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Organización  
de las  
Naciones  
Unidas  
para la  
Agricultura  
y la  
Alimentación

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**INTERGOVERNMENTAL WORKING GROUP FOR THE  
ELABORATION OF A SET OF VOLUNTARY GUIDELINES TO  
SUPPORT THE PROGRESSIVE REALIZATION OF THE RIGHT TO  
ADEQUATE FOOD IN THE CONTEXT OF NATIONAL FOOD  
SECURITY**

**Information paper <sup>1</sup>**

**Rome**

**Food Aid and the Right to Food**

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<sup>1</sup> A preliminary version of this paper was made available to the Third Session of the Intergovernmental Working Group with a view to providing information on the topic examined.

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## I. Introduction

1. Flows of food aid from developed countries to developing countries began on a significant scale in the 1950s, primarily as government to government transfers of food aid aimed at augmenting food availability in the recipient country whilst simultaneously disposing of food surpluses in the donor country. This approach, which might be called the traditional approach, gave rise to certain problems and changes have taken place in recent years. Food aid in response to humanitarian emergencies has grown in importance, there is more reliance on cash appropriations and local purchases of food, and multilateral agencies and NGO/CSOs have begun to play a far more important role in the delivery of food aid. In particular, there is more interest in ensuring that food aid can contribute to food security and to the realization of the right to food.

2. As explained in General Comment 12<sup>2</sup> on Article 11 of the International Covenant on Economic Social and Cultural Rights, the Right to Adequate Food "... imposes three types or levels of obligations on States parties: the obligations to respect, protect and fulfil (facilitate and provide) the right. The obligation to respect existing access to adequate food requires States parties not to take any measures that result in preventing such access. The obligation to protect requires measures by the State to ensure that enterprises or individuals do not deprive individuals of their access to adequate food. The obligation to fulfil (facilitate) means the State must proactively engage in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including food security. Finally, whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to fulfil (provide) that right directly. This obligation also applies for persons who are victims of natural or other disasters."

3. This paper has three aims. First, it sets out to describe the role and scope of food aid in realizing the Right to Food. Second, it attempts to assess the extent to which food aid does in fact contribute to the realization of the Right. Finally, it describes some elements of an emerging consensus on directions for reform of food aid practices to strengthen the impact on the right to food. It is important to note that this Information Paper is not intended to provide a general discussion of food aid, but rather to assess food aid from a Right to Food perspective.

## II. Food aid donors, types and flows

4. This section provides a brief description of the principal features of food aid in order to lay the groundwork for the subsequent discussion of its impact. Until the mid-1960s the United States was essentially the only food aid donor. From the mid-1980s the European Union (i.e. the European Commission and the member states of the European Union), has also emerged as a significant donor. In 2003, the countries of North America and the European Union provided about 80% of all food aid by volume<sup>3</sup>.

5. There are three main types of food aid: programme food aid, project aid and emergency relief. The World Food Programme defines these as follows:

"Programme food aid is usually supplied as a resource transfer for balance of payments or budgetary support activities. Unlike most of the food aid provided for project or emergency purposes, it is not targeted to specific beneficiary groups. It is sold on the open market, and provided either as a grant or as a loan.

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<sup>2</sup> United Nations Economic and Social Council, Committee On Economic, Social And Cultural Rights (Twentieth session 1999). General Comment 12, The right to adequate food (Art. 11).

<sup>3</sup> WFP, Food Aid Monitor, May 2004, Section 6.

Project food aid aims at supporting specific poverty-alleviation and disaster-prevention activities. It is usually freely distributed to targeted beneficiary groups, but may also be sold on the open market and is then referred to as "monetized" food aid. Project food aid is provided on a grant basis and is channelled multilaterally, through NGOs or bilaterally.

Emergency food aid is destined to victims of natural or man-made disasters. It is freely distributed to targeted beneficiary groups, and usually provided on a grant basis. It is channelled multilaterally, through NGOs or sometimes bilaterally.”

6. Flows of food aid can be assessed in terms of value or in terms of physical quantities. This is done in Figures 1 and 2 below. The value of food aid shipments from the OECD countries has fluctuated at around US\$ 5 billion per year in current prices since the mid 1970s (Figure 1), implying that it has fallen in real terms. It has also declined as a proportion of total bilateral official development assistance from about 20% in the mid-1960s to less than 5% today. The proportion of programme and project aid has remained more or less constant at around 60% of the total, with emergency food aid making up the balance. Although the proportion of emergency food aid has not increased across the board, the World Food Programme has increased the share of emergency assistance drastically, from 34% of its budget on emergencies in 1990 to 87% in 2001. Figure 2 below provides a breakdown of deliveries of food aid in metric tons from 1990 to the present. This graph also shows that the share of programme and project aid in total aid flows averaged 60% in the 1990s, but has been slightly lower in the last 5 years, and is currently at a historical low of 1.2 million MT. There is one marked difference, however: physical shipments of food aid have fluctuated more than values, implying that food aid shipments are inversely related to international food prices.

**Value of OECD food aid shipments  
by type**

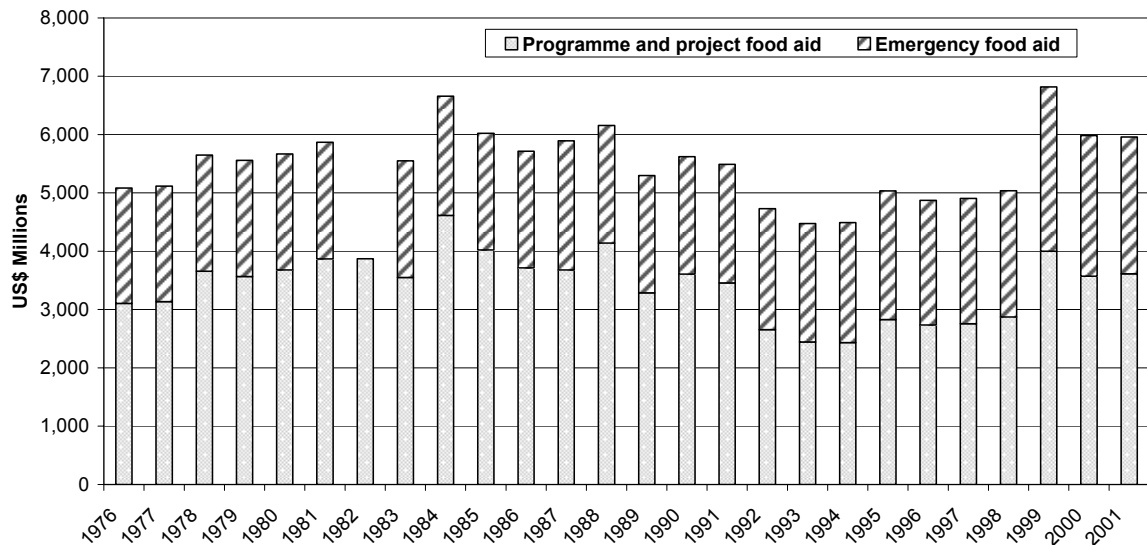


Figure 1

Source: OECD, creditor reporting system. Information on emergency food aid is missing for 1982.

Global Food Aid Deliveries by Type

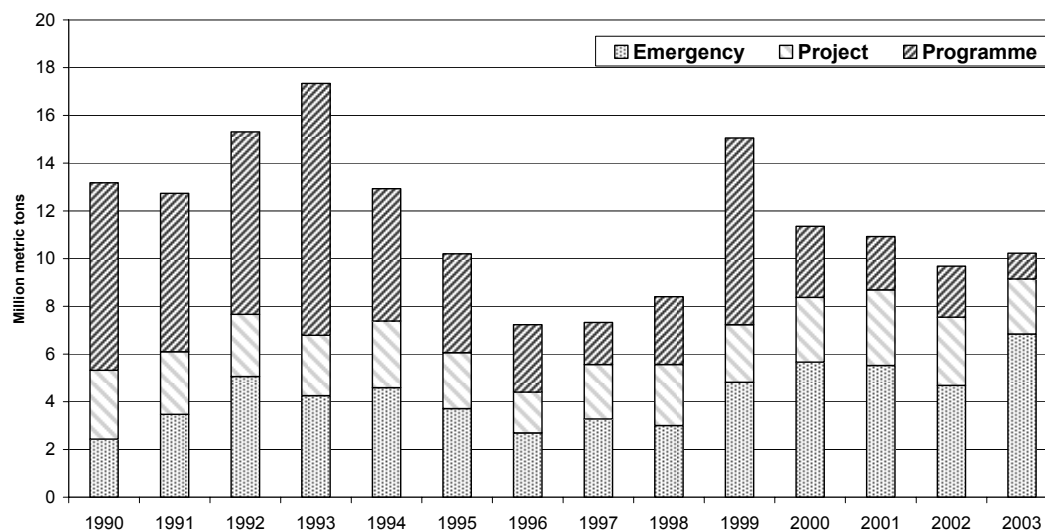


Figure 1

Source: WFP/Interfais May 2004

7. This is borne out by the evidence presented in Figure 3 below. Where cereal aid (the bulk of food aid) is concerned, the volume is high when international cereal prices are low (wheat prices are used for illustrative purposes here). An important reason for this is that when donor governments decide food allocations in monetary terms, the physical quantity of food supplied is necessarily lower when food prices are higher<sup>4</sup>. Yet developing countries are likely to need food aid precisely when food prices are high.

8. Who are the main recipients of food aid? This is simply answered. In 2003, deliveries of cereal and non-cereal food aid totalled about 10 million tonnes, of which about 25% was procured through local or triangular purchases<sup>5</sup>. About 75% of the total quantity of 10 million tonnes was delivered to sub-Saharan Africa and Asia, another 12% to the countries of the Middle East and North Africa and the rest to the transition countries and the countries of the Latin America and Caribbean region. In 2003, the share of food aid provided by the World Food Programme to least developed countries and low-income, food-deficit countries was 48.4 percent and 92.4 percent, respectively, a share that is generally significantly higher than the share of bilateral Official Development Assistance allocated to the poorest countries.

9. How large are food aid flows relative to commercial flows of food? The value of food aid as a percentage of the value of food exports has fallen from a high of 2.8% in the mid-1980s to 1.4% in 1999-2001.

<sup>4</sup> This assumes that monetary allocations are fixed over the course of the year. There is some evidence that allocations for emergency food aid do vary over the course of year in response to need. This would tend to mitigate the effect described above.

<sup>5</sup> A triangular purchase occurs when country A finances the purchase of food from country B for delivery to country C.

## Cereal aid shipments and wheat prices

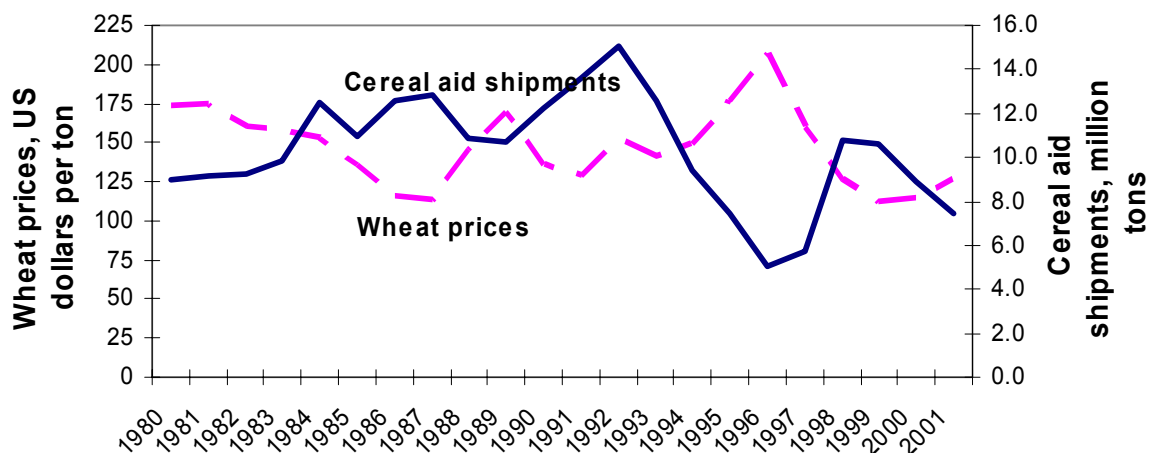


Figure 2

*Source: Food aid shipments from FAOSTAT, Wheat prices, U.S. number 1 Hard Red Wheat, fob Gulf of Mexico (annual) from IMF*

### III. How can food aid contribute to the realization of the right to food?

10. There are essentially three paths by which food aid can affect the right to food<sup>6</sup>. It can save lives in emergencies through direct provision of food, thereby *fulfilling (providing)* the right to food. It can strengthen the ability of the poorest to build sustainable livelihoods, thereby *fulfilling (facilitating)* the right to food. Finally, it can insulate the poor from fluctuations in international food prices, thereby *protecting* the right to food of the poor from the actions of others. This should not, of course, be read as implying that food aid will necessarily have these beneficial effects, only that the potential exists under the right circumstances.

#### A. PROTECTION DURING EMERGENCIES

11. The majority of the world's poor live in rural areas and depend, directly or indirectly, on agriculture for their employment and income. Since agricultural production can be quite volatile, especially when irrigation is not available, a serious crop failure can wipe out the incomes of the poor. Since credit markets do not always work well, they may not be able to borrow to cover their consumption and may be forced to sell their assets, including productive assets such as livestock, skimp on medical expenses, undermining the right to health and possibly withdraw children from school, which threatens their right to education. General Comment 12 notes that it is not acceptable that the enjoyment of one right is at the expense of another right. If a large number of poor people simultaneously attempt to sell their assets, market prices can be expected to crash, thereby making matters worse.

<sup>6</sup> Webb (2002). Food as aid, p. 1.

12. Under such circumstances, social safety nets, including but not limited to, food based safety nets, can protect the livelihoods of the poor. For example, food (whether from foreign or domestic sources) can be used to provide relief to those who cannot work, e.g. through a food ration system, or food-for-work programmes can be set up to employ those who can work. Food aid may be particularly helpful in this regard for countries that lack enough foreign exchange to buy food on the international market.

13. If these programmes work well, the poor are not forced to sell off their productive assets, children do not have to be withdrawn from school and infrastructure including roads and irrigation networks, can be built to reduce the likelihood of future crop failures. This also works to *fulfil (facilitate)* the right to food.

14. From this analysis, it is clear that what really matters is protecting the entitlements to food of the poor. Entitlements are defined as the set of all those commodity bundles over which a person can establish command given the legal, political, economic and social arrangements of the community in which he or she lives. These resources need not be exclusively monetary but may also include traditional rights, e.g. to a share of common resources. If the entitlements of the poor are protected, a reduction in the availability of food need not develop into a famine. If they are not, a famine can result. A K Sen has shown that the Bengal famine of 1943, the Bangladesh famine of 1974, and the Ethiopian famine of 1974 developed without any large decline in food availability.

15. It is critical to note that external food aid to cover emergency shortfalls makes sense primarily in situations where the food security of a large number of people is affected by the same events, and the government is unable or unwilling to provide assistance. If one person suffers a shortfall in his or her food security, while another gains, then there is no particular need for *external* assistance since there is no aggregate shortfall in the community as a whole. The focus in these cases should, therefore, be on ensuring that domestic assistance is forthcoming.

## **B. ENABLING DEVELOPMENT**

16. Targeted food aid can be used in programmes that enable development of vulnerable groups' human and physical capital. An example of this is using food aid to build human capital by providing school meals as an incentive to increase school attendance, or by supporting training in agricultural, income-production or other skills. Food aid can also play an important role in improving the standard of nutrition, both directly by providing essential food to those who lack access to adequate food, and indirectly when provided in conjunction with nutrition education or when used to finance health inputs that complement food intakes. Food aid can also help fight "hidden hunger", i.e. micronutrient deficiencies, especially of iron, iodine and vitamin A, that afflict at least as many people as caloric deficiencies and have serious implications for health and the development of human capabilities. It is important to note that the inducement to participate in these programmes brought about by food aid may be as important as the direct impact of food itself.

## **C. INSULATING THE POOR FROM FOOD PRICE FLUCTUATIONS**

17. In developing countries the poorest of the poor spend 80% or more of their income on food. The consequences of allowing international food price fluctuations to pass through to local markets can be bad for the poor. This is particularly true if they are forced to sell off productive assets to buy food when food price spikes occur because that impairs even their existing income earning capacity – which may already be low. Indeed, it has been shown that sharp increases in food prices can have as great an impact on hunger and mortality as crop failures.

18. It is arguable that a state that lets this happen has failed to live up to its obligation to *protect* their right to food from the actions of other enterprises and individuals. Food aid can help governments meet their obligations. One possibility is to use food aid – together with food from

other sources such as commercial purchases – to build up a buffer stock of foodgrains that can be used to mitigate the effects of supply instability. Through this means, food aid can play a role in *protecting* the right to food of those amongst the poor who would otherwise lose access to adequate food when prices rise.

19. The above discussion explains how food aid *can* help implement the right to food. However, this does not mean that it does so. Indeed it is shown in the next section that some of its features detract from the ability of states to implement the right to food.

#### **IV. Do current food aid practices contribute to the realization of the right to food?**

20. This section analyses the impact of current food aid practices on the right to food. As explained above, there are three types of food aid: programme aid, project aid and emergency aid. In programme aid, the traditional and historically most widely used form, food is shipped to the recipient country, sold on local markets without attempting to target any particular group, and the proceeds are credited to either the recipient government or to NGOs/CSOs. The main effect is to *increase the availability of food* in the recipient country without targeting. This is also the main effect of programme aid where food is shipped to the recipient country and provided directly to targeted beneficiary groups, or monetized, except that this form of food aid is more targeted. Food aid to cover emergency shortfalls does not, by definition, increase food availability beyond what is normally available.

21. There is also a second possibility, which is to provide resources to buy food in the affected area and distribute it to those who need it<sup>7</sup>. This increases demand for local food and thereby creates a tendency for food prices to rise, thus helping local food producers. This is increasingly being resorted to by donors.

22. To sum up, when food is sourced from outside the country, food aid can *increase food availability* in the recipient country in an untargeted or targeted way or it can *cover emergency shortfalls*. When food is procured locally it provides incentives to local farmers. The impact of food aid on the right to food depends crucially on these primary effects.

##### **A. THE IMPACT OF PROGRAMME FOOD AID ON INCREASED FOOD AVAILABILITY**

23. FAO figures show that in 1997-99, average dietary energy supply in 30 countries, with a total population of 570 million, was below 2200 kcal/person/day. In many of these countries, even the highest level of dietary energy supply ever achieved between 1961 and 1999 was grossly inadequate, yet they suffered further declines, some very sharp ones. If low aggregate food supply in a country contributes to inadequate access to food, then augmenting aggregate supply through food aid makes sense. But does food aid in fact increase food availability in the recipient country, and if so, what are the consequences for access to food?

24. In answering this question, Engel's Law - one of the most firmly established empirical generalizations in Economics - proves useful. This states that when incomes increase, not all the increase is spent on food. Therefore the proportion of total income spent on food decreases with rising incomes. Since an unrequited transfer, such as food aid, is equivalent to an income increase for the recipient, the increased demand for food will not equal the increased supply. The size of the gap depends on whether food aid reaches the very poor, i.e. on whether it is well targeted. If it

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<sup>7</sup> There is, admittedly, a third possibility, which is for the donor agency to provide cash to the needy or pay people to work on public projects, but then that cannot really be called food aid.

is, the gap will be small because the very poor tend to spend almost all of any income increase on food. Irrespective of whether this gap is large or small, the implication is that consumers in the recipient country will not wish to consume all of the food supplied as aid. Hence there will be a tendency to cut back on commercial food imports.

25. To prevent this and other undesirable effects, the Food Aid Convention of 1999 requires member countries to observe certain rules when giving food aid. First, food aid donors are prohibited from tying food aid to commercial exports of agricultural products to recipient countries. Secondly, food aid is to be given as a grant to the maximum extent possible (at least 80% of a member's commitment). Thirdly, food aid is to be provided in accordance with FAO's *Principles of Surplus Disposal and Consultative Obligations*, especially the system of Usual Marketing Requirements (UMR).

26. UMRs require the recipient country to continue to import at least as much as it did from normal commercial channels before receiving food aid. If a UMR is seriously implemented, the total quantity of food in the recipient country exceeds the quantity demanded at prevailing market prices. Therefore an import subsidy is required to restore commercial imports to the level that would have prevailed in the absence of food aid. However this means that domestic food prices must fall below world prices, hurting the interests of net suppliers of food (although benefiting net buyers of food). An example of this problem comes from Mozambique, where it was found that large programme aid shipments of yellow maize in Mozambique caused market prices of both white and yellow maize to fall sharply. Other examples also exist (e.g. large inflows of food into Russia in 1999), but it has to be said that there is little detailed empirical evidence of the size of the impact on local food prices.

27. The crux of the matter is that the impact on access to food depends on the size of food aid flows relative to commercial flows, the extent to which local food markets are integrated with national and international markets, and the extent to which food aid reaches the poor, i.e. how well targeted it is. As shown above, today food aid makes up about 1.4% of commercial trade in food, but this percentage is, of course, considerably higher in some countries. As far as the second consideration is concerned, if local markets are well integrated with national and international markets<sup>8</sup>, there is likely to be little impact on local food prices. As far as the third consideration is concerned, the impact can be mitigated quite considerably if the poor can be targeted and if some market segmentation is possible, i.e. if food could be supplied cheaply to the poor (e.g. through a food rationing system) while being provided at higher prices to the rich through open market sales. This would tend to weaken any tendency for market prices of food to fall.

28. This analysis suggests that programme food aid increases food availability in a country and does undoubtedly improve access to food for net buyers (marginal farmers, the rural landless and the urban proletariat). However, because it lowers food prices, it does so at the expense of the state obligation to *protect* the right to food of net sellers from the actions of others<sup>9</sup>. It can also be argued that it detracts from the state obligation to *facilitate* the right to food for those producers who either lack or are in danger of losing access to adequate food. This is because lower prices for producers affect their livelihoods. This effect can be mitigated to some extent by purchasing food locally.

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<sup>8</sup> Providing there are good storage, road and rail facilities and telecommunications facilities as well as well-functioning markets.

<sup>9</sup> Lower food prices reduce the entitlements of net sellers of food. Those amongst them who find themselves deprived of access to adequate food have had their right to food violated. Not all net sellers of food fall into this category.

## **B. THE IMPACT OF AID TO COVER EMERGENCY SHORTFALLS**

29. The available evidence indicates that food aid flows have responded effectively to large-scale crises due to crop failures, civil strife or natural calamities (floods, earthquakes, volcanic eruptions, etc.). However, food aid seems to have been less effective in meeting smaller scale emergencies arising out of fluctuations in food supply. The limited evidence available on this point indicates that food aid does not always stabilize food availability, especially when it is used as a means of surplus disposal. In some cases, slow and inefficient bureaucratic procedures are used to dispense food aid with the result that the need has disappeared by the time the aid is disbursed.

30. Strengthening domestic agricultural production capability and reducing its dependence on rainfall, coupled with a system of safety nets underpinned by buffer stocks may offer a superior alternative. Unfortunately, over the past 20 years buffer stocks have been run down in many countries in response to arguments that they were “too large and too expensive” to maintain, or that they had been built up to serve political constituencies rather than for humanitarian reasons. Countries were encouraged to rely on international foodgrains markets to make up unexpected shortfalls in supply. Unfortunately, these expectations have not been borne out. Experience has shown that poor transport networks in developing countries, coupled with order and delivery delays, work against timely delivery of food to areas and people suffering from food shortages. Many developing countries also lack expertise in dealing with international grain markets. It seems clear that buffer stocks, fed at least in part by food aid, should continue to play an important role in countries with large numbers of people living on the edge of starvation.

31. To sum up, food aid flows do seem to respond reasonably well to large-scale emergencies but less well to stabilise food availability in the face of smaller scale fluctuations in food availability. However, it is important to manage food aid for emergency relief in ways that serve both relief and development objectives by building local and national capacities to the extent possible.

## **V. How can the impact of food aid on the right to food be strengthened?**

32. As discussed earlier, food aid can play a role in helping states meet their obligations to *protect* and also to *fulfil (facilitate)* and *fulfil (provide)* access to adequate food of the appropriate quality. However, the extent to which it does so depends crucially on the uses to which it is put (increasing food availability or covering emergency shortfalls), the precision with which food aid is targeted and how it is procured and disbursed.

33. From the discussion above, it would seem that food aid needs to focus on emergency and humanitarian assistance to cover temporary shortfalls in food availability because that avoids collateral damage of the kind inflicted by programme and project aid as conventionally procured and disbursed. This does not rule out a role for programme and project aid, provided the modalities of procurement and disbursal are designed to enable development.

34. The rest of this section describes the elements of an emerging consensus on what needs to be done to ensure that food aid contributes to the realization of the right to food. The Statement tabled in closing of the Policies Against Hunger II: International Workshop on Food Aid – Contributions and Risks to Sustainable Food Security, Berlin, 2-4 September 2003, describes some elements of this consensus.

## A. CHANGE FOCUS FROM DONORS' NEEDS TO RECIPIENTS' NEEDS

35. Historically, programme and untargeted project food aid has been provided to suit the convenience of donors rather than that of recipients. These forms of food aid continue to be a means of surplus disposal and to serve the foreign policy objectives of the donor countries. These motives do not lead to the service of recipients' needs. As shown by the recent trend of reduced emphasis on programme and project food aid (shown in Figures 1 and 2), the international community is moving towards food aid that is targeted to the recipients' needs. Secondly, there are delays in delivery, varying from up to two years for programme aid to up to five months for emergency shipments. Thirdly, if food aid is allocated in monetary terms, this implies – as shown in Figure 3 above – that volumes decline when food prices are high, despite the fact that the need for aid is high at precisely this time. The importance of simple bureaucratic inertia should not be underestimated either: countries that have historically received programme food aid often continue to get it even after needs have changed, while more deserving candidates are not considered.

36. Human rights principles and norms enhance greater attention to the needs of the people and stress the responsibility of governments. Two major changes would be helpful. First, the international governance of food aid needs to be reformed with a view to achieving predictability and timely delivery of food aid. The Berlin statement makes some interesting points here. It asks for food aid to be separated from commercial trade, for food aid to be given exclusively as grants to least developed countries, for the replacement of the Food Aid Convention by a Food Aid Compact, and for an international code of conduct on food aid to be monitored by an independent body.

37. One change in particular seems desirable and that is to increase the share of multilateral food aid, as this is less likely to mirror the vagaries of domestic policies.

38. Another is to base “food aid allocations [...] on a sound needs assessment, involving both recipients and donors, [...] optimally targeted to the needy and vulnerable groups”.<sup>10</sup> In recent years, some donors have made significant shifts in their food aid strategies, away from domestic farm support and export promotion, and have started paying attention to meeting nutritional needs at minimum cost. For example, in 1993 Denmark reduced its use of more expensive, processed animal products to less expensive basic vegetable commodities, thereby enabling Danish contributions to the World Food Programme to provide six times more calories and three times more protein than the 1990 Danish food aid basket, and at lower cost<sup>11</sup>

### *The importance of macro and micro targeting*

39. Food aid needs to be properly targeted at two levels. At the macro level, it should flow to countries and regions that have the greatest need and, within countries, it should flow to the people who have the greatest need. Finally, where emergency relief is concerned, it should be delivered on time.

40. There is evidence that food aid is today mainly directed toward low-income food deficit countries (LIFDCs) and that the flow of aid is (weakly) inversely related to the availability of food from other sources (domestic and foreign). But these effects are weak for a variety of reasons explained above.

41. The next step is to ensure that food aid reaches the food insecure within a country and, hopefully, no one else. However, it must also be recognized that perfect targeting of food aid is not possible because food insecurity can only be measured through other indicators that are not necessarily perfectly correlated with the concept. Some of the greatest targeting errors come not

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<sup>10</sup> Berlin Statement.

<sup>11</sup> Colding and Pinstrup-Andersen, 1999.

from reaching the wrong people – in many food recipient communities, even the middle of the local income distribution is desperately poor and failing to enjoy its full right to food – but from providing vulnerable people with relatively ineffective assistance.

42. One of the biggest problems is deciding on appropriate criteria for eligibility. A commonly proposed solution, community-based targeting, can go wrong if there are deep divisions within “communities”. The provision of food as aid, as opposed to the provision of cash as suggested by some, does offer one notable advantage. As food is in general less desirable than cash, aid provided in the form of food is likely to be better targeted to the poor because the non-poor are less likely to covet it and thus capture it.

43. The setting up of vulnerability analysis and mapping (VAM) systems and poverty maps, or a food insecurity and vulnerability information and mapping system (FIVIMS), is an essential part of good targeting. Predicting the onset of a crisis is essential if food aid is to be delivered on time.

## **B. USE BETTER PROCUREMENT AND DISBURSAL METHODS**

44. The key question is whether it is possible to procure food in a manner that impacts the right to food at least as much as food distribution.

45. Procuring food from within the recipient country has a lot to recommend it. It offers the advantage of stimulating local production while simultaneously providing food to the needy that is far more likely to be culturally acceptable than food from outside. In recognition of this, the World Food Programme and the European Union have increased their reliance on local purchases and triangular transactions as sources of food. In 2003, 21% of global food aid was procured in developing countries or territories in transition (provisional figures). In the same year, 70% of WFP’s food purchases came from developing and transition countries, representing 33% of the total food provided by the Programme. The European Union has expanded the use of local purchases and triangular transactions, from 16% of total deliveries in 1989-91 to about 65% percent in 2003.

46. It can, however, conflict with the obligation to provide food of adequate quality as production and storage facilities and capacities for food and bio-safety standards assessment need strengthening and upgrading in many developing countries if they are to supply food of adequate quality and safety. There is evidence that food aid donors, particularly multilateral donors take care to provide food of adequate quality. Other problems with this mode of procurement include the (often high) cost of transporting food over poor quality roads<sup>12</sup> and the difficulties involved in negotiating with large numbers of scattered smallholders to buy food. There is also a risk of causing food prices to spike where local food markets are thin and the donor agencies buys large quantities of food.

47. There is also unexploited potential for using the proceeds from sales of food provided as programme or project aid. If the funds made available to the recipients are spent on, for example, medicines, mosquito nets, and other interventions, this may be more helpful, at the margin to beneficiary populations than an extra allocation of cereals. This is because good nutrition requires complementary inputs in addition to food. A number of NGOs are in fact doing this. Another alternative is for governments to spend the proceeds on providing or improving primary education, health care facilities, etc. or on infrastructure development in rural areas and other measures to lower production costs and improve the competitiveness of local producers. The negative impact on producers could then be reduced. It would be difficult to show, unfortunately, that additions to the general revenue of governments are in fact spent on such measures.

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<sup>12</sup> The costs of shipping foodgrains by sea are usually far lower than the costs of moving foodgrains by truck or train..

*Set up evaluation and monitoring systems*

48. Good evaluation and monitoring systems can make their greatest contribution in showing whether food is the most effective form of assistance. They are required for answering questions such as the following: under what circumstances and in which situations is food distribution superior to cash distribution in terms of welfare impact on food insecure households? This is in addition, of course, to their usual role in establishing whether food assistance programmes have worked as intended, i.e. who they were intended to reach and whether they did effectively reach the intended beneficiaries. Participation of the beneficiaries and accountability –two key human rights principles- play an outstanding role.

**C. USE FOOD AID TO ENABLE DEVELOPMENT**

49. Food should be given as aid only where it offers the most cost-effective way to achieving development objectives. To this end, development needs assessments should be carried out before deciding whether food or general financial assistance is the most efficient alternative, for example, by assessing whether food is unavailable or is in short supply locally (in which case providing cash or food vouchers would in any case not permit people to access food), or whether financial and/or market infrastructure is weak or non-existent, making it difficult to transport and distribute large sums of cash to remote areas. It should be noted that "leakage" of cash resources tends to be easier to conceal than "leakage" of large volumes of physical resources. Food aid can be particularly helpful in protecting the assets of the poor and preventing vulnerable people from falling into destitution. It can also play a helpful role in building up human capital and infrastructure. It may also smooth the process of adjustment to economic shocks by helping to alleviate the costs of adjustment through food-based safety nets.

50. For example, if food aid is used as part of a food-for-work programme to build roads, bridges, schools and irrigation works, it can be said to "improve measures of production, conservation and distribution of food by making full use of technical and scientific knowledge and by developing or reforming agrarian systems" (Article 11:2 ICESCR). There is also some empirical evidence that food aid promotes agricultural production by relaxing working capital constraints. By these means, people can be empowered to provide for themselves. In a similar way, the promotion of human development and future earning capability through, for example, school meals to encourage attendance, or nutrition programmes that focus on the needs of vulnerable groups, can also empower people to provide for themselves.

**D. ENSURE THAT EMERGENCY FOOD RELIEF ALSO CONTRIBUTES TO LONG-TERM ECONOMIC DEVELOPMENT**

51. There will always be some who cannot provide for themselves, in particular children, the old, and those who are handicapped. The victims of natural disasters (including crop failures) and other emergencies such as civil wars are also unable to provide for themselves and it is here that emergency relief based on food aid can be of help. Providing food to those who need it at the time they need it and in the most appropriate form is critical because the need for food cannot be postponed. People, especially children at certain critical stages in their lives, who go without enough food for a sufficiently long time can suffer irreversible damage to their health. To acquire food, households are forced to sell productive assets and avoid undertaking potentially profitable but riskier investments for fear of the consequences of failure. Food aid that flows into a social protection strategy (safety net) can be particularly useful in this regard.

52. In this context, the impact of HIV/AIDS is particularly important. The basic problem is that an AIDS epidemic leads to a hollowing out of the population pyramid in countries; it kills people of prime working age while sparing the very young and the very old. This can have a catastrophic impact on agricultural production and general economic development by causing the agricultural labour force to shrink, but also by preventing agricultural skills from being passed on

to the next generation. Households with AIDS patients thus face reduced incomes, coupled with an increased need for food and medicine. Orphans have special needs.

53. Under these circumstances, “food assistance can provide a safety net to catch families before they become destitute, and thus even more vulnerable to the risk of infection, and they can support the needs of orphans and foster families in the aftermath of family dissolution due to AIDS<sup>13</sup>.” To avoid stigmatising them, it might be better to target such assistance on the basis of food security and not HIV status.

54. By providing a safety net, food assistance ensures that productive potential is preserved and livelihoods remain intact. Unfortunately, the need is immense: up to 50 million metric tons of foodgrains per year for Africa according to some estimates.

## VI. Conclusions

55. It is important to note that food aid alone cannot be expected to respect, protect and fulfil the right to food, but needs to be one component of an integrated response. However, food aid can make an important contribution to the realization of the Right to Food, depending on how well it is targeted and how it is disbursed, i.e. as programme, project or emergency aid. Programme food aid that is not well-targeted tends to lower food prices by creating an excess supply of food. Since lower food prices benefit net buyers of food but harm net sellers, this tends to create tradeoffs between the state obligation to provide the Right to Food and the obligation to fulfil (facilitate) since the livelihoods of net sellers are affected and some of them will now find themselves deprived of access to adequate food.

56. The human rights framework offers important incentives to ensure positive effects of food aid on the realisation of the right to food by emphasising the rights and needs of individuals and the duties of governments, as well as the responsibilities of donors. In recent years, there has been a significant shift towards project and emergency food aid, which is better targeted, and for which there is evidence of a stronger positive impact on the Right to Food. There appears to be an emerging consensus that this trend needs to be further encouraged in order to strengthen the impact on the Right to Food. This will require action on several fronts, based on four fundamental principles. These are: i) that food aid should flow in response to the nutritional needs of the recipients and should not be used as a means of surplus disposal, ii) that improved procurement and disbursement methods should be used; iii) that food aid should be used to enable development to the maximum extent possible and, in particular, iv) that emergency food aid should provide relief in a manner that also promotes development.

57. As far as the first principle is concerned, good targeting, at both macro and micro levels is clearly an essential element. Not only should food aid flow to the countries and regions that need it most, but within countries it should flow to the groups that need it most. Food aid thus needs to be based on a sound needs assessment involving both donors and recipients. Repayment capacity would also be an important component of such an assessment. For example, it has been suggested that food aid should be provided exclusively in the form of grants to least developed countries, since their repayment capacity is limited. It has also been suggested that the international governance of food aid needs to be reformed in order to improve the predictability and timely delivery of food aid. According to the Berlin statement, this could be achieved by a clearer separation of food aid from commercial trade, the replacement of the Food Aid Convention by a Food Aid Compact, and an international code of conduct on food aid to be monitored by an independent body. Such a code of conduct, dating from 1996, already exists in the European Community and its Member States. One change in particular seems desirable and that is to

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<sup>13</sup> Berlin Statement, International Workshop on Food Aid – Contributions and Risks to Sustainable Food Security. Berlin, 2-4 September 2003.

increase the share of multilateral food aid, as this is less likely to mirror the vagaries of domestic policies in the donor countries.

58. As far as the second principle is concerned, several suggestions for improvement have been made. One is that food aid should be “untied”, i.e. financial resources should be provided to finance imports of food (e.g. from neighbouring countries) or, for that matter, to purchase food in the recipient country itself. This offers the possibility of realising efficiency gains which may be fairly large, while stimulating agriculture in the countries where it is procured and providing food that is culturally appropriate if it is sourced from within the country or from neighbouring countries. However it also has some drawbacks. First of all, as it is politically more acceptable for many countries to provide aid in the form of food, requiring food aid to be provided in this manner may cause a reduction in its supply. But this need not happen if the efficiency gains from “untying” food aid are sufficiently large<sup>14</sup>, because these are then likely to outweigh the effects of a reduction in the total value of food aid, so that the availability of food is not affected. A related problem is that this could exacerbate the problem of food aid shipments being low when food prices are high and vice versa since a fixed quantity of cash would buy variable quantities of food. Moreover, the quality of locally procured food is often problematic it is not easy to procure food in the quantities needed by negotiating with large numbers of smallholders. For all these reasons, there is a strong case for continuing to provide food as aid, while experimenting with alternatives where appropriate. Another possibility is to use the proceeds from the sale of programme or project aid to finance health interventions such as providing mosquito nets, which may have a larger incremental impact on nutrition by preventing disease than an extra allocation of cereals.

The importance of evaluation and monitoring systems as an essential part of a good food aid programme cannot be overemphasized.

59. As far as the third principle is concerned, the emerging consensus sees food aid as an enabler of development. Food aid can play a helpful role in building up human capital and infrastructure, e.g. through a food-for-work programme to build roads, bridges, schools and irrigation works. It may also smooth the process of adjustment to economic shocks by helping to alleviate the costs of adjustment through food-based safety nets. There is also some empirical evidence that food aid promotes agricultural production by relaxing working capital constraints. By these means, people can be empowered to provide for themselves. In a similar way, the promotion of human development and future earning capability through e.g. school meals to encourage attendance, or nutrition programmes that focus on the needs of vulnerable groups, can also empower people to provide for themselves.

60. The above principle implies that emergency relief in particular should also contribute to development. This requires attention to a number of points. In emergencies (including crop failures), people cannot provide food for themselves and food aid that flows into a social protection strategy (safety net) can be useful in providing the right to food as well as preventing lasting damage to the productive capacities and livelihoods of the victims, thereby serving to fulfil (facilitate) the right. Well designed and targeted food-based safety nets can ensure that households are not forced to sell productive assets to acquire food and can undertake potentially profitable but riskier investments without fear of the consequences of failure. They can also prevent irreversible damage to children's physical and mental development and thus allow them to lead healthy and productive lives. The needs of HIV/AIDS patients and orphans deserve special attention. Food assistance can provide a safety net to catch families before they become destitute, and thus even more vulnerable to the risk of infection, and they can support the needs of orphans and foster families in the aftermath of family dissolution due to AIDS.

61. To sum up, food aid has an important role to play in implementing the right to food, provided it is given in the form of project or emergency aid that is well-targeted. There appears to be an emerging consensus on what this implies for the mechanics of food aid. In essence, what is

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<sup>14</sup> Surely not a completely implausible assumption.

required is a stronger emphasis on food aid delivery by multilateral agencies in support of projects that promote development while relieving immediate distress. Food aid programmes should incorporate strong monitoring and evaluation mechanisms in order to ensure that these principles are applied.

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