

ANNEX 6.

PREPARING MONITORING REPORTS FOR INTERNATIONAL HUMAN RIGHTS BODIES

REPORTING GUIDELINES FOR THE GENERAL SECTION OF THE STATES PARTIES REPORTS

This general section of the CESCR reporting guidelines covers four themes as reproduced below.

CESCR Reporting Guidelines for Article 11 of the ICESCR, General Section⁵⁸

Land and people

1. This section should contain information about the main ethnic and demographic characteristics of the country and its population, as well as such socio-economic and cultural indicators as per capita income, gross national product, rate of inflation, external debt, rate of unemployment, literacy rate and religion.

It should also include information on the population by mother tongue, life expectancy, infant mortality, maternal mortality, fertility rate, percentage of population under 15 and over 65 years of age, percentage of population in rural areas and in urban areas and percentage of households headed by women. As far as possible, States should make efforts to provide all data disaggregated by sex.



⁵⁸ Initial parts of State Party reports (“core documents”) under the various international human rights instruments. Source: UN 2004.

CESCR Reporting Guidelines for Article 11 of the ICESCR, General Section - CONT.

General political structure

2. This section should describe briefly the political history and framework, the type of government and the organization of the executive, legislative and judicial organs.

General legal framework within which human rights are protected

3. This section should contain information on:

- a. which judicial, administrative or other competent authorities have jurisdiction affecting human rights;*
- b. what remedies are available to an individual who claims that any of his rights have been violated; and what systems of compensation and rehabilitation exist for victims;*
- c. whether any of the rights referred to in the various human rights instruments are protected either in the constitution or by a separate bill of rights and, if so, what provisions are made in the constitution or bill of rights for derogations and in what circumstances;*
- d. how human rights instruments are made part of the national legal system;*
- e. whether the provisions of the various human rights instruments can be invoked before, or directly enforced by, the courts, other tribunals or administrative authorities or whether they must be transformed into internal laws or administrative regulations in order to be enforced by the authorities concerned;*
- f. whether there exist any institutions or national machinery with responsibility for overseeing the implementation of human rights.*

Information and publicity

4. This section should indicate whether any special efforts have been made to promote awareness among the public and the relevant authorities of the rights contained in the various human rights instruments.

The topics to be addressed should include the manner and extent to which the texts of the various human rights instruments have been disseminated, whether such texts have been translated into the local language or languages, what government agencies have responsibility for preparing reports and whether they normally receive information or other inputs from external sources, and whether the contents of the reports are the subject of public debate.

Each of the four parts of the initial general section have been juxtaposed with references to chapters and sections in this volume which readers involved in the reporting process may consult. Experience with their relevance can feed back into the revision or further refinement of the various approaches and methods.

Guidelines for initial general reporting and relevant sections in this Volume

ITEMS IN THE CESCR GUIDELINES FOR GENERAL REPORTING	APPROACHES AND METHODS IN THIS VOLUME (by Chapter)
Land and people Demographic and socio-economic information about the country, when relevant and feasible broken down by gender.	Ch. 5 (F&N security situation analysis) Ch. 4 (including risk analysis) Annex 5 (Maps to show locational differences)
General political structure Political history, and the organization of the three branches of government.	Ch. 4 (<i>Policy and institutional framework</i>)
Legal framework for HR protection Authorities with jurisdiction over human rights, justiciability of human rights, recourse and remedy mechanisms, incorporation of international human rights commitments in national legislation and regulations, etc.	Ch. 4 (<i>Legal framework</i>) Ch. 4 (<i>Recourse and remedies</i>) Ch. 4 (<i>Role and capacity analysis</i>)
HR information and publicity Authorities responsible for preparing reports on human rights, dissemination of human rights reports, efforts at awareness raising and public education of human rights.	Ch. 7 (<i>Assesment of existing information systems and information gap analysis</i>)

Information requested under (a) of the CESCR guidelines for this section may be easy to find if a relevant information gap analysis has been conducted, and/or an updated inventory of existing information systems exists. Such an inventory may also tell whether and what measures are in place to monitor agrarian reforms and the agricultural sector (guideline (g)).

With respect to guideline (b), a vulnerability analysis in a particular country may result in the identification and characterisation of vulnerable groups that differ from those listed in the CESCR guidelines. For example, countries plagued by natural disasters or armed conflict may have large segment of the population who are internally displaced, and thus quite vulnerable. Therefore, the list in the guidelines should be taken as indicative, and each country-specific vulnerability analysis should generate a list for that country.

REPORTING GUIDELINES FOR THE SPECIAL SECTION ON THE RIGHT TO ADEQUATE FOOD

A similar approach follows with respect to specifically reporting on the right to adequate food. The entire section of the original reporting guidelines are presented in the box below. In the following table each item in this part of the reporting guidelines is listed, juxtaposed with relevant chapters and sections in this volume to which the reader is referred.

Reporting Guidelines for Article 11 of the ICESCR , Section on the Right to Adequate Food

- *Please provide a general overview of the extent to which the right to adequate food has been realized in your country. Describe the sources of information that exist in this regard, including nutritional surveys and other monitoring arrangements.*
- *Please provide detailed information (including statistical data broken down in terms of different geographical areas) on the extent to which hunger and/or malnutrition exists in your country. This information should deal in particular with the following issues:*
 - i. *The situation of especially vulnerable or disadvantaged groups, including:*
 - Landless peasants*
 - Marginalized peasants*
 - Rural workers*
 - Rural unemployed*
 - Urban unemployed*
 - Urban poor*
 - Migrant workers*
 - Indigenous peoples*
 - Children*
 - Elderly people*
 - Other especially affected groups;*
 - ii. *Any significant differences in the situation of men and women within each of the above groups;*
 - iii. *The changes that have taken place over the past five years with respect to the situation of each of the above groups.*
- *During the reporting period, have there been any changes in national policies, laws and practices negatively affecting the access to adequate food by these groups or sectors or within the worse off regions? If so, please describe these changes and evaluate their impact.*



Reporting Guidelines for Article 11 of the ICESCR , Section on the Right to Adequate Food - CONT.

- *Please indicate what measures are considered necessary by your Government to guarantee access to adequate food for each of the vulnerable or disadvantaged groups mentioned above and for the worse off areas, and for the full implementation of the right to food for both men and women. Indicate the measures taken and specify time related goals and nutritional benchmarks for measuring achievements in this regard.*
- *Please indicate in what ways measures taken to improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge have contributed towards, or have impeded the realization of the right to adequate food. Please describe the impact of these measures in terms of ecological sustainability and the protection and conservation of food producing resources.*
- *Please indicate what measures are taken to disseminate knowledge of the principles of nutrition and specify whether any significant groups or sectors within society seem to lack such knowledge.*
- *Please describe any measures of agrarian reform taken by your Government to ensure that the agrarian system is efficiently utilized in order to promote food security at household level without negatively affecting human dignity both in the rural and urban settings taking into account Articles 6 to 8 of the Covenant. Describe the measures taken:*
 - i. To legislate to this effect;*
 - ii. To enforce existing law to this effect;*
 - iii. To facilitate monitoring through governmental and non governmental organizations.*
- *Please describe and evaluate the measures taken by your Government in order to ensure an equitable distribution, in terms of both production and trade, of world food supplies in relation to need, taking into account the problems of both food importing and food exporting countries.*

Guidelines for initial general reporting and relevant sections in this Volume

ITEMS IN THE CESCR GUIDELINES ON THE RIGHT TO ADEQUATE FOOD	APPROACHES AND METHODS IN THIS VOLUME (by Chapter)
A. Sources of information.	Ch. 7 (Assessing existing information systems and information gap analysis)
B. Prevalence of hunger and malnutrition: i. vulnerable groups; ii. gender differences; iii. changes over time in the hunger and malnutrition prevalence of vulnerable groups.	Ch. 5 (<i>Identifying the most needy – vulnerability analysis</i>) “ “ “
C. Policy and legal changes affecting access to adequate food by vulnerable groups.	Ch. 4 (<i>Policy and institutional framework</i>) Ch. 5 (<i>Monitoring policy impacts</i>)
D. Measures to guarantee access to adequate food by vulnerable groups.	Ch. 4 (<i>Policy and institutional framework</i>) Ch. 5 (<i>Monitoring policy impacts</i>) Ch. 4 (<i>Monitoring implementation of political commitments through public budget analysis</i>)
E. Impact of measures on the realization of the right to adequate food.	Ch. 3 (<i>Indicators to measure the progressive realization of the right to adequate food</i>) Ch. 5 (<i>Food and nutrition security situation analysis</i>) Ch. 5 (<i>Monitoring policy impacts</i>) Ch. 5 (<i>Programme assessment & monitoring</i>)
F. Knowledge gaps in nutrition; dissemination of nutrition knowledge.	Ch. 3 (<i>Indicators to measure the progressive realization of the right to adequate food</i>) Ch. 5 (<i>Vulnerability analysis</i>) Ch. 4 (<i>Institutional role and capacity analysis</i>)

Guidelines for initial general reporting and relevant sections in this Volume - CONT.

ITEMS IN THE CESCR GUIDELINES ON THE RIGHT TO ADEQUATE FOOD	APPROACHES AND METHODS IN THIS VOLUME (by Chapter)
<p>G. Agrarian reform measures taken in conformity with Articles 6 and 8 of the ICESCR:</p> <ul style="list-style-type: none"> i. Legislation; ii. Law enforcement; iii. Monitoring. 	<p>Ch. 4 (<i>Assessing the legal framework</i>) Ch. 4 (<i>Assessing the legal framework</i>) Ch. 7 (<i>Assessing existing information systems and information gap analysis</i>)</p>
<p>H. Equitable distribution of world food supplies.</p>	<p>Ch. 4 (<i>Policy and institutional framework</i>) Ch. 5 (<i>Monitoring policy impacts</i>)</p>

REFERENCE SOURCES:

- ❖ UN (1991) Revised General Guidelines regarding the Form and Contents of Reports to be Submitted by States Parties under Articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights (E/C.12/1991/1), 17 June 1991.
- ❖ UN (2004). Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties. (HRI/GEN/2/Rev.2, Chapter I paras.1-4; Chapter II para 43), New York, 7 May 2004. <http://daccessdds.un.org/doc/UNDOC/GEN/G04/413/80/PDF/G0441380.pdf?OpenElement>



METHODOLOGICAL TOOLBOX ON THE RIGHT TO FOOD

The purpose of the Methodological Toolbox is to provide a practical aid for the implementation of the Right to Food Guidelines.

It contains a series of analytical, educational and normative tools that offer guidance and hands-on advice on the practical aspects of the right to food. It covers a wide range of topics such as assessment, legislation, education, budgeting, and monitoring. It emphasises the operational aspects of the right to food and contributes to strengthening in-country capacity to implement this right.

METHODOLOGICAL TOOLBOX ON THE RIGHT TO FOOD:

1. GUIDE ON LEGISLATING FOR THE RIGHT TO FOOD
2. METHODS TO MONITOR THE HUMAN RIGHT TO ADEQUATE FOOD [VOLUME I - VOLUME II]
3. GUIDE ON CONDUCTING RIGHT TO FOOD ASSESSMENT
4. RIGHT TO FOOD CURRICULUM
5. GUIDE ON RIGHT TO FOOD BUDGET ANALYSIS



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