

### 3.

## PUTTING RIGHTS-FOCUSED AND RIGHTS-BASED MONITORING OF THE RIGHT TO ADEQUATE FOOD INTO PRACTICE

---

#### IN THIS CHAPTER THE READER WILL FIND:

- Checklists of potential opportunities and challenges to implementing rights-focused monitoring.
- Ways to take advantage of opportunities to promote rights-focused monitoring.
- Ways to address challenges and constraints.
- Lessons learned from specific country experiences.

What needs to be done to get from the normative statements contained in the Right to Food Guidelines to truly implementing rights-focused monitoring of the right to adequate food at country level? Opportunities and challenges will differ among countries. These should systematically be assessed. It is also useful to learn from available country level experiences, even if these are limited.

#### UNDERSTANDING OPPORTUNITIES AND CONSTRAINTS TO IMPLEMENTING RIGHTS-FOCUSED MONITORING

The development and implementation of a rights-focused monitoring process is likely to encounter difficulties or challenges that need to be overcome. This is inevitable. But there are also likely to be many opportunities that facilitate the rights-focused monitoring process and enhance the advancement of rights-based development.

Opportunities and constraints are likely to be found at national, regional and local levels. An assessment of the situation should be made early on with respect to the country-specific opportunities and difficulties, to make best possible use of those opportunities, and to give adequate attention to ways in which difficulties may be overcome.

We list below some potential opportunities and challenges, some of which may be found to be present in a specific country. This checklist should assist with the assessment of the situation with respect to introducing and implementing rights-focused monitoring.

## A CHECKLIST OF POSSIBLE OPPORTUNITIES

Opportunities to implement rights-focused monitoring are directly tied to country level commitments to the realisation of economic, social and cultural rights. Where true commitment to the realisation of these rights exists, the need to have adequate monitoring information will become clear, and in fact is consistent with this commitment.

### Checklist of Opportunities

---

- RIGHT TO ADEQUATE FOOD IN NATIONAL CONSTITUTIONS
- POLICY COMMITMENTS TO FOOD SECURITY, POVERTY REDUCTION, SOCIAL DEVELOPMENT
- POLITICAL REFORMS AND DEMOCRATISATION PROCESSES
- HUMAN RIGHTS MAINSTREAMING EFFORTS
- STRONG OR EMERGING POPULAR MOVEMENTS

The human right to adequate food is explicitly or implicitly enshrined at present in the constitutions of 23 countries. Efforts are also underway in a few countries to have constitutional amendments adopted that recognise the right to adequate food. This opens up in those countries political space that can be capitalised on by ensuring that the relevant constitutional provisions translate into national legislation, policies, strategies and programmes. This in turn requires monitoring whether this is indeed happening.

Democratisation processes in a number of countries, facilitated by increasing decentralisation towards sub-national levels of policy and programme implementation by government, make possible more effective participation by rights holders and duty bearers at local level in policy dialogues, and programme formulation and monitoring. It is also recognised that the local conditions that give rise to food insecurity and malnutrition, and to vulnerability to food insecurity and malnutrition, need to be analysed and understood, so that locally developed actions will be more effective.

This means that monitoring systems can be designed that: are relevant to the information needs of local decision makers and stakeholders for follow-up actions, are participatory and more inclusive.

Food security and poverty reduction are increasingly becoming national policy priorities, in part because of large-scale efforts in some countries by civil society and technical cooperation agencies to galvanise national efforts around these issues. International efforts to mobilise policy responses (for example, to achieve

the Millennium Development Goals), have also increased demand for human rights to be put on the political agenda. Monitoring the right to adequate food can be more easily inserted when monitoring of food security and poverty reduction goals and targets is foreseen as part of policy or strategy implementation. There is a body of accumulated and relevant experience with rights-oriented advocacy work by civil society and other social actors.

Rich experience exists with regards to, for example, gender mainstreaming as a human rights issue. Such parallel and complementary human rights efforts offer opportunities for learning. They represent relevant examples from which lessons to promote the right to adequate food, and the need for rights-focused monitoring of the right to adequate food, can be drawn. In a few countries, like Brazil, civil society is well organised and effectively engages in pro-right to adequate food advocacy work. All these advocacy efforts can benefit in turn from monitoring information to make them more effective.

Popular and grass roots movements in some countries are growing in terms of influence. This in turn, at least potentially, opens up new spaces at the grass roots level for self-determination and for claiming of rights. Turning these new social spaces into effective areas of grass roots action requires, among other things, monitoring information that is produced at grass roots level, or through grass roots participation in monitoring of public programmes and local projects.

## A CHECKLIST OF POSSIBLE CHALLENGES

One or more of the following challenges may be encountered at country level, but not necessarily all. Some of these apply more generally to the realisation of the human right to adequate food, but have practical implications for how the right to adequate food will be monitored. Others constitute more specific constraints to the implementation of rights-focused monitoring at country level. By reviewing them here it will be easier to anticipate their impact at the country level and to prepare accordingly, when they are indeed encountered. A few suggestions along these lines follow this section.

### Checklist of Challenges

---

- POOR UNDERSTANDING THE CONCEPT OF RIGHT TO ADEQUATE FOOD
- INSTITUTIONAL LIMITATIONS
- POLITICAL COMMITMENTS AND SENSITIVITIES
- WEAK INFORMATION SYSTEMS
- LOW TECHNICAL MONITORING CAPACITY

## Understanding the right to adequate food concept

Government officials and others poorly understand the true meaning and significance of “the right to adequate food” and what is required to make it a reality. The concept is often equated with the act of directly providing food to all who do not have adequate access. This is unrealistic in most cases and may be seen as threatening to the achievement of government priorities. How authorities understand and act upon compliance with the right to adequate food makes a big difference. Rights-focused monitoring, and the application of human rights principles and approaches are unlikely to be implemented under these conditions.

## Institutional limitations

There are a number of challenges with institutional limitations. Fragmented institutional responsibility for food security often leads to fragmented monitoring responsibilities and uncoordinated monitoring activities. There is also often a strong tendency for governmental institutions, donor agencies, and even academia to be fragmented along sectoral lines. This poses a barrier to developing an integrated monitoring framework, which is important since the causes of food and nutrition insecurity are complex, interrelated and demand integrated solutions. Public officials are often unaware of what their obligations and duties are in fulfilling the right to adequate food, because State obligations are not yet directly tied to specific positions. Obligations may be subject to individual interpretation, and persons occupying specific posts change over time. This makes it difficult to hold public officials accountable when monitoring their performance.

Many countries lack an institutional culture of monitoring with respect to human rights. There may be different reasons for this: (i) a lack of political commitment to human rights, (ii) civil servants, at all levels of the government bureaucracy, lack competence to deal with social and economic issues as human rights issues, and (iii) the lack of commitment to monitoring allows duty bearers to avoid being held accountable for poor performance.

## Political commitments and sensitivities

The discontinuity of governments and of government policies and programmes is a fact of life. In practical terms, what is to be monitored with respect to policies and programmes towards the realisation of the right to adequate food also changes over time. It demands that information systems must be flexible as to what they measure and analyse. Political commitments are often not followed by implementation. Monitoring can reveal this lack of action, which may negatively affect the level of political support for right to adequate food measures. Political

considerations may also influence the selection of indicators to be applied in monitoring. This may mean that those criteria which are most relevant to rights-based monitoring and the right to adequate food are not included because they cover politically sensitive issues, or may measure lack of progress.

### **Weak information systems**

Monitoring of the right to adequate food should build on existing information systems. Some of the problems that may be encountered are: (i) gaps in geographic coverage, (ii) low validity of the data, (iii) long delay in data availability, and (iv) incompatibility among different data sets with respect to geographic or household-level identification, thereby limiting the extent to which data sets can be linked. These are factors that need to be remedied if rights-focused monitoring is to analyse, for example, equitable outcomes of policy and programme measures. The development, implementation and maintenance of solid information systems require considerable human, financial and organisational resources. These may not sufficiently be available in developing countries, often also requiring donor funding and international technical assistance. This in turn brings into question the sustainability of information systems and of long-term monitoring.

### **Technical capacity to monitor the right to adequate food**

Rights-focused monitoring requires technical knowledge and experience in monitoring and evaluation and expertise in human rights principles and approaches. Capacity in both may be lacking at country level. Technical material to guide the development and implementation of information systems that is available at country level, such as handbooks and manuals, are often not user-friendly, and consequently are not used or are accessible only to a small technical group. So far these materials do not cover methods of rights-focused monitoring. Lastly, monitoring information also needs to be generated at local and community levels. This is precisely where capacity is most often the weakest, and also where resources for capacity strengthening are usually the most limited as national level needs are given higher priority.

## **HOW TO ASSESS OPPORTUNITIES AND CHALLENGES TO IMPLEMENTING RIGHTS-FOCUSED MONITORING?**

The opportunities and challenges to developing and implementing rights-focused monitoring of the right to adequate food should be assessed in each specific country setting. Not all opportunities and challenges outlined above will be present in one country. Some of the potential challenges are not unique to the implementation of rights-focused monitoring. Particularly institutional constraints

and weak information systems affect the quality of monitoring of socio-economic policies and programmes, including of food security, nutrition and poverty reduction measures. Volume II provides more details, information, tools and methods that can be applied in assessing country level opportunities and challenges. For example, a “Strengths, Weaknesses, Opportunities and Constraints” analysis can be an useful tool to explore the opportunities and challenges that are present in the legal, political, economic, social and institutional environment for the realisation of ESCR, including the right to adequate food, and consequently for monitoring of the right to adequate food.

Additional assessments will provide inputs for the formulation of a rights-focused monitoring strategy and work plan aimed at addressing identified challenges. These include:

- Assessment of the existing food security and nutrition related information systems and ongoing monitoring activities.<sup>7</sup>
- Assessment of existing institutional roles and capacities (human, technical and financial) in relation to the needs of a rights-focused monitoring system.<sup>8</sup>
- Implementation of reporting procedures that ensure openness and transparency in the monitoring process.<sup>9</sup>
- Identification of rights-focused monitoring information users, a clear understanding of their information needs as rights holders and duty bearers, and identification of information gaps.<sup>10</sup>

## HOW TO ADDRESS COUNTRY LEVEL CHALLENGES?

A few lessons have been learned with respect to putting the right to adequate food into practice at country level, and these may also be applicable to the implementation of rights-focused monitoring of this right. Country studies conducted in Uganda, Brazil, South Africa, India and Canada allow us to distil some critical lessons and experiences<sup>11</sup>.

A brief synopsis of lessons learned is provided in Annex 2. Here we build on those lessons to make some recommendations for strategic approaches to address challenges to the implementation of rights-focused monitoring at country level. As will become clear these approaches are mutually reinforcing.

---

7 *Volume II, chapter 7;*

8 *Volume II, chapter 4;*

9 *Volume II, chapter 9;*

10 *Volume II, chapter 7.*

11 *FAO. Implementing the Right to Adequate Food: The Outcome of Six Case Studies. IGWG RTFG Information Paper No. 4. Rome, June 2004. In spite of the title, only five countries were involved.*

### Strategic approaches to implement rights-focused monitoring

---

- ✓ CREATE AN ENABLING POLICY ENVIRONMENT FOR THE RIGHT TO ADEQUATE FOOD
- ✓ INTRODUCE RIGHTS-FOCUSED MONITORING IN ONGOING MONITORING OF FOOD SECURITY, NUTRITION AND POVERTY
- ✓ STRENGTHEN INSTITUTIONAL CAPACITIES TO MONITOR
- ✓ DEVELOP AND IMPLEMENT AN AWARENESS RAISING AND PUBLIC EDUCATION STRATEGY
- ✓ MOBILISE NATIONAL RIGHT TO ADEQUATE FOOD “CHAMPIONS”
- ✓ FOSTER CIVIL SOCIETY-GOVERNMENT PARTNERSHIPS

#### Create an enabling policy environment

Mainstreaming of human rights principles and approaches in national planning and policy documents is presently ongoing in a number of countries. Other countries have expressed an interest in this. There are several motivating forces. As indicated above, a number of countries have the right to adequate food enshrined in their constitutions. With respect to the mainstreaming process, much can be learned from current efforts to mainstream food security and nutrition in national planning and policy formulation. In fact, mainstreaming of right to adequate food should team up with mainstreaming efforts related to food security and nutrition issues. This is already starting to happen in a few countries in Eastern Africa, for example. It is clear that capacity strengthening, public education and awareness raising, and advocacy can contribute significantly to mainstreaming efforts. If issues related to the right to adequate food are included in food security and nutrition planning and policy documents, it creates a demand for rights-focused monitoring information within the context of those strategies and policies.

#### Introduce human rights approaches in ongoing monitoring

The ultimate goal is for rights-focused monitoring and rights-based monitoring to become standard routine activities. Rights-focused monitoring should build on ongoing monitoring activities and should add value to these processes by introducing rights-based approaches. The relevance of rights-focused monitoring, as part of monitoring and evaluation activities, is more easily demonstrated when major policy initiatives, strategies and action plans have a clear focus on right to food issues. Monitoring of the implementation of the National Food and Nutrition Strategy in Uganda, for example, envisages applying rights-based approaches, in line with the human rights underpinnings of the National Food and Nutrition Policy.<sup>12</sup>

---

<sup>12</sup> Government of Uganda. *National Food and Nutrition Policy*. Kampala, 2003. *National Food and Nutrition Strategy*. Kampala, 2005.

## Strengthen institutional capacities

Capacity building is a cross-cutting activity that is likely needed by all individuals, groups, households, communities, civil society organisations and government institutions. Practitioners in charge of, or involved in, monitoring measures related to the right to adequate food in general, need to have the capacity to assume their respective responsibilities. In recent years it has become more fully appreciated that to fulfil duties within a human rights framework necessitates capacity in several different areas. In essence, capacity is understood to mean to:

- Be motivated and clearly understand the relevance and importance of what you have to do.
- Have a degree of autonomy based on delegated authority.
- Be empowered with adequate access to human, financial and organisational resources.
- Possess the needed skills to undertake the tasks for which you are held responsible, including: technical skills, managerial skills, communications skills, and appropriate knowledge and insights commensurate with the duties they are being asked to undertake.

The Food Insecurity and Vulnerability Information and Mapping Systems (FIVIMS) is an inter-agency initiative that aims to assist countries with strengthening their information systems for the assessment and monitoring of food insecurity and malnutrition situations<sup>13</sup>. The overall goal is “to reduce food insecurity and vulnerability through better inter-agency and national coordination and networking on food security information systems”.

Most of the country level FIVIMS activities aim at strengthening capacities in the provision and utilisation of food security and nutrition information. Some of the analytical tools developed under the Food Insecurity and Vulnerability Information and Mapping Systems banner are discussed in Volume II within the context of rights-focused monitoring. In addressing identified weaknesses in national information systems, it is advisable to team up with the FIVIMS initiative and its national partners, and seek support in strengthening institutional capacities. This is recommended in the Right to Food Guidelines (see Guidelines 13.1 and 17.3).

## Awareness building and public education

Awareness building among right holders and duty bearers is essential in order to operationalise the right to adequate food at country level. People can only participate meaningfully if they have appropriate and credible information and if they are aware of the issues that affect their right to adequate food.

---

<sup>13</sup> FAO-FIVIMS. *Guidelines for National FIVIMS. Background and Principles. IAWG Guidelines Series No. 1. Rome, FAO, 2000.*

This also extends to the implementation of rights-based monitoring. Information providers (duty bearers) should clearly understand how to incorporate rights-based approaches in their monitoring activities. Right holders and duty bearers, as end-users of rights-focused monitoring information, should also understand how monitoring information can be used and interpreted to help them in their own sphere of action and respective responsibilities. In order to enable institutional decision makers and technical staff to become fully aware of rights-based monitoring approaches, and to help them link these to their own ongoing monitoring activities, specific efforts have to be undertaken including:

- Formulation of a well-articulated advocacy and communications strategy directed at managerial and technical staff with responsibilities for monitoring food security, nutrition and the incidence of poverty.
- Outlining how rights-based approaches can be incorporated into ongoing monitoring activities as part of an overall strategy, through the adoption of progressive and incremental ways that build capacity over time and respect resource constraints.
- Helping rights holders (or their representatives) understand how they can become active partners in rights-based monitoring.

National human rights institutions, such as the South African Human Rights Commission and the Uganda Human Rights Commission, as well as Non Governmental Organisation right-to-food networks that exist in India, Brazil and Uganda, for example, undertake awareness building activities targeted at both right holders and duty bearers. Human rights education can be promoted through the formal school system, and through professional and in-service training, as well as at community level in poor areas.

### **Mobilising right-to-food “champions”**

Often individuals are encountered who are aware of, and feel a personal commitment to, a cause they believe in. They may actively engage in advocacy on an individual basis, or as members of a group that has identified with that cause. These persons, particularly when they enjoy a certain personal status and universal recognition, may be called “champions”<sup>14</sup>.

Often they are easily identified, because of their high profile due to current or past accomplishments in their respective fields. Among them may be individuals who are committed to furthering human rights. If properly approached in transparent ways, these individuals may become powerful spokespersons for a right to food movement, and for the need to monitor progress with the realisation of the right to adequate food.

---

<sup>14</sup> Examples may include: ex-presidents, award-winning actors/actresses, known literacy or sports figures, renounced scientists.

## **Civil society-government partnerships in monitoring the right to adequate food**

Partnerships between government and civil society are increasingly recognised as important in the development and implementation of food security, nutrition and poverty reduction programmes. Community-based and non-governmental organisations, operating effectively at sub-national and community levels, are often more successful in reaching those most in need than government agencies. In some countries, civil society organisations play a significant role in monitoring the realisation of the right to adequate food.

This is the case in Brazil, where currently civil society-government partnerships are strong. Civil society organisations also develop and apply assessment and monitoring methodologies that are more participatory and more adapted to measure causes of food insecurity and malnutrition at local levels. Rights-based monitoring should take full advantage of government-civil society partnerships and appropriately incorporate relevant methodologies that are applied by non-governmental organisations.