

IFSN¹ COMMENTS ON ZERO DRAFT OF THE CFS - RESPONSIBLE AGRICULTURE INVESTMENT² (rai)

SUMMARY

IFSN strongly urges the CFS-rai to focus not just on the path towards food and nutrition security, but also food sovereignty. The CFS-rai must bring to the fore the role of small-scale food producers in championing agroecological approaches that support local food systems, which are socially just and ecologically sound, and in line with the national-level strategies towards the progressive realization of the right to food. This position stems from the understanding that food and agriculture are inseparable from the sociocultural, not just economic, continuity of rural lives and livelihoods, and hence investment in agriculture that primarily focuses on profits, corporate interests, and finance capital above all else is inadequate and irresponsible.

INTERNATIONAL FOOD SECURITY NETWORK (IFSN)

IFSN i.e. International Food Security Network - a partnership of 1100+ civil society organizations (CSOs) from 31 countries across continents – strives to strengthen its regional food security networks to ensure food and nutritional security in southern countries. The network promotes south-south dialogues and knowledge dissemination and aims at influencing policies and programmes for increased food security at national, regional and international level. Six regional networks and twenty six national networks spanning across the globe form the core of IFSN with ActionAid International in the lead. The network - since its inception in 2004 - has been co-funded by the European Commission.

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CFS-rai

The Committee on World Food Security (CFS)' consultative process on the principles for responsible agricultural investment in the context of food security and nutrition (rai) stems from the limitations of the Principles of Responsible Agricultural Investment (PRAI) jointly developed by FAO, IFAD, UNCTAD and the World Bank. During the CFS in 2010, civil society actors blocked the endorsement of the PRAI on the basis that they were not developed through a participatory process including those who are most affected by investments on the ground, and that they do not necessarily safeguard against the “grabbing” of land and other natural resources, on which the local populations depend on for their livelihoods. In response the CFS-rai was initiated in 2012, and through a broad and inclusive consultative process, the final principles are to be endorsed by the CFS Member States in October 2014.

¹ International Food Security Network

² This document presents the position of the IFSN on the Zero Draft of the CFS-rai, based on the consolidated comments on responsible agricultural investments received from its members.

DEFINING THE PARAMETERS OF “RESPONSIBLE INVESTMENT”

WHAT KIND OF AGRICULTURAL ‘INVESTMENT?’

To IFSN, agricultural investments – whether public, private and/ or in the form of public-private partnership – are avenues through which food sovereignty can be realized. If governed, implemented, and monitored in ways that are in line with the visions of small-scale food producers, agricultural investments can support the socio-ecological sustainability and resilience of small-scale farming and local food systems. At the same time, they serve as platforms through which states can meet their obligations for the progressive realization of the right to adequate food.

IFSN recognizes 2.5 billion small-scale food producers worldwide as key investors in their local food systems. Accordingly, it recognizes their rights and agency to define and design their own food systems that are ecologically sustainable, and based on their cultural history, heritage, and knowledge. In turn, public investments and policies should foster the potential of small-scale food producers, before serving the interests of corporations. States should also strengthen their legal institutions and regulatory frameworks to protect the right to food, and to guide, manage, and evaluate investment practices. The private sector should work together with the former to promote agricultural development that is fair and just.

WHAT COUNTS AS “RESPONSIBLE” INVESTMENT?

To IFSN, agricultural investments are deemed responsible when their processes and practices are:

1. Regulated by the state, so that they contribute to the progressive realization of the right to adequate food;
2. Grounded in international human rights laws and standards, including the right to free, prior, and informed consent (FPIC), the right to refuse unjust investment, and the right not to be deprived of their means of subsistence;
3. Accompanied by ex-ante human rights, socio-economic, and gender impact assessments;
4. Cognizant of small-scale food producers as key investors in their local food systems, and supportive of farmers’ organizations, cooperatives, and a variety of small and medium enterprises (SMEs).
5. Geared towards strengthening small-scale food producers’ access to a full range of financial services that are adapted to their needs, taking into account the particular challenges faced by women and youth;
6. Focused on agroecological approaches, and are deliberately planned with and accountable to small-scale food producers, as opposed to conventional industrial agriculture which serves corporate interests and profits;
7. Guided by ethics, and adhere to social and environmental sustainability, and international labour standards;
8. Not in violation of the rights of subsistence, and do not result in the “large-scale transfer of tenure rights to investors” as per Section 12.6 of the *Voluntary Guidelines on the responsible governance of tenure of land, fisheries, and forests in the context of national food security (VGGT)*;
9. Participatory and do not exclude certain types of food producers based on their gender, sexual orientation, class, ethnicity, race, age, and disability; and
10. Monitored and evaluated for their compliance to the VGGT and the rai principles by state regulatory bodies AND civil society organizations.

COMMENTS ON THE ZERO DRAFT

While IFSN appreciates the Zero Draft as the starting point of an inclusive consultative process on the CFS-rai, there are a number of interrelated gaps in the current version, which are outlined below:

1. *Weak emphasis on the link between responsible agricultural investment and the right to food*

The five short introductory paragraphs to the Zero Draft do not do justice to the background and rationale of the CFS-rai. The first paragraph alludes to the Malthusian notions of overpopulation, and the pressure of population growth on the environment, as well as changing consumption patterns in urban areas. Strangely, it does not build any connections to the second paragraph, which focuses on hunger and malnutrition, and the role of agricultural investments in reducing them. Nor does the second paragraph address the *structural causes* of food insecurity before jumping to solutions.

Instead, **the CFS-rai should begin with a clear and explicit recognition of the right to food, and the need for responsible agriculture investments that support the states' efforts to comply fully with their human rights obligations.** Without articulating the right to food at the outset, the CFS-rai overlooks the essential dimension of state accountability to its people. The right to food is not about charity, or merely reducing hunger and malnutrition through increased agricultural productivity. It is about protecting the right of all human beings to live and to feed themselves in dignity, and empowering small-scale food producers to meet their sustenance needs and to design their own food systems. In other words, the right to food cannot be realized by agricultural investments that focus on increasing the food supply alone, but also on improving food access, adequacy and stability (FAO 2006).

Box 1. Responsible public investment and policies in agriculture and the right to food – Brazil

The Zero Hunger (Fome Zero) programme, launched in 2003 is the most far-reaching food security initiative in Brazil. It started as a programme to fight hunger, but has progressively broadened to protect the right to food. Zero Hunger now involves 53 initiatives implemented by 11 different ministries and comprises four main issues: access to food; stimulating small-scale farming; income generation; and partnership promotion and civil society mobilization.

A key initiative of Zero Hunger is the National School Feeding Programme, which provides 47 million free meals a day at public schools to students aged up to 18. The Lula administration also created the Food Procurement Program (PAA) in 2003 to purchase food from small-scale farmers at fair prices, and to distribute them to schools, hospitals, and other families suffering from extreme food insecurity.

In 2006, a law was enacted to establish the National Food and Nutritional Security System (SISAN) and to reinstate the National Council on Food and Nutrition Security (CONSEA) to ensure the active participation of civil society in drafting policy recommendations to the government. Through Zero Hunger, the Brazilian government improved the coordination of policies around food and agriculture, as well as the accountability of agencies responsible for implementing its various programmes. The government also set up an interministerial taskforce that would develop a national policy on food and nutrition security.

The UN Special Rapporteur on the Right to Food notes that Brazil has made “remarkable progress in the realization of the right to food” (De Schutter 2009: 21) under the Zero Hunger

programme, and that the country's success in combating hunger and malnutrition “bears witness to the contribution that such participatory strategies can make” (Ibid.: 16).

Further reading:

IFSN. 2011. *Success in Reducing Hunger: Lessons from India, Malawi, and Brazil*. Dhaka: IFSN.
Da Silva, J. G. 2009. “Zero Hunger and Territories of Citizenship: Promoting Food Security in Brazil's Rural Areas.” Pp. 367-374 in *The Poorest and Hungry: Assessments, analyses, and actions: An IFPRI 2020 book*, edited by J. von Braun, J., R. V. Hill, and R. Pandya-Lorch. Washington D.C.: IFPRI.

2. Definitional ambiguity on key terms, and how “responsibility” will be monitored and evaluated

The Zero Draft does not provide definitional clarity on “investment” – i.e. what type and form of investment, by whom, for whom, and for what purposes. More significantly, the eight principles outlined in the Zero Draft seem to assume a universal understanding of what is considered “responsible” investment, and does not clarify to whom the accountability falls. At the same time, it fails to provide how “responsibility” will be monitored and evaluated not only during the early stages of investments (involving consultations, negotiations, project design, impact assessments, and etc.), but also during implementation stages. For instance, are investments that claim to improve food security and support sustainable agricultural practices *on paper*, but in reality results in the dispossession of the current occupants/users of land deemed responsible? What are the mechanisms to monitor and evaluate their implementation and the implications for agricultural development, food and nutrition security, and rural poverty? When considering the fact that the majority of contemporary agricultural investments and land deals claim to be vital opportunities for development, the murky language of the CFS-rai can be easily exploited by powerful state and capital interests as loopholes to enclose lands and to displace and dispossess local populations. **The rai principles should provide definitional clarity on what type and form of investment, by whom, for whom, and for what purposes can be considered responsible. The principles should also clarify to whom accountability falls, and how “responsibility” will be monitored and evaluated not only during the early stages of investments but also during implementation stages.**

3. Lack of recognition of the (dispossessing) reality of agricultural investments and the need for policy coherence

In order to provide specific qualifications for what is considered responsible investment, the CFS-rai must be based on concrete evidence. In other words, the rationale and objectives described under each principle must be supplemented by on-the-ground evidence, wherever possible. Otherwise, the principles remain abstract, hollow, and impractical. For instance, nowhere in the Zero Draft is there a mention of forced population displacements and involuntary resettlement that may result from responsible/irresponsible investments. Nor does it discuss how the rai will be harmonized or reconciled with other policy mechanisms on involuntary resettlement. For example, while the VGGT suggests that agricultural production and investment practices should “not result in large-scale transfer of tenure rights to investors, and should encourage partnerships with local tenure rights holders” (Section 12.6), the operational policies on involuntary resettlement adopted by international financial institutions (IFIs), for instance the World Bank Operational Manual 4.12, and the International Finance Corporation (IFC) Performance Standard 5, treat population displacement as an unavoidable byproduct or externalities of development/investment

practices (see Pearce 1999). Considering such contradictory objectives of policy frameworks surrounding agricultural investments, **the rai principles should set the highest human rights based standards for investments that other policy instruments should align to and be coherent with.**

4. No safeguards to prevent exploitative contract farming arrangements and the their impacts on food security and gender equity

Principle 2 of the CFS-rai refers to “decent job creation and equitable generation of local employment,” without defining what qualifies as decent work, or anticipating the type and conditions of jobs that may emerge from agricultural investments. Of particular concern to IFSN is the absence of discussion on contract farming, which has expanded in all regions of the world under corporate agriculture (UNCTAD 2009; IFSN et al. 2011; Prowse 2012). In fact, over 30% of soya in Brazil, 90% of cotton and fresh milk in Vietnam, and about 60% of tea and sugar in Kenya are now produced under contract farming arrangements (UNCTAD 2009). It has also been noted that contemporary large-scale agricultural investments often entail both plantations and outgrower schemes, particularly among biofuel initiatives (Cotula et al. 2009; Deininger et al. 2011).

While there are different business models, contract farming has largely been criticized as a labour regime replete with exploitations, manipulations, and abrogation of contracts due to the unequal power relations between contracting parties (Little and Watts 1994). Particularly in buyer-driven models, small-scale contract farmers’ lack of negotiating power and access to market information vis-à-vis agribusinesses, can depress prices and skew the distribution of income along the value chain (FAO 2003). Furthermore, export-oriented contract farming schemes can deteriorate household food security, except for a small percentage of households that earn high enough incomes to purchase food. Under contract schemes, small-scale food producers can afford little time and resources to invest in their farms and the local food systems.

More critically, contract farming has a number of gender implications, without adequate attention to which will result in the deterioration of women’s rights. While women’s direct engagement in contract farming may be circumscribed by their limited access to land and control over household division of labor, their participation in such schemes could exacerbate their time poverty in providing care work (in addition to farm work), and deepen intra-household conflict over the control of resources, such as land and cash income (Bülow and Sørensen 1993; Carney and Watts 1991; Dolan 2005). In this light, **the CFS-rai must address the critical oversight of, and stipulate appropriate safeguards against the exploitative conditions of contract farming and gender implications of such labor arrangements in discussing employment opportunities associated with agricultural investments.**

Box 2. Tobacco growers under contract farming – Bangladesh

In Jhenaidah district in Southwestern Bangladesh, three tobacco companies are engaged in contract farming agreements with local producers: British American Tobacco Company (BATC), Dhaka Tobacco Company (DTC) and Abul Khair Tobacco Company (AKTC).

The primary motivation for farmers for entering contract farming arrangements is reliable market access. Despite the purchase agreement the contract farmers have with the tobacco company, their products are often rejected on the grounds that their products do not meet quality standards. The farmers have no other option but to sell their tobacco at below market prices to willing buyers in order to gain cash income to meet their sustenance needs; yet this is infeasible as the purchase agreement binds the farmers to sell only to the contracting company.

Furthermore, if the supply of tobacco in the market is higher than the demands, the company may only purchase the highest quality tobacco, while rejecting the lower quality ones. This results in lost incomes and increased preservation and transportation cost for contract farmers.

Mr. Habibur Rahman from Bijoypur village in Jhenaidah district was a contract farmer for BATC for eight years. In 2009, his contract with the company was terminated arbitrarily on the grounds that he sold his product at a higher price to another non-contracting company, DTC. In 2010, he entered into a contract farming arrangement with DTC. However, at the time of the agreement, he did not realize the existence of brokers, with whom the company has had a hidden contract. Consequently, he could only sell his products to the brokers at the rate of Tk 80-90 (approximately USD 1), compared TK 120-130 or more initially agreed by the company. Such rampant corruption and exploitation is difficult for farmers like Mr. Rahman to resist, especially as local thugs are also involved in the brokering processes.

Further reading:

IFSN, ActionAid Bangladesh, and Unnayan Dhara. 2011. *Corporate Agriculture in Bangladesh and Alternative*. Dhaka: IFSN.

5. Lack of discussion of the investment-trade nexus

Despite the long-standing debate on the relationship between investment (particularly foreign direct investment) and trade, and its implications for developing countries, the Zero Draft mentions 'trade' once in Part II, where it discusses the challenges of policy coherence. However, the bilateral, regional, and international trade agreements, which are legally binding and sanctionable, could have detrimental consequences for small-scale food producers in developing countries, who are vulnerable to adverse fluctuations and shocks in world markets. Furthermore, for agricultural products to be commercially traded, they have to be produced at scale, using high levels of agrochemicals and other external inputs. These inputs are inaccessible to small-scale food producers, and such industrial agricultural model is ecologically unsustainable. At the same time, agricultural commodities that are privileged in international trade will not be food crops, but agrofuels and cash and feed crops, which have far-reaching consequences for national food and nutrition security. Therefore, in order to avoid any loopholes that may jeopardize the progressive realization of the right to food, **the CFS-rai must be more explicit about the "responsible" mode of agricultural production that is both socially and ecologically sustainable.**

6. "Sustainable agricultural production" or "sustainable agricultural intensification" do not translate as smallholder-led agroecology

Throughout the Zero Draft, there are references to "sustainable agricultural production" or "sustainable and climate adapted agricultural intensification" (CFS 2013: 5, 6) as the mode through which agricultural investments should be promoted. However, 'sustainable agriculture' needs to be elaborated with appropriate qualifiers. Likewise, 'sustainable agricultural intensification' – i.e. increasing agricultural production with more efficient use of inputs – may be interpreted as the application of agroecological concepts and principles on one hand, and/or the use of patent-protected genetically modified varieties that entail intensive use of external inputs on the other.

In addition, while principles 3 and 4 suggest the need to value traditional knowledge and cultural heritage around local food production, it does not make explicit how such systems are better sustained through ecological agriculture led by small-scale food producers. The absence of reference to agroecology in the Zero Draft overlooks a wide range of studies that highlight its importance in improving food and nutrition security;

increasing production yields; reducing rural poverty; diversifying livelihoods; and building small-scale food producers' resilience to shocks (De Schutter 2010; IAASTD 2009; see inter alia Petty 2006; UNCTAD 2013; UNEP-UNCTAD 2008; IFSN 2012).

Furthermore, the Zero Draft does not specify the roles and responsibilities of small-scale food producers in designing, experimenting with, and cooperating with private and public investors on promoting local food systems, which are based on agroecological principles. **The CFS rai principles should recognize small-scale food producers as rightful actors who have invested in their farming systems for centuries and continue to do so on daily and generational basis, and not legitimize investments in 'sustainable agriculture' that remove people off their land, or put restrictions on land use for local populations.**

Box 3. Local food systems driven by small-scale food producers based on agroecology – Pakistan

The mountainous Allai Valley in northern Pakistan is characterized by high rates of poverty, food insecurity, and gender inequality. In 2005, the socioeconomic situation of the region was further exacerbated by an earthquake and the resultant environmental degradation. In response, the Partnership for Recovery and Development of Allai (PRDA), with the support of Sungi Development Foundation, initiated a village-based movement to reforest the valley, and to restore and diversify food security and livelihood options.

In order to do so, PRDA integrated a range of low-cost agroecological methods. Working through a network of 437 village committees, thousands of men and women smallholder farmers shared and experimented with organic farming techniques by setting up on-farm demonstration plots, farmer-to-farmer knowledge exchange programs, and seed banks of traditional varieties, managed by women. Specifically, farmers shared knowledge about manure and yeast-based bio-fertilizers, and tobacco and chili-based bio-pesticides to promote year-round production of organic vegetables in home gardens (e.g. broccoli, spinach, turnips, potatoes, tomatoes, okra, French beans and peas), and to supply them to the local market. They also established Sungi Organics, a private enterprise that sells certified horticultural and floricultural products through fair trade schemes. In addition to crop cultivation, they revived traditional livelihood activities, such as wild honeybee keeping, fruit orchards, agro-forestry, poultry rearing, among others.

As a result of these participatory innovations, the Allai Valley has transformed dramatically. Most significantly, thousands of previously poor and excluded women have started participating in local government and development planning processes. Through local food systems based on agroecological farming, farm profits and productivity increased, and food and nutrition security and health outcomes improved. Organic vegetable cultivation has expanded by 1,000 acres since 2005, and 80% of households are engaged in agroecological vegetable farming.

Further reading:

IFSN. 2012. Fed Up: Now's the Time to Invest in Agro-Ecology. Dhaka: IFSN

7. Weak language around the role of states in prioritizing the needs, interests, and aspirations of small-scale food producers

The Zero Draft suggests that one of the roles and responsibilities of states is to “promote coherence and consistency of policies, laws and regulations shaping and affecting investments in agriculture and food systems” (CFS 2013: 9). **The rai principles should make more explicit the multiple types of institutions that affect investments in agriculture and food systems and promote coherence among them.** These include, at the national level, the constitutional guarantee of the right to

adequate food, poverty reduction strategies, land policies, trade policies, rural development programs, employment and labor laws, climate change policies, agricultural extension services, seed policies, health and nutrition programs, gender equality policies, rural and urban planning, among many others. This is to highlight that in order to prioritize the needs, interests, and aspirations of small-scale food producers, states must pursue transformative reforms not just within the food and agricultural sector, but also across other sectors that shape the socio-economic, political, legal, and environmental basis for building local food systems.

8. Inattention to power inequalities among different stakeholders

The Zero Draft pays little attention to the politics of power that shape the relationships between states, private investors, civil society organizations, and small-scale food producers. First, while the document separates public and private investments, it does not deal with public-private partnerships and joint ventures, which are prevalent and are often funded by IFIs. Such collaboration can result in the disproportionate accumulation of power for states, capitalists and financiers, while deterring meaningful participation and influence of civil society.

Second, the Zero Draft seems to categorize “small-scale food producers and processors” (CFS 2013: 7) as one homogenous group, when in fact there is a wide range of individuals and communities involved – e.g. smallholder farmers, landless people, contract farmers, informal/casual farm workers, pastoralists, fisherfolk, among others. Similarly, there is a tendency to lump together “women, youth, and members vulnerable groups” (CFS 2013: 2) without differentiating them along the lines of gender, sex, class, ethnicity, race, age, and occupation among others. Being sensitive to these differentiations is key to understanding how certain social groups may or may not benefit from agricultural investments in the short, medium, and long-term.

Third, while the Zero Draft repeatedly refers to women, it does not politicize the patriarchal institutions and practices that lie at the root of gendered power inequalities. Changes to land use instigated by agricultural investments will necessarily alter the ways in which labour (both farm work and non-farm work, including domestic labor) is arranged and divided within households. This, in turn, has inevitable consequences for women, who bear the brunt of both agricultural work (both paid and unpaid) and unpaid care work in the home. Therefore, **the CFS principles should address the socially vulnerable groups, while adequately discussing the deeply rooted power inequalities that continue to marginalize them.**

9. Need to highlight the role of the CFS in the global governance of food security

The Zero Draft concludes with one sentence, which urges the CFS to be the “global platform” where various stakeholders involved in agricultural investments learn from each other. However, there needs to be a stronger emphasis on the role of the CFS in guiding and monitoring the implementation of the principles. Considering the role of the CFS in the global governance of food security, specifically in: promoting convergence across various policies, institutions, and initiatives around food and agriculture, supporting and advising national and regional level approaches to ensuring sustainable food systems, and promoting shared learning opportunities, **the CFS should develop an innovative monitoring mechanism to ensure progressive implementation of these principles.**

CONCLUSION AND RECOMMENDATIONS

This document has delineated IFSN's understanding of the responsible agricultural investments, and highlighted nine areas of improvement in the Zero Draft of the CFS-ra. To reiterate, the CFS-rai should:

1. Recognize explicitly the link between responsible agricultural investments and the right to food, and the role of the state in complying with human rights obligations;
2. Clarify the definition of "responsible" investment, to whom the responsibility falls, and how it will be monitored and evaluated;
3. Should set the highest human rights based standards for investments and foster policy coherence so as to prevent the impoverishment and dispossession of local populations;
4. Stipulate appropriate safeguards against exploitative labor practices related to agricultural investments;
5. Address the link between agricultural investment and international trade, and the socio-ecological implications thereof;
6. Recognize and support small-scale food producers and their organizations as key investors in building agroecological food systems at the local level;
7. Make explicit the national-level reforms required not just in the food and agricultural sector, but also in other sectors that shape the socio-economic, political, legal, and environmental basis for achieving food and nutrition security;
8. Address the gendered power inequalities that mediate relations between stakeholders of agricultural investments;
9. Highlight the role of the CFS in developing innovative monitoring mechanisms to ensure the implementation of the rai principles;
10. Take due account of the recommendations of small-scale food producers and civil society organizations when negotiating the final draft in October 2014.

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