



**THE  
RIGHT TO FOOD  
IN PRACTICE**

**IMPLEMENTATION AT THE  
NATIONAL LEVEL**



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# AN INDISPENSABLE RIGHT

Adequate food is a human right, a right of every individual in every country. This has been formally recognized by the great majority of states. But there is a large difference between a state's formal recognition of food as a human right and its putting this recognition fully into practice. If a state is genuinely to treat adequate food as a human right – if it is determined to make that right a reality for everyone – what must it do?

This paper gives practical guidance as to how to implement the right to food at the national level, with examples of best practice from various countries. In so doing, it will give many illustrations of a fundamental truth that must be grasped right from the outset: no government will make the right to food a reality unless it pursues with equal resolve the realization of other human rights with which the right to food is inseparably connected, among them the universal rights to freedom of assembly and expression, to safe drinking water, to information, education and the highest attainable standard of health. Both the great importance of all these rights and the deep interdependence among them call for a holistic approach to development.

The interrelatedness of human rights underlies FAO's work on the right to food. FAO's main tool in this work is the *Voluntary Guidelines on the progressive realization of the right to adequate food in the*



*context of national food security*,<sup>1</sup> designed to help countries implement the right to food, and approved by the FAO Council in November 2004. Since that date, the focus of FAO's activities has shifted from developing the Voluntary Guidelines to the practical implementation of the right to food at the country level, and a Right to Food Unit has been set up for this purpose. The present document has been prepared for a Special Event on the Implementation of the Human Right to Food at the thirty-second session of the Committee on World Food Security (CFS), which will take place in November 2006.

## THE MEANING OF THE RIGHT TO FOOD

Given that adequate food is a human right, what follows? Just as with any other human right, whether it be the right to information or to the highest standard of health, or again the right to freedom of conscience or the right to a fair trial, what follows is that states have certain duties that individuals can justifiably demand that they carry out. States have the obligation to “respect, protect and fulfil”; that is, first, the state must not itself deprive anyone of access to adequate food; second, it must protect everyone from being deprived of such access in any other way; and third, when anyone is in fact without adequate food the state must proactively create an enabling environment where people become self-reliant for food or, where people are unable to do so, must ensure that it is provided. Every individual is a rights-holder, fully entitled to demand that the state perform these duties.

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<sup>1</sup> FAO, 2005 (available at <http://www.fao.org/docrep/meeting/009/y9825e/y9825e00.htm>).



Approaches to food security, just like approaches to development more generally, may be called “rights-based” only if they treat these points as fundamental. A rights-based approach views governments’ promotion of food security as an obligation, hence not as a form of benevolence. It insists on the accountability of duty-bearers to rights-holders. Its conception of good governance places special emphasis on the active participation of all stakeholders in policy development, on transparency in government, and on ensuring, through an independent legal framework, that people have access to effective remedy whenever they have not received their due.

It is important not only that the state recognizes all individuals as rights-holders, but also that individuals see themselves in the same way, and are able to act accordingly. In short, the individual – and that means each and every individual – must be empowered. Since human rights belong equally to all, non-discrimination is another principle essential to the rights-based approach. This also calls for a distinctive focus on those who are most vulnerable, because they are the people whose right to food is most likely to require from the state not merely respect but also protection and fulfilment. These principles – of accountability, transparency, participation, non-discrimination and focus on the vulnerable – render the rights-based approach crucially different from other approaches to development, in ways that this paper will describe in detail.

The rights-based approach is far from being merely a theory or an ideal. It is utterly practical: the non-realization of human rights is not only a frequent result of poverty but also one of its major causes, which means that working to realize these rights is vital for combating poverty. Thus a rights-based approach is a key tool in the pursuit of the internationally agreed Millennium Development Goals



(MDGs), the first of which, aiming at the eradication of extreme poverty and hunger, sets the target for the year 2015 of reducing by half the proportion of people living on less than one dollar a day, and halving the proportion of people who suffer from hunger. The right to food therefore belongs at the top of the development agenda.

The human right to food is established in many international treaties and other instruments, including the Universal Declaration of Human Rights (1948), the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966) and the Convention on the Rights of the Child (1989). Thus the rights-based approach to food security has a further legal dimension in that governments have a legal obligation progressively to enable all individuals within their borders not merely to be free from hunger but to produce or procure, in ways that are fully consistent with their human dignity, food that is adequate for an active and healthy life. Realizing the right requires “the availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture; the accessibility of such food in ways that are sustainable and that do not interfere with the enjoyment of other human rights”.<sup>2</sup>

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<sup>2</sup> Committee on Economic, Social and Cultural Rights (CESCR), General Comment 12, *The right to adequate food*, 1999. UN Doc. E/C. 12/1999/5 (available at [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/3d02758c707031d58025677f003b73b9?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/3d02758c707031d58025677f003b73b9?Opendocument)).

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# PUTTING THE RIGHT INTO PRACTICE

## IMPLEMENTING THE RIGHT TO FOOD AT THE NATIONAL LEVEL

Using the recommendations spelled out in the Voluntary Guidelines can greatly assist governments in implementing the right to food in their countries. As entry points, five areas of action are discussed in the present paper; they are also the focus of information material, a technical panel and discussion at the CFS Special Event on the Implementation of the Human Right to Food:

- ① ADVOCACY AND TRAINING
- ② INFORMATION AND ASSESSMENT
- ③ LEGISLATION AND ACCOUNTABILITY
- ④ STRATEGY AND COORDINATION
- ⑤ BENCHMARKS AND MONITORING

By putting into effect what is required in these five areas, countries will establish stronger, more knowledgeable voices among both duty-bearers and rights-holders, ensure right targeting, accessible justice, effective action and durable impact, and thus contribute profoundly to sustainable development and the achievement of the MDGs. More information can be obtained at the CFS Special Event on the Implementation of the Human Right to Food, or at the FAO Right to Food Web site (<http://www.fao.org/righttofood>).



## ① STRONG VOICES: ADVOCACY AND TRAINING

*Only educated duty-bearers are able to keep their obligations and only knowledgeable rights-holders know how to claim their right to food.*

A human rights-based approach relies on a dual strategy of strengthening the capacity of duty-bearers to carry out their obligations while equally focusing on assisting communities and rights-holders to empower themselves and demand accountability. Both arms of the strategy require awareness-raising and education on the right to food and the underlying reasons why it is not always realized.

Advocacy is of great importance as a means of spreading understanding of the right to food. It can motivate governments to take action to fulfil their obligations to end hunger and it can provide political leaders with the mandate and support they need to take action. In **Brazil**, more than 2 000 governmental and non-governmental delegates committed themselves to the promotion of the right to food in March 2004 at the second National Food



and Nutritional Security Conference; and later, during a Right to Food Campaign in conjunction with World Food Day 2005, a letter reaffirming the Government's commitment to realize the right to food using the Voluntary Guidelines was issued by the President. To date, 266 institutions in Brazil have signed the letter.

## EMPOWERMENT FOR CHANGE

Civil society can bring about change by putting pressure on all areas of government and assisting vulnerable groups to empower themselves to claim their rights and have access to recourse mechanisms. The strengthening and networking of local community and advocacy groups over the past decade are two of the most promising developments in the struggle against hunger.

In **Brazil**, from the 1980s onwards, Citizenship Action, a movement of social activism based on human rights principles, focused on addressing hunger, poverty and social exclusion, to great effect. More than 7 000 local committees were created, which implemented projects for capacity-building, food distribution, income generation, establishment of urban vegetable gardens and support for agrarian reform.

The movement concentrated on fostering people's capacity to produce or purchase the food they need, and was an essential trigger for the legal and policy commitments to the right to food that have followed since. Another example is the drafting of parallel reports to the Committee on Economic, Social and Cultural Rights (CESCR): over 1 000 civil society organizations in Brazil were involved in compiling information for the Committee's thirtieth session in May 2003.



## CAPACITY-BUILDING FOR ACTION

Capacity-building for the government and judiciary, non-governmental organizations (NGOs), the media, the private sector and other stakeholders is crucial for realizing the right to food. This includes training for nutritionists, food safety experts, other professionals working in food and nutrition, and officials such as policy-makers and administrators. Trained representatives of the media can deliver a more accurate picture of the right to food, as being a matter of empowerment, not of handouts. Trained government officials will understand their own roles in implementing the right to food, and their obligation to provide the public, including those who are most marginalized and vulnerable, with full and unbiased information.

Improved public understanding of human rights in general and the right to food in particular helps individuals and communities to participate in making decisions that affect their food security situation. In northeast **Brazil**, two pilot projects of FAO and Brazilian Action for Nutrition and Human Rights (ABRANDH) provide technical support for participatory monitoring and empowerment at the community level. At weekly meetings, members of the community are informed about their rights and how to claim them from the relevant institutions. Public hearings and joint meetings with government officials are held in order to facilitate this process, and documents on the right to food, including the Voluntary Guidelines, are studied. Community leadership and government officials have worked together to produce a Term of Adjustment of Conduct, in which the local government was given the task of fulfilling housing, education and health rights within a certain time frame, with a provision that the communities could sue the local government should it fail to keep its promises.



## EDUCATION FOR UNDERSTANDING

Education is critically important for the realization of the right to food. Not only is skills training essential to the process of sustainable development, but it is also crucial that general education be provided to everyone, in order that all are aware of the rights they can claim. This is particularly the case for women and girls, who are often discriminated against: it is well attested that better education of mothers leads to better nutrition in their children, who are thereby also enabled to learn and achieve more when in school. Children's capacities to ensure their own future food security are enhanced if human rights, agriculture, food safety, nutrition, environmental and health education are integrated into school curricula at all levels. School feeding programmes can also invigorate not only education itself, by attracting pupils to school and by increasing their attentiveness, but also agriculture, when the programmes are sourced locally and thereby stimulate local market demand.

Awareness-raising among young people is the aim of "The Right to Food: A Window on the World", a global education project implemented jointly by FAO and the World Association of Girl Guides and Girl Scouts (WAGGGS). The project has produced an instructional cartoon book containing eight stories set in eight different countries, with illustrations drawn by young people from those countries, and designed to present right to food issues in a new and vivid way. The book was launched on World Food Day, 16 October 2006, in Rome. Together with supporting materials for teachers and youth group leaders, the book is being translated into six languages, and will be widely disseminated.



## ② RIGHT TARGETS: INFORMATION AND ASSESSMENT

*Only informed duty-bearers can identify those rights-holders most in need and meet their demands for food security.*

All individuals have an equal right to food, but people's differing circumstances mean that different actions are required of the government in order for that right to be realized for all. Thus, ensuring the right to food of those who are affected by conflicts and other disasters often requires special protection and support measures. Exactly the same is true for groups who are marginalized or vulnerable because of inequalities and other structural factors within a society. A rights-based approach demands that those who are most vulnerable, for whatever reason, be identified and empowered to claim their rights. It equally demands that any discriminatory processes in governance and power structures be detected and corrected. If these kinds of internal obstacles to development are not addressed, there is little chance that the MDGs will be met.



## WHO ARE THE VULNERABLE?

Food security plans should be based on a thorough socio-economic assessment of different groups' situation with regard to realizing the right to food, with data disaggregated as far as possible, according to sex, age and ethnicity, for example, so that those most liable to be food-insecure are identified, and the reasons for their vulnerability understood. Groups of people who tend to be particularly vulnerable include the elderly, infants and young children, pregnant and nursing women, the disabled and sick, particularly those living with HIV/AIDS or other chronic diseases, victims of conflict, rural people in precarious livelihood situations and marginal populations in urban areas, and groups at risk of social marginalization and discrimination, such as indigenous peoples and ethnic minorities.

### VULNERABILITY: THE IMPORTANCE OF GENDER

In many countries, girls are twice as likely to die from malnutrition and preventable childhood diseases as boys, and it is estimated that almost twice as many women suffer from malnutrition as men. Yet women constitute 51 percent of the world's agricultural workforce (and up to 80 percent in the case of sub-Saharan Africa), and play a key role in the production and preparation of food. Despite the establishment of women's right to food in human rights conventions, women still suffer discrimination in access to and control over food, land and other resources, as they are often not recognized as producers or as men's juridical equals. This is partly due to social customs, some of them legally endorsed, that limit women's access to productive resources. Also within a household, women are sometimes not allotted as much food as male members of the family, or customs support the practice of women eating last.

The low status of women is also a major factor affecting the health and nutrition of children. For example, South Asia has a higher prevalence (47 percent) of underweight pre-school children than



does sub-Saharan Africa (31 percent), despite having higher levels of economic growth, agricultural production, infrastructure and public services. This is due to high levels of anaemia and low rates of weight gain in pregnant women, poor breastfeeding practices and sanitary conditions, in turn caused by women's lack of education, economic opportunity and freedom outside the home, all of which restrict knowledge transmission, self-esteem and income generation.

Gender inequality is harmful both to those who suffer from it and to the country at large. When a significant percentage of the population has no access to resources and educational or other opportunities, a nation's development capacity is compromised. Besides specific initiatives to improve the nutritional status of young people and women, states should therefore undertake more general measures in support of their economic, social and cultural development.



Following the 1996 World Food Summit (WFS), an interagency working group on Food Insecurity and Vulnerability Information and Mapping Systems (FIVIMS) was established at the request of FAO member countries, as a key step towards achieving the goals of the WFS Plan of Action. The FIVIMS Initiative promotes better understanding of the characteristics and causes of food insecurity and vulnerability, and contributes to improved formulation, targeting, implementation and monitoring of policy interventions to reduce hunger and poverty at local, national, regional and global levels. A good guide to the establishment of a national FIVIMS is furnished by the **Philippines'** FIVIMS Briefing Kit,<sup>3</sup> with its detailed operational description of the various elements of such a system. Here, too, the principle of participation should be observed. In the process of gathering and analysing relevant national data, the involvement of civil society, is invaluable.

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<sup>3</sup> More information can be obtained from the Philippines FIVIMS Secretariat at the National Nutrition Council (<http://www.nnc.da.gov.ph>).



### ③ ACCESSIBLE JUSTICE: LEGISLATION AND ACCOUNTABILITY

*Only with enforceable justice, trusted institutions and a legal system oriented towards the human right to food will rights-holders be in a position to hold duty-bearers accountable for guaranteeing food security.*

The right to food cannot become a reality at the national level unless rights-holders can hold duty-bearers to account. Accountability empowers rights-holders, and likewise helps duty-bearers to fulfil their responsibilities. It requires properly functioning institutions that enable individuals to obtain remedies for any non-observance of their rights, so that, for instance, marginalized groups can have access to justice to end discriminatory practices. In addition, ratification of international human rights instruments requires states to ensure conformity between their domestic legal systems and their duties in respect of the right to food, as has been emphasized by the CESCR.<sup>4</sup> Thus, the 153 states that

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<sup>4</sup> CESCR, General Comment 12, *The right to adequate food*, 1999. UN Doc. E/C. 12/1999/5 (available at [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/3d02758c707031d58025677f003b73b9?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/3d02758c707031d58025677f003b73b9?Opendocument)).



are currently parties to the ICESCR have an obligation to ensure that national laws respect, protect and fulfil the right to food.

## CONSTITUTIONAL PROVISIONS AS A GUARANTEE

The obligation to ensure that national laws respect, protect and fulfil the right to food, naturally goes beyond ensuring that sectoral legislation does not impede people's access to adequate food. If the law is truly to support the progressive realization of the right to food, there is a strong case for this orientation to be explicitly affirmed, whether in the constitution or a bill of rights or in specific laws. Worldwide, over 20 countries have a mention of the right to food in their constitutions.<sup>5</sup> The **South African** constitution contains a bill of rights that includes the right to adequate food. It specifies that the state has the obligation to achieve the progressive realization of everyone's right to have access to sufficient food and water, to provide for the right of every child to basic nutrition, and that every detained person and sentenced prisoner has the right to adequate nutrition. In **Brazil**, the 1998 constitution establishes a national minimum wage in order to meet people's basic needs for housing, food, education and health, while a 2003 reform of the constitution further defined the social rights of each citizen to include the right to food.

Even in countries where the right to food is not mentioned in the constitution, the right may be affirmed in connection with other provisions. In **India**, the constitution defines raising the level of nutrition as a “directive principle of state policy” rather than a

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<sup>5</sup> For a full list of countries, see FAO, 2006, *The right to food guidelines: information papers and case studies*, or <http://www.fao.org/docrep/meeting/007/j0574e.htm>.



fundamental right; however, the Supreme Court has clarified the link between the directive principle on nutrition and the right to life (which is a fundamental right and enforceable in the courts) in a public interest litigation case concerning the non-distribution of grains held by the Food Corporation of India at a time of widespread hunger in the country. The Court, finding as a fact that food was available while people were dying from starvation, issued a number of interim orders, which meant that what were originally government food programmes became legal entitlements for the population. In particular, the orders stressed the importance of the right to food for various vulnerable sections of the population, and prescribed the implementation of food-for-work programmes and midday meals in schools.

## LEGISLATION FOR ACCOUNTABILITY

Special legislation on the right to food and associated state obligations, whatever its exact form, can be valuable in many ways. It can clarify the roles and responsibilities of different agencies, define entitlements and recourse and monitoring mechanisms, and in general give direction to policy and underscore the prime importance of the right to food. In both **South Africa** and **Uganda**, the development of a legislative framework for the right to food is currently under way. In April 2005, with the passing of a Food Security and Nutrition Law, **Guatemala** became the first country in Latin America to include such a law in its domestic legal system. The law, designed jointly by the Government, civil society and the UN, defines food security as a right of all citizens. The law also established a national secretariat of food and nutritional security. In **Brazil**, the Federal Law on Food and Nutritional Security, which establishes a right to food monitoring system has been passed by the National Congress. In **Indonesia**, the Food Law (7/1996)



recognizes the right to adequate food for all, covers food security and food safety, and allocates institutional responsibility. With the food law and the ensuing regulations, the building blocks of the legal framework for food security have been put in place.

In keeping with the holistic character of the rights-based approach, it is also vitally important to give legal protection to other human rights whose realization is interdependent with that of the right to food, such as the rights to information, freedom of assembly, education, health and safe water. Poor people's access to resources is crucial: if vulnerable groups and those discriminated against are to be empowered to achieve the realization of their right to food, they must be assigned clear and enforceable rights to own, inherit and trade productive resources.

## RECOURSE FOR ENFORCEMENT

Rights are, however, of little use if they cannot be claimed and, if a right is violated, those affected must have access to remedial measures. These measures could be proceedings before courts that hear cases of right to food violation, or other institutions providing restitution, compensation, satisfaction or guarantees of non-repetition. Such functions are usually exercised by national ombudsmen or human rights commissions. And even when such mechanisms are available, people also need information and education on how to access and use them. Here, public legal assistance and help from civil society organizations can be critical. In **South Africa**, the South African Human Rights Commission (SAHRC) was established in the constitution as an independent and impartial body mandated to develop an awareness of human rights among the population, make



recommendations to organs of state on the implementation of human rights, investigate complaints of violations and seek appropriate redress, and monitor the progressive realization of economic and social rights by the state. The commission has recommended, among other initiatives, the development of a legislative framework on the right to food.



## ④ EFFECTIVE ACTION: STRATEGY AND COORDINATION

*Only through effective human rights-oriented policies and coordinated rights-based strategies can duty-bearers fulfil their obligations to enable rights-holders to feed themselves.*

The degree of a state's commitment to the progressive realization of the human right to food can be observed in its development and implementation of policies. Although ratification of the ICESCR leaves a government some leeway regarding how to make good its undertakings at the national level, it is required, as stated in the CESCR's General Comment 12 on the *The right to adequate food*, that each state party adopt a national strategy to ensure food and nutrition security for all, and formulate policies and benchmarks accordingly. Various policy implications of the rights-based approach to food security follow from the principles of non-discrimination, participation and focus on the most vulnerable, together with the fundamental premise of the inseparability and mutual dependence



of human rights. These bear on all stages of the policy process, from development through formulation and implementation to monitoring and evaluation.

## PRINCIPLES IN PRACTICE

The principle of non-discrimination requires government policy to support full and equal access to productive and economic resources for all individuals, including access to ownership of land and other property and to inheritance, as well as to credit and appropriate technology for women and men. In relation to any particularly vulnerable group, policy must be designed so as to tackle the underlying reasons for their vulnerability, as well as to support the empowerment of those affected, providing them with the tools to claim their rights.

The interdependence between the right to food and rights to water, health care, work and housing, among others, makes it vitally important that a rights-based approach is integrated in a consistent manner into a country's development strategy as a whole. The second generation of Poverty Reduction Strategy Papers (PRSPs) is the most important determinant of development strategies in many countries. The prospects for the national realization of the right to food thus depend upon its integration into the PRSPs. Achieving food security is a focus of **Sierra Leone's** 2005–07 poverty reduction strategy, whose concrete interventions include addressing not only the sustainability of food supply nationally but also its accessibility at the household level. Activities intended to increase food production, such as incentives to private investment and rural job creation, are combined with specific measures to empower individuals and communities, including vulnerable populations.



A manifestation of the interrelatedness of human rights is the 2006–09 PRSP for **Mozambique**, where food security is mainstreamed as a cross-cutting issue and embedded in sector strategies, and is no longer handled solely by the Ministry of Agriculture but also by the Ministries of Education and Health. In addition, the PRSP includes two goals related to the right to food: to reduce the number of underweight and stunted children under the age of five, and to establish a right to food framework law or other appropriate food security legislation by 2009.

Human rights principles call for the informed participation of rights-holders in policy formulation. This, together with the democratic representativeness of implementing organizations, also leads to better prioritization and targeting of activities, increases state accountability and, in the end, contributes to reducing poverty. A good example is the Food and Nutrition Policy in **Uganda**, which is the first Ugandan socio-economic policy to stipulate a rights-based approach to its implementation. Central policy-making, programme design, implementation, monitoring and evaluation have been based on wide-ranging consultations with stakeholders, including the private sector, civil society and other development partners.

## INNOVATIVE INSTITUTIONS

An overarching institution is often needed in the design and implementation of strategy. Programmes and policies regarding the right to food are complex and need good management arrangements; overall, the challenges to be addressed are as much institutional as technical. The National Council for Food and Nutrition Security (CONSEA), in **Brazil** brings all key stakeholders together (two-thirds civil



society, one-third government) in a forum for discussing food security issues. A working group has been established to pursue the implementation of the right to food. CONSEA assesses public policies for their compliance with the right to food, and contributed significantly to the drafting and tabling of the Framework Law on Food and Nutrition Security, based on the Voluntary Guidelines. In **Bolivia**, a national food security council with the same structure as CONSEA was launched on 7 July 2006. Likewise, a Right to Food Secretariat has been set up by the Government of **Sierra Leone** to ensure better coordination both among government, donors and other stakeholders and across the productive, infrastructure and social sectors relevant to food security.



Patrizio Warren

## 5 DURABLE IMPACT: BENCHMARKS AND MONITORING

*Only through achievable goals and ongoing, community-based, national and international evaluation can duty-bearers and rights-holders achieve lasting food security.*

Achieving overall economic growth and development goals does not necessarily mean that the human rights of everyone are respected, protected or fulfilled. For this reason, progress towards the realization of the right to food must be monitored, to track whether performance results and the processes that brought them about are consistent with the rights-based approach, and whether programmes successfully target those in need. This also includes identifying the factors and challenges affecting the realization of the right.<sup>6</sup> Realistic targets and

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<sup>6</sup> See CESCR, General Comment 12, *The right to adequate food*, 1999. UN Doc. E/C.12/1999/5, paragraphs 22 and 28 (available at [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/3d02758c707031d58025677f003b73b9?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/3d02758c707031d58025677f003b73b9?Opendocument)).



benchmarks should be formulated, both of them in terms of verifiable indicators. These will not only map progress and serve as incentives to decision-makers, but can be used by individuals and society as a whole to hold the state accountable and thus help strengthen governance.

## WHAT IS SPECIAL ABOUT RIGHTS-BASED MONITORING?

A rights-based approach to monitoring is distinctive: it seeks to measure not only the number and kinds of people reached by a certain action, but the extent to which people at large are being educated about the relevant right and empowered to demand its realization, and whether the right is appropriately secured in legislation. It focuses especially on the most vulnerable, and its data disaggregation tracks inequalities, not just in income but also in basic service access and health and education status. Together with the CESCR and the Office of the UN High Commissioner for Human Rights, FAO is elaborating practical methods to monitor the realization of the right to food at country level. This will both serve countries' needs and improve international reporting on compliance with the ICESCR.

The monitoring process itself must also be consistent with human rights principles of transparency, participation, non-discrimination and empowerment. For example, the determination of indicators should directly and genuinely involve stakeholders such as programme managers, legislators and representatives of food-insecure and vulnerable groups.

Rights-based monitoring means monitoring not just outcomes, but also structures and processes. *Structural indicators* measure the adequacy in a rights-based perspective of legal, regulatory and institutional structures, registering, for instance, the legal status of



the right to food and the mandates of relevant institutions. They should also include information regarding land ownership and tenure rights, food safety laws and consumer protection agencies. *Process indicators* provide information on activities that have a bearing on the implementation of the right to food, such as programmes for land reform and microcredit, provision of safe water, transfer of agricultural technology, income generation, food-for-work and provision of health care for communities. Lastly, *outcome indicators* register the results of right to food measures, particularly in terms of individual and collective enjoyment of the effective right to adequate food.

## WHO SHOULD MONITOR?

The executive arm of the state must monitor the status of the right to food, in order to take corrective action and assess the impact of such action. In addition, the Voluntary Guidelines recommend that states establish human rights institutions independent of the government to perform rights-based monitoring of policies and programmes. In **South Africa**, the South African Human Rights Commission monitors the state's progressive realization of economic and social rights by using protocols with prepared questions regarding each right. On the basis of this information, a report is submitted to parliament, analysing and evaluating government performance in respect of its responsibilities, particularly to vulnerable groups.

Partnerships between government and civil society are also taking on increased importance in monitoring. Civil society organizations often have developed and applied methodologies that are more participatory and better adapted to measuring underlying causes of food insecurity at local levels. Such partnerships may thus enhance monitoring in respect of both technical and human rights expertise.

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# CONCLUSION

The human-rights-based approach to food security offers new ways of identifying, analysing and solving the problems that underlie hunger and poverty, and an alternative method of promoting development. Seeing the development challenge in terms of the right to food and the other human rights inseparably connected to it is not only indispensable for the survival of individuals; it is a novel technique for achieving the MDGs. The rights-based approach empowers individuals and civil society to participate in decision-making, to claim their rights and to demand recourse, holding governments and public officials accountable for their policies and actions. The recommendations provided in the Voluntary Guidelines and the good practices outlined in this paper can assist national implementation of the human right to food; they can help make it happen, for real, at the country level. It all starts with the individuals who are empowered to claim their right, and who thus trigger changes that, in the end, transform their food security for good.





