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THE CURRENT STATUS OF THE RIGHT TO ADEQUATE FOOD IN FOOD SECURITY AND NUTRITION POLICY DESIGNS

THEMATIC STUDY 1

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Foreword

To celebrate the 10th anniversary of the adoption of the *Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security* (hereinafter “Right to Food Guidelines”), the FAO Right to Food Team has prepared seven thematic studies that document and highlight progress made over the last ten years, while also capturing the challenges ahead in relation to major issues covered by the Right to Food Guidelines (RtFG). The studies are helpful in reflecting upon current gaps and areas of improvement for future implementation of the guidelines and valuable for every person or organization that works in the context of national food security and is interested in realizing the right to adequate food by implementing the RtFG.

The thematic studies¹ cover the following topics:

- 1. THE CURRENT STATUS OF THE RIGHT TO ADEQUATE FOOD IN FOOD SECURITY AND NUTRITION POLICY DESIGNS**
Guidelines 2, 3, 5, 6 and 13
- 2. INSTITUTIONAL FRAMEWORK FOR THE RIGHT TO ADEQUATE FOOD**
Guidelines 5, 18
- 3. LEGAL DEVELOPMENTS IN THE PROGRESSIVE REALIZATION OF THE RIGHT TO ADEQUATE FOOD**
Guidelines 7
- 4. NATURAL RESOURCES GOVERNANCE AND THE RIGHT TO ADEQUATE FOOD**
Guideline 8
- 5. SOCIAL PROTECTION AND AN ENABLING ENVIRONMENT FOR THE RIGHT TO ADEQUATE FOOD**
Guidelines 8, 14
- 6. NUTRITION, EDUCATION AND AWARENESS RAISING FOR THE RIGHT TO ADEQUATE FOOD**
Guidelines 10, 11
- 7. INTERNATIONAL DIMENSIONS OF THE RIGHT TO ADEQUATE FOOD**
Guideline 19, Part III

¹ The views expressed in these thematic studies are those of the authors and do not necessarily reflect the views or policies of FAO. The conclusions given are considered appropriate at the time of preparation. They may be modified in the light of further knowledge gained.

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List of acronyms

CARICOM	Caribbean Community
CSO	Civil Society Organization
FAO	Food and Agriculture Organization of the United Nations
FS	Food Security
FSN	Food Security and Nutrition
HIV	Human Immunodeficiency Virus
ICESCR	International Covenant on Economic Social and Cultural Rights
NGO	Non-Governmental Organization
PANTHER	Participation, Accountability, Non-Discrimination, Transparency, Empowerment, Rule of Law
RtF	Right to Food
RtFG	Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (Right to Food Guidelines)
UDHR	Universal Declaration on Human Rights
UK	United Kingdom

Executive summary

The current review of existing food security and nutrition (FSN) policy documents was undertaken at the 10th anniversary of the Right to Food Guidelines (RtFG) to find answers to the following questions:

1. Is there a tendency for recently formulated national FSN policies, having become instruments that point to a clear intent and commitment by governments, to contribute to the protection and fulfilment of the right to adequate food and of human rights?
2. Which are the right to food elements that are most often present in current FSN policy designs, and which elements are often absent or have little presence in those designs?
3. What lessons can be learned from recent experiences with the formulation of FSN policies that have strong right to adequate food underpinnings? What do these lessons tell us about the way forward?

The assessment here is neither a pre-post evaluation of the RtFG nor an attempt to narrowly attribute any differences in right to adequate food content in FSN policy designs to the actual application of the RtFG. A limited inventory of actual national policy documents was raised and was used as the only source for the analysis. Included are policy documents that cover both food security and nutrition, and policies that principally cover nutrition. A limited number of national FSN policies from the pre-2005 and post-2005 periods are included as well as two post-2005 regional policy documents. Also included are various development cooperation policies of developed countries, some of which are designed to provide support for food security and nutrition in partner developing countries.

The main findings may be summarized as follows. The designs of the FSN policies from the pre-2005 period were found not to have strong right to food underpinnings. These policies are not transformative in the sense of having an explicit intent to contribute directly to the protection and realization of the right to food. Gender inequality in access to resources is the human rights principles most often addressed. Community participation is to be promoted in some policies but the institutional frameworks for policy implementation and coordination provide little or no space for effective participation by civil society and grass roots groups in decision-making at national and local levels.

The policy documents from Latin America of the post-2005 period are generally right to food-sensitive, and some actually have transformative qualities, meaning that they expect to contribute directly to the protection and realization of the right to adequate food. A strong human rights approach is generally to be applied in the implementation of the FSN policies and in a few cases this goes beyond just good intentions as policy actions are included that are designed to apply human rights principles. The FSN situation analyses that underlie the policy designs do usually not provide a clear identification and characterization of the most vulnerable groups and thus do not facilitate the design of targeted policy measures for these population groups. We find a clear tendency for policy implementation to take place through a decentralized institutional framework, with participation in decision-making by local authorities and reliance on partnerships between the government and civil society, including community-based organizations, thus facilitating citizens' participation.

The design of three out of five post-2005 FSN policies from the Caribbean Region can be characterized as right to food-sensitive, while two have certain transformative qualities with respect to the right to food. Two policy designs affirm government's legal obligations with respect to the right to adequate

food. The FSN situation analyses that underlie the policy designs do not identify structural inequities in FSN outcomes nor define in detail the food-insecure and vulnerable groups, and thus listed policy actions do not necessarily address the causes of food insecurity and malnutrition in the most vulnerable groups. The policy designs generally contain human rights principles for policy implementation, but policy actions to create conditions for the effective application of human rights principles are usually not listed. Institutional frameworks in all five policy designs consist of an inter-ministerial council or commission with representation by civil society, and a technical secretariat. In two cases the need is recognized for a legislative act to formalize the institutional framework. Policy monitoring is generally not seen as an instrument to hold government accountable for policy implementation.

The design of some of the FSN policies from Africa can be qualified as right to food-sensitive, but none are transformative with respect to the right to food. With a few notable exceptions, the FSN policies have weak or virtually no right to food underpinnings. The nutrition policies included here make no reference to human rights. In spite of references to relevant international law instruments and/or constitutional provisions in the policy documents, the policy designs often do not reflect the state obligation of facilitating the realization of the right to adequate food through policies. Policy actions are usually not prioritized, nor are they directly linked to the causes of food insecurity and malnutrition faced by the most food-insecure, malnourished or vulnerable groups. Guiding human rights principles for policy implementation are referred to in several policy documents, but without specific actions to create adequate conditions for their effective application. Institutional frameworks for policy implementation and coordination are mostly top-down offering little opportunity for the voice of the food-insecure to be heard. The top-down monitoring policy systems are not meant to be instruments to hold governments accountable.

Food security and nutrition policies in Asia are more likely to have certain human rights or right to adequate food elements in their design than nutrition policies. The government's legal obligations to protect and fulfil the right to adequate food are usually not affirmed. The FSN situation analysis included in the policy documents do not present disaggregated data that show structural inequities in FSN outcomes. None of the policies are transformative with respect to the realization of the right to adequate food. Policy actions are usually not prioritized and if targeted, refer to generally defined target groups. Participation by community-based organizations and others is the good governance practice most often referred to. Institutional frameworks for policy implementation and coordination allow for multi-sectoral participation, in several cases at decentralized levels and participation of civil society organizations. Policy monitoring is generally not seen as an instrument that allows rights-holders to hold government accountable for policy implementation and performance.

General development cooperation policies of developed countries tend to have strong human rights underpinnings, focusing on the protection and promotion of political and civil rights (which are admittedly important for the realization of the right to adequate food). But the strong human rights focus of general development cooperation policies, reflecting foreign policy, is not apparent in development cooperation policies that cover food security and nutrition. These policies are generally not designed to assist partner developing countries to meet their international and domestic legal obligations with respect to the right to adequate food. Gender equality in access to resources is the most frequently mentioned human rights principle. The policies do not address the issue of how to contribute to opening social and political spaces for greater participation in policy decision making by civil society and grass roots organizations.

The main conclusions related to the original assessment questions can be summarized as follows. The right to food underpinnings of current FSN policy designs, with notable exceptions, tend to be weak, even after the RtFG were endorsed by most countries, now ten years ago. This tends to be true more for FSN policies in Africa and Asia, even though a few exceptions there can be found. Current FSN policies in Latin America and the Caribbean have the right to food more firmly integrated in their designs, which in some cases have transformative qualities with respect to the right to food. A more complete assessment study should look into what explains these inter-regional differences, i.e. what were/are the facilitating or limiting factors that may explain these inter-regional differences. But it may be said that currently more examples of FSN policy designs that have some right to food underpinnings may be found as compared to prior to 2005.

FSN policies increasingly include guiding principles for policy implementation, and these principles are often at least in part human rights-based. Participation and gender equality are often included. However, what is missing in the policy designs are specific actions to ensure that the conditions exist for the implementation of these principles. For example, participation is a guiding principle but the institutional framework for policy implementation and coordination does not effectively open up spaces for broad-based participation.

What have we learned? In order to strengthen the right to adequate food underpinnings of future FSN policy designs national governments should be encouraged to formulate food security and nutrition policies that are in line with the state obligation to facilitate the progressive realization of the right to adequate food. The assessment findings strongly suggest that national governments should review and periodically update the design of existing FSN policies with the objective to turn these policies into effective instruments that contribute to the protection and realization of the right to adequate food.

With the aim of strengthening the right to food underpinnings of FSN policy designs, a complete right to food assessment should be undertaken, which not only covers an analysis of the FSN situation, but also of the legal, policy and institutional frameworks relevant to the right to food. This would help ensure that the right to food contents of FSN policies are evidence-based. The FSN situation analysis needs to focus more on identifying and characterizing the most vulnerable groups and on drawing out the structural inequities in FSN outcomes.

Greater and more effective participation in the formulation (and implementation) of FSN policies by the human rights community, referring here to any human rights institution that may exist as well as civil society organizations that focus on human rights, should contribute to strengthening the right to food underpinnings of FSN policies.

1. INTRODUCTION

The Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (Right to Food Guidelines) were adopted by the 127th Session of the FAO Council in November 2004 (FAO, 2005). The intention was not only to integrate human rights in the work of agencies that deal with food security and nutrition (FSN), but also to serve as an instrument to combat hunger and poverty, to accelerate the attainment of the Millennium Development Goals (MDGs), and to provide practical guidance to governments and other stakeholders on the implementation of actions towards the full protection and fulfilment of the right to adequate food for all. National policies represent important instruments for governments towards achieving these goals. This thematic study presents an assessment of the extent to which the right to adequate food has been integrated during the last ten years in national food security and nutrition policies. In other words: do we find evidence that points to national governments intending to use policy instruments to eventually achieve the full and permanent protection and fulfilment of the right to adequate food for all? And if so, is this intention more persuasively reflected in FSN policy designs once the Right to Food Guidelines were in place? Finding answers to these questions involves consideration of right to food components in a FSN policy design that are further discussed below.

Three caveats are in order up front. First, the assessment is limited to food security and nutrition policies, and for practical reasons excludes sector policies that may have a positive or negative impact on food security and nutrition. FSN policies would appear to be the most likely policy instruments to incorporate right to adequate food principles. However, a more extensive assessment should eventually include such sector policies in an effort to harmonize the total right to adequate food policy environment. Second, it is beyond the scope of this study to assess the impact of policy actions that were actually implemented after the national FSN policies were approved. Third, the assessment here is neither a pre-post evaluation of the Right to Food Guidelines (RtFG) nor an attempt to narrowly attribute any differences in right to adequate food content in FSN policy designs to the actual application of the RtFG. Little is known about the actual use by policy decision-makers and planners of the RtFG at the country level. But perhaps more important are the political commitments and social awareness processes that may have been established or strengthened after the RtFG were endorsed. These processes at international and national levels likely have had a greater impact on FSN policy designs than the contents of the RtFG document itself. For example, as has been pointed out elsewhere, the right to adequate food is increasingly being recognized in constitutional provisions and national legal frameworks which can be interpreted as demonstrating political commitment (De Schutter, 2012). Thus, it is highly likely that existing rights-oriented legal and institutional frameworks significantly contribute to strengthening the right to food underpinnings of FSN policies.

Thus, ten years after the international approval of the Right to Food Guidelines, it seems appropriate to assess the extent to which the right to adequate food and human rights principles have indeed been integrated into national policies, narrowly focusing here on national FSN policies, strategies and plans of action to implement FSN policies.

2. CONTEXT FOR THE ASSESSMENT

Key provisions of the Right to Food Guidelines provide a context for the assessment here. Guidelines 2 and 3 are explicit about the obligations of the state to formulate policies and strategies that contribute to the progressive realization of the right to adequate food. Inter-sectoral coordination mechanisms should be established to facilitate the implementation of policies and programmes (Guideline 5), while applying a multi-stakeholder approach to policy formulation and implementation (Guideline 6). Policies should accord the highest priority to providing adequate access to food to the most vulnerable and marginalized households and individuals (Guideline 13).

A useful distinction can be made between policies that are right to food-sensitive, and those that are transformative with respect to the right to adequate food. Right to food-sensitive policies acknowledge the existence of structural inequities related to food security and nutrition, but no specific policy actions are designed to eliminate those inequities or address their causes; human rights principles are acknowledged but no specific policy actions are planned to ensure that those principles are actually applied. Eliminating inequities related to FSN outcomes by addressing their causes and directly contributing to the realization of the right to adequate food, and not just to food security and nutrition are central objectives in transformative policies. The latter include explicit objectives and policy actions that aim at ensuring that human rights principles are effectively applied. Simply put, transformative policies recognize that the achievement of the right to food is the final goal, and that policy actions towards achieving FSN are means towards that goal.

The question then is whether FSN policies are increasingly becoming transformative in relation to the fulfilment of the right to adequate food, or whether they are largely right to food-sensitive or even right to food-blind.²

3. BASIC QUESTIONS FOR THE ASSESSMENT

The basic questions that guide this assessment are as follows:

1. Is there a clear tendency for recently formulated national FSN policies, having become instruments that point to a clear intent and commitment by governments, to contribute to the protection and fulfilment of the right to adequate food and of human rights?
2. Which are the elements in the right to food construct (see below) that are most strongly present in current FSN policy designs, and which elements are often absent or have little presence in those designs?
3. What lessons can be learned from recent experiences with the formulation of FSN policies that have strong right to adequate food underpinnings? What do these lessons tell us about the way forward?

2 Right to food-blind FSN policies ignore human rights principles and do not acknowledge that there are structural inequities that explain different FSN outcomes among specific population groups, nor are they concerned with addressing such structural inequities through appropriate policy actions. The terms “sensitive”, “transformative” and “blind” are borrowed from gender-focused policy analysis.

The relevant methods that were employed in the assessment are detailed in Annex 1. It is beyond the scope of this study to base the assessment on an exhaustive list of national FSN policies of the last ten years. Instead a sample of selected FSN policies is used, organized by region.³ A limited inventory of actual national policy documents was raised for practical reasons. These policy documents were used as the only source for the analysis, meaning that the policy design refers to the contents of the policy document. It is impossible to know whether this sample is representative without knowing the universe of FSN policy designs, the determination and analysis of which may have to await a more comprehensive assessment. Included are policies that cover both food security and nutrition, and policies that principally cover nutrition. FSN strategy documents as well as plans of action are also taken to be policy documents for the purpose of this assessment. A limited number of national FSN policies from the pre-2005 period as well as two post-2005 regional policy documents are included as well. Finally, also included are various development cooperation policies of developed countries, some designed to provide support for food security and nutrition in partner countries. The list of policy documents used in this assessment is presented in Annex 2.

4. THE RIGHT TO ADEQUATE FOOD IN FSN POLICY DESIGNS

In order to assess the right to food in FSN policy designs it is necessary to establish a normative standard for what may be considered to be strong right to adequate food underpinnings in those policy designs. De Schutter (2012) has previously outlined what may be considered as the central components that need to be present in FSN policy designs to provide a measure of assurance (though no guarantee) that the policies, once implemented, will be effective in contributing to the realization of the right to adequate food. These components may be summarized as follows: (a) a high level of accountability, based on clear identification of responsibilities and definition of time frames for achievement of objectives and goals; (b) effective horizontal and vertical coordination among government institutions and between national and subnational levels of government; (c) meaningful participation of civil society and of representatives of the most food-insecure and marginalized population groups; (d) a high level of political commitment and support which translates into adequate and sustained funding of policy measures; and (e) effective monitoring of emerging threats to the protection and realization of the right to adequate food, and of progress made with the realization of the right to adequate food.

To link the above components and others to specific parts of a typical FSN policy design, a checklist was developed, which is further elaborated in Annex 1. We may call the items on the checklist “right to food entry points” of the FSN policy design. Eight entry points are identified which can also be linked to relevant provisions and guidelines of the RtFG, as is shown in Annex 1. The eight right to food entry points in a typical FSN policy design are presented in the box below. A policy design that contains strong right to food content in each of the entry points may be qualified as being transformative, at least in policy intent.

3 The included policy documents were identified through a country-by-country internet search and thus all are in the public domain. As the inventory of policy documents had to be limited, countries were selected at random. If a FSN policy document was available through the internet, it was included in the inventory.

The assessment findings, for both the pre- and post-2005 periods, are presented below according to seven themes which basically follow the right to food entry points identified above: (a) political commitment and legal obligations with respect to the right to adequate food; (b) equity and food-insecure and vulnerable people; (c) progressive realization of the right to food (which combines findings with respect to the vision statement and the policy objectives); (d) high priority policy actions; (e) policy implementation principles and good governance;⁴ (f) participation and policy coordination; and (g) policy monitoring and accountability.

Right to food entry points in FSN policy designs

- a) **Preamble of the policy document:** Affirmation of the government's political commitment to the full protection and realization of the right to food, and of legal obligations to respect, protect and fulfil the right to adequate food. The interdependence of all human rights is recognized.
- b) **Identification of food-insecure and vulnerable groups and the inequities that need to be addressed:** A clear description of food-insecure households and of individuals who suffer from malnutrition is provided, as well as of structural inequities in FSN outcomes.
- c) **Vision statement:** The full and permanent enjoyment by all of the right to adequate food is part of the long-term vision to which the policy intends to contribute.
- d) **Policy objectives:** The policy intends to contribute to the realization of the right to food through improvements in access to adequate, safe, nutritious and culturally acceptable food for food-insecure and vulnerable households, as well as in access to adequate health conditions. Creating enabling conditions for the realization of the right to adequate food is included among policy objectives. Targets and benchmarks for the achievement of policy objectives are defined.
- e) **Priority areas of action:** Actions that address the FSN problems faced by food-insecure and vulnerable groups are afforded high priority. Identified inequities that help explain food insecurity and malnutrition guide the identification of specifically targeted actions. Elaboration of a right to adequate food framework law is listed among the high priority actions (if none exists).
- f) **Guiding principles for policy implementation:** Good governance practices are specified, as well as policy actions designed to create conditions for the application of good governance practices.

⁴ Governance refers here to the nature and quality of the process by which the policy is to be implemented. Good governance is both an objective in itself and a process based on normative and legal rules as established by right to food principles. Good governance is a means towards the goal of all people enjoying the right to food (FAO, 2011). FAO has adopted the PANTHER principles as measurable indicators of good governance (FAO, 2014).

Right to food entry points in FSN policy designs

- g) Institutional structures for policy coordination and implementation:** The proposed structure for policy oversight and coordination contributes to the voice of the food-insecure and malnourished being adequately heard at all levels. Institutional responsibilities for policy implementation and coordination are specified.
- h) Policy monitoring and evaluation:** Policy monitoring is to be participatory. Monitoring outputs should reach stakeholders at all levels, should be designed to feed into decision-making and should hold those responsible accountable, while covering progress both in achieving policy objectives and in implementing the policy in accordance with the guiding principles.

5. PRE-2005: RIGHT TO ADEQUATE FOOD IN NATIONAL FSN POLICY DESIGNS

A total of 11 policy documents were included in the assessment for the pre-2005 period, two of which are nutrition policies while the remainder are food security and nutrition policies. The full list can be found in Annex 2.

Political commitment and legal obligations

In this small sample of policy documents we find various situations. A few of these policy documents contain a preamble or introduction that recognizes the country's international law obligations, and/or makes reference to constitutional provisions and/or to national legislation. For example, the policy document of the Republic of Nicaragua (2001), which is signed by the President, makes reference to specific constitutional provisions relevant to the right to food. The preamble of the 2003 policy document of the Republic of Uganda, signed by the Ministers of Agriculture and of Health, refers to the Universal Declaration of Human Rights and General Comment 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), as well as national constitutional provisions. Similarly, the Universal Declaration, the ICESCR, and 1992 domestic legislation are referred to in the introduction of the 1999 policy document of the Federative Republic of Brazil, but in relation to the right to health (not to the right to food). This is also the case in the 1992 policy document of the United Republic of Tanzania, with the preamble mentioning the right to health. The introduction to the 2002 policy document of the Republic of South Africa makes reference to the state's obligations to the realization of the right to food in accordance with constitutional provisions.

In the remaining policy documents, however, we do not find any reference to either the international right to food obligations and/or constitutional provisions and domestic legislation. This is the case, for example, for the policy documents of the Republic of India (1993), the Federal Republic of Nigeria (2001), Belize (2003), the State of Eritrea (2004) and the Federal Democratic Republic of Nepal (2004).

Equity and food-insecure and vulnerable people

There is a distinct tendency for food-insecure, vulnerable and malnourished population groups to be identified and described in terms of general characteristics. The population groups referred to as suffering from malnutrition usually include: under-five children, adult (pregnant and lactating) women, the elderly or people living below the poverty level. For example, the 1992 policy document of the United Republic of Tanzania does not identify high priority groups for the food security component, but the following general groups are identified for nutrition interventions: (a) young children (0–6 years, and 7 and 14 years), (b) pregnant and lactating women, (c) elderly people, (d) ill people, and (e) institutionalized persons. Without a clear description of the most food-insecure and malnourished population groups, it is difficult to prioritize policy actions as equity considerations require. These general descriptions reflect findings from FSN situation analyses that are not sufficiently disaggregated by key factors, which is not helpful in identifying structural inequities that contribute to FSN problems affecting specific population groups.

A few of the analysed policy documents identify risk factors that produce inequities in food and nutrition insecurity. In those cases, the risk factors are location, gender and demographic household characteristics. For example, the 2004 policy document of Eritrea identifies the following risk factors as being associated with greater than average incidences of poverty: (a) populations living in arid rural areas, (b) households headed by women, and (c) households with many members and high dependency ratios. Similar findings are found in the 2002 policy document of South Africa. The 1999 policy document of Brazil points out that children in rural areas were twice as likely to be stunted as children in urban areas. The policy document of Nigeria (2001) recognizes the need for a more detailed and disaggregated data analysis following policy implementation to better identify and understand the causes that affect the most vulnerable population groups. Policy documents of South Africa (2002), Uganda (2003), Nigeria (2001), and India (1993) specifically address gender inequality and include actions to increase women's access to resources.

Progressive realization of the right to food

Most of the analysed policy documents do not include a policy vision or overall objective statement. And in those that do, directly contributing to the realization of the right to food is not explicitly part of the statement. However, the stated goals in a few policy documents implicitly relate to the right to food. In the 2003 policy document of Uganda, the overall goal is *"...to ensure food security and adequate nutrition for all the people in Uganda, for their health as well as their social and economic well-being"*. In the policy document of Brazil (1999), the overall policy goal (*"...to guarantee the quality of foods available for consumption in this country, to promote healthy dietary practices and to prevent and control nutritional disorders, as well as to stimulate inter-sectoral actions which favour universal access to food"*) may be interpreted as aiming at making the right to food a reality.

High priority actions

There appears to be a clear tendency in all these policy documents to list sets of actions to be undertaken in relation to generally defined population groups. However, these actions are not prioritized, i.e. there is no indication which of these actions is expected to impact most significantly on the causes of food insecurity and malnutrition among the most food-insecure and malnourished population groups.

Perhaps it is left up to the plans of action to implement the policy to establish priorities. In this respect, a few of the policy documents mention the need to prepare a plan of action and provide general guidelines for such a plan. This is for example the case in the policy documents of Nicaragua (2001) and South Africa (2002). We do not know whether in all cases a plan of action was drawn up to implement the policy. In the case of Nigeria (2001) we do have a plan of action that contains a detailed activity schedule, defines institutional responsibilities and presents a detailed budget. The need to formulate and pass domestic legislation to provide a legal basis for the policy and thus for any right to food provisions) is only included in the policy documents of South Africa (2002) and Uganda (2003).

Policy implementation principles and good governance

Good governance practices are rarely included among the guiding principles for policy implementation. People's participation or community participation is to be promoted when implementing the policy, according to a few policy documents: those of India (1993), Nicaragua (2001), Uganda (2003), and Nepal (2004). Promoting gender equality and eliminating gender discrimination are part of the guiding principles in the policy documents of India (1993), Uganda (2003) and Nepal (2004). The policy document of Uganda (2003) states that a rights-based approach, that includes mechanisms to hold duty-bearers accountable, is to be applied in implementing the policy.

Participation and policy coordination

The policy documents that are included here sketch out an institutional framework for policy coordination and implementation. These frameworks are usually limited to government institutions. Key institutions are identified and their respective responsibilities are listed in several policy documents. Collaboration or coordination with civil society organizations is sometimes mentioned (e.g. Nigeria, 2001), but only a few cases contemplate opening up social/institutional spaces for effective participation by civil society organizations or social movements in decision-making with respect to policy implementation. For example, proposed membership on the Uganda Food and Nutrition Council, in addition to a number of ministries, includes a representative from civil society and from a farmers' association, as well as from Makerere University and the private sector (Uganda, 2003). The policy document of South Africa (2002) proposes to establish local food security forums and food security action groups in which NGOs will participate. The major role of the food security forums is to prioritize local projects and disburse project funds. The identification and quantification of food-insecure and vulnerable households is to be the responsibility of the local food security action groups.

Policy monitoring and accountability

The monitoring frameworks that are sketched out focus primarily on monitoring the food security and nutrition situation, and in a few cases, also policy implementation. For example, the policy document of Nigeria (2001) mentions that monitoring of the achievement of policy targets should be undertaken. No reference is made to monitoring the actual application of good governance practices which is not surprising as these are rarely mentioned as part of the policy implementation guiding principles. Policy monitoring is not seen as an instrument that generates information to hold duty-bearers accountable for their performance or for their management of public resources. The policy monitoring system is in all cases conceived to be implemented in a top-down fashion by the public sector, and no mention is made of any independent and participatory monitoring of policy implementation and/or impacts.

Summary Assessment – Pre-2005: Right to adequate food in national FSN policy designs

- Certain right to food principles emerge in a few policy documents but not in robust ways. None of the policy designs involved in this assessment can be qualified, when applying the assessment criteria used here, as having strong right to adequate food underpinnings.
- The interdependence of human rights is not recognized as only a few policy documents refer to a single human right (right to health or right to food).
- Referral to international legal obligations or domestic legislation with respect to right of adequate food is not part of the justification for the policy.
- The FSN policies are not transformative instruments that intend to contribute directly to the improved protection and fulfilment of the right to food.
- The human rights principle most often addressed is gender inequality in access to resources.
- Community participation is the good governance practice most often promoted, but is not defined in operational terms.
- With a few exceptions, the institutional frameworks for policy implementation and coordination include little space for effective participation by civil society or grass roots organizations in decision-making at national and local levels.
- Monitoring is not seen as an instrument that generates information, accessible to all stakeholders, to be used to hold government duty-bearers accountable for policy implementation and achievement of policy goals and objectives.

6. POST-2005: RIGHT TO ADEQUATE FOOD IN RECENT FSN POLICY DESIGNS, BY REGION

By “recent FSN policy designs” we refer to policies formulated during the post-2005 period. The full list of policy documents that were employed in this assessment, organized by region, can be found in Annex 2.

6.1 Latin America

Before presenting the assessment results of a set of national FSN policies, a few comments follow with respect to regional FSN policies, in this case the regional FSN policy for Central America and the Dominican Republic 2012–2032 (*Política de Seguridad Alimentaria y Nutricional de Centroamérica y República Dominicana 2012–2032*). In general, the importance of regional policies is based on the following. Regional policies are meant to guide the formulation of national policies of member countries. A regional policy is adopted by all member countries which thereby commit themselves to the general strategic contents of the regional policy. The latter should serve at the same time as a key reference to shape the support of development partners to the region. Consequently, it is reasonable to assume that if the design of a regional FSN policy has strong right to adequate food underpinnings, this should be

reflected in national FSN policies that are subsequently formulated. Or vice versa, national FSN policies drafted prior to the regional policy may influence the design of the regional policy. A regional FSN policy with strong right to adequate food underpinnings could conceivably orient development cooperation to the region by supporting actions that contribute to the protection and fulfilment of the right to food.

The assessment of the policy design of the regional FSN policy for Central America and the Dominican Republic leads to the following findings: (a) there are no references to relevant international law instruments that member countries have ratified; (b) the global FSN situation analysis generally refers to structural inequities (income inequality, as well as inequalities by gender, age groups, ethnic origin and place of residence), but provides little basis for prioritizing actions that address food insecurity and malnutrition in the most vulnerable population groups; (c) the realization of the right to food is not part of the overall policy goal; and (d) equality and equity, inclusion, and participation of all social actors are the guiding human rights principles listed in the regional policy design. The overall policy design may be characterized as being weak with respect to the right to adequate food and as providing little guidance for the right to adequate food content of national FSN policy designs. As we shall see below, several national policies that were drafted prior to the regional policy do have right to adequate food underpinnings, as have national FSN policies that were subsequently drafted. In other words, there seems to be a disconnect between national policies and the regional policy when it comes to right to adequate food content.

We continue with the assessment of national FSN policy designs.

Political commitment and legal obligations

Quite consistently, we find references to the right to food in either the policy preambles (several of which are signed by a high-level government official) or in the introductions to the included policy documents. The references not only acknowledge the existence of the right to food, but indicate the acceptance by the government of its obligations with respect to the right to food. In some cases relevant international law instruments ratified by the country are listed, or specific constitutional provisions referred to. For example, in the policy document of the Republic of El Salvador (2011–2015) the preamble, which is signed by the president and acknowledges the existence of the right to food, recognizes persons as rights-holders, and specifies that the policy is an instrument to be applied for the realization of the right to food. The legal framework for the policy lists relevant international law instruments ratified by El Salvador and refers to constitutional provisions that affirm state obligations related to the right to adequate food. The policy documents of the Republic of Colombia, the Republic of Costa Rica, the Republic of Guatemala, the Republic of Honduras, Nicaragua, the Republic of Panama and the Republic of Peru all contain similar references in their preamble and/or introduction. One of the guiding principles in the policy document of the Plurinational State of Bolivia states that food production corresponds to a human right (the right to food), and not to a for-profit enterprise.⁵

Equity and food-insecure and vulnerable people

Findings of the FSN situation analysis presented in these policy documents are general. Causes associated with each of the four components of the food security and nutrition concept are described in general,

⁵ This is very much in line with the general policy guidelines of Bolivia with respect to medium- and long-term planning of sector policy actions (Government of the Plurinational State of Bolivia, 2014).

and not in relation to specifically identified and described vulnerable households or persons. This does not facilitate the identification of high priority actions targeted at the most vulnerable. For example, the policy documents of Nicaragua and Costa Rica do not identify or describe especially vulnerable groups. Vulnerable groups are identified in the policy document of Colombia as internally displaced persons, victims of natural disasters, children, pregnant and lactating women, rural populations with low income levels, and persons belonging to certain ethnic groups. However, several policy documents do point to structural inequities, such as gender inequality in access to resources (El Salvador, Honduras, Peru), location (Honduras, Panama, Peru), access to land (Peru), and income inequality and poverty incidence. High priority groups are defined in the Bolivia policy document as rural, peri-urban and urban populations without access to resources.

Progressive realization of the right to food

The progressive realization of the right to adequate food is an explicit part of the general objective of the FSN policies of El Salvador and Guatemala, providing thus a transformative quality to the policy intent. The remainder of the policy documents contain vision or general objective statements that are variations on the definition of food security and nutrition. For example, the vision statement of the policy document of Peru reads: *“La población peruana satisface en todo momento sus necesidades alimenticias y nutricionales mediante el acceso y consumo de alimentos inocuos y nutritivos”* (Peru’s population satisfies at all times its food and nutrition needs through access and consumption of safe and nutritious foods). The general objective in Colombia’s policy document reads: *“Garantizar que toda la población colombiana disponga acceda y consuma alimentos de manera permanente y oportuna en suficiente cantidad, variedad, calidad e inocuidad”* (Guarantee that the whole Colombian population has access to and consumes at all times and in timely ways sufficient, diverse, quality and safe foods). None of the objectives in any of these policy documents refer explicitly to contributing to the protection and fulfilment of the right to adequate food.

High priority actions

In several policy documents we find specific policy actions designed to address structural inequities. For example, in the policy design of El Salvador, gender equality is to be promoted in raising employment and incomes in order to improve access to food, and a legislative bill is to be drafted for women’s rights. Similarly, cross-cutting actions to promote gender equity and child rights are part of the policy design of Nicaragua.

Policy implementation principles and good governance

All of these policy documents contain guiding human rights principles for policy implementation. The principles that appear as part of the policy design are: citizens’ participation (6), respect for cultural diversity (6), gender equality (5), transparency (3), social inclusion (3), equity – focus on the most vulnerable (2), respect for the rule of law (1), and respect for human dignity (1). Missing is for decision-makers and policy implementers to be held accountable. But we may qualify most of the policy designs as being right to food-sensitive, assuming that actions to effectively implement these principles are part of the policy action plan. For example, citizen participation is to be promoted as a policy action in the Costa Rica and Panama documents, with special focus on the participation of women and indigenous groups in the policy design of Guatemala.

Participation and policy coordination

Of the nine policy documents, seven present a decentralized institutional framework for policy implementation. In those cases, civil society participation particularly at local levels is contemplated. For example, in the case of the policy document of Bolivia, the municipal level is the key arena for the implementation of policy actions; public-private partnerships are to be relied upon to guide local level food production, while community participation is emphasized. A similar focus can be found in the policy document of Panama. A national action plan to implement the policy of El Salvador (as well as local action plans) will define: a decentralized system of implementation, participation levels of civil society and local governments, and capacity strengthening in human rights (especially the right to food), gender, and food security and nutrition concepts at national and local levels.

Policy monitoring and accountability

No policy monitoring framework is defined in seven policy documents – these are to be established in action plans or by some other means. The policy documents do not provide guiding principles for the development of such frameworks. It may be reasonable to assume that the same guiding principles for policy implementation would also apply to the design and implementation of the monitoring framework. In the policy document of Colombia, reference is made to the national observatory for food security and nutrition, which generates information in participatory ways and brings together government and non-government actors. In the case of Panama a monitoring system for food security and nutrition has been established which is to be relied upon to monitor the FSN situation, policy planning and implementation, and also to identify the most vulnerable population groups. In the case of Honduras' FSN policy, a system is to be designed to monitor policy progress to provide a basis for holding government decision-makers and planners accountable.

Summary Assessment: Latin America

- The policy documents from Latin America of the post-2005 period are generally right to food-sensitive, and some actually have transformative qualities, meaning that they expect to contribute directly to the protection and realization of the right to adequate food, according to the policy's vision statement.
- Legal obligations with respect to the right to adequate food are generally acknowledged and affirmed, in some cases with reference to relevant constitutional provisions and ratified international law instruments.
- The FSN situation analyses that underlie the policy designs tend to be general and do not facilitate the clear identification of the most vulnerable groups as well as the reasons why each group faces food insecurity and malnutrition – information essential for designing targeted policy measures for the most vulnerable population groups.
- Generally, a strong human rights approach is to be applied in the implementation of the FSN policies included in the assessment, and in a few cases this goes beyond just good intentions, as policy actions are defined to make the application of human rights principles a reality.

Summary Assessment: Latin America

- There is a clear tendency for policy implementation to take place through a decentralized institutional framework, with participation in decision-making by local authorities and reliance on partnerships between the government and civil society, including community-based organizations. This is to facilitate citizens' participation, which is one of the human rights principles to be applied in policy implementation.
- A policy monitoring framework is usually not defined in the policy document, and is to be designed later on. In a few cases, an existing monitoring system is to be relied upon. When the policy document does not explicitly state so, we cannot automatically assume that human rights principles are to be incorporated in the design and implementation of the monitoring framework.

6.2 The Caribbean

The CARICOM Regional Food and Nutrition Security Policy was endorsed by the CARICOM Member States in 2010, and the Regional Food and Nutrition Security Action Plan in 2011. Under the guiding principles in the policy document a small section is dedicated to the right to food. This section covers the following aspects: (a) recognition that poverty, social exclusion and lack of political participation are the main causes of food insecurity; (b) the need to identify and address the structural causes of hunger and malnutrition, and focus policy actions on the most vulnerable; (c) empowering marginalized groups to effectively participate in the design, implementation and monitoring of national programmes; and (d) the need to establish and strengthen redress mechanisms for right to food violations. In the policy document, the 15 CARICOM Member States commit themselves to the principles of equity and participation of the most vulnerable in decision-making, and to the targeting of policy actions of the most vulnerable groups, particularly small producers (farmers, fishermen), women and children.

Although the right to food is only covered in a very modest way in the policy document, the Action Plan expands on right to food principles. The Action Plan (a) adopts the guiding human rights principles of the Policy and adds transparency, accountability and fair treatment of all as good governance measures; (b) promotes empowerment of rights-holders and duty-bearers as part of a human rights approach; (c) adopts gender targeting to promote gender equality; (d) reaffirms the focus on policy actions (reducing income inequality, increasing employment) targeted at the most vulnerable population under the food access component; (d) promotes institutional development for good governance of regional and national FSN actions; and (e) includes the application of human rights principles when implementing policy actions for monitoring food security and nutrition at regional and national levels. In other words, the Action Plan translates the guiding implementation principles into specific actions. There is some evidence that the regional policy and action plan effectively provide a guide for the right to food contents of the designs of national FSN policies that have subsequently been formulated.⁶

6 More relevant background material related to the CARICOM regional policy and action plan may be found in FAO, 2013.

We now continue with the findings of the assessment of the national FSN policy designs. Five recent food security and nutrition policy documents were used in the assessment (Antigua and Barbuda [2012], Barbados [2013], Grenada [2013], the Republic of Guyana [2011] and Jamaica [2013]).

Political commitment and legal obligations

In two of the five policy documents we find clear references to international right to food instruments ratified by the country, and an affirmation of the legal obligations to the realization of the right to food. For example, in the preamble of the policy document of Barbados it states: *“Considering the significance of taking full account, in achieving national and individual food and nutrition security, of all fundamental human rights and freedoms, including the right to food, the Government re-affirms its commitment to the protection and realization of the right to food”*. Similar affirmations can be found in the preamble of the Grenada policy document. These statements can be interpreted as referring to the interdependence of all human rights. Reference to the international law instruments relevant to the right to adequate food and ratified by Jamaica is found in the guiding implementation principles of its policy document. The policy documents refer to the CARICOM Regional Food and Nutrition Security Policy as having provided an incentive for the formulation of the national FSN policy.

Equity and food-insecure and vulnerable people

Food-insecure and vulnerable groups are identified by general characteristics in three policy documents. For example, the elderly, the indigent, single parents, persons living with HIV, and mentally and physically challenged persons are identified as vulnerable groups in the Antigua and Barbuda policy document. The FSN situation analysis in the Guyana policy document provides a long list of food-insecure and vulnerable livelihood groups with vulnerability causes identified for each group. However, policy actions to improve food access are generally targeted at food-insecure and vulnerable groups without distinguishing the differences in underlying causes among groups. One policy document does not identify food-insecure and vulnerable groups.

Progressive realization of the right to food

The fulfilment of the right to adequate food for all is included in three policy designs as part of the policy's long-term vision or overall goal. For example, the vision statement of the Grenada policy document states, in part, *“The vision of the Grenada Food and Nutrition Security Policy is to fully recognize the Right to Food and to ensure that all Grenadians, at all times, have physical, economic and social access to safe, nutritious, culturally acceptable and affordable food in sufficient quantities to meet their dietary needs for an active and healthy life”*. The vision statement of the Jamaica policy document aims *“...to ensure the full protection and realization of the right to food for all Jamaicans and residents of Jamaica...”* Food access objectives are specified in four policy documents for food-insecure and vulnerable groups, which are only defined by general characteristics.

High priority actions

There is little evidence of priority setting among policy actions in any of the policy designs. Food access actions are listed in relation to a generally defined category of food-insecure and vulnerable groups. Mapping of food-insecure and vulnerable groups is one action included under the food access objectives

in the Antigua and Barbuda policy document. The need for a legislative FSN act is recognized in the policy documents of Barbados and Grenada and included in the action plan, while the drafting of a constitutional amendment on the right to food is listed as an action in the policy document of Guyana.

Policy implementation principles and good governance

Four of the five policy documents contain guiding implementation principles. The right to adequate food principles listed in the CARICOM Regional Food and Nutrition Security Policy are adopted in the implementation principles of the Jamaica policy. In three cases (Antigua and Barbuda, Barbados and Grenada), policy actions are to be evidence-based, meaning that more detailed analysis should provide information with which to target and prioritize. Implementation of policy actions should be in accordance with the PANTHER principles (Participation, Accountability, Non-discrimination, Transparency, Human Dignity, Empowerment, and Rule of Law) and good governance practices. Definition of policy actions and their implementation is to be guided by equity considerations according to the Barbados policy design, while policy actions are to be implemented through government–civil society partnerships in the Grenada policy design.

Participation and policy coordination

The institutional frameworks for policy implementation are top-down in all cases, consisting of an inter-sectoral committee/commission (with civil society representation in a few cases) and a technical secretariat, with their role and responsibilities listed in some detail. In the case of Guyana, national and local FSN forums are to be established with civil society participation; these forums will have an advisory and not a decision-making role. Participation by grassroots groups in policy implementation (and monitoring) is not mentioned in any of the policy documents, even in those that list participation as one of the guiding principles for policy implementation.

Policy monitoring and accountability

None of the policy documents contain a detailed policy monitoring framework. Participation by civil society in policy monitoring is not indicated, and monitoring is for decision-making and planning by government. In the case of Grenada, the inter-sectoral FSN commission is to prepare for Parliament an annual progress report on policy implementation, and this report is to be widely shared among all stakeholders – a limited accountability exercise. The same policy document mentions that the guiding principles of policy implementation are also to be applied in the policy monitoring process, i.e. the process should be participatory and provide information to multiple stakeholders to hold government accountable for progress. In the case of Antigua and Barbuda, the multi-sectoral council is to monitor progress with policy implementation and report to the Cabinet twice a year.

Summary Assessment: The Caribbean

- The FSN policy design of three countries can be characterized as being right to food-sensitive, while two have certain transformative qualities with respect to the right to food: Barbados and Grenada.
- Two policy designs not only refer to ratified international law instruments but also affirm government's legal obligations with respect to the right to adequate food.
- The FSN situation analyses that underlie the policy designs point to problems and causes stemming from the food security component, but do not present an analysis along structural equity lines to identify structural inequities, or to define in detail the food-insecure and vulnerable groups that should be prioritized.
- The policy designs do not contain priority setting and, within a general FSN analysis, listed policy actions do not necessarily address the causes of food insecurity and malnutrition in the most vulnerable groups.
- The policy designs generally contain human rights principles for policy implementation, but policy actions to create conditions for the effective application of human rights principles are usually not listed.
- Institutional frameworks in all five policy designs are quite similar, consisting of an inter-ministerial council or commission with representation by civil society, and a technical secretariat, the roles and responsibilities of which both are defined. In two cases the need is recognized for a legislative act to formalize the institutional framework.
- Policy monitoring is to take place in a top-down fashion and for the purpose of aiding decision-making by government. Only in one case do we find some evidence that policy monitoring can be an instrument for holding government accountable, but not by rights-holders.

6.3 Africa

A total of 12 national policy documents were analysed for Africa: four covered nutrition policies (Burkina Faso [2010–2015], the United Republic of Tanzania, the Republic of the Gambia, and Uganda [2011–2016]), while the remainder covered food security and nutrition policies/strategies (Burkina Faso [2013], the Republic of Kenya, the Kingdom of Lesotho, the Republic of Mozambique, the Republic of Sierra Leone, South Africa, Uganda [2005], and Zanzibar). See Annex 2 for a complete list of policy documents.

Political commitment and legal obligations

Half of the policy documents make reference, either in a preface or in an introduction, to international law instruments that cover the right to adequate food and/or other human rights. The difference between

a preface and an introduction is that the former is often signed by a high-level official, thus committing the government, whereas the latter is not. A mere reference to international law instruments only implicitly constitutes recognition of state obligations contained in those instruments. Thus, the wording is important. For example, in the introduction of the policy document of Sierra Leone (2012–2016) it states: “...Sierra Leone recognizes international conventions and treaties on the right to adequate food as a fundamental human right...” The preface of the policy document of Zanzibar, signed by the President, states: “The Policy is based on a number of principles that guide the implementation process to meet its objectives, including the recognition of the human right to adequate food and nutrition...”. Several policy documents, either in addition to referencing international law instruments or alone, refer to constitutional provisions which provide for state obligations relevant to the right to food. For example, in the section dealing with the context of the National Food and Nutrition Security Policy of Kenya (2011), it is affirmed that “The FNSP is framed in the context of the Kenyan Constitution, basic human rights, child rights and women’s rights, including the universal ‘Right to Food’”, and that “The Constitution also binds Kenya to domesticate all the international and regional treaties and conventions to which Kenya is a party...”.

Equity and food-insecure and vulnerable people

Food-insecure, malnourished and/or vulnerable people are often defined by broad categories, or in some cases not identified at all. Broad categories, such as under-two or under-five children and pregnant and lactating mothers, are particularly found in nutrition policy documents. In only a few policy documents (Mozambique, Uganda [2005] and Zanzibar) do we encounter a more detailed operational description for facilitating the targeting of policy measures. For example, the policy document of Uganda (2005) identifies three categories of nutritionally vulnerable groups, i.e. those who are vulnerable due to: (a) demographic characteristics (age, gender) and health status (persons living with disabilities or with HIV); (b) conflicts (internally displaced persons, refugees); and (c) livelihood strategies (landless rural households, pastoralists, urban poor). For each category the vulnerability factors are described, and in a few cases estimated numbers are provided.

The FSN situation analyses presented in the policy documents describe general problems and associated causes. Disaggregated analysis which allows the detection of structural inequities is rarely undertaken. In only two policy documents (Lesotho and Mozambique) is gender inequality in access to resources highlighted in the analysis.

Progressive realization of the right to food

The vision statement of these policy documents do not indicate that the policies are intended to contribute to the realization of the right to adequate food. One case is the exception: part of the vision statement in the policy design of Zanzibar affirms that “This vision fully recognizes the right of all Zanzibari to have permanent access to adequate, safe and nutritious food that is culturally acceptable”.

In none of the included policy documents do the policy objectives address the causes of structural inequities regarding the right to adequate food with the intention of changing these. Policy objectives can generally be qualified as being technical, i.e. provide technical solutions for FSN problems. In one case (Burkina Faso, 2013), one of the policy objectives deals with the improvement in the political and

institutional governance of the FSN system. Importantly, impact targets to measure achievement of the policy objectives are specified in half of the policy documents.⁷

High priority actions

The listed policy actions relate either to specific policy objectives and/or to generally defined target groups. No priority setting is apparent among policy actions in any of the policy documents, and none of the listed actions are designed to directly address any inequities related to food access for the most food-insecure and vulnerable population groups.

In four cases (Mozambique [2008-2015], Uganda [2011–2016], South Africa [2013] and Zanzibar [2008]), the formulation and enactment of a right to food framework law or food security and nutrition act (with right to food provisions) is listed among the high priority actions, thus recognizing the need for a legal basis to reinforce the impact of the policy on the right to food. In one case (Mozambique), activities are to be undertaken to work towards a constitutional amendment on the right to food, and to establish claim mechanisms for right to food violations.

Policy implementation principles and good governance

Again, half of the policy designs contain guiding implementation principles that are human rights-based. Policy actions are to be gender-sensitive in four cases (Lesotho [2005], Uganda [2005], Mozambique [2008 - 2015] and Sierra Leone [2012–2016]), taking into account gender roles and responsibilities. Community participation is the principle mentioned in five cases, accountability in four cases, equity in three cases, and transparency, non-discrimination and respect for human dignity in two cases each. Naturally it is important to see how these good intentions are (or have been) eventually translated into specific actions that turn them into realities. Five policy documents do not contain any guiding principles for policy implementation.

Participation and policy coordination

In almost all cases a top-down institutional framework for policy implementation and coordination is outlined with participation of key ministries. Committees at the national level usually report to high-level officials. Thus accountability of policy implementation and performance to the general public is unlikely, even assuming that the general public knows about the policy and its actions.

In the nine cases where the institutional framework explicitly allows for the participation of civil society or non-governmental organizations (NGOs), it remains to be seen whether such participation represents real opportunities for the most food-insecure and vulnerable to be heard, as these organizations may pursue their own agendas. Civil society/NGO participation may be conceived as providing support and funds to local government agencies, as seems to be the case in the policy document of the United Republic of Tanzania (2011/12–2015/16). In frameworks that include participation of decentralized public sector institutions (province, district) there may be greater opportunities for effective participation by local social movements in programme planning and implementation. In the case of Burkina Faso (2013), civil society organizations are considered full partners in the implementation of policy actions.

⁷ In the case of Sierra Leone (2012–2016), the targets are specified in the Sierra Leone Food and Nutrition Security Policy Implementation Plan 2012–2016. The policy targets in the case of Zanzibar can be found in the Zanzibar Food Security and Nutrition Programme (2008) that accompanies the policy document.

Policy monitoring and accountability

A policy monitoring framework is not presented in almost all of these cases, and the development of such a framework is left as a follow-up action to be included in a plan of action. The general FSN situation, policy implementation process and/or policy impacts are usually the proposed focus of monitoring. For example, in the policy design of Mozambique (2008–2015), national level monitoring and evaluation activities are to be undertaken for the purpose of (a) monitoring progress with the implementation of the FSN strategy and action plan, (b) evaluating its impacts, and (c) evaluating the efficiency of resources allocated to the plan of action. One notable exception is the policy document of Uganda (2005), which outlines an extensive monitoring framework and makes two important points: (a) the monitoring process itself should apply human rights principles, such as participation, empowerment, and transparency; and (b) the monitoring system should generate information designed for rights-holders to hold duty-bearers accountable for the implementation and achievements of the plan of action. In other words, it recognizes that policy monitoring needs to be participatory and serve as an accountability instrument.

Summary Assessment: Africa

- Overall the policy designs can be qualified as right to food-sensitive, though not in all cases. None are transformative with respect to the right to food.
- The FSN policy documents can broadly be divided into two groups: those with policy designs that have certain right to food underpinnings (Mozambique, Uganda [2005], Zanzibar), and those that have weak or virtually no right to food underpinnings.
- Surprisingly, the nutrition policy documents make no reference to human rights; they are basically technical documents that tend to address nutrition problems encountered in broadly defined target groups such as young children, women of reproductive age, and persons living with HIV.
- In spite of references to relevant international law instruments and/or constitutional provisions in the policy documents, the policy designs often do not reflect the state obligation of facilitating the realization of the right to adequate food through policies; i.e. making references to international law instruments is not the same as affirming the government's legal obligations.
- Even in the few policy designs that do affirm the government's obligations related to the right to adequate food, the remainder of the policy design does not reflect those obligations.
- Policy actions are usually not prioritized, nor are they directly linked to the causes of food insecurity and malnutrition faced by the most food-insecure, malnourished or vulnerable groups.
- Guiding human rights principles for policy implementation are referred to in several policy documents. However, no specific actions are planned to create adequate conditions for the effective application of those principles.

Summary Assessment: Africa

- The top-down institutional frameworks for policy implementation and coordination offer little opportunity for the voice of the most food-insecure to be heard; rather, participation by civil society in this process is intended more to support the implementation of policy actions.
- Policy monitoring is not seen as an accountability instrument – top-down monitoring systems are proposed with policy decision-makers and programme managers as the principal users of monitoring information.

6.4 Asia

The five policy documents from Asia that were assessed include two food security and nutrition policies (the People's Republic of Bangladesh and the Kingdom of Bhutan) and three nutrition policies (the Islamic Republic of Afghanistan, the Democratic Socialist Republic of Sri Lanka and the Socialist Republic of Viet Nam).

Political commitment and legal obligations

Only one of the included policy documents (Bhutan, 2012) in its unsigned preamble recognizes the right to adequate food as a fundamental human right, and refers to the country's constitution that *"...requires the State to promote circumstances that would enable the citizens to secure an adequate livelihood"*. Recognition that the right to food is a human right does not automatically mean that the government affirms and will act in accordance with its legal obligations. None of the policy documents make reference to any existing human rights legislation. Two policy documents (Bhutan and Viet Nam) list relevant sector legislation that is linked to food security and nutrition.

Equity and food-insecure and vulnerable people

In all five policy documents, food-insecure and nutritionally vulnerable groups are defined by general characteristics. For example, in the policy document of Viet Nam (2011–2020), these groups are described as the poor, people living in disadvantaged areas, and ethnic minorities. Pregnant and lactating women, infants, young children, adolescents, adults and the elderly are described as being the most vulnerable in the policy document of Sri Lanka (2010), but without any further disaggregation. Only one policy document (Bangladesh, 2006) addresses gender inequality in access to resources.

Progressive realization of the right to food

None of the five policies are designed explicitly to contribute to the progressive realization of the right to adequate food; i.e. the policy vision statements or objectives do not specifically mention the realization of the right to adequate food. Thus, none of the policies are designed to be transformative with respect to contributing to the right to adequate food. Two of the policy documents (Bhutan and Sri Lanka) state that the long-term vision and goal for the policy applies to all people, which conforms to human rights principles.

High priority actions

None of these policy documents contain a disaggregated situation analysis which identifies structural inequities as risk factors for food insecurity and malnutrition. Consequently, the proposed policy actions are targeted at generally described population groups. For example, in the Bhutan policy document the food access objective aims to *“Improve delivery of social support to poor and socio-economically vulnerable communities and individuals”* and the target groups are: people in abject poverty, vulnerable children (orphans), the elderly, and disabled and destitute persons. Presumably, establishing operational criteria for the identification of these groups is left to programmes or other policy actions. The listed policy actions are not prioritized in any of the policy documents.

Policy implementation principles and good governance

Participation is mentioned in three of the five policy documents: participation of community-based organizations in planning, implementation and monitoring in Afghanistan (2010–2013) and in Sri Lanka (2010), and “mass organizations” in Viet Nam (2011–2020) are to be invited to participate. That secure access to sufficient food and adequate nutrition is a human right is reaffirmed in the guiding principles of the Bhutan policy design. All interventions are to be gender-sensitive, socially inclusive and respectful of cultural and traditional practices.

Participation and policy coordination

All five policy designs include a national inter-ministerial coordinating committee, in three cases (Afghanistan, Bhutan and Viet Nam) with representation by civil society. The responsibilities of the participating ministries are spelled out in four cases, in three cases in some detail. In four cases, the institutional framework for policy implementation and coordination includes a decentralized structure to provincial level, and in one case to subprovincial level. What is not well articulated is how decision-making at local and national levels is to be integrated and coordinated.

The design of the Afghan policy counts NGOs among the implementing partners at the local level. The Bhutan policy design states explicitly that the institutional framework should be designed to allow for participatory approaches in policy decision-making and performance monitoring, and for a right to food approach backed by a legal framework to ensure sustainability of the policy interventions.

Policy monitoring and accountability

None of the policy designs include a monitoring framework. Monitoring is to be implemented in a top-down fashion and for the purpose of monitoring policy implementation and the FSN situation. Two policy documents (Bhutan and Viet Nam) mention that monitoring information is periodically to be submitted to the prime minister’s office. Only one policy design (Sri Lanka) includes participatory monitoring at the community level, thereby creating opportunities for rights-holders to use monitoring information to hold local authorities accountable.

Summary Assessment: Asia

- Food security and nutrition policies are more likely to have certain human rights or right to adequate food elements in their design than nutrition policies.
- With the exception of one policy document, the government's legal obligations to protect and fulfil the right to adequate food are not affirmed.
- High priority population groups are only defined in terms of general characteristics, as the FSN situation analysis included in the policy documents do not present disaggregated data that measure structural inequities and their FSN outcomes.
- FSN policies tend not to be transformative with respect to the realization of the right to adequate food.
- Policy actions are usually not prioritized and if targeted, refer to generally defined target groups.
- Participation, including that of community-based organizations, is the good governance practice most often referred to. However, only one policy document mentions that policy actions should be gender-sensitive, inclusive and respectful of cultural and traditional values.
- Policy designs include institutional structures that allow for multi-sectoral policy coordination, in several cases also at decentralized levels and with participation of civil society organizations.
- Policy monitoring is generally not seen as an instrument that allows rights-holders to hold government accountable for policy implementation and performance, possibly with one exception, when participatory monitoring at the local level is to take place.

7. DO FSN TECHNICAL COOPERATION POLICIES OF BILATERAL DEVELOPMENT PARTNERS AIM AT PROMOTING THE RIGHT TO ADEQUATE FOOD IN THE DEVELOPING WORLD?

Provision 5 ("Technical cooperation") of Section III ("International Measures, Actions and Commitments") of the RtFG states in part that *"Developed and developing countries should act in partnership to support their efforts to achieve the progressive realization of the right to adequate food in the context of national food security through technical cooperation..."*. It would thus be reasonable to expect that, in conformity with Provision 5, the technical cooperation policies of developed countries would include support for the protection and fulfilment of the right to adequate food in their partner countries.

We examined the development cooperation policy documents of several developed countries, namely eight in Europe and one in North America; see Annex 2 for a complete list. These policy documents can be divided into: four general development cooperation policies, and five development cooperation policies specifically focused on food security. These documents contain policy directives and principles with respect to assisting partner developing countries. The small number of documents used in this assessment limits drawing any general conclusions, and thus the findings here are at best indicative.

But it is worth mentioning that all policy documents were drawn up within the last five years, well after the international approval of the RtFG.

The findings can be summarized as follows.

7.1 General development cooperation policies

The general development cooperation policies of the Kingdom of Denmark, the Kingdom of the Netherlands, the Kingdom of Spain and the Kingdom of Sweden were assessed. In all four cases a distinct human rights strategy is to be part of the development cooperation focus and approach. Emphasis is on political and civil rights and creating or strengthening conditions for democracy and respect for human rights. In one case (the Netherlands), promotion of human rights is one of the core aims of foreign policy, and the focus and ways of delivering development cooperation are governed by the principles embedded in foreign policy.

A good example is the development cooperation policy of Spain, according to which the technical cooperation process should follow human rights-based principles and norms, as indicated in the box below.

Example: Development cooperation policy of Spain, 2010

The technical cooperation process should be human rights-based.

The following principles and norms should be observed:

- a) objectives defined in human rights terms;
- b) non-discrimination;
- c) focus on equity and equality and on the most vulnerable groups;
- d) recognition of state responsibilities to guarantee human rights;
- e) accountability mechanisms to be included as part of state obligations towards rights-holders;
- f) promotion of citizenship rights; and
- g) empowerment and participation which are fundamental to the achievement of human rights.

Source: Government of Spain, 2010.

7.2 Development cooperation policies for food security and nutrition

Five development cooperation policy documents covering food security are included here (Federal Republic of Canada [2009], Kingdom of Belgium [2011], Netherlands [2011], United Kingdom of Great Britain and Northern Ireland [2013], and the Republic of Finland [2013]) In contrast to the general development cooperation policies, four of these make no mention of the right to adequate food within the context of national food security. The (draft) policy document of Finland is the exception that we shall comment on first.

Adopting a human rights-based approach and ensuring that human rights principles are respected and promoted are explicit aims in Finland's development cooperation in agriculture and food security. The state's responsibility with respect to the realization of the right to adequate food is recognized and affirmed. Recognizing the interrelatedness and interdependence of human rights, it is stated that development cooperation in agriculture and food security has to comply with all political, civil, economic, social and cultural rights, even if the main focus is on the right to adequate food. The promotion of the right to adequate food is the primary focus of the development cooperation for agriculture and food security. The fact that Finland's development partners have ratified international law instruments such as the ICESCR is recognized. The human rights-based approach provides for the highest priority to be afforded to actions targeted at the most food-insecure and vulnerable. This requires that these groups are clearly identified and described, and the reasons why their right to adequate food is not realized are known and understood. Rights-based monitoring of the right to adequate food is to involve structural, process and outcome indicators, while human rights principles should also be applied in the monitoring process itself. It seems quite reasonable to qualify this development cooperation policy intends to have a transformative impact with respect to the realization of the right to adequate food in partner countries. We now continue with the assessment of development cooperation policies of the four remaining countries.

The fact that partner developing countries have ratified relevant international law instruments is not mentioned in the four policy documents. In other words, the development partners do not see financial and technical assistance in terms of assisting recipient countries in meeting their international obligations related to the right to adequate food. Nor is the FSN assistance to be guided by provisions of relevant domestic legislation, including in countries that have constitutional provisions related to the right to adequate food. None of them mention that strategic support is to be provided in ways that fully respect right to adequate food principles and promote good governance of FSN actions in recipient countries. The support to be provided is thus not seen as having a transformative role by directly contributing to the protection and fulfilment of the right to adequate food in the developing world.

The policy documents focus on the food availability component of food security and how to increase domestic food production by addressing constraints. The policy statements are made in aggregate terms, although the strategy of Belgium focuses on sustainable family farming. But no mention is made of production interventions that target the most vulnerable food producers, such as smallholder or subsistence farmers. Similarly, when referring to food access, no indication is provided with respect to whose food access is to be improved.

Instead, these policies or strategies are designed to take advantage of the developed country's comparative advantage in knowledge production (e.g. through research) and technological capacities. The aim is to mobilize and coordinate national institutions with strengths in providing services and producing more knowledge relevant to food security in the developing world. Good governance is mentioned in one policy document (United Kingdom) but refers to governance in relation to the implementation of the strategy, and not to improved governance of actions to be promoted and supported in partner countries.

One human rights principle that is mentioned in three of the policy documents (Canada, Belgium and the Netherlands) involves gender equality in access to resources as well as actions to support women farmers. The Belgium strategy specifically states that FSN interventions need to be designed in gender-sensitive ways that take into account different gender roles, while children's and workers' rights

should be respected. The strategy places high priority on rural women's empowerment in gaining access to resources.

Promotion of partnerships with civil society, and of opening up space for participation by civil society, is not referred to in three of the four policy documents. One of the priority areas of the Belgium strategy entails strengthening civil society and farmers' organizations as well as the facilitation, coordination and regulatory capacities of state agencies of the agricultural sector. In particular, the strengthening of farmers' organizations will aim at improving the services they provide to their members as well as their capacity for participation in decision-making with respect to public policies and programmes.

Summary Assessment: Development cooperation policies

- General development cooperation policies tend to have strong human rights underpinnings, focusing on the protection and promotion of political and civil rights which are admittedly significant for the realization of the right to adequate food.
- The strong human rights focus of general development cooperation policies is not reflected in development cooperation policies that cover food security and nutrition.⁸
- Development cooperation policies that cover food security and nutrition are generally not designed to assist recipient developing countries to meet their international and domestic obligations with respect to the right to adequate food (although exceptions can be found).
- Strategic support may not be provided in ways that fully respect human rights principles and promote good governance practices in developing countries.
- The policies focus on aggregate food availability and on increasing domestic food production, and build on comparative advantages in knowledge production and technological capacities in the donor countries.
- Gender equality in access to resources is the most frequently mentioned human rights principle.
- The policies generally propose partnerships with governments, and are less concerned with contributing to stronger partnerships between government and civil society, or to contributing to opening social and political spaces for greater participation by civil society in policy decision-making.

8 A specific case which demonstrates this point is provided by a comparison between the strong human rights focus in the foreign policy brief of the Netherlands and the country's development cooperation policy covering food security and nutrition; both were formulated in the same year (2011).

8. CONCLUSIONS

The conclusions with respect to the right to food entry points in current FSN policy designs may be summarized as follows:

- FSN policy documents remain largely technical documents. At best, policy designs generally are right to food-sensitive but not transformative, i.e. the realization of the right to adequate food is not the long-term central focus in FSN policy designs. However, the findings point to a few national examples of FSN policy designs that have transformative qualities with respect to the right to adequate food – that is, they are instruments that explicitly intend to contribute to the realization of the right to adequate food. The caveat here is that we do not consider the actual implementation and impact of the policy and whether in practice the right to adequate food principles are adhered to.
- In general, FSN policy designs of the post-2005 period contain more right to adequate food content than those of the pre-2005 period, although this comparison has limited validity as the samples of policy documents differ. In any event, the findings suggest that the presence of strong right to food underpinnings in specific FSN policy designs is probably more attributable to national political commitments than to direct references to the RtFG. In fact, only a few policy documents mention the RtFG but do not indicate the extent to which the policy contents was guided by RtFG principles. In fact, references (or lack thereof) to international law obligations, relevant constitutional provisions and domestic legislation are a good barometer of the political commitment to the right to adequate food that was already in place prior to the formulation of the FSN policy. It is important to make a distinction between references to international law instruments versus explicit statements that recognize, and commit the government to, the legal obligations contained in ratified international law instruments. The total policy design needs to be judged against the stated political intent, and ultimately what counts is the actual implementation and impacts of the policy.
- Most policy documents contain a general FSN situation analysis that identifies general causes of food insecurity and malnutrition, describes food-insecure people and those at risk of malnutrition by general categories, but provides little information for targeted policy measures that address causes of food insecurity and malnutrition in high priority population groups. The lack of disaggregated data prevents identification of structural inequities that are risk factors for food insecurity and malnutrition, possibly with the exception of gender inequality in access to resources.
- Most FSN policy designs include a vision statement or an overall goal that equals (more or less) the definition of food security and nutrition following the 1996 Rome Declaration. Although permanently achieving food security and nutrition for all is a necessary condition for the fulfilment of the right to food, this is not sufficient.
- One may expect that the designs of later policy documents would contain more right to adequate food elements than earlier ones, as countries learn from one another, and/or as a result of the strengthening of the in-country right to adequate food environment. This does not necessarily appear to be the case. This seems to suggest that early on in some countries there was a recognized political commitment to the right to adequate food.
- The actual right to adequate food impact of these policies/strategies depends on the formulation of an action plan that is closely linked to policy intent; an adequate legal basis for policy implementation

in the form of a FSN or right to adequate food law; and a policy implementation and coordination structure with horizontal and vertical linkages among governmental and non-governmental institutions and organizations.

- A more complete assessment of high priority actions included in the policy design should also cover actions that may have a negative impact on the protection and realization of the right to adequate food. The assessment so far focused more on actions with potentially positive impacts on the right to adequate food.
- The capacities of the institutions to be involved in policy implementation and coordination are rarely assessed, and this may represent a risk that needs to be addressed. A few policy documents contain strategic objectives and specific activities designed to address gaps in institutional capacities relevant for policy implementation and coordination.
- Institutional policy implementation frameworks are usually not designed for the voice of the food-insecure and vulnerable to be heard, in spite of the fact that community participation is the most often mentioned guiding principle for policy implementation.
- In fact, those policy designs that contain the PANTHER principles/good governance practices for policy implementation need to be examined to see what policy actions will actually be planned and implemented to create the necessary conditions for the effective application of human rights principles and good governance practices.
- Policy monitoring is rarely seen as an instrument that generates information with which people can hold government accountable for policy implementation and impacts in line with stated objectives and targets. The monitoring frameworks that are outlined in the policy documents are usually top-down, designed to provide information for government to monitor the FSN situation, including shocks that affect FSN and policy implementation for planning purposes. Only if FSN monitoring information reaches inter-institutional committees with strong participation by representative civil society organizations, can such information be used to hold government and its partners accountable for policy implementation and impacts.
- In cases where we find little right to adequate food content in FSN policy designs, we should not automatically conclude that the government does not support the realization of the right to food, or does not recognize its international obligations to respect, protect and fulfil the right to food. But a FSN policy or strategy would seem to be a logical policy instrument for the integration of right to adequate food principles. Of course the right to adequate food may be recognized in the national constitution and/or in domestic legislation, and what we observe is that the government's legal obligations have not been connected to the FSN policy design. Effective FSN policies that achieve their FSN objectives may contribute to the protection and fulfilment of the right to adequate food, even if this is not explicitly stated as an objective. But even then improvements in food security and nutrition may be in average terms, whereas equity and the human rights-based approach demand that the FSN problems of the most food-insecure and vulnerable population groups are given the highest priority, and this is where most FSN improvements should take place.

The main conclusions with respect to development cooperation policies for food security and nutrition are:

- The discrepancy in right to adequate food content between general development cooperation policies and those development cooperation policies focused on food security and nutrition is not easily explained. Of course, one could conclude that the general development cooperation policies also cover FSN assistance. The human rights referred to in the general development cooperation policies perhaps deal with civil and political rights and not with economic, social and cultural rights. Human rights are perhaps more embedded in a country's foreign policy than in its sector-focused policies.
- FSN technical cooperation policies of bilateral development partners are often not designed to assist recipient developing countries to meet their international and domestic obligations with respect to the right to adequate food. This, in spite of the fact that developed countries fully participated in the approval and endorsement of the RtFG. Exceptions can, however, be found.

LOOKING FORWARD: STRENGTHENING THE RIGHT TO ADEQUATE FOOD UNDERPINNINGS OF FUTURE FSN POLICY DESIGNS

What lessons can be learned from this assessment of food security and nutrition policies? Such lessons should be useful in encouraging national governments to formulate food security and nutrition policies that are in line with the state obligation to facilitate the progressive realization of the right to food. Such lessons may also be useful as a tool to review periodically existing policy designs. The overall objective is to turn FSN policies into effective instruments that contribute to the protection and realization of the right to adequate food.

The checklist used in the assessment here that identifies right to food entry points in a FSN policy design may serve as a useful guide when formulating a FSN policy. More detailed documentation of how to use the checklist may be found in FAO (2014).

Policy designs should be evidence-based. This calls for a comprehensive right to food assessment as a jump-off point for the formulation of the policy. The right to food assessment should provide necessary and accurate information to input into each of the right to food entry points in the FSN policy design. In practice this is likely to involve strengthening existing information systems. The assessment should consist of three parts: (a) an FSN situation analysis with disaggregated data analysis along structural inequities (gender, age, location, health status, ethnicity, and socio-economic/wealth status); (b) an assessment of the legislative and policy environments for the right to food, applying a human rights/right to food lens, to identify gaps that need to be addressed in the policy design; and (c) an analysis of relevant governmental and non-governmental institutions that covers their mandates, their existing capacities to implement the policy, and gaps in their capacities that need to be addressed in a plan of action to implement the policy. A useful source for designing a right to adequate food assessment is FAO (2009).

It is generally well recognized that achievement of food security and nutrition requires multi-sectoral strategies and actions which cut across the existing institutional functions and responsibilities. And it has repeatedly been affirmed in international (and sometimes national) law instruments that all human rights are interrelated and interdependent. However, we see little evidence of this in FSN policy designs. In other words, the interrelatedness of the right to adequate food with the rights to health, education,

dignified employment and other economic, social and cultural rights is not reflected in FSN policy designs. Yet efforts to protect and realize those rights are important and necessary for the realization of the right to adequate food (and vice versa). This goes beyond coordination of different sector actions and requires more effective dialogue and joint planning by different stakeholders of the human rights community.⁹ In fact, it requires, among other things, enhanced professional and technical capacity and re-alignment of policy, legislative and institutional measures.

There are only a few instances in which an existing human rights institution is a participant in the institutional framework for policy implementation and monitoring.¹⁰ Such participation could at least strengthen the right to adequate food/human rights underpinnings of the policy design by: guiding the disaggregated FSN situation analysis; providing detailed information on international right to adequate food law instruments, constitutional provisions and domestic legislation; and helping shape specific policy options to target the most food-insecure and malnourished. Such participation may contribute to filling gaps in the legislative and policy environments of the right to adequate food, for example by establishing effective redress mechanisms. Rights-based monitoring as part of the policy monitoring framework can be designed and implemented by the human rights institution. To these ends, human rights institutions may need capacity strengthening in economic, social and cultural rights, as typically they tend to focus on civil and political rights. But with adequate capacity they may contribute to more effective integration of economic, social and cultural rights in policy formulation and implementation.

With respect to the formulation process itself of FSN policies, the following observations may be useful.¹¹

9 An example of a policy document that integrates different economic, social and cultural rights that are constitutionally protected into multi-sectoral development planning may be found in Government of Ecuador, 2013.

10 Right to Food Guideline 18.1.

11 Policy formulation processes are not part of the assessment here. The observations presented here are based on actual participation in such processes in several countries.

Recommendations for Action

1. National governments should be encouraged, and assisted if need be, to formulate food security and nutrition policies that are in line with the state obligation to facilitate the progressive realization of the right to food.
2. National governments should be encouraged to undertake a review of existing FSN policies with the aim of turning these into effective instruments that contribute to the protection and realization of the right to adequate food.
3. In order to ensure that the right to food contents of FSN policies are evidence-based, a comprehensive right to food assessment should precede the formulation of a new FSN policy or the review of an existing FSN policy
4. The direct participation of existing human rights institutions and organizations in both the formulation and implementation of a FSN policy is highly recommended. Human rights institutions may need capacity strengthening in economic, social and cultural rights in order to contribute effectively to the integration of those rights in policy designs and implementation processes.
5. A more complete assessment study should examine what explains why we find inter-regional and inter-country differences in the ways that the right to food is or is not integrated in the design of FSN policies, i.e. what are the facilitating or limiting factors that help explain these differences.
6. Dialogue should be established with bilateral development partners about their role in providing support to developing countries in strengthening their right to adequate food strategies and approaches in addressing FSN problems.

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- Regional and national policy documents are listed in Annex 2.

ANNEX 1: METHODOLOGICAL ISSUES

Selection of FSN policies and strategies

The assessment is limited to a select number of national food security and nutrition (FSN) policies, strategies and plans of action. The latter are also taken to reflect policy. Both national FSN policies and strategies express policy intent, and thus policies and strategies are grouped together. The list of selected FSN policies and strategies is presented in Annex 2. It is beyond the scope of this assessment to include an exhaustive list of FSN policies. Included are food security and nutrition policies/strategies and nutrition policies/strategies.

The assessment was conducted by examining the actual policy documents. Descriptions of policy designs and contents were not used, except in a few cases. The actual number of policies and strategies that are included in the assessment is deemed sufficient to represent various regions (see Annex 2). A few selected technical cooperation policy statements from countries in Europe and North America are included in this assessment, in order to examine the extent to which they intend to promote the integration of the right to food in national FSN policies, strategies and programmes in countries that they assist.

Comparisons: Pre- versus post-2005

It is tempting to assess the right to adequate food content of post-2005 FSN policies and strategies against the content of those that were formulated prior to 2005. Such an approach would allow for limited conclusions, however, since the pre-2005 and post-2005 samples of FSN policies include different countries. We will present a general assessment of the policy documents from the pre-2005 period. The key question remains, however, how strong the right to adequate food underpinnings are of current FSN policies and strategies.

Checklist linked to the Right to Food Guidelines

To aid in the analysis of policy/strategy documents, a checklist was created. The idea of the checklist is to have a normative standard against which to assess the actual policy/strategy designs. This can then facilitate summary statements across national FSN policy designs with respect to right to adequate food principles. The items on the checklist were defined based on actual experiences with FSN policy formulation in a number of countries, and with reference to relevant provisions of the Right to Food Guidelines. The checklist is presented below and covers features normally included in policy designs. We have termed these “right to food entry points”. Brief explanatory notes detail the desired content of each feature of the policy design with respect to the right to adequate food.

Checklist for the assessment of FSN policy designs

Features of the policy design/Right to food entry points	Most relevant Right to Food Guidelines
<p>Preamble of the policy document: Often signed by a high-level official on behalf of the government, the preamble reaffirms the government's commitment to the full protection and realization of the right to food. Reference is made to international law obligations of the country as well as to relevant constitutional provisions and domestic legislation. The interdependence of all human rights is recognized.</p>	<p>Introduction: Paragraphs 10, 11, 12, 15, 16 and 17 Guideline 16.2</p>
<p>Identification of food-insecure and vulnerable groups and the inequities that need to be addressed: A clear description of food-insecure households and of individuals who suffer from malnutrition is provided, as well as of structural inequities in FSN outcomes among different population groups.</p>	<p>Introduction: Paragraph 19 Guideline 2.2 Guideline 13 ("Support for vulnerable groups") Guideline 16.8</p>
<p>Vision statement: The full and permanent enjoyment by all of the right to adequate food is part of the long-term vision to which the policy intends to contribute. This includes creating an enabling socio-economic environment for the realization of the right to adequate food.</p>	<p>Guidelines 1.1 and 1.2</p>
<p>Policy objectives: The policy intends to contribute to the realization of the right to food through improvement in access to adequate, safe, nutritious and culturally acceptable food for food-insecure and vulnerable households, as well as access to adequate health conditions. Creating enabling conditions for the realization of the right to adequate food is included among policy objectives. Targets and benchmarks for the achievement of policy objectives are defined.</p>	<p>Guideline 2.1 Guideline 3.3</p>
<p>Priority areas of action: Areas of action that address the FSN problems faced by food-insecure and vulnerable groups are afforded high priority. The inequities highlighted in the FSN situation analysis guide the identification of specifically targeted actions. The elaboration of a right to adequate food framework law is included among the high priority actions (assuming that none already exists).</p>	<p>Guidelines 2.4 and 2.5 Guidelines 7, 8, 9, 10, 11 and 14</p>

Features of the policy design/Right to food entry points	Most relevant Right to Food Guidelines
<p>Guiding principles for policy implementation: Good governance practices based on human rights principles that are to be applied in all aspects of policy implementation and monitoring are specified here. Policy actions designed to create conditions for the application of good governance practices are also specified.</p>	<p>Guideline 1.3 Guideline 2.5 Guidelines 3.8 and 3.9 Guidelines 5.4 and 5.5</p>
<p>Institutional structures for policy coordination and implementation: The proposed institutional structure for the oversight and coordination of the FSN policy effectively contributes to the voice of the food-insecure and malnourished being adequately heard at all levels, through representation on national and local multi-sectoral/multidisciplinary bodies established for policy coordination. Institutional responsibilities for policy implementation and coordination are specified.</p>	<p>Guideline 5 (“Institutions”) Guideline 6 (“Stakeholders”) Guideline 7 (“Legal framework”) Guideline 18.2 Section III: Paragraph 14 (“Partnerships with NGOs/CSOs/ private sector”)</p>
<p>Policy monitoring and evaluation: Policy monitoring is to be participatory. Monitoring information should be accessible to all stakeholders at all levels, should be designed to feed into decision-making and action planning, and should hold those responsible for policy implementation accountable while covering progress both in achieving policy objectives and in implementing the policy in accordance with the guiding principles, including the application of good governance practices.</p>	<p>Guideline 16.8 Guideline 17 (“Monitoring, indicators and benchmarks”)</p>

ANNEX 2: INVENTORY OF SELECTED NATIONAL AND REGIONAL FSN POLICIES, STRATEGIES AND PLANS OF ACTION, PRE- AND POST-2005, BY REGION

Time period	Region	National and regional FSN policies and strategies
Pre-2005		<p>United Republic of Tanzania: The Food and Nutrition Policy for Tanzania, 1992</p> <p>India: National Nutrition Policy, 1993</p> <p>Brazil: Política Nacional de Alimentação e Nutrição, 1999</p> <p>Nicaragua: Política de Seguridad Alimentaria y Nutricional, 2001</p> <p>Nigeria: National Policy on Food and Nutrition in Nigeria, 2001</p> <p>Nigeria: National Plan of Action on Food and Nutrition in Nigeria, 2002</p> <p>South Africa: The Integrated Food Security Strategy for South Africa, 2002</p> <p>Belize: The National Food & Agriculture Policy 2002–2020 (2003)</p> <p>Uganda: The Uganda Food and Nutrition Policy, 2003</p> <p>Eritrea: Food Security Strategy, 2004</p> <p>Nepal: National Nutrition Policy and Strategy, 2004</p> <p>Perú: Estrategia Nacional de Seguridad Alimentaria, 2004</p>
Post-2005	Latin America	<p>Guatemala: Política Nacional de Seguridad Alimentaria y Nutricional, 2005</p> <p>Honduras: Política de Seguridad Alimentaria y Nutricional de Largo Plazo. Con Participación Ciudadana, 2006</p> <p>Bolivia: Política de Seguridad y Soberanía Alimentaria, 2007</p> <p>Colombia: Política Nacional de Seguridad Alimentaria y Nutricional, 2008</p> <p>Nicaragua: Política de Seguridad y Soberanía Alimentaria y Nutricional desde el Sector Público Agropecuario y Rural, 2009</p> <p>Guatemala: Plan Estratégico de Seguridad Alimentaria y Nutricional PESAN 2009–2012</p> <p>Panamá: Plan Nacional de Seguridad Alimentaria y Nutricional 2009–2015</p>

Time period	Region	National and regional FSN policies and strategies
Post-2005	Latin America	<p>Honduras: Estrategia Nacional de Seguridad Alimentaria y Nutricional 2010–2022</p> <p>El Salvador: Política Nacional de Seguridad Alimentaria y Nutricional 2011–2015</p> <p>Costa Rica: Política Nacional de Seguridad Alimentaria y Nutricional 2011–2021</p> <p>Central America and the Dominican Republic: Política de Seguridad Alimentaria y Nutricional de Centroamérica y República Dominicana 2012–2032</p> <p>Guatemala: Plan Estratégico de Seguridad Alimentaria y Nutricional para Occidente – Planocc 2012–2016</p> <p>Colombia: Plan Nacional de Seguridad Alimentaria y Nutricional (PNSAN) 2012–2019</p> <p>Perú: Estrategia Nacional de Seguridad Alimentaria y Nutricional 2013–2021</p>
	The Caribbean	<p>CARICOM Region: CARICOM Regional Food and Nutrition Security Policy, 2010</p> <p>Guyana: Food and Nutrition Security Strategy for Guyana (2011–2020)</p> <p>CARICOM Region: Regional Food and Nutrition Security Action Plan, 2011</p> <p>Antigua and Barbuda: A National Food and Nutrition Security Policy and Plan of Action for Antigua and Barbuda, 2012 (Draft)</p> <p>Barbados: Barbados Food and Nutrition Security Policy 2013</p> <p>Grenada: Grenada Food and Nutrition Security Policy 2013</p> <p>Jamaica: Food and Nutrition Security Policy, 2013</p>
	Africa	<p>Lesotho: Lesotho Food Security Policy and Strategic Guidelines, 2005</p> <p>Uganda: The National Food and Nutrition Strategy, 2005</p> <p>Mozambique: Estrategia e Plano de Acção de Segurança Alimentar e Nutricional 2008–2015 (2007)</p> <p>Kenya: National Food Security and Nutrition Policy, 2007</p> <p>Zanzibar (United Republic of Tanzania): Zanzibar Food Security and Nutrition Policy, 2008</p> <p>Burkina Faso: Plan Stratégique Nutrition 2010–2015</p>

Time period	Region	National and regional FSN policies and strategies
Post-2005	Africa	<p>Gambia: National Nutrition Policy (2010–2020)</p> <p>Mozambique: Plano de Acção Multisectorial para a Redução da Desnutrição Crónica em Moçambique 2011–2015 (2020) (2010)</p> <p>Uganda: Uganda Nutrition Action Plan 2011–2016</p> <p>United Republic of Tanzania: National Nutrition Strategy July 2011/12 – June 2015/16</p> <p>Kenya: National Food and Nutrition Security Policy, 2011</p> <p>Sierra Leone: Sierra Leone National Food and Nutrition Security Policy 2012–2016</p> <p>Sierra Leone: Sierra Leone Food and Nutrition Security Policy Implementation Plan 2012–2016</p> <p>South Africa: National Policy on Food and Nutrition Security, 2013</p> <p>Burkina Faso: Politique Nationale de Sécurité Alimentaire et Nutritionnelle, 2013</p>
	Asia	<p>Bangladesh: National Food Policy 2006</p> <p>Afghanistan: National Public Nutrition Policy & Strategy 2010–2013</p> <p>Sri Lanka: National Nutrition Policy of Sri Lanka, 2010</p> <p>Bhutan: Food and Nutrition Security Policy of the Kingdom of Bhutan 2012</p> <p>Viet Nam: National Nutrition Strategy for 2011–2020, with a Vision towards 2030, 2012</p>
	Europe and North America	<p>Canada: Increasing Food Security – CIDA’s Food Security Strategy, 2009</p> <p>Spain: III Plan Director de la Cooperación Española 2009–2012, 2010</p> <p>Sweden: Change for Freedom – Policy for Democratic Development and Human Rights in Swedish Development Cooperation, 2010–2014</p> <p>Netherlands: Kamerbrief – Uitwerking Voedselzekerheidsbeleid, 2011</p> <p>Netherlands: Responsible for Freedom – Human Rights in Foreign Policy, 2011</p> <p>Belgium: Strategy Note for the Agriculture and Food Security Sector, 2011</p>

Time period	Region	National and regional FSN policies and strategies
Post-2005	Europe and North America	<p>Denmark: The Right to a Better Life – Strategy for Denmark’s Development Cooperation, 2012</p> <p>Finland: Human Rights-Based Approach in Agriculture and Food Security-Related Development Cooperation, 2013 (Draft)</p> <p>United Kingdom: Global Food Security Strategic Plan 2011–2016, updated November 2013</p>



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For further information

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