

A Human Rights Based Approach to Sustainable Rural Livelihood Systems

Purpose and framework

The purpose of this Guide is to provide practical advice to staff on how to apply a human rights based approach when planning, supporting and monitoring initiatives related to sustainable rural livelihood systems, with an emphasis on agriculture, food security, market development and natural resource management. It also includes some useful references.

Applying a human rights based approach will help staff to understand the responsibilities of different actors in the public sector, private sector and civil society in inclusive and sustainable rural livelihood systems.

In Sweden the interpretation of a HRBA has been elaborated in the [Policy for Global Development \(PGD\)](#) and the government's [Aid Policy Framework](#) (section 3.2.2.).

Applying a human rights based approach entails:

- Assessing how the initiative will further the realisation of human rights as laid down in the UN Human Rights Conventions and how to ensure that it will do no harm to the livelihood strategies of the poor.
- Planning and monitoring how the values and principles underpinning these UN Conventions (non-discrimination, participation, accountability and transparency) are applied in the programme design and processes
- Empowering men, women, girls and boys (with hope, assertiveness, knowledge, skills, tools, communication channels, legal mechanisms, etc.) to enable them to address their situation and claim their rights individually and collectively
- Developing capacities of those who have power and formal obligations to protect, respect and fulfil human rights obligations

Sustainable rural livelihood systems

The realm of interventions referred to here, encompass a number of results areas within Sweden's Aid Policy Framework, such as food security, market development and increased agricultural production. The Swedish Aid Policy Framework very explicitly associates rights to own and use land as the basis for food security and access to other livelihoods that are generated by the investments that tenure security attracts. Stronger legal frameworks to protect this tenure are specifically mentioned as a priority.

The Swedish Aid Policy Framework furthermore states: "*Guaranteed access to nutritious and safe food is a right and a fundamental prerequisite for a decent life and the opportunity for people to contribute to the economy.*" (p27) The Framework makes clear

that many of the risks in adhering to this right stem from climate change and environmental degradation, and therefore preserving food security implies that these environmental risks are explicitly addressed.

Who are the rights holders?

Swedish development cooperation “takes as its point of departure how individual people living in poverty and under oppression describe their situation themselves, on the basis of their own reality and their own experiences, needs, priorities and prerequisites for changing their living conditions” (p10). For the majority of the world’s poor, who live in rural areas, these perceptions relate to livelihoods that depend, directly or indirectly, on agriculture and natural resource management. Even in urban areas, the importance of agriculture and food security is becoming evident as the importance of peri-urban agriculture grows and the need to consider nutritional security of slum dwellers is increasingly recognised. The perspectives of the poor relate to their own struggles to engage in livelihoods that maintain their families’ food security and sustainably access and manage their land, water, forest, fisheries and other natural resources. Their views on democratic governance and the legitimacy of the state reflect the extent to which the government is either contributing to or undermining their “rights” to the food, land, natural resources and the services they need to earn a living directly or indirectly from agriculture, forestry and fisheries. The ways that they struggle to maintain their food and livelihood security vary according to whether they are male or female, young or old, their ethnicity or religion, and the extent of their (dis)abilities. One size does not fit all.

Who are the duty bearers?

A central challenge to understanding and applying a HRBA in sustainable livelihoods systems is that the vast majority of these livelihoods are accessed through markets for goods, services (including financial services and agricultural extension), land, natural resources and labour. Even if the state is the ultimate duty bearer, rural livelihoods are overwhelmingly generated through markets that are led by the private sector. Key actors include farmer organisations, agribusinesses, supermarkets buying and processing food products, furniture or paper producers buying and processing forest products, traders bringing agricultural produce to local markets and international firms linking smallholders to consumers on different continents. This means that the room for manoeuvre for the State is constrained due to both globalisation and micro-political factors in isolated rural areas where the capacity of government to protect rights is limited. Definition of responsibilities requires an understanding of the extremely varied mix of roles and capacities of states in guiding, regulating, facilitating and persuading the private sector to generate markets that benefit the poor and agricultural systems that protect food security and access to land and natural resources.

Although the factors that determine who benefits from economic development are mostly related to private investment and the actions of non-state actors, that does not imply a laissez faire approach. On the contrary, the Swedish Aid Policy Framework makes clear that duty bearers should be identified and supported to direct and regulate investments and private sector activities in an appropriate manner: “Sweden must also promote the use of clear guidelines and principles for responsible and sustainable investments that safeguard food security. In this way, investments will be better able to contribute towards broader economic development and food security without marginalising, excluding, exploiting or unfairly treating vulnerable or local populations”(page 28).

Focus on Empowerment and Capacity development

A major focus of development cooperation to support rural livelihood systems consists of developing capacities that are needed to sustainably provide services and promote more inclusive, food secure and environmentally sound societal development. In most instances these services are provided by the private sector or civil society organisations. Capacity development also includes empowering organisations that can provide voice for the rights holders, assist them to access the information that they need to make decisions, and strengthen their stance in negotiating with other market actors. These services/capacity development efforts should be provided in a way that reflects human rights principles, even though the duty bearer is more often a regulator, financier, educator or even a “buyer” of these services, rather than a direct service provider. In light of this, the advice below regarding a human rights based approach reflects the directions that development cooperation should encourage duty bearers to pursue, even if civil servants are not always actually serving the rights holders.



Joseph Mwege Michuk in the village of Gatei in Kenya has started to grow passion fruit instead of coffee. Sweden supports The National Agriculture and Livestock Extension Programme, NALEP, an organisation that supports farmers make their agriculture more efficient. Photo: Simon Maina

International human rights treaties, agreements and policy guidance

The concept of food security is broadly acknowledged as consisting of four dimensions, **access, availability, stability and utilisation**. These dimensions are completely in line with a HRBA and imply that a HRBA in relation to food security cannot be just about agricultural production, but also about the employment opportunities that enable people to buy food, and the systems to manage threats to this access, such as price spikes, extreme climate events or conflicts. HRBA is a way of underlining that food security is about people being able to maintain their nutritional status through steady access to food; i.e., it is not primarily a matter of producing more, though for some people producing more food is a means to enhance their food security if they consume what they produce or sell it to purchase what they need. Even when markets are weak and the capacity of states to preserve food security is limited, as is the case during humanitarian crises, Sweden has firm commitments to using food aid to uphold these rights and to maintain nutritional security.

On an international level these norms are mirrored in a range of conventions and guidelines, including the following:

The right to food security was most clearly stated in the *Rome Declaration on World Food Security* in 1996 in which heads of states reaffirmed “the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger.” This declaration drew upon and sought to operationalise earlier commitments such as the *International Covenant on Economic, Social and Cultural Rights* from 1966.

Due to concerns about the impacts of “land grabbing” and other attempts to take control over the natural resources that the rural poor rely on for their livelihoods, there are a range of initiatives underway to enhance global governance on these issues. In 2012 the Committee on World Food Security endorsed the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security*. The Guidelines identify two sets of principles for responsible actions, i.e., “general principles” and “principles of implementation”. The General Principles declare that states should:

1. Recognise and respect all legitimate tenure right holders and their rights
2. Safeguard legitimate tenure rights against threats and infringements.
3. Promote and facilitate the enjoyment of legitimate tenure rights.
4. Provide access to justice to deal with infringements of legitimate tenure rights.
5. Prevent tenure disputes, violent conflicts and corruption.

The Principles of Implementation (ten in number) are completely congruent with the four principles underpinning a human rights based approach. The ten include; Human dignity, Non-discrimination, Equity and justice, Gender equality, Holistic and sustainable approach, Consultation and participation, Rule of law, Transparency, Accountability and Continuous improvement.

Given the major role of investments of non-state actors in rural livelihood systems, in 2014 the Committee on World Food Security also agreed upon *Principles for Responsible Investments in Agriculture and Food Systems*. These principles highlight the convergence of the responsibilities of states with the need to ensure that investments and actions by a range of stakeholders contribute to global development goals and the multiple dimensions of human rights, including social, economic and cultural rights. These guidelines also note the importance of addressing issues such as corruption by highlighting governance as central to protecting these rights.

1. Contribute to food security and nutrition
2. Contribute to sustainable and inclusive economic development and the eradication of poverty
3. Foster gender equality and women's empowerment
4. Engage and empower youth
5. Respect tenure of land, fisheries, and forests and access to water
6. Conserve and sustainably manage natural resources, increase resilience, and reduce disaster risks
7. Respect cultural heritage and traditional knowledge, and support diversity and innovation
8. Promote safe and healthy agriculture and food systems
9. Incorporate inclusive and transparent governance structures, processes, and grievance mechanisms
10. Assess and address impacts and promote accountability

Finally, the upcoming seventeen global Sustainable Development Goals (SDGs) also speak to the importance of the right to food security and sustainable livelihoods, especially Goal 2: "*End hunger, achieve food security and improved nutrition and promote sustainable agriculture*". The draft SDGs so far are not clearly human rights based as they do not analyse underlying causes and obstacles to fulfilment of goals and do not identify rights holders and duty bearers and their capacity gaps.

Applying a HRBA in sustainable rural livelihood systems

The questions below may guide staff to further improve the preparation, assessment and monitoring of initiatives and ensure that human rights are enhanced, respected and protected both in programme design and processes. First there are questions related to human rights instruments (L) and to empowerment and capacity development (E), followed by specific questions related to the four human rights principles of non-discrimination (N), transparency (T), participation (P) and accountability (A). In many respects, the points below raise issues about the extent to which the initiative has been designed, implemented and evaluated based on an explicit analysis of the political, social and economic factors that stand in the way of inclusion of marginalised populations (including women) and how capacities are built to address these obstacles.

Links to human rights treaties and agreements (L)

As described above, there are a number of binding and voluntary international agreements and standards related to sustainable rural livelihoods. Ensuring that these are informing and guiding initiatives supported is an important part of a HRBA. Key issues to monitor and analyse are:

- Are international human rights agreements and policies used as a reference to justify and design the initiative?
- Are underlying obstacles to fulfilment of these international agreements and standards described and addressed by the programme?
- Have the formal commitments to the human rights agreements described above been made a precondition for Swedish support to the various parties and sub-contractors?
- How will these commitments be monitored and what will be done if there are gaps in compliance?
- Is there an analysis of the risks and opportunities related to human rights and environmental consequences – both positive and negative?

Empowerment and capacity development (E)

Empowerment is first about strengthening the organisations that provide voice, demand accountability and ensure appropriate services for climate vulnerable people and those who face challenges in accessing changing markets for products and jobs. Overcoming exclusion is about addressing power differentials, and this demands collective action for both political voice and to, for example, aggregate or enhance the quality of agricultural products so as to enhance the negotiating stance of producers. Empowerment is also about supporting duty bearers to develop policy frameworks that a) create an enabling environment for civil society organisations and b) ensure that private sector actors understand and respect international agreements and national laws that demand that investments contribute to sustainable and inclusive access to livelihoods. Key issues to monitor and analyse in assessing support to initiatives:

- To what extent does the intervention contribute to capacity development of female and male entrepreneurs and smallholders to access markets and negotiate fair prices?
- To what extent does the intervention develop capacities of authorities, investors and businesses to monitor and adhere to legal and voluntary human rights instruments?
- Is there support to capacity development of associations representing farmers, fishers and groups engaged in natural resource management, and has analysis been made of who is included and excluded from these groups (in relation to gender, ethnicity, etc.)?
- Have measures been taken to develop the capacities of food insecure and environmentally vulnerable populations to articulate their demands for services that enable them to take advantage of markets and maintain their production?

- Have capacities been developed among duty bearers (often together with private sector actors) to assess and mitigate the environmental and market risks that discourage vulnerable populations from engaging in new markets and more productive agricultural methods?



With support from a Swedish funded programme, Filomena Ventura and her family as well as many other families in Guatemala have learnt more about ecological farming. As a result they have been able to access new markets and increased their incomes. Photo: Sida

Non-discrimination (N)

In livelihood interventions it is common that the most vulnerable populations are discriminated against as they are labelled as being “non-productive” or seen to be engaged in natural resource management strategies that are considered to be environmentally destructive (e.g., fishers, pastoralists). Overcoming such indirect discrimination requires considerable efforts to understand the risks facing these vulnerable populations and strategies to overcome discriminatory practices that are anchored in policies and the attitudes and practices of service providers. Key issues to monitor and analyse in assessing support to initiatives:

- Do policies, laws, regulations or practices regarding investments and control over resources effectively discriminate against specific rural livelihoods (e.g., extensive livestock or smallholder production, slash and burn agriculture, etc.)?
- In many instances these forms of discrimination are intertwined with discrimination against the ethnic groups who have traditionally relied on these livelihoods. Is ethnic discrimination “embedded” in the notions within the intervention regarding what is assumed to be a good or sustainable livelihood?

- Are the different agricultural products or businesses of men and women effectively valued differently in terms of preferential investments in certain forms of agricultural production or market development?
- Are any deliberate measures taken to remove barriers for persons with disabilities, or other minorities to access services or programme components?
- Are the livelihoods supported resilient to risks related to climate and market volatility and uncertainty, and thereby relevant for vulnerable populations that cannot afford to shoulder uncertain risks?

Transparency (T)

Furthermore, people have the right to information about the purpose, the opportunities, and the monitoring and complaints mechanisms of development interventions. Openness and transparency are particularly important in interventions involving multi-stakeholder platforms (e.g., initiatives to support value chain development involving farmers, cooperatives, traders, processors and retailers) where powerful commercial actors may abuse their greater access to information. Key issues to monitor and analyse in assessing initiatives:

- Does the intervention contribute to capacities and commitments for greater transparency in policies and practice affecting land and natural resource tenure, particularly in new forms of land acquisitions and concessions?
- Are the services supported accompanied by measures to support smallholders or other marginalised rural people to learn about and understand changing legal norms and market demands that impinge on their livelihoods, land tenure and food security?
- Does the intervention contribute to making market and weather information available in forms that enable people to access the information and make informed decisions about how to manage climate and market uncertainty and volatility?

Participation (P)

Meaningful and inclusive consultative planning processes are central to HRBA in platforms involving a range of public and private stakeholders. A core challenge to this is to foster ownership by duty bearers and private sector actors of the benefits of listening to, and including, vulnerable rights holders. This will require significant dialogue to find a common ground when quick economic development impacts may be given precedence over sustainable economic growth which is inclusive of (and shared with) the poor and marginalised population. Key issues to monitor and analyse in assessing support to initiatives:

- Are fair and effective platforms for public-private dialogue in place, and do they give space to representatives of women and men with less power and status to access agricultural and business development services and to take advantage of opportunities to adapt production patterns and engage in changing markets?

- What channels exist for people to determine and choose their own priorities regarding investments in jobs, agricultural production and use of natural resource management?
- Do initiatives make space for vulnerable people to take actions of their own choosing to manage perceived risks? This is especially important in ‘transformative’ efforts that encourage profound changes in livelihood systems in response to climate change or market upheavals?

Accountability (A)

Accountability is *first* about identifying those with legal and moral responsibilities to ensure that poor women and men are a) protected from rights violations by e.g., discriminatory laws, regulations and practices or by foreign and domestic investors or businesses; b) empowered to “*take part in, contribute to and benefit from economic growth*” (Aid Platform sub-objective two) through access to market systems; and c) have access to an acceptable level of food security in the face of extreme climate events and conflict. *Second*, it is about monitoring that those responsible fulfil their obligations in accordance with international laws, principles and agreements and national commitments to maintaining food security for all. Key issues to monitor and analyse in assessing support to initiatives:

- Does the initiative contribute to ensuring that public and private sector agriculture and rural livelihood actors have systems in place to monitor and disclose social and environmental impacts according to national and international standards?
- Are systems in place that ensure that those providing agricultural, financial or business development services/investments are made accountable for adapting their services/investments to meet the demands and needs of all clients (including poor, food insecure and otherwise marginalised clients)?
- Are complaints or other governance mechanisms in place through which stakeholders may challenge decisions or actions that affect them negatively, including especially decisions related to tenure over land and natural resources or investments that reduce access to employment?
- Does the intervention contribute to clarity about who (public sector, private sector, civil society) is responsible for providing different livelihood related services, such as agricultural extension or market information?

Useful links and references

The ILO's Global agenda for decent work: <http://www.ilo.org/global/about-the-ilo/decent-work-agenda/lang--en/index.htm>

Natural Resource Tenure – a crucial aspect of poverty reduction and human rights, Sida Studies No. 23 http://www.sida.se/globalassets/global/sa-arbetar-vi/economic-opportunities/sidastudies23_sida51603en_web.pdf

Anseeuw, W. et.al. (2012), "Land rights and the Rush for Land", International Land Coalition: http://www.landcoalition.org/sites/default/files/publication/1205/ILC%20GSR%20report_ENG.pdf

Foresti, M. et al (2010), "Human rights and pro-poor growth", Overseas Development institute (ODI) Project Briefing No. 34

Jones, L. (2012), "How can the making markets Work for the Poor Framework work for poor women and poor men", Springfield Centre for Business in Development

M4P Hub, "Sharing knowledge on making markets work for the poor": <http://www.m4phub.org/what-is-m4p/introduction.aspx>

The UN Global Compact outlining 10 human rights principles for companies to embrace, support and enact, within their sphere of influence: <http://www.unglobalcompact.org/AboutTheGC/TheTenPrinciples/index.html>

Responsible rural investments in Developing Countries, Swedish FAO Committee, 2014: <http://www.regeringen.se/content/1/c6/23/70/86/75b18844.pdf>

Oxfam (2011), "Making markets empower the poor", Programme perspectives on using markets to empower women and men living in poverty.

Voluntary Guidelines on the Progressive Realization of the Right to Adequate Food in the Context of National Food Security – Adopted by FAO in 2004;

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security – Adopted by the CFS in May 2012;

Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication – Endorsed by the Committee on Fisheries at its 31st Session in June 2014;

Global Strategic Framework for Food Security and Nutrition (GSF) of the CFS

Rio Declaration on Environment and Development, proclaimed by the UN Conference on Environment and Development in June 1992; and

The Outcome document on the UN Conference on Sustainable Development The Future We Want adopted UNCSD in June 2012.

International Treaty on Plant Genetic Resources for Food and Agriculture;

Read more in the German development Agency HRBA fact sheet documents

http://www.bmz.de/en/publications/topics/human_rights/BMZ_Information_Brochure_7_2010e.pdf