Opening of the meeting (normally by chairperson or vice-chairperson IEC)
2. Counting of the number of delegates present.
3. Election of the secretary for the meeting.
4. Notification of the IC by the chairperson that the meeting was announced in time, that the agenda was included with the invitation and that any proposals for amendments were included in the agenda.
5. Report of the IEC.
6. Audit report.
7. Exoneration of the IEC.
8. Brief discussion of the national reports.
9. Amendments of statute (if any).
10. Revocation of membership (if any).
11. Planning of future work, presentation of motions.
12. Working groups on motions, future work and/or specific topics.
13. Report of working groups.
14. Decision on motions.
15. Election of new IEC.
16. Election of auditors.
17. Election of election committee.
18. Closing of the meeting.

### 4. IS-Rules

4.1 A short report of the secretariat is given in writing (3 weeks before the IEC), summarizing and drawing attention to specific issues not dealt with sufficiently in the IEC-Communications.

4.2 The IS is welcome to propose new endeavours, campaigns, etc.. Major endeavours must, however, not be initiated without the consent of the IEC.

4.3 If the IS needs to hire personnel, it should be through an open hiring procedure. Notice of any free position should be published in the newsletter (at least). The aim should be to have both sexes and different nationalities represented among the staff.

4.4 The executive positions in the IS are employed by the IEC.

## Rules of Procedures for Elections

### 1. Scope of elections

- 1.1 These procedures concern elections for all offices of FIAN International, including the International Executive Committee and the Auditors.
- 1.2 Elections take place at the International Council Meetings.

### 2. Proposals for candidates

Candidates may be proposed during IC meetings, but then only by delegates to the meeting or members of the election committee.

### 3. Voting

Votes are cast by secret ballot.

### 4. Election Committee

- 4.1 Elections are prepared by an election committee consisting of three members: one chairperson and two members. The members of the election committee must be experienced FIAN-members from different countries.
- 4.2 The election committee is elected by the IC for a period of two years.
- 4.3 The election committee searches actively for candidates for the IEC, for auditors and for members for the next election committee. All sections and delegates to the IC are expected to assist the election committee in its work.
- 4.4 The election committee prepares a list of candidates, which is distributed to the delegates to the IC six weeks prior to the IC meeting. The candidates on the list must have agreed to take the respective office if elected.
- 4.5 The Election Committee keeps in mind when preparing its proposal and list of candidates that the composition of the IEC should reflect a balanced regional and gender representation. The President of the IEC and the Vice President should be from different regions

### 5. International Executive Committee

- 5.1 The IEC shall consist of the offices of president, vice-president, treasurer and up to six additional members.
- 5.2 All candidates for the IEC and the election committee must be members of FIAN.
- 5.3 Not more than one member of a section or affiliated group may be elected, save for the office of the treasurer.

## 6. Voting procedure

- 1.1 The IC designates a chairperson for the elections and two assistants. The chair for the elections shall be a member of the IC or of the election committee who is not running for office.
- 1.2 The secretariat provides the list of delegates eligible to vote, and sufficient prepared voting cards (one card for each office plus a card with a list of candidates for additional members). All elections are carried out through secret ballot. A vote in favour has to be marked with a plus sign (+) behind the name. Abstentions are valid votes. All votes in which the intention is not clear without any doubt are invalid. Additional members are elected on a single voting card carrying the names of all candidates. A voting card carrying + signs after more names than there are places to be filled is invalid.
- 1.3 The IC can add further names to this list until one day before the elections. The elections are done in following sequence: president, vice-president, treasurer, and additional members. Prior to each election the chair reads the names of the candidates for the office or the additional members. Not more than 6 additional members can be elected. Due to the exclusion principle - that not more than one person of each section can be elected to the IEC (with the exception of the treasurer) - all candidates of sections of the newly elected president and vice-president are removed from the list of additional candidates.
- 1.4 If more than one candidate runs for an office, the person who receives 50 percent or more of valid votes and more votes in favour than anybody else is elected. In case of a tie, or if no person receives 50 percent or more of valid votes, a second round is necessary with the two candidates who obtained the most votes in the first round. The person obtaining the largest number of valid votes is elected. In case of a tie in the second round, a lot will be drawn.
- 1.5 When there is only one candidate running for an office the person is elected, if 50 percent or more of the valid votes are cast for her/him. If the candidate fails to be elected through this procedure, an additional candidate is sought. If an additional candidate is found, 6.4 will be applied. If an additional candidate is not found, the person originally proposed is elected.

1.6 The Election Committee prepares a list of recommended additional members taking into consideration the issue of regional balance (4.5) and the exclusion principle (6.3). The result is the voting card for additional members. It can include persons who run for office as well. The result will be evaluated by introducing a ranking as follows: Persons are ranked according to the number of votes in favour of them. If several candidates (more than remaining positions) receive the same number of votes, a second vote will be taken immediately among them. If there is another tie, there should be a consultation among the affected candidates. If still no agreement is reached, a lot will be drawn. Names of persons for whom there is a higher-ranking candidate from the same section or affiliated group will be removed. Persons are elected down the ranking until either the names or the positions to be filled are exhausted.

## **ANNEX 4: Strategic Plan 2007-2010**

**STRATEGIC PLAN 2007-2010  
FIAN INTERNATIONAL**

**BASED ON FIVE PROGRAMS  
APPROVED BY THE INTERNATIONAL COUNCIL  
2006**

### **Overview**

#### **Introduction**

FIAN (FoodFirst Information & Action Network) International is the international human rights organisation that advocates for the realization of the right to food. As a non-partisan not-for-profit organisation with consultative status to the United Nations and 20 years of pioneering right to food experience, FIAN has become highly recognised at the level of the international human rights regime. Due to its broad membership base with national sections and individual members in over 50 countries around the world, FIAN gains a lot of reputation at the grassroots level as well. This combination of being both, international expert and activist organisation is a core competence of FIAN.

FIAN envisions a world free from hunger, in which every woman, man and child can fully enjoy human rights in dignity, particularly the right to adequate food, as laid down in the Universal Declaration of human rights and other international human rights treaties.

FIAN fulfils its mission by exposing violations of people's right to food wherever they may occur, especially

regarding peasants, agricultural workers, landless labourers, squatters, and sharecroppers. FIAN stands up against unjust and discriminatory practices that prevent people to feed themselves. FIAN strives to secure people's access to resources needed to feed themselves, now and in future.

The struggle against gender discrimination and other forms of exclusion is integral part of the work. Although formal gender equality has been enshrined in international law and many national constitutions and legislations, the *de facto enjoyment* of the right to food is all too often gender biased. Estimations indicate that of those suffering from chronic hunger 70% are female. Limited access to and control over resources, lower salaries, insecure and unstable labour conditions, gender biased labour markets, discrimination in laws, regulations and programmes, limited enjoyment of the right to education, inadequate public health care, and exclusion from decision making processes impair the right to adequate food for women. In addition, intra household food discrimination is a sad reality in many regions of the world and the specific needs of those women who require special protection are often neglected, for example through lack of protection of pregnant workers, insufficient maternity leave or discrimination in social transfer programmes.

FIAN follows a case based human rights approach by documenting and analysing concrete violations of the right to food. In response to the request from victim groups, FIAN intervenes internationally. Through protest letter campaigns, advocacy, recourse to the law, and long term case work, FIAN exerts public pressure in order to hold governments accountable for violations that they have committed. Within the United Nations system and other legal regimes, FIAN advocates for the respect of human rights in order to strengthen and improve the human rights protection system. Raising awareness and enhancing capacity by targeting civil society actors as well as governments, are other important measures taken by FIAN to contribute to the eradication of hunger.

Over the past 20 years, the right to food has come a long way. During these years, FIAN could contribute at both ends, supporting local victims of right to food violations in numerous concrete cases in all continents, and contributing to the further national and international standard setting on the right to food. The FIAN approach to stress the inter-relatedness of both levels has turned out to be fruitful, to the benefit of the individual rights-holder at the local level as well as to the further strengthening of the human rights protection system. With regard to the latter, FIAN put a priority on the international standard setting. The strengthened procedure of State's and parallel reporting on economic, social, and cultural human rights in the UN human rights system, the elaboration of the UN General Comment No. 12 (1999) on the Right to Food (as the most authoritative legal interpretation of the right to food in international law), and the adoption of the "Voluntary Guidelines on the Right to food by the FAO member

states (2004) mark three important milestones.

Despite strengthened and more widely accepted international right to food standards, the scandal of chronic hunger in a world of plenty, affecting more than 850 million people, is still abound, particularly affecting the rural poor, whose right to food is violated in numerous cases, mostly due to the duty holders' lack of political will to respect, protect and fulfil their obligations. Accordingly, the challenge for ahead will be the improvement of the implementation of the right to food at the national level in full compliance with internationally accepted standards. Apart from the inaction of national actors, the increasingly important role of the international agents (e.g. World Bank, trans-national co-operations) in an economically more and more globalized world needs to be approached as well.

The FIAN strategic plan 2007-2010 seeks to give orientation in that context, considering both, general trends, risks and opportunities in the "outside" world as well as FIAN's specific profile in order to identify how FIAN can maximise its impact and add value by its involvement - to the ultimate benefit of the most vulnerable suffering from hunger and struggling for a livelihood in dignity.

The strategic plans are following a program approach consisting in five program areas plus FIAN's dual track approach to fight gender discrimination. After a process of consultations at the regional and international level and in the sections, these five programmes have finally been adopted by the International Council of FIAN (IC) at its meeting in September 2006 in Heidelberg.

The strategic plan is focused on FIAN's choice for future priorities in the field of right to food work. It does not deal with organisational matters despite the fact that organisational considerations are closely related to programs and that they are in this or another way reflected in the choice for political priorities. Following the recommendation of FIAN's evaluators from 2005, however, the decision was taken to separate at this point of time the programming of FIAN's future right to food work and the set up of an organisational development plan. The latter shall be developed in a participatory process starting in 2007 and ending with the final adoption during the International Council meeting 2008. Both, this strategic plan and the organisational development plan can then be compiled. In future, they could be further developed as a unity.

In the following chapters, the five final programs are presented in a similar structure, starting with the program rationale, the relevance for the FIAN mandate, the relation to the FIAN mission statement ("general objective"), and the change which is expected by the end of the four years' planning period ("specific objectives"). This is followed by a brief reflection of opportunities and risks, an analysis of the specific value added FIAN could contribute in the program, and finally an assessment, in how far the program combines the concrete case work at the local level with the (advocacy) work at the level

of human rights regimes in a mutually reinforcing way ("loop of eight"). After the five programme descriptions short reference is made on the FIAN gender strategy and its objectives.

The first program puts access to land and agricultural resources into the centre. It is argued how FIAN could contribute to a better access to these resources which are a key for peasants (the majority amongst the hungry in the world) to feed themselves. The Global Campaign for Agrarian Reform – which has made FIAN visible and recognised amongst peasants – is a core part of this program.

The focus of the second program is on water, another resource which becomes increasingly important for the realisation of the right to food and to feed oneself. Despite its considerable potential to settle resource conflicts at both ends, in concrete cases and at the policy level, the right to food approach is relatively new in this field. By promoting it, FIAN would explore a new and prospering field.

In program 3, dealing with extraterritorial human rights obligations of states, intergovernmental organisations and trans-national co-operations, FIAN seeks to further conceptualise, test and promote a right to food approach to cases of human rights violations in the specific context of neo-liberal economic globalisation. The program builds on a promising pilot project with several FIAN sections, EED, Bread for the World, and other counterparts around the globe.

The fourth program argues that FIAN should contribute to the further elaboration of a systematic monitoring of states' right to food performance, including the promotion of such tools amongst civil society and state actors. The program contributes to the national implementation of the Voluntary Guidelines, one of the core competence areas of FIAN.

Through program 5 on justiciability FIAN makes the step to close the gap and to introduce a justiciability approach complementing the so far dominating approach to *politically* claim (based on legal arguments) from duty bearers to fulfil their obligations towards rights-holders. To make the right to food justiciable would empower victims, sanction violators and strengthen the rule of law. Because of an increasing amount of precedence cases, the program is of broad interest inside and outside FIAN. Due to a specific window of opportunity, the regional priority in the first phase will be on Latin America.

Since FIAN is committing itself to gender equality and a dual track gender approach as a means to fight for it, the FIAN Gender Strategy is an integral part of the FIAN Strategic Plan. Mainstreaming gender has to be carried out within all FIAN programmes, and is therefore made part of all five programme descriptions. However, commitment for a dual track gender approach also requires specific activities with a focus on gender or the empowerment of women to overcome existing inequalities.

## **Programme 1: Peasants' access to land and agricultural resources from the human rights' perspective**

(1) The rationale for FIAN working on the issue and the relevance for its mandate

50 percent of the hungry worldwide are marginalized smallholder farmers. Another 22 percent belong to the landless, which are gaining their income either as agricultural labourers or in informal sector activities in rural economies. The missing access to productive resources - particularly land - is therefore one of the key reasons why people suffer systematic and chronic hunger. Women are often particularly discriminated. While they only represent a small share of agrarian reform beneficiaries, their exclusion in land markets and other forms of market oriented mechanisms is compound. Compensatory measures to achieve *de facto* gender equality in access to land are mostly missing. Additionally the marginalized smallholder farmers are often victims of development processes that render them landless or endanger their access to resources. Part of the marginalization is often the inadequate administrative treatment of these groups. Many individuals, groups and communities are missing security of tenancy, or to agricultural extension services or marketing opportunities. All this would help to sustain the economic success and the long-term access to productive resources. The rural poor are identified in the FIAN mandate already as a key group, with which FIAN has to work.

FIAN's work on access to land aims at increasing the national (in selected countries) and international awareness (in selected forums) for the problem of access to land and other related resources and at analysing the relevance of the issue from a human rights perspective. The better recognition of the human rights aspects of access to and control over land and other related resources should lead to an improvement of the living conditions of rural marginalized and landless individuals, groups and communities. The relevance of the problem should be accepted by major national and international actors and this should help to solve concrete cases as well as to develop additional human rights protection standards for individuals, groups or communities threatened by landlessness and forced evictions. The specific problems of women will be integrated adequately into the programme.

The focus will be on access to land and the related resources needed to live in dignity and enjoy the right to feed oneself. The programme should also incorporate the dimension of eco-destruction in order to develop the relevant expertise within FIAN.

(2) The general and specific objectives to be achieved through the programme

### General objective:

To improve the access to and control over land and agricultural resources as an important condition to realise the right to feed oneself of marginalised peasants.

### Specific objectives:

To increase the visibility of human rights violations linked to land issues

through improving the case documentation capacity of peasants' organisations

and through an increased publicity for such violations, under particular consideration of the gender dimension.

To contribute to the solution of a limited number of strategically selected cases of right to food violations in the context of land issues.

To support national implementation and monitoring of land policies in selected example countries, including a particular view on gender equality, and using the Voluntary Guidelines as a starting point for such strategies.

To contribute to the strengthening and further elaboration of human rights instruments to protect and enhance access to land and peasants' rights.. Appropriate tools could be an UN General Comment on particular problems of rural communities and peasants, followed at a later point of time by a Convention on Peasant Rights.

To highlight the extraterritorial obligations of states under the CESCR, related to access to land, e. g. by lobby work in selected donor countries aimed at inverting the downward trend in development aid for rural sectors and agriculture and at demanding full compliance of development co-operation on land and rural development with the ICESCR.

(3) Important background information: opportunities and risks

### Opportunities:

FIAN has built up a trustful and good relationship with the major social movements working on the topics at stake. That trust is helpful for FIAN's research work in many countries and it can hardly be underestimated. It is a great chance for FIAN to further promote the value added of a rights based approach to social movements.

Thanks to its campaign for agrarian reform, FIAN has internally generated important expertise both at the international level and at the level of FIAN sections. Moreover, the further integration and strengthening of gender dimensions bears a new networking potential and contributes to the comprehensiveness of the work.

### Risks:

Issues related to access to resources are in times of neo-liberal globalisation highly politicized. Due to the fact that FIAN's main partner, La Via Campesina, has a strong political orientation, it will remain important to avoid an ideological bias to FIAN's own work and reputation. FIAN's contribution should remain restricted to such action, research and lobby work being centred on human rights.

In order to really impact, the programme focus should be restricted to strategically selected countries, thematic topics, and cases. However, the necessary strategic limitation will become a difficult and maybe even conflictive issue, since an increasing demand to take up action is expected from both, counterparts and FIAN sections.

Emphasising the particular gender dimension could also bear conflictive potential with counterparts in the case such an approach is perceived as a threat against "peasants' unity".

(4) Reason why it should be a programme of FIAN and the particular value added of FIAN's contribution

FIAN is since 1999 a leading partner in the running Global Campaign for Agrarian Reform (GCAR), which is organized in collaboration with La Via Campesina and with the Land Action Research Network (LRAN). The campaign has started with three specific objectives,

- (1) to support national struggles for agrarian reform,
- (2) to enable exchange of experiences between peasants' and human rights organisations,
- (3) to challenge and address the World Bank dominated agrarian reform policies at the national and international level.

In future, FIAN's contribution should be even more restricted to promote and apply the rights based approach in the GCAR. The particular value added of FIAN's involvement in the GCAR should be its contribution to the case work, covering the research and documentation of violations, but also the respective capacity building of counterparts, and the facilitating and advisory role regarding the GCAR's interaction with the UN human rights system and other relevant international forums.. The GCAR has achieved a high recognition at the international level, particular among NGOs/CBOs. This institutional strength should be consequently used to further promote the rights based approach and to offer co-operation to those peers being interested in FIAN's specific services and core competences.

(5) How the loop of 8 will be used

The programme is based on the specific cases of human rights violations related to access to land. It shall support rights holders to raise their claims. Accordingly they will be empowered to better document their cases.

Moreover, FIAN can support rights holders in struggling for their case in national and international arenas. Existing international instruments on access to land like the Voluntary Guidelines, several General Comments (4,7,12,16), the CEDAW-Convention including its complaint procedure, and soft law instruments like the Peasants' Charta and the ICARRD declaration should be systematically used to support local and national claims.

The respective experience at the local level as well as the general experience FIAN and its partners have on the issue will be used to push for the strengthening of existing and the development of new international human rights standards related to the issue of access to land and agricultural resources. In the selected focal countries the programme will also address the relevant duty bearers, in order to enhance national instruments in safeguarding and/or improving access of the most vulnerable groups to land and related agricultural resources.

### **Programme 2: Right to Water**

(1) The rationale for FIAN working on the issue and the relevance for its mandate

In many countries water gets increasingly scarce and water related oppressions are a major threat. Moreover in many areas there is an overuse of water endangering the long term feasibility and sustainability of agriculture. The contamination of water, e. g. in the context of mining, further increases the scarcity of clean water for consumption and irrigation. The scarcity and pollution problems of water will become one of the biggest global challenges and issues in the coming years. Water supply is also very much gender biased, since scarcity of water increases considerably women's and girls' work burden and limits their capacity to follow productive activities or their access to education.

These developments are both a rationale to work on with the issue and a chance to highlight the relevance of a rights-based-approach. The right to water and deriving working strategies represent important assets for the struggle in defence of water access. FIAN can bring its unique experience in the field of the right to food in order to promote the human right to water. Such work will at the same time strengthen the human right to food.

The right to water is not specified in the Covenant on Economic, Social and Cultural Rights (ICESCR). To fill this gap, the right to water has been defined by the United Nations Committee on Economic, Social and Cultural Rights (UN-CESCR) as part of the right to food and the right to health. According to the General Comment 15 (GC 15) to the ICESCR, everybody has the right to "to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use". Water for domestic consumption is essential as drinking water and for the domestic preparation of food. Wa-

ter is also needed for minimum standards of hygiene without which people become easily affected by health and nutrition problems. The right to water for domestic consumption is therefore a human right which is at the same time part and closely linked to the right to food. Moreover, water is a crucial input to food production. Under some circumstances the human right to food therefore implies secure access to irrigation water as much as it implies secure access to land. The right to water (for agricultural production) is in the definition of the UN-CESCR also part of the right to food. While this first definition of the right to water was developed by GC 15, it will take more time to get a worldwide acceptance of the latter interpretation among governments and among international law scholars. The right to water is still in a process of standard setting. Moreover, also the human rights principle of non-discrimination is challenged by violations of the right to water. GC 15 states in its para 16: "Whereas the right to water applies to everyone, States parties should give special attention to those individuals and groups who have traditionally faced difficulties in exercising this right, including women, children, minority groups, indigenous peoples, refugees (...)." And CEDAW obliges States Parties to eliminate discrimination against women, particularly in rural areas to ensure that women "enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply (...)."

Although the right to water is not mentioned in the statutes, FIAN's mandate on the right to food covers part of it (namely drinking water and water for food preparation). The emphasis on land rights in the FIAN mandate and FIAN's increasing commitment for gender equality, can contribute to an enhanced understanding of the right to water by underlining the secure access to water in agricultural production and by investigating gender dimensions with regard to the right to water. Pure access to land without parallel access to water or to seed can be useless for food production.

(2) The general and specific objectives to be achieved through the programme

#### General objective:

To contribute to the realisation of the right to water in selected countries and to an improved protection against right to water violations.

#### Specific objectives:

To empower victims of violations of the right to water and to increase their capacity and negotiation power to defend themselves against right to water violations through capacity building and networking.

To resolve or to impact positively in selected cases where the right to water is violated, particularly in Brazil, Ecuador and India, through research, case based advocacy and interventions.

To underline the impact of water struggles and right to water violations on gender roles and to support

respective demands of women and their organisations through research and networking.

To enhance the understanding of different dimensions of the right to water in selected parts of civil society (right to water in its close relationship to the right to food and right to health, including irrigation water and gender dimensions) and enhance the capability of victims and support groups to apply a rights based approach through capacity building.

To achieve a higher recognition of the right to water by selected governments through targeted advocacy work.

To contribute to a satisfying human rights standard setting regarding the right to water, including the promotion of the current understanding of the right to water (in GC 15) as reference interpretation, on which further legal instruments will be developed to foster the implementation of the right to water.

(3) Important background information: opportunities and risks

Water has become an important issue over the past 10 years. The rapidly increasing consumption of water (mainly in agriculture, but also industry, and households) meets with a limited supply. Exhaustion of water supplies and pollution of freshwater sources have become major problems. The resulting conflicts over resources are victimizing vulnerable groups such as indigenous people, peasant communities, women and girls and slum dwellers. Moreover there is a strong privatisation drive of international water TNCs and a booming commercialization of water.

#### Opportunities:

The right to water can serve as an essential tool and reference for these vulnerable groups to help defending their rights.

Currently there is a great interest in civil society for the right to water (sometimes more than for the right to food). FIAN should therefore be present in the related debates and use the windows of opportunities to outreach with its rights based approach to a broader audience. FIAN can help on the basis of its experience to develop the right to water in a way that is consistent with the right to food and with ESCR in international law. FIAN should also deal more with water rights implied by the right to feed oneself, an issue that is not covered by others.

#### Risks:

There is a risk that the standards already set in GC 15 and the need to fight water-related oppression in its different forms are overseen – instead of focusing exclusively on privatization – and to neglect case-work in doing so. It is a big challenge to make sure that the correct conceptualization of the right to water will be accepted internationally.

(4) Reason why it should be a programme of FIAN and the particular value added of FIAN's contribution

As FIAN has worked already on cases concerning the right to food, while the standards setting for that right was not completed, the documentation of cases of violations of the right to water will be one of the single most important task to support the development of a clear understanding (content and state obligations) of the right to water in the long run. The reason for now suggesting the right to water as a programme of FIAN is the need for a more systematic approach and the struggle for a better recognition and acceptance of that right. International and national instruments safeguarding the human right to water (and hence the right to food) can play an important role in it, as did the Voluntary Guidelines on the right to food.

Water should be taken up as a programme by FIAN since it is closely related to the right to food and very important for groups threatened by or suffering hunger and malnutrition. With its case based approach FIAN could contribute to empower victims of violations of the right to water. Vulnerable groups often ignore that they have rights, that they are victims of violations of these rights, and that many other people suffer from similar violations. The aim is to reinforce their capacities and negotiation power, so that they become claimants of their right to water.

Light will be shed on cases of violations, through thorough documentation. The public will be informed and mobilised for support on a national and international basis, to create pressure for lobby and advocacy towards the authorities responsible of the cases. Therefore authorities will not longer be able to ignore the situation of violation and stay inactive.

(5) How the loop of 8 will be used

The upper part of the loop of 8 would consist of FIANs interpretative work of general comment 15 and its contributions towards additional standard setting including the aspects access to resources and gender. The lower part of the loop would consist of case work against the destruction of peasants' and indigenous groups' access to water for domestic use and for irrigation to feed themselves. Cases about urban vulnerable groups being cut off from affordable water supplies and the respected acts or omissions by state's authorities could also be developed in this loop, even though this is often treated under the right to housing. From this case-work there will be an upward flow towards better implementation and protection of the right to water both at national as at international level and to further standard setting in the human rights regime.

### **Programme 3: Extraterritorial State Obligations (ETO)**

(1) The rationale for FIAN working on the issue and the relevance for its mandate

Over the 20 years of FIAN case work, the significance of the role played by international actors other than the nation state in right to food violations has clearly increased. The strategy followed by FIAN over the years has been to focus its work on the domestic obligations of the nation state (those towards persons within its territory). However, with the increasing interdependence of national economies and the increasing influence of intergovernmental and private actors on the enjoyment of ESCR, FIAN had to draw the lessons from its case work and find new ways to address the issue of responsibility and accountability of the different actors playing a role in the realisation of the right to food. FIAN bases its work on agreed national and international standards for the right to food and especially on the International Covenant on Economic, Social and Cultural Rights (ICESCR; with its article 11 on the right to adequate food) which does not provide for any limitation as to the scope of its application. This concretely means that states have the obligations to respect, protect and fulfil the right to food both at home and abroad. This "abroad" means, in turn, through all relevant sectors and activities within its international cooperation, as enshrined in the ICESCR. Violations of Extraterritorial State Obligations (ETOs) can therefore take various forms such as a forcible eviction through a dam or mining project decided and financed in the framework of bilateral or multilateral development cooperation (with the World Bank policy advice playing a particular role); or the signature of an international agreement (like a new trade regulation for instance) which can impede the enjoyment of the right to food. The future work on ETO bears also space to take up "South-South" cases, meaning that the duty bearer who violates the right to food abroad is a state in the Global South. Furthermore, the gender dimensions of ETO violations (for instance when women only have limited access to compensation, or when they are discriminated through resettlement measures or international policies that are designed in a gender blind manner).

Since 2003, FIAN - in cooperation with EED and Bread for the World - has been implementing a pioneering ETO project. This project is not the first activity of FIAN on the issue but was the occasion to clarify the concept of ETO and define strategies and objectives. FIAN therefore has a good basis to work in a more systematic manner on the issue. In this context, to achieve a better protection of ESCR in general and of the right to food in particular, FIAN has to encourage the adoption of adequate monitoring mechanisms to efficiently address the responsibility of the different actors. It is therefore clearly part of the FIAN mandate to seek for better standards of international law to implement the right to food.

(2) The general and specific objectives to be achieved through the programme

General objective:

To effectively address right to food violations in the context of extraterritorial states obligations.

Specific objectives:

To influence standard setting and monitoring mechanisms at the UN human rights system, in particular at the UN-CESCR, towards the stronger recognition of ETO, through the presentation of well documented cases with a thorough analysis of responsibilities of all involved actors (e.g. parallel reports).

To resolve or to impact positively in selected ETO cases, with a particular focus on the role of the World Bank policy advice, on the issues of mining, agrarian reform/ land & water, and on the gender sensitiveness of selected cases

To increase awareness on the concept of ETO and to enhance capacity to employ and further develop the ETO approach within FIAN, selected CSOs and expert circles by building up a CSO and academic network, serving as platform for exchange and enhanced research

(3) Important background information: opportunities and risks

Opportunities:

The events which have been organised so far have shown a great interest by experts, NGOs and CBOs. FIAN has a great opportunity to make the link between the anti-globalisation or alter-globalisation constituency and the human rights community.

First attempts in a similar direction have been made by other organisations as well (by COHRE, for example in the Chixoy case, by Amnesty International in its primer on ESCR, by the International Council on Human Rights). In the light of that, FIAN should seek to explore possibilities of continuing strategic co-operation with those counterparts (in particular Bread for the World and EED) who have been already involved in the pioneering project mentioned above. Apart from that external dimension of possible partnerships, the programme offers great opportunities for close North/ South and South/ South cooperation inside FIAN. Obviously, the programme bears a very strong mobilisation potential since people can be motivated more easily to become active against human rights violations in which governments or enterprises of their own country are involved. This is in particular relevant for European sections, where the direct link between the targeted public (and members) on the one hand and the highlighted cases of violations on the other hand is quite often not easy to communicate.

Risks:

The extraterritorial scope of the international human rights treaties have been discussed for years now. On the one hand, there is a clear and strong resistance of

states, especially the big donor states in the framework of international cooperation and assistance, to talk about any binding provisions aiming at controlling their actions and omissions abroad which lead to human rights violations. This resistance is then reflected in the UN system with which FIAN has to work on this issue. Furthermore, the issue is a quite complex and sensitive one, and thus much capacity-building is needed if we want the whole FIAN network and the partners to approach the issue in a careful and tactical manner.

(4) Reason why it should be a programme of FIAN and the particular value added of FIAN's contribution

FIAN would contribute to filling the gaps in the international and the national human rights systems to address and finally end violations of the right to food in the context of ETO.

FIAN can be seen as one of the pioneering actors in the field. The value added of FIAN is its conceptual clarity on the issue, its 20 year-long experience with case work in the context of World Bank projects, the lessons learnt from working on abuses by TNCs (in particular the Euzkadi case) and more generally speaking from working on complex situations of violation of the right to food. FIAN is highly recognised for these core competences at both ends, at the international level as well as in several countries where FIAN sections are as one of the first and most serious promoters of a dialogue on ETO..

(5) How the loop of 8 will be used

As mentioned above, FIAN can use its case work to prove the need of new standard and protection of ESCR. Improved human rights standards and impact in concrete ETO cases will in turn enrich further case work.

#### **Programme 4: Monitoring states' right to food policies**

(1) The rationale for FIAN working on the issue and the relevance for its mandate

During the last two decades FIAN contributed to the standards setting for the right to adequate food at the level of the United Nations. FIAN documentations on violations of the right to adequate food from many countries all over the world, helped to sharpen the legal understanding of the right and fostered the development of those official documents at the international level, describing the right to adequate food. In 1999, the UN-Committee on Economic, Social and Cultural Rights adopted a legal interpretation of the right to food, the so called General Comment No. 12. In November 2004, the Council of the Food and Agriculture Organisation (FAO) of the United Nations adopted the "Voluntary Guidelines" for the implementation of the right to

adequate food. FIAN has substantially influenced the standard setting on the right to food.

In future FIAN shall focus on the national implementation of the right to adequate food. By doing this, FIAN can make strong reference to the international instruments and interpretation guides that were developed during the last decade.. The Voluntary Guidelines (VG) can be used in many contexts and can thereby substantially support FIAN's case work. The Voluntary Guidelines are a practical tool describing what governments should do in order to solve these cases and to fully realise the right to food much faster than they did in the past. Since the VG describe in detail what measures states should take and what they should avoid, they are a good tool to monitor if governments respond adequately to hunger and malnutrition.

For this reason, FIAN should systematically build up its monitoring capacity. By assessing state's performance based on the VG, FIAN can contribute to re-orient states' policies towards the realisation of the right to food.

The VG introduce a rights' based methodology to food security policies which imposes on states to concretely identify root causes and victims of hunger and adopt their policies according to the findings by focusing all efforts on targeting the most vulnerable first. With view to the high affectedness of women by hunger and malnutrition the VG bear also a high potential to tackle gender related dimensions of right to food violations. This in turn will help preventing and combating violations of the right to food. The VG can be considered as one of FIAN's biggest success stories. A number of sections contributed to this success through their advocacy work. Now the time has come for civil society across the world to broadly use this instrument and to monitor their own governments' efforts to end hunger. FIAN should continue to maintain its leadership role in this process.

(2) The general and specific objectives to be achieved through the programme

General objective:

To contribute to a systematic monitoring of states' performance under the right to food and to promote appropriate national implementation strategies in selected countries, based on the FAO Voluntary Guidelines and being backed by increased public awareness.

Specific objectives:

To further develop monitoring and reporting guidelines for right to food related policies in a broad and participatory process with civil society actors in selected countries.

To initiate the introduction of national right to food monitoring in selected countries, being based on the UN General Comment No. 12 and the FAO Voluntary Guidelines.

To initiate – along the lines of the VG – a coherent international monitoring framework, that includes the revision of the regular state reporting procedure under the International Covenant on Economic, Social and Cultural Rights as well as of the respective parallel reporting of civil society.

To challenge the current FAO monitoring of the results from the World Food Summit 1996 and to promote a right based monitoring for the entire FAO work.

To highlight the particular relevance of gender sensitiveness for all monitoring schemes and to pro-actively monitor gender specific violations of the right to food by investigating and by highlighting the exclusion of women with regard to the de facto enjoyment of their right to food and by addressing discriminatory legislation or gender blind policy implementation in selected countries.

To promote – in particular within civil society – the establishment of national rapporteurs on the right to food in selected countries.

(3) Important background information: opportunities and risks

FIAN sections have always played a crucial role in addressing and monitoring policy issues relevant for the realisation of the right to food (e.g. agrarian reform, basic income/safety nets, framework legislation, education, etc.). All these experiences were key for the development of the VG. Now the VG have come in place and it is fundamental for FIAN's profile and reputation to further play a leading role.

Opportunities:

Numerous national and international actors (including governments) are expecting FIAN to play an important consultative role for the further implementation of the human right to food in general and in putting into practice the VG in particular. If FIAN presents convincing monitoring proposals, there is a good chance that many CSOs, governments, bi- and multilateral donors will then take them up in the longer run.

Risks:

For elaborating a good monitoring concept, FIAN cannot only build upon own expertise but also needs a lot of excellence from outside the organisation. Such co-operation must be planned and managed very well. This also includes reliable and committed CSO partners in the sample countries to initiate participatory processes to develop monitoring tools. When it comes to the envisaged review of the FAO monitoring routines, any change will be difficult to achieve and therefore time-consuming.

(4) Reason why it should be a programme of FIAN and the particular value added of FIAN's contribution

Monitoring right to food policies is necessary to succeed with the mainstreaming and better implementation of the right to adequate food. The VG are a great opportunity to set up a comprehensive monitoring for the implementation of the right to food. Moreover, the VG are in a way "FIAN's baby". FIAN's central role in influencing the elaboration of the VG has created a lot of expectations. Many actors are now expecting FIAN to make proposals for the next steps. To start with, new mechanisms for a right to food monitoring of state performance in relevant policy fields are needed. This is a field where FIAN has a core competence, based on hundreds of documented cases of right to food violations, numerous fact findings and dozens of country reports. Now, when the international standards for the right to food have been developed, the adoption of the VG offers the momentum to initiate processes of national implementation.

(5) How the loop of 8 will be used

Through systematic and comprehensive right to food monitoring the coherence of national policies with international and national human rights standards will be analysed. This will lead to increased visibility and public scrutiny on states' accountability, loopholes in food security policies, causes for hunger, and marginalised groups. They in turn will improve their bargaining position and (self-)perception as rights holders towards the duty bearers.

FIAN's case work will also benefit from such a development, with explicit and strong human rights standards at hand. To follow up cases, the new monitoring forums could be used. In turn, the concrete cases of violations provide FIAN with empirical background to appropriately conceptualise the monitoring and to define the right priorities.

## **Programme 5: Justiciability**

(1) The rationale for FIAN working on the issue and the relevance for its mandate

Justiciability of the right to food means that victims of violations of this right have the possibility to bring their cases to court, and get positive judgements which preferably refer to the right to food including compensation for the damage suffered and a guarantee for non repetition. Victims should be able to rely on the expeditious enforcement of the court's orders by the competent states' authorities. The justiciability of the right to food is a necessary element of its full realization.

On the national level, up to now the case work of FIAN has used the right to food basically in political

appeals before authorities, governments and legislators. However, in order to enforce the right to food, it is not only the executive and legislative powers, but also the judicial power who are obliged to respect, protect and fulfil access to food. The justiciability of the right to food has a number of important consequences: What a court decides stays valid even after a change in government. Moreover, a positive judgement benefits not only the victims in a particular case, but can be used positively in other cases as well (precedent). Many similar judgements point to a deficiency in the legal and political system and may be used for political lobby on the right to food. Justiciability is essential for the right to food as a legal right. Within this programme, FIAN will design and implement strategies to position the right to food in the jurisprudence of countries and regions. Such a strategy could imply to accompany certain court cases, of course.

At the level of the international human rights regime, the justiciability programme includes FIAN's support to the Optional Protocol initiative. The Optional Protocol (OP) to the International Covenant on Economic, Social and Cultural rights (ICESCR) aims at allowing individual complaints against violations of the rights guaranteed in the Covenant. The justiciability of ESCR (in its entirety, including national, regional and international levels) would be confirmed, and strengthened on all levels. First, such a mechanism would finally put an end to the discrimination against ESCR within the UN human rights system. Furthermore, international case law and decisions are essential to strengthen ESCR realisation. Finally, the complaint mechanism would be a much more adequate instrument to address specific cases of violations than the parallel information which is presented every 5 to 10 years to the Committee on Economic, Social and Cultural Rights (CESCR). While the OP to the ICESCR is not yet existent, FIAN could start to consider using the OP to the CEDAW in those cases in which the right to food of women is violated in a systematic or severe manner.

The programme promotes the justiciability of the right to food as a complementary strategy towards the judicial power in order to get the right to food enforced. For that purpose, it is necessary to build capacity and raise awareness of duty-bearers (e.g. judges and legal officers at national and international level) as well as rights-holders and their supporters (victim groups and their lawyers, human rights organisations) on the justiciability of ESC rights, particularly on the right to food. Some pilot cases should create both the consciousness as well as precedents in jurisdiction and jurisprudence on national and international level. Gender related discrimination will play a central role both on the case and the conceptual level of the programme.

(2) The general and specific objectives to be achieved through the programme

General objective:

To increase the justiciability of the right to food at the international and national level, based on selected cases and through the promotion and/or use of respective instruments and mechanisms.

Specific objectives:

At the level of the international human rights regime:

To accompany and influence the negotiations for the elaboration of an OP in Geneva. To that end, FIAN should maintain and affirm its role within the NGO Coalition pushing for an OP being a meaningful Human Rights instrument.

To prepare and present a limited number of cases which prove the justiciability of the right to food in its various dimensions, as well as the feasibility of a complaint mechanism

At the national and regional level:

To increase the capacity and facilitate knowledge transfer and exchange on the justiciability of the right to food, targeting FIAN in particular and civil society in general

To increase awareness and capacity of duty bearers and rights holders in several Latin American countries through capacity building measures.

To contribute to jurisdiction and jurisprudence on national and Latin American level by technical advice and *amicus curiae* case assessment. To promote initiatives for implementing the right to food in national legislation (i.e. framework legislation and judicial protection measures). To promote a stronger standing of the human right to food in the Inter-American human rights system and consequently in its member states.

To improve in pilot cases the defence of women against violations of their right to food by supporting them before national and international bodies (possibly including the OP to the CEDAW) against discriminatory legislation or practices.

(3) Important background information: opportunities and risks

Opportunities:

At the international level, other international ESCR organizations (notably COHRE and ESR-net) have invested considerably in justiciability, and particularly the Optional Protocol. On the latter, there is the respective and broad NGO Coalition on the Optional Protocol. Within FIAN, several sections are already involved in advocacy and mobilisation work (e.g. Austria, Belgium, France, Germany, Mexico and Norway) and others have expressed their interest in doing more. At the FIAN international secretariat, a part-time position for the OP work has enabled to actively work for more national

mobilization as well as to closely follow the process towards an OP in Geneva.

At the Latin-American level, there is a growing amount of ESCR litigation. In some countries there are now cases dealing explicitly with the rights to work, to social security and to education – and to a lesser degree on the rights to housing, to health and to a healthy environment. There are only very few judgments on the right to food and their arguments are very weak. The progress in the other rights mentioned is due to work of human rights organisations pushing for these other rights. On the right to food there is a large gap – and FIAN has to take up this challenge. Meanwhile some justiciability work has started with judges, lawyers and precedent cases in Honduras, Argentina, Brazil, Guatemala and Nicaragua. In 2005, FIAN hold the first thematic audience of the Interamerican Commission on HR on the right to food.

Considering that international law (including regional judgements of the Inter-American system) is immediately legally binding in most Latin American states, this system is of strategic importance for the justiciability of the right to food. Explicit interest to cooperate with FIAN on the justiciability on the right to food in Latin America have been expressed by CEJIL, the International Commission of Jurists, the Interamerican Platform of Human Rights, Democracy and Development (where FIAN Brasil and FIAN México are active members), the International Federation for Human Rights (FIDH) and national counterparts as CELS (Argentina) or ILSA (Colombia). The scope of work to be done, however, is tremendous, and there is both wide space and a great need for FIAN to take up justiciability along with other actors. Also in India, there have been important experiences of litigation on behalf of the right to food which can be shared within the international learning process in this field.

Risks:

In the case of the Optional Protocol, FIAN will have to adapt its position and plans either if the negotiation process stops or if the text being negotiated goes beyond the minimal acceptable line FIAN can support to not undermining the Right to Food.

When it comes to court cases, the risk of lengthy justice has to be taken into account.

(4) Reason why it should be a programme of FIAN and the particular value added of FIAN's contribution

Justiciability is an essential part of the right to food concept. At the international level, FIAN has been one of the pioneer organisations working for the adoption of the Optional protocol as an instrument providing victims of ESCR violations with international justice. FIAN is a key actor in the international initiative for an Optional Protocol, and the only one with a strong right to food experience. Thanks to its nature, structure and experience after 20 years, FIAN has the expertise, the network, the outreach facilities, and the mobilisation

potential to broaden the support for a meaningful OP: Moreover, FIAN has very relevant case experiences from which the lessons can be drawn.

On the Latin American level, the leading human rights organisations currently promote the justiciability of ESCR rights, and they appreciate FIANS unique experience and conceptual capacity on the right to food. Since the justiciability of different ESCR benefits from the work of specialized NGOs FIAN has a particular calling based on its experience in violations of the right to food in the region and its mandate to advance this issue.

#### (5) How the loop of 8 will be used

Regarding the Optional Protocol, FIAN can contribute in a very effective and unique way to the development of the case law at the international level, and more precisely the one related to the implementation of the ICESCR. Once the Optional protocol is adopted, a comprehensive OP-ICESCR would allow FIAN to find new avenues for a better enforcement of ESCR in the world. The procedures which should be established by the OP could be used for taking up individual cases of right to food violations. This in turn will enable to push for always better standards for the protection and realisation of the right to food.

At the national level, justiciability is a procedural states obligation. It is advanced both through cases which FIAN accompanies (or even litigates) – the lower loop of the 8 - and through structural work shaping the judicial remedy system through awareness raising and education of the judiciary and administration, *amicus curiae* and activities at the Inter-American system and precedent cases – the upper loop of the 8. Improvements in the judicial system for the right to food will benefit individual cases (even outside court action) – the downward flow in the 8. Individual cases where courts mention the right to food or even basing remedy on the right to food will strengthen the standing of the right to food in the judicial system altogether – the upward flow in the 8.

### **FIAN Gender Strategy**

#### **Dual track gender approach: Fighting right to food violations from a gender perspective (As approved by the IC Heidelberg 2006)**

The FIAN gender work follows a dual track approach, aiming at both a) gender mainstreaming through different working areas and b) a focus on gender issues and/ or on women's right to food in order to overcome existing inequalities and to increase the gender sensitiveness within the organisation. The approach is described in detail in the FIAN GENDER STRATEGY, which has been adopted by the International Council in its session 2006. Find hereby its general and specific objectives:

#### General objectives:

A. To contribute to the full realisation of the right to food for women, men and children by an increased capability to fight *de jure* and *de facto* gender discrimination with regard to the enjoyment of the right to food.

B. To render FIAN's whole working scope more gender sensitive in a way that gender specific right to food violations will be taken into account and can be tackled through the FIAN work at different levels.

#### Specific objectives:

##### Operational dimensions:

To develop a common understanding on gender and the commitment to fight gender specific right to food violations within FIAN.

To implement a dual track gender approach at different levels and in all working areas of the organisation and to render FIAN's working methodology, mechanisms, instruments and networking gender sensitive, supported by gender action plans for the international and sectional level.

To achieve the reflection of gender dimensions in the thematic working fields of FIAN and explore new thematic right to food fields with high gender relevance (e. g. intra household food discrimination, women in the informal sector, etc.).

To achieve that FIAN becomes visible as an organisation which is committed to gender equality in its work for the right to food.

To achieve gender equality in the organisational and institutional setting, including the decision making.

##### Thematic dimensions:

To increase the visibility of human rights violations linked to land issues through improving the case documentation capacity of peasants' organisations and through an increased publicity for such violations, under particular consideration of the gender dimension and to support national implementation and monitoring of land policies in selected example countries, including a particular view on gender equality (Programme 1).

To underline the impact of water struggles and right to water violations on gender roles and to support respective demands of women and their organisations through research and networking (Programme 2).

To resolve or to impact positively in selected ETO cases, with a particular focus on the role of the World Bank policy advice, on the issues of mining, agrarian reform/ land & water, and on the gender sensitiveness of selected cases (Programme 3).

To highlight the particular relevance of gender sensitiveness for all right to food monitoring schemes and to pro-actively monitor gender specific violations of the right to food by investigating and by highlighting the exclusion of women with regard to the *de facto* enjoyment of their right to food and by addressing

discriminatory legislation or gender blind policy implementation in selected countries (Programme 4).

To improve in pilot cases the defence of women against violations of their right to food by supporting them before national and international bodies, possibly including the Optional Protocol to the CEDAW, against discriminatory legislation or practices (Programme 5).

To explore further “gender pilot topics” with a high relevance for the realisation of women’s right to food, such as intra-household food discrimination, extreme labour discrimination of women or the right to food of women working in the informal sector, and to start respective case work and networking with women’s organisations.

## ANNEX 5: List of Countries with FIAN Members

Algeria	Malawi
Austria	Mali
Bangladesh	Morocco
Belgium	Mexico
Bolivia	Nepal
Brazil	Netherlands
Chile	Niger
Congo	Nigeria
Denmark	North Ireland
Germany	Norway
Ecuador	Pakistan
El Salvador	Philippines
Finland	Russia
France	Sri Lanka
Ghana	Sweden
Great Britain	Switzerland
Guatemala	Czech Republic
Haiti	Uganda
Honduras	USA
Hong Kong	Central Africa
India	Zimbabwe
Italy	
Jordan	
Cambodia	
Kenya	
Liberia	
Luxemburg	

## ANNEX 6: FIAN International Directory

### FIAN SECTIONS

#### FIAN Austria

Johann-Strauß-Gasse 33,  
A-1040 Wien, Austria  
+43 1 235 0 239 TEL  
fian-oe@oneworld.at

#### FIAN Belgium

Rue van Elewijck 35,  
B-1050 Brussel, Belgium  
+32 2 64 08 417 TEL | FAX  
info@fian.be

#### FIAN Brazil

Rua 19, N. 35 - Ed. Dom Abel Sala 02,  
Setor Central-CEP74030-090,  
Goiânia - GO, Brazil  
+55 62 30924611 TEL  
fian@fianbrasil.org.br

#### FIAN Germany

Briedeler Straße 13,  
D- 50969 Köln, Germany  
+49 221 70 200 72 TEL  
+49 221 70 200 32 FAX  
fian@fian.de

#### FIAN Ghana

c/o League of Environmental Journalists  
P.O. Box 2062  
Accra, Ghana  
+23 32 122 18 49 TEL  
+23 32 131 00 28 FAX  
mikeanane@yahoo.com

#### FIAN Honduras

Col. Tepeyac, Boulevard Las Minitas  
Apartamentos Vista Hermosa No. 17  
Tegucigalpa, MDC Honduras  
Mailing address: Apdo.Postal 5303, Tegucigalpa. A.M.d.C.  
+504-213-9258 TEL  
+504-232-1735 FAX  
fian@fian.hn

#### FIAN India

Sanjay K Rai  
1/14 B, First Floor,  
Jangpura-A, New Delhi 110014  
+91 941 512 1462 MOBILE  
fianindia@yahoo.com

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### FIAN INDIA CHAPTERS

#### FIAN Andhra Pradesh

Flat No. 502-D-Block,  
Sree Keerthi Towers, Lalapet  
Secunderabad 500 0017,  
Andhra Pradesh, India  
+91 40 270 158 38 TEL  
fian\_andhrachapter@yahoo.co.in

#### FIAN Karnataka (North)

9th Cross, Bhagyanagar,  
Belgaum 590006, India  
+91 831 248 44 91 TEL  
fianashraya@sancharnet.in

**FIAN Tamilnadu**

11-P T Rajan Road 5th Street,  
Madurai 625002, India  
+91 452 253 30 20 <sup>TEL</sup>  
fiantrn@rediffmail.com

**FIAN Uttar Pradesh**

A-8, Sarvodaya Nagar,  
Indira Nagar,  
Lucknow - 226016,  
Uttar Pradesh, India  
+91 522 234 95 56 <sup>TEL</sup>  
+91 522 235 55 34 <sup>FAX</sup>  
+91 522 231 19 07 <sup>FAX</sup>  
fianup@yahoo.com

**FIAN West Bengal**

c/o IMSE, 195 Jodhpur Park,  
Kolkata 700 068, India  
+91 33 241 28426 <sup>TEL</sup>  
+91 33 247 25571 <sup>FAX</sup>  
fianwestbengal@vsnl.net

**FIAN Mexico**

Tamaulipas 66, Colonia Condesa,  
Delegación Cuauhtémoc, C.P.06140,  
México D.F.  
+55 5 2116256 <sup>TEL</sup> <sup>FAX</sup>  
fian\_mex@yahoo.com.mx

**FIAN Norway**

Stortata 11, 0155 Oslo, Norway  
+47 23 010315 <sup>TEL</sup> <sup>FAX</sup>  
e-mail: post@fian.no

**FIAN Philippines**

44 Gen. Segundo St., Heroes Hills,  
Quezon City, Philippines  
+632 374 3986 <sup>TEL</sup>  
+632 413 3935 <sup>FAX</sup>  
fianphils\_2005@yahoo.com

**FIAN Sweden**

Tegelviksgatan 40,  
11641 Stockholm, Sweden  
+46 8 643 93 47 <sup>TEL</sup> <sup>FAX</sup>  
info@fian-sverige.org

**FIAN Switzerland**

Bd du Pont-d'Arve 16,  
CH-1205 Genève  
fian-ch@bluewin.ch

**FIAN COORDINATIONS****FIAN Bangladesh**

Mailing address: G.P.O. Box No. 2242,  
Dhaka-1000, Bangladesh  
+88 02 911 41 95 <sup>TEL</sup>  
+88 02 811 05 33 <sup>TEL</sup>  
arbn@dhaka.agni.com

**FIAN Ecuador**

c/o UBV  
Wilson 547 y Almagro  
P.O.Box 17099111  
Quito, Ecuador  
+593 22 547 903 <sup>TEL</sup>  
+593 22 224 962 <sup>FAX</sup>  
landivar@fianecuador.org

**FIAN France**

15 Rue Georges Jacquet,  
F-38000 Grenoble  
+33 4 382 105 08 <sup>TEL</sup>  
+33 4 764 849 85 <sup>FAX</sup>  
contact@fian.fr

**FIAN Nepal**

c/o Prem Dangal  
All Nepal Peasants Federation,  
P.O. Box 273, Lalitpur, Nepal  
+977 1 428 84 04 <sup>TEL</sup>  
+977 1 428 84 03 <sup>FAX</sup>

**FIAN Netherlands**

Postbus 14656  
NL-1001 LD Amsterdam  
+31 20 669 83 40 <sup>TEL</sup>  
fian.nederland@gmail.com

**FIAN Sri Lanka**

202 Hill Street, Dehiwala, Sri Lanka  
+94 1 716210 <sup>TEL</sup>  
+94 75 51 96 83 <sup>FAX</sup>  
mahanamahewa@yahoo.com

**FIAN AFFILIATED GROUPS****FIAN Group Bangalore**

c/o Centre for Child and the Law (CCL),  
National Law School of India University (NLSIU), Nagarbhavi, Bangalore  
560 242, India  
+91 80 231 605 28 <sup>TEL</sup> <sup>FAX</sup>  
shnitu@yahoo.com

**FIAN Group Italy**

Bottega della Solidarietà,  
Via Manzoni 54 R,  
I-17100 Savona, Italy  
+39 19 802 178 <sup>TEL</sup> <sup>FAX</sup>  
marcello.toby@libero.it

**FIAN Group Madhya Pradesh**

P.O. Box 562, R.S. Nagar  
Bhopal - 462 016 MP India  
+98 68 993 710 <sup>TEL</sup>  
fianmp@gmail.com

**FIAN Group Maharashtra**

316/A, Rainbow Guesthouse,  
Civil Lines, Opp. Gupta House,  
Rabindra Nath Tagore Marg  
Nagpur-440001, India  
+91 712 252 97 62 <sup>TEL</sup>  
dohrmann@sangam.de

**FIAN Group Rajasthan**

67/145, Pratap Nagar Housing Board,  
Sanganer, Jaipur-303906 India  
+91 141 279 29 94 <sup>TEL</sup>  
hedcon2004@yahoo.com

**FIAN Group South Tyrol**

Stenizerweg 2, I-39022 Algund  
+36 473 22 17 38 <sup>TEL</sup>  
+39 473 44 84 97 <sup>FAX</sup>  
fiansuedtirol@gmail.com

**FIAN INTERNATIONAL****FIAN International Secretariat**

Willy-Brandt-Platz 5  
69115 Heidelberg, Germany  
+49-6221-6530030 <sup>TEL</sup>  
+49-6221-830545 <sup>FAX</sup>  
fian@fian.org  
www.fian.org

## **ANNEX 7: Rules of Procedures on FIAN-Interventions**

### **RULES OF PROCEDURES ON INTERVENTIONS IN TERRITORIES WITH A SECTION/CO-ORDINATION.**

#### **Approved by the International Council in Rome 2002**

FIAN Interventions are measures taken to stop or prevent violations of the right to adequate food in the mandate of FIAN. They are based on a human rights analysis of the situation, on a judgment of the type of violation, identification of the authority responsible, and clarity on demands made by FIAN, as well as on the objectives of each intervention. Interventions include urgent actions, hotlines, and special interventions of the International Secretariat. Interventions imply legal and political consequences for FIAN and should therefore not be undertaken without the involvement of the bodies legally responsible for FIAN that are the sections and IEC. Local groups have specific important tasks in the context of interventions.

Interventions can take place in territories with or without FIAN section/co-ordination. Interventions in territories with FIAN sections/co-ordinations shall be carried out along the lines of the following standard procedure. Under special circumstances one of three alternative procedures can be used:

#### **Standard Interventions by FIAN International**

In territories with FIAN a section or co-ordination interventions are undertaken by FIAN International on the basis of research and monitoring by a national section/co-ordination (for example through local FIAN groups) or by other sources of information without any intervention by the section/co-ordination itself. Interventions require prior consultation with and consent of the national section/co-ordination.

A related case can be adopted by FIAN International and entrusted to a foreign group ("classical case") or both to a foreign group outside the territory as an intervention case together with a territorial FIAN group as a monitoring case ("tandem case"). There is close co-operation between both local FIAN groups. Neither the territorial group nor the section intervenes.

#### *Alternative Intervention Procedures:*

1. Interventions by FIAN International alone ("Purely international intervention")

This procedure refers to interventions where the respective section/co-ordination was not involved in research related to the violation. FIAN International shall intervene upon prior consultation of the section/co-ordination. Sections/co-ordinations have to be informed about the follow up and results of interventions and vice-versa.

FIAN International can adopt cases for long time work and entrust them to a foreign FIAN groups outside the territory as an intervention case (under the guidance of FIAN International). FIAN International can adopt cases only upon consultation and consent with the particular section/co-ordination.

This procedure is used for example in situations where a section/co-ordination must not be implied in an intervention in order not to jeopardise the security of the section/co-ordination: FIAN would make it clear in public statements, if necessary, that the section/co-ordination had nothing to do with this case.

2. Interventions by the section of the victims ("Territorial intervention")

A section may intervene in a violation in its own territory upon prior consultation with FIAN International. The IEC may stop an intervention if necessary. Each such intervention must be cleared by the board of the section. The board takes into special consideration FIAN's independence from political and confessional groups. The intervention may be linked to the research and monitoring of a territorial FIAN group. The section may then entrust the case as a territorial monitoring case to the local group. This territorial group itself does not intervene, but may recommend intervention by the board of the section.

Under some circumstances a section may find it not yet appropriate to globalise the issue by using the standard procedure, for example in cases where an international intervention could backfire on the section or the victims – or if there happens to be no international intervention capacity at hand. Given the nature of FIAN as an international human rights organisation, this procedure should be more the exception than the rule.

3. Double Interventions by FIAN International and one of its sections ("Double intervention")

These are standard interventions combined with a territorial intervention of the section/co-ordination.

Normally the section/co-ordination would benefit from the international nature of the standard intervention, which runs the risk to be weakened if the section/co-ordination makes a statement of its own. Usually a section would stay in the background or simply make the standard intervention known without taking a position as a section.

There may, however, be situations where a double intervention with a specific note and position by the section offers additional benefits in terms of impact.

Consultations are mandatory:

Consultations by the section/co-ordination should take place with the respective regional desk officer in the IS or the Human Rights Director a few days before the intervention.

Consultations by the IS should take place with the secretary, president or co-ordinator of the respective section/co-ordination a few days before the intervention.

If need arises for urgent local intervention a local FIAN group may approach a local NGO/CBO etc for intervention or local FIAN members and others may form a task force outside FIAN for intervention without, however, acting in the name of any FIAN entity.

The procedures of consultation are also mandatory for interventions undertaken in the framework of projects of co-operation (i.e. the Emergency Network of the ARC) where FIAN is involved.

These procedures will be evaluated after a period of two years.

## **ANNEX 8: Clearance Sheet for FIAN Interventions in Conflicts**

Address: International Secretariat of FIAN,  
P.O. Box 10 22 43, 69012 Heidelberg, Germany  
FAX +49 – 6221 – 830545, E-mail: [fian@fian.org](mailto:fian@fian.org)

1. Name and address of person or group proposing this case

*It is crucial for FIAN to know exactly with whom it can communicate on this situation in future. A continuous and stable flow of information is crucial for any intervention by FIAN. Give the full address and name of the person/group proposing the situation including telephone, fax and E-mail connections if available. If there is already a connection to an existing FIAN group, please indicate this.*

2. Exact location of the case: Country, State, District, Town or Village

*It is essential to obtain precise information about the location of the case prior to take any further action. On the one hand FIAN may have already worked in the area and may have contacts there. On the other hand credibility and efficiency of an international intervention also depend highly on locating the events as precisely as possible in terms of geographical position by providing sufficient and correct names of the places.*

3. Description of case: Please give a short description of the events relevant to understand the history of the case including dates of such events. If there were several incidents, please indicate this. If there is a conflict, please describe the background e.g. cause and involvement of the conflict as well as political, social, economic, ethical and legal aspects of the situation.

*Please use the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights for your reference. If possible, indicate which types of violations against obligations described in General Comment No. 12 on the Human Right to Adequate Food / General Comment No. 15 on the Human Right to Water have been committed in this case. Another useful source of reference are the FAO Voluntary Guidelines on the Right to Adequate Food.*

*Please describe the different roles of state representatives and other key actors such as private enterprises, private persons etc. Also note the legal mechanisms which the affected group has used or tried to use in this case so far. Please indicate the urgency of the case. It is important to remain concise and precise. FIAN has to know the facts; i.e. which acts of violence have been committed, for example, whether it is a matter of eviction, of destruction of resources, exclusion from water use, etc. Please indicate the legal background if possible which laws are affected, if there is a court case pending, etc. Numbers are also important: How many families/persons are approximately affected; how much land (hectares/acres) is involved. Indicate the current nutritional and health status of the persons/community affected. Try to write up the events in chronological order.*

4. Try to identify the responsibilities of your national government and other government authorities (state etc.) in this case.

*Please analyse the violations of the right to food / right to water and relate them to the corresponding state obligations. Please also check national laws, legal safeguards, etc. in order to identify possibilities for initiating actions against the prevailing violation. (Consult General Comments No. 12 and 15)*

5. Are international / foreign organisations or enterprises involved or responsible in this case, and to which extent?

*Please check if there are other than national actors involved and what is their responsibility by referring to the chapter on International Obligations in General Comments No. 12 and No. 15.*

6. Is there a direct contact to a support group or victim group or its representatives? (Please include address, if possible.) Give a short description of the level and type of organisation of the local victim and/or support group in this case.

*Please write all information you have about the groups involved in the situation to defend the victims' rights; have the victims (peasants, landless, indigenous people, etc.) founded a group? Do organizations, unions, NGOs support the victims? If you yourself feel unable to provide the permanent link, this is the place to suggest other groups.*

7. If there are other key resource persons able to provide information in addition to 6, please include contact addresses. Try to find various persons and groups able to provide information.

*All useful addresses you can find are welcome. FIAN is eager to get in touch with as many supporters and partners as possible. These addresses can be used to obtain further information or to follow up on the situation. Please also mention the groups with whom you do not cooperate, and indicate why*

8. Do the victims, the victim group or the respective support group(s) really wish an international intervention by FIAN or other organisations? Which kind of support do they request? Are they aware of possible consequences? How did they express this? Does the victim group or the respective support group have any other suggestions for supporting them?

*It is crucial for FIAN to be sure that its intervention is welcome by the victims. Indeed FIAN refuses to act without the consent of the people directly affected by the case. The victims must be able to give their agreement and to decide for themselves if an international intervention would be useful for them or counterproductive. For instance, FIAN does not want to endanger the security of the victims who are already in a serious situation. FIAN wants as well to take into consideration the demands of the victims. FIAN refuses to replace the people as actors in the case. In this view, it is essential that FIAN can be sure that the victims agree with the international intervention.*

9. Are women especially affected in this case? In which way are they affected by the violation of the right to food / right to water different from men? Who can be contacted to give further details about their situation?

*Women are a group that is particularly affected by human rights violations. They must be especially protected against these violations. For this reason FIAN wants to stress the situation of women in each case and give them special attention. Please indicate to what extent women rights are concerned and which person/organisation FIAN can get in touch with to act efficiently in favour of this vulnerable group in the specific situation.*

10. What are the demands of the victims and / or support groups? Please indicate major demands by highlighting their priority.

*Please highlight the demands of the victims. Draw up a list of these demands so that FIAN can have a better understanding of the situation and can take these demands into account in its intervention.*

11. Indicate the addresses of those to whom the FIAN actions should be addressed (government authorities, partners, and, in cases where needed, third parties).

*Who in the country itself should be most effectively addressed by an international intervention and lobby work? Give names and complete addresses of the persons to be addressed by FIAN's intervention (President, Ministers, managing directors of a company, etc.). Please include the fax number and E-mail address if possible.*

12. Please send copies of any documents available which may serve as additional proof for the case, e.g. newsletter clippings or orders of courts or any other documents of state authorities involved in the case.

*Please indicate documents that are available with you upon request and could be sent to FIAN. Make a note of those documents that you have already included with the clearance sheet.*

The international intervention and its expeditious and effective implementation depend on the information you provide. Do not forget: the more precise and complete the information, the faster and more efficiently FIAN can react!

## **ANNEX 9: Guidelines for FIAN Groups and Co-ordinations**

### **FIAN INTERNATIONAL SECRETARIAT 2005**

#### **Introduction**

The following guidelines have the purpose of clarifying the special nature of FIAN-Co-ordinations. What is expected from them by FIAN International? What is their role in the overall organizational structure of FIAN? The guidelines also contain some suggestions for improved communication between the co-ordinations and the International Secretariat.

Since a co-ordination is technically speaking a group directly affiliated to FIAN International, we will first discuss the role of groups in general. Most sections have groups ("local groups"), but this is a different story. A "seed group" is a group directly affiliated to FIAN International. It considers starting FIAN in an area, receives special attention by the International Secretariat, but has not yet been accepted as a co-ordination.

#### **A. FAQs - Frequently Asked Questions about groups**

##### **Why are groups so important?**

Everything begins with a group. Every section and even FIAN International began with a group. Groups begin with three individuals, but if they remain just individuals and don't form a group, they will not be able to work effectively for human rights in the long run. Only groups can resist the powers of oppression, an apathetic or hostile environment, the temptations of resignation and selfishness.

##### **How to build a group?**

Regular meetings of the groups are to be held every 2 weeks. Regularity is important, so that that people grow together to carry out their working programs.

During the first 6 month or so, a group should not yet turn public but should rather engage in a joint study of basic material. The group needs to feel at home with the human rights concepts (human rights education).

##### **What is an affiliated group?**

Organizing FIAN starts with direct individual members. They have used [www.fian.org](http://www.fian.org) to become members or sent their membership applications to the International Secretariat. Three members in a country can form a FIAN group. In order to be accepted as an affiliated group they get in touch with the IS and ask for acceptance as affiliated group – or even as a coordination. If the country has a FIAN section, groups would normally apply for membership with this section instead of seeking affiliated status with FIAN International.

#### **B. FAQs - Frequently Asked Questions about co-ordinations**

##### **What is a FIAN-Coordination?**

A FIAN-Coordination is a specific group affiliated to FIAN international which has gone public with taking up the task to build a section in its country/territory. Obviously FIAN-Coordinations can only be established in a country/territory without a FIAN section.

##### **How does a co-ordination come about?**

A FIAN-Coordination is opened by the FIAN International Secretariat (IS). This happens after a period of cooperation between the respective members and the IS.

##### **When is a co-ordination closed?**

The purpose of a co-ordination is to build a section in the country. As soon as a section has been accepted by the FIAN International Executive Committee, the coordination which built the section stops to exist.

The International Secretariat may close a co-ordination at any time, when it feels that the coordination does not properly meet its purpose.

A co-ordination should close down once it is unable to meet its purpose.

##### **What is particular about a coordination?**

A person or persons who are interested to build FIAN in their territory involve friends to build an affiliated group (sometimes called "seed group") to meet regularly, participate in urgent actions and get to know FIAN. A seed group may start small with just three persons, but more working capacity is required to advance quickly. Normally it will take some time to build up capacity and some decision in close cooperation and consultation with the IS until a local seed group feels prepared to become an affiliated group and make it know in its territory that it is the local representative of FIAN and wants to build a section. Once it makes public its address and intention in territory X it will be called "FIAN coordination X". Normally its territory will just be a country.

##### **Why should one take time when founding of a section?**

Usually it pays, not to rush the founding process but

wait until a second or third group has been established. This will provide or more stable and better starting position for quicker growth in the future as it helps to avoid or reduce local biases in the country from the very beginning.

On the other hand there may be a good reason to formalize the section soon so that it can be recognized before the law of the country, as this can improve possibilities for fund raising, tax deductibility of donations, protection of members etc.

#### **What are the formal requirements for a section?**

The coordination and the individual members in a country turn into a section once they are recognized as a section by a decision of the IEC. In order to be eligible to apply to the IEC for recognition as a section, there have to be at least 10 individual members in the country (or three groups) which have signed this application and there has to be a statute for consideration by the IEC and suitable for legal recognition in the country.

Only after recognition by the IEC may a section register as a juridical person in its country.

#### **What are the steps for founding a section?**

Once the coordination group is confident to start the formal founding process, it will therefore draft statutes and send them around to the (main) members of its territorial network or convenes a meeting. This meeting could be the founding meeting once the coordination can be sufficiently sure (thru contact with the IEC/IS) that its statutes are acceptable except for minor changes. Once the coordination and its network has reached agreement on a final draft, it submits this draft to the IEC for approval together with a written application for admission as a section together with the respective number of members and their signatures. After admission it starts the legal procedures for getting the statutes recognized before the law.

### **C. What is expected from a FIAN coordination?**

#### **1. Mailing of urgent actions**

Once a coordination has been established it takes over the mailing of urgent actions coming in from the IS (and perhaps their translation into local languages different from English, French and Spanish).

#### **2. Building a network throughout the country**

As a second step the Coordination group will try to build up a network in different and distant parts of its territory of persons participating in urgent actions, and willing to help build up a section.

#### **3. Get publicity for FIAN**

The coordination will try to get some publicity by FIAN campaigns.

#### **4. Cooperate in FIAN International's educational activities**

Seminars on human rights or training of trainers on specific aspects of the right to food provide an important opportunity to build a network and promote the right to food in the country (and FIAN).

#### **5. Cooperate in FIAN International's research and intervention activities in the country**

The coordination will cooperate in research, case-work and other intervention activities of FIAN International in the country. It takes up organizational and other tasks in the context of research visits (or even fact finding missions) of FIAN International to the country.

#### **6. Be in touch with your country officer person in the IS**

For each FIAN Coordination there is a person in the IS to assist the group in its work. This includes assistance in the founding process and the formulation of statutes. Dialogue with the liaison person could help formulate statutes in a way that improves chances of acceptance by the IEC. On the other hand a FIAN coordination should not hesitate to find its own organizational approach. It can always turn to the Secretary General or directly to the IEC.

#### **7. Develop your strategic plan to build the section**

This strategic plan could be a short narrative on the process how the coordination wants to turn into a section.

#### **8. Send the IS an evaluation/progress report every 6 months**

Such an evaluation report (not more than a page) should report activities carried out under 1.-6. and evaluate their outcome in the light of the strategic plan developed under 7. Please note particular obstacles you may have encountered.

## **ANNEX 10: FIAN International Guidelines for Financial Cooperation**

### **IC ROME 2002**

#### **Preface / Motivation**

1. This decision aims at setting up new guidelines how to co-finance FIAN sections/co-ordinations with funds raised by FIAN International, including project income.

2. The last IC (Wegimont, 2000) encouraged the International Secretariat strengthening its efforts to mobilise financial support in order to further build up the organisation. Increasing co-financing of the network contains both, chances and risks. Accordingly, new rules are needed to properly guide the process of enhanced co-funding of sections through resources mobilised or channelled by FIAN International. Transparency and democratic control by the IEC are seen as lead principles in the process of co-financing sections with means of FIAN International.

3. The set up of appropriate guidelines is seen as most important considering its far reaching implications on the sections. Hence a final decision on the new rules shall be taken by the IC at its next session in 2002. On the other hand, a timely (pre-)decision of the IEC is needed to start developing a coherent funding strategy early next year in order to cover the burning short and mid term demands of many sections/co-ordinations. This is in particular true if one considers how time consuming it is to mobilise the necessary resources. If co-funding of the first sections should start in 2003, a respective project application has to be finalised by the end of march 2002 the latest.

4. Hence the IEC shall take a preliminary decision on the following guidelines in November 2001. The functioning of these guidelines shall be evaluated in the course of 2002 and a final decision is to be taken by the IC at its next session.

#### **Introduction**

5. Seeking to substantially co-finance sections/co-ordinations by means of FIAN International is a comparatively new policy within the organisation. For many years, FIAN International has been rather reluctant in this regard. It became obvious, however, that additional efforts are necessary to substantially strengthen the network. In terms of organisation building, every sections shall count on a basic infrastructure (e.g. secretariats run by professional staff) and the necessary means to implement the core tasks within the frame of the FIAN mandate.

6. So far, FIAN International has concentrated its efforts in this regard rather on providing (new) sections/co-ordinations with seed money than giving institutional

funding. The respective means of FIAN International have been very limited. These funds are originating from sectional contributions and project income of FIAN International dedicated to this specific task. The IEC has set up its own guidelines how to grant seed money of the so called "Solidarity Fund" to applying sections/co-ordinations. The rules in place turned out to be useful to manage the Fund. These guidelines, however, need to be enhanced to cover institutional and/or large scale programme funding of sections as contracting partners.

#### **Points of Reference**

7. Points of reference for the co-financing of sections by means mobilised by FIAN International are the former decisions as taken by the IC and IEC in this respect. This is in particular true for the following decisions (listed in "Decisions by the IC and the IEC"):

- E01-04-B requesting close co-operation of the sections and the International Secretariat in their funding efforts (2001)
- E01-09-B requesting the Standing Committee on Finances to develop draft guidelines for the next IEC meeting (2001)
- C00-10 on Financial Transparency (Amendment of Guidelines regarding Finances of FIAN Sections and the International Secretariat)(2000)
- C94-8 on the creation of the FIAN Solidarity Fund (1994)

8. The co-financing of sections shall take place by making use of two different budgetlines:

- Budget Line I

Project Income mobilised by FIAN International with sections as contracting partners and meant as institutional/programme funding (see decisions E01-04-B & E01-09-B) is to be managed in accordance with the guidelines as cited hereafter.

- Budget Line II

Funds as provided by the FIAN Solidarity Fund (see decision C94-8) is to be granted to sections/co-ordinations in accordance with the "FIAN Solidarity Fund Guidelines" already in place.

#### **Objectives**

9. The aims of regulating the co-financing of sections and co-ordinations shall be:

- to support and guide a balanced process of organisation building in accordance with the political priorities as defined by the IC/IEC and as further outlined in FIANS master plan.
- to stimulate a capacity building process leading to financially independent sections.

- to improve the co-operation between all entities of the network (IS, sections, co-ordinations);
- to contribute to co-ordinated fund-raising activities of all FIAN entities avoiding competition;
- to guarantee transparent decision-making on co-financing sections;
- to ensure coherence with the political priorities as defined by the IC/IEC and as further outlined in FIAN International's master plan.

### **Decision-Making**

10. The responsibility for FIAN International's efforts undertaken to co-finance sections/co-ordinations is taken by the Committee for Financial Co-operation (CFC) consisting of the president (who normally chairs this Committee), the chairpersons of the four Standing Committees, the Secretary General and the Finance Director (the two representatives of the International Secretariat without vote).

11. The CFC takes over the responsibility of the former Solidarity Committee in managing the Budget Line II.

12. The CFC meets at least twice a year. If necessary, the Committee can take decisions in between on the basis of phone conferences or other appropriate communication. The Committee reports back to the IEC/IC.

13. The CFC decides on all project applications launched by the IS and aimed at co-financing sections. The CFC ensures coherence with the political priorities as defined by the IC/IEC and as further outlined in FIAN International's master plan.

14. The CFC can define rules of procedure and delegate responsibilities to the IS.

15. The IS has to provide the decision making body with all requested information. In particular, all project applications need to be shared with the CFC at the beginning of the project design.

16. The CFC adopts Rules of Procedures that should form the basis of decisions.

17. If there is an urgent need for decisions on project applications to be launched within a short period of time or if the regular procedure is not applicable because of other extraordinary circumstances, at least the president and/or the treasurer are to be informed and asked for their decision.

### **Evaluation Criteria**

18. The CFC is guided in its work by the political priorities as set up by the IC/IEC and as further lined out in the master plan. These priorities and plans provide the CFC with the necessary internal evaluation criteria when it comes to decide upon projects and to select the sections included.

19. Besides the internal evaluation criteria, there are external criteria as set up by the donor agencies to

be approached. These criteria defining the eligibility of project partners, of operations and of costs shall be communicated to the CFC as well as the sections involved by the IS.

### **Application Procedure**

20. The IS identifies and evaluates possible budget lines of donor agencies. It co-ordinates the application procedure, communicates all relevant information to the sections involved (e.g. application forms, supporting documents), collects data, heads the project writing and reports back to the CFC.

21. If a grant is approved, the IS monitors the project disbursement and supervises accounting, controlling and administrative compliance of all partners involved. The IS reports back to the CFC on these issues.

## **ANNEX 11: Rules of Procedures on Financial Transparency**

### **IC WEGIMONT, 2000**

#### **A. General:**

1. The financial year is January 1 to December 31, if not required differently by law.

#### **B. International Finances of FIAN-International:**

1. The yearly budget of FIAN-International is drafted by the International Secretariat in close cooperation with the treasurer and after consultation with the Standing Committee of Finances. The scheme of the financial plans as approved by the IEC has to be used as obligatory form of the budget.
2. The budget for the forthcoming years needs to be checked and approved by the IEC in its regular fall session. The respective financial plans shall be sent out to all IEC members beforehand in required FIAN languages. After approval the financial plans shall be sent to the elected auditors.
3. During the financial year the finance director of FIAN-International provides the treasurer, the secretary general and the elected auditors with monthly reports and updated financial plans in English. After approval through the treasurer the reports and updated financial plans are submitted to the Standing Committee on Finances and Administration every three months.
4. All IEC members and elected auditors are provided by the treasurer and the finance director twice a year with brief financial interim reports

and updated financial plans. These documents shall be sent out before the regular IEC sessions in required languages.

5. The financial statement of FIAN-International is geared to the financial year and consists in a balance sheet and an income-expenditure statement. The financial statement is an extract of information from the full statutory accounts which have to be
  - prepared by the finance director in cooperation with the bookkeeper
  - approved by the treasurer
  - externally audited by an independent chartered accountant in full accordance with internationally accepted audit standards and the German law
  - internally audited by auditors elected for this purpose by the FIAN International Council and presenting and explaining their findings to the International Council.
6. External project funding of FIAN-International through funding agencies shall be in accordance with FIAN's statutes, the mandate and the programme, approved by the IEC. When applying for new projects, strong priority shall be given to the main strategic objectives of FIAN within these lines.
7. Each project application of the IS which surpass 25 % of FIAN's own income of the previous years will be shared with the president, the vice-president and the treasurer.
8. The finance director provides the treasurer with regular information on all projects applied for. After approval through the treasurer the reports are submitted to the Standing Committee of Finance and Administration and the elected auditors.
9. The finance director provides the IEC and the elected auditors regularly with brief information on all projects. This includes both short summaries of all projects applied for and process reports, if major changes in the project implementation occur.
10. The elected auditors are invited to all meetings of the Standing Committee on Finance and Administration as observers.

#### **C. Finances of FIAN-Sections:**

11. Sections should be registered as soon as possible. They should have an own bank account that can be easily reached internationally.
12. The financial statement of the FIAN sections is geared to the financial year and consists of a balance sheet and an income-expenditure statement.

13. The financial statement of FIAN sections must be according to the attached format.
14. The financial statement of FIAN sections must include all project income and expenditures.
15. Financial statements of sections need to be checked by auditor/s elected for this purpose by the general assembly of the section and presenting and explaining his/her/their findings before the annual assembly.
16. If the sectional budget involves honorary or staff payments amounting to the equivalent of a half-time position or more, external auditing by an independent chartered accountant in full accordance with internationally accepted audit standards should normally supplement the auditing performed by the elected auditors. If no external auditing is performed a consultation process with the treasurer of FIAN-International takes place. The cost for the external audit will be carried by the respective section / coordination.
17. Financial statements of sections are due in the IS on or before April 1 of the following year. The audit report is due after its acceptance by the general assembly, but before November 15. Vouchers should not be sent, but kept with the books for ten years.
18. FIAN-International is entitled to check the vouchers and accounting of a section.
19. FIAN sections should make it a rule to invite a person from the IEC or IS to participate in their annual meetings.
20. Any project application can be stopped by the treasurer / International Secretariat, if audited financial statements of previous years are missing even though they were due before.

#### **D. Funding of FIAN sections or coordinations by external projects:**

21. FIAN sections can run external projects only after adoption of the section by FIAN-International and registration with the local authorities. If these requirements are not completely fulfilled or if coordinations are concerned it needs special clearance by the treasurer of FIAN-International and the International Secretariat to run external projects.
22. Applications for external projects which are higher than 2,500 USD and surpass 25 % of a sections own income (from membership fees and donations) should be shared well in advance with the treasurer of FIAN-International and the International Secretariat before sending them to the funding agency to allow an effective coordination of applications prepared by FIAN entities. In exceptional circumstances an intervention into the process of application including the possibility to stop it can be made by the IEC.

# CONTENTS OF THE CD

## I) IMPORTANT LEGAL AND QUASI LEGAL DOCUMENTS

- Universal Declaration of Human Rights (UDHR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)
- CEDAW Optional Protocol
- ICESCR General Comment 12 (GC 12): The Right to Adequate Food
- ICESCR General Comment 15 (GC 15): The Right to Water
- ICESCR General Comment 16 (GC 16): The Equal right of men and Women to the Enjoyment of all Economic, Social and Cultural Rights
- International Treaties Ratification Status
- Reports of the Special Rapporteur on the Right to Food
- FAO Right to Food Guidelines

## II) THE DIFFERENT WORK AREAS OF FIAN

### Program 1: Peasants' Access to Land and Agricultural Resources

- Access to Land and Productive Resources - Towards a systematic interpretation of the FAO Voluntary Guidelines on the Right to Food
- FIAN Fact Sheet: Agrarian Reform – a Human Rights Obligation
- Violations of Peasants' Human Rights – A report on cases and patterns of violation 2005
- Food Sovereignty - Towards Democracy in Localized Food Systems
- Land and Rural Development Policies in International Cooperation: Towards a Human Rights Approach
- Human Rights Violations and Environmental Destruction – The Case of the Marlin Gold Mine, San Marcos, Guatemala
- Rights, Resources and Resistance
- The Human Rights Way Towards Food Sovereignty
- Land in the Hands of Women? – Agrarian Reform, Land Markets and Gender

### Program 2: Right to Water

- Identifying and Addressing Violations of the Human Right to Water Applying the Human Rights Approach

### Program 3: Extraterritorial States Obligations

- Globalising Economic and Social Human Rights by Strengthening Extraterritorial States Obligations: Germany's extraterritorial human rights obligations – Introduction and six case studies
- Globalising Economic and Social Human Rights by Strengthening Extraterritorial States Obligations: Germany's extraterritorial human rights obligations in multilateral development banks – Introduction and case study of three projects in Chad, Ghana and Pakistan
- Report of the UN High Commissioner for Human Rights: Globalisation and its impact on the full enjoyment of human rights
- Compliance with the Right to Adequate Food by the Spanish State – Parallel Report presented to the Committee on Economic, Social and Cultural Rights, United Nations
- Documentation in the form of a written report for the UN on the effect of German policies on social human rights in the South – Handout
- Trade Policies and Hunger – The impact of trade liberalisation on the right to food of rice farming communities in Ghana, Honduras and Indonesia
- Fact sheet Trade and Human Rights: A New Perspective
- Fact sheet Trade and Human Rights: Human Rights come before Trade Agreements
- Fact Sheet Trade and Human Rights: The Agreement on Agriculture of the WTO and Right to Food

### Program 4: Monitoring States' Right to Food Policies

- Screen state action against hunger – How to use the Voluntary Guidelines on the Right to Food to monitor public policies?
- Documenting Violations of the right to Adequate Food
- How to use the Voluntary Guidelines on the Right to Food – A Manual for Social Movements, Community Based Organisations and Non-Governmental Organisations

- Voluntary Guidelines on the Right to Adequate Food – From Negotiation to Implementation
- Parallel Reporting before the UN CESCR – Writing a parallel report on the situation of the right to adequate food in co-operation with FIAN International

### Program 5: Justiciability

- Towards a Framework Law on the Right to Adequate Food in South Africa – Seminar Report

### Right to Food and Gender

- Gender Matters: The FIAN Gender Strategy
- FAO Legislative Study: Gender and law - Women's rights in agriculture
- Pursuing a Dream
- Gender Toolkit (compilation of gender relevant material)

### Case Work and Interventions

- The Art of Persistence
- FIAN Fact Finding Mission Guidelines
- FIAN Research Mission Guidelines
- FIAN Leaflet
- Successes for Human Dignity
- Successes for Human Dignity New
- FIAN India Photo Magazin
- Violations of the Right to Adequate Food – Lessons to be Learned
- Right to Food Report India
- Parallel Report: The Right to adequate food in India
- Towards the realisation of the human right to food in India
- Fact Finding Mission Report: Update on the Enjoyment on the Right to Food and Water in India
- Fact Finding Mission Report: Running Amok: Landlord Lawlessness and Impunity in the Philippines
- Fact Finding Mission Report: The Human Right to Food in Guatemala
- Fact Finding Mission Report: Investigating some alleged Violations of the Human Right to Food in West Bengal and Orissa (India)
- Fact Finding Mission Report: The Human Right to Food in Nepal – Report of an International Fact Finding Mission
- Fact Finding Mission Report: The Right to Food and the Agrarian Situation in Nicaragua – Fact Finding Mission of La Via Campesina and FIAN International

### Capacity Building

- The Right to Food: A Resource Manual for NGOs
- The Road to Freedom – A Textbook on Human Rights
- FIAN Poster Exhibition: The Right to Food in India
- FIAN Film Skript: Mother Ganga, Do you Hear us Cry?
- The DVD Mother Ganga, do you hear us cry? can be obtained through the FIAN International Secretariat. It introduces the work of FIAN using the example of India.

## III) ORGANISATIONAL STRUCTURE OF FIAN

- A Guide to Media Work for FIAN Sections, Coordinations and the International Secretariat
- FIAN Trail Blazers
- No Money No Honey – Donation Based Fundraising for FIAN
- FIAN Right to Food Quarterly Issues 1-3
- FIAN Annual Report 2005, 2006, 2007

