

BUDGET WORK TO ADVANCE THE RIGHT TO FOOD

'Many a slip...'





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A decorative graphic consisting of two overlapping wavy lines. The top line is light grey and the bottom line is magenta. They start on the left side and curve downwards and then upwards towards the right side of the page.

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Preface

*Freedom from hunger is one of the fundamental goals of the Food and Agriculture Organization of the United Nations (FAO), and the right to food is one of FAO's nine priority areas. This priority was reflected in FAO's work with governments to develop the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the context of National Food Security. The **Right to Food Guidelines**, which are intended to provide practical guidance to States in their implementation of the right to food, were adopted by the FAO Council in November 2004. They specifically encourage States to allocate financial resources to guarantee food security for all, and to do this in a transparent and accountable manner.*

The Right to Food Unit of FAO is mandated "to develop methods and instruments to assist stakeholders in the implementation of the right to food," as well as to "inform and educate to raise awareness and understanding by right holders, duty bearers, civil society and the general public about the right to food". It was within the context of this mandate that in 2006 the Unit initiated discussions with the International Budget Partnership (IBP) about collaborating on developing a guide on how to use budget work to advance the right to food.

***Budget Work to Advance the Right to Food** was developed through a three-part process: (1) an initial workshop, held in October 2007, to develop a methodology for integrating budget work into right to food monitoring, documentation and advocacy; (2) case studies undertaken in three countries to test the methodology; and (3) a second workshop, held in June 2008, to examine the findings of the case studies and develop an outline for this guide.*

FAO was and remains interested in budget work for several reasons:

- *Hunger and malnutrition often have multiple causes and need to be tackled on a number of fronts. Budget analysis could be helpful in identifying if and when a government's budget choices are one of the causes.*
- *The right to food places specific obligations on governments. One way governments can meet those obligations is through allocating and spending funds available in the budget. Budget work can help determine if a government is allocating and spending those funds in line with its right to food obligations.*
- *A right to food analysis of a situation might suggest certain policy or programme choices. Budget work can assist governments, legislators and civil society organizations (CSOs) to identify the cost of those choices, and where funding for those choices might be found in the budget.*

- *Because resources are so limited and the reality of hunger and malnutrition so compelling, it is essential that a government's resources be used in a highly efficient manner. Budget analysis enables both government and civil society to assess whether the government's limited resources are being utilized in the most efficient and effective ways possible.*

Our thought was to build on the understanding and processes reflected in Dignity Counts: A guide to using budget analysis to advance human rights, an earlier initiative undertaken by IBP and two of its partner organizations, that illustrates how budget analysis might be used to advance human rights. Our interest and objective was to develop a more elaborated guide, one that would specifically explore some of the many complex ways that government budgets relate to the right to food, and would examine how it might be possible to assess and improve upon a government's compliance with its right to food obligations through looking at and working with its budget.

*We believe that we have achieved our objective in this publication, **Budget Work to Advance the Right to Food**. The guide has been developed with a number of users in mind, particularly CSOs, as well as interested legislators and government institutions, such as national human rights commissions. We hope that they and others will find that it contributes unique and important information and insights to their work, and, in so doing, advances their invaluable and diverse efforts to realize people's right to food.*

Barbara Ekwall

*Coordinator,
Right to Food Unit
Agricultural and Development Economics Division*

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Many people have made significant contributions to the development of the guide, and we are very grateful to them. Frank Mischler of the Right to Food Unit initiated and supervised the implementation of the project; Helena Hofbauer and Vivek Ramkumar of the International Budget Partnership assisted in conceptualizing the project and developing the case studies, and; Ann Blyberg, Executive Director of the International Human Rights Internship Program (IHRIP), coordinated the project and, in consultation with the Right to Food Unit and IBP, wrote the guide. IHRIP also hosted the two workshops.

FAO wishes to acknowledge the teams that designed and implemented the three country case studies cited in the guide. In Guatemala: Ricardo Zepeda and Carla Caxaj Álvarez of Centro Internacional para Investigaciones en Derechos Humanos (CIIDH); in the Philippines: Glenda Litong, Amado 'Bong' Mendoza and Nick Fontanilla of Economic, Social and Cultural Rights Asia (ESCR-Asia); and in Uganda: Daisy Owomugasho of the Uganda Debt Network and James Kintu of ActionAid International–Uganda.

The contributions from the drafting team are gratefully acknowledged: Helena Hofbauer drafted significant portions of Chapter 4 of the guide. Biraj Patnaik, Principal Adviser to the Office of the Commissioners to the Indian Supreme Court on the Right to Food Case, wrote the piece on the Right to Food Campaign in India in Chapter 4. Frank Mischler is responsible for the Mozambique and Brazil examples in Chapter 4. Vivek Ramkumar wrote the Costing section of Annex 2.

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All participants and FAO's Right to Food Unit provided detailed comments on various drafts of this guide.

Acronyms and Abbreviations

AAI–Uganda	ActionAid International–Uganda
AWCs	Anganwadi Centre
CIIDH	<i>Centro Internacional para Investigaciones en Derechos Humanos</i> [International Center for Research in Human Rights]
CONSEA	<i>Conselho Nacional de Segurança Alimentar e Nutricional</i> [National Council on Food and Nutritional Security]
CPI	Consumer Price Index
CSO	Civil society organization
FAO	Food and Agriculture Organization of the United Nations
FIAN	Food First Information and Action Network
GDP	Gross Domestic Product
IBP	International Budget Project [now International Budget Partnership]
ICCPR	International Covenant on Civil and Political Rights
ICDS	Integrated Child Development Service
ICESCR	International Covenant on Economic, Social and Cultural Rights
IHRIP	International Human Rights Internship Program
LGU	Local government unit
MAGA	<i>Ministerio de Agricultura, Ganadería y Alimentación</i> [Ministry of Agriculture, Livestock and Food, Guatemala]
MTEF	Mid-Term Expenditure Framework
MTN	New Metical [Currency of Mozambique]
NAADS	National Agricultural Advisory Services
NFNS	National Food and Nutrition Strategy
NGO	Non-governmental organization
PEAP	Poverty Eradication Action Plan
PETS	Public Expenditure Tracking Survey
PMA	Plan for the Modernization of Agriculture

PRSP	Poverty Reduction Strategy Paper
PUCL	People's Union for Civil Liberties
SISAN	<i>Sistema Nacional de Segurança Alimentar e Nutricional</i> [Food and Nutritional Security System]
UDHR	Universal Declaration of Human Rights
UDN	Uganda Debt Network
UFNP	Uganda Food and Nutrition Policy of 2003
UN	United Nations
VAT	Value-added tax
VLE	<i>Vaso de Leche Escolar</i> [Student Glass of Milk]



INTRODUCTION

Lying on a bed is a tiny malnourished child. Her limbs wasted, her stomach bloated, her hair thinning and falling out. Her name is Roshni. She stares, wide-eyed, blankly at the ceiling. Roshni is six months old. She should weigh 4.5 kg. But when she is placed on a set of scales they settle at just 2.9 kg. Roshni is suffering from severe acute malnutrition, defined by the World Health Organization as weighing less than 60 percent of the ideal median weight for her height. There are 40 beds in this centre. On every one is a similar child. All are acutely malnourished. Wailing, painful, plaintive cries fill the air. This is the Nutrition Rehabilitation Centre in the town of Shivpuri ... this is the central Indian State of Madhya Pradesh – modern India, a land of booming growth. “The situation in our village is very bad,” says Roshni’s mother, Kapuri. “Sometimes we get work, sometimes we don’t. Together with our children we are dying from hunger. What can we poor people do? Nothing”.¹

As this guide is being written, the Web, TV and newspapers are filled with stories of whole villages and poor urban communities suffering severe hunger, and of food riots breaking out in response to recent dramatic increases in the price of food. Economic growth does not, in itself, guarantee that people will have access to adequate, nutritious food. Economic growth does not guarantee work for everyone, work that would provide people with direct access to food or to an income sufficient to buy adequate food for themselves and their families.

Resolving the food crisis will be difficult in both the short and long term, because complicated causation needs to be untangled, and solid government policies and programmes, along with corresponding budgets, need to be developed and put in place. While world leaders meet to discuss what to do, however, there is a constant that everyone needs to keep in mind, which is that people have a *right to food*.²

1 http://news.bbc.co.uk/2/hi/south_asia/7445570.stm (Accessed, 19 June 2008).

2 The concept of and legal framework for the right to food is discussed in Chapter 1.

Whatever policies, programmes and budgets are developed, they must be ones best designed to guarantee the right to food of everyone in the world, with priority concern being given to the most vulnerable, people like Roshni and her family.

To ensure that the right to food is realized in today's world, concerned organizations, institutions and individuals will need to devote all of the resources and tools they can muster to ensure that these policies, programmes and budgets are well designed and effectively implemented. One tool that is available to civil society organizations (CSOs), legislators and government institutions—a tool that holds real promise but is as yet relatively unknown—is analysis of and other work on government budgets.

THE RIGHT TO FOOD AND GOVERNMENT BUDGETS

Human rights are essentially about human dignity. In thinking about human rights, it is thus helpful to ask: What is necessary to ensure that people can live their lives fully and with dignity? Food is central, as people literally cannot *live* without food, and without adequate food, cannot live full lives. If someone has no access to food, she becomes weak and debilitated, as has happened to Roshni and her family, and in such a state, her dignity eludes her.

The simple fact that food is essential to life and to human dignity underlies the broad consensus that food should be and is a right. That consensus is reflected in right to food guarantees in the national constitutions of many countries,³ and since 1948, food has been recognized as a right in international law (more on this in Chapter 1).

Recognition in the law does not, in itself, ensure that food will be available and accessible to all. To ensure that the right to food really means something, governments (in collaboration with civil society) need to develop policies, plans and programmes that are effective in addressing food issues and advancing the right to food. This is where a government's budget comes in, because policies, plans and programmes cannot be implemented without funding. And in some ways, governments' budgets are a truer measure of their commitment to realizing the right to food than are their policies and plans. 'Putting your money where your mouth is' is the familiar and simple way of saying that it is easier to talk about a problem than to do something about it. That is why people sit up and pay attention when a government allocates a lot of money to an area, because they see large allocations as a real measure of what the government thinks is important.

³ Bangladesh, Brazil, Haiti, Iran, Nigeria, South Africa and Ukraine, among others. For further information on national-level guarantees, see Case study no. 6, 'Recognition of the Right to Food at the National Level,' pp. 111–140, in: FAO. 2004. *The Right to Food Guidelines: Information and Case Studies*. Available at <http://www.fao.org/docrep/meeting/009/y9825e/y9825e00.htm> (accessed 25 July 2008).

Not all access to food issues are integrally related to the government's budget. It might be useful to think of right to food–government budget relationships as flowing along a spectrum:

Figure 1. Relationship of Right to food to government budgets



This figure deserves amplification.

Mindset change

In many societies, women and girls disproportionately suffer hunger and malnutrition because of cultural factors that say they should eat only after the men and boys in the family have eaten their fill. When there is insufficient food to go around, this means that women and girls go hungry. The principal challenge in this case for those who want to increase enjoyment of the right to food is to change the mindset that says that women and girls are less important than men and boys. While there may be some budget implications (e.g. for awareness-raising programmes), movement on this issue is more centrally dependent upon other types of interventions.

Enabling factors

Ensuring the right to food does not mean that the government has to give everyone food. It does have an obligation, however, to ensure that people are in a position—economically, geographically and so on—to have access to food. This is where enabling factors come in. Government policies and programmes should, for instance, enable people to acquire land so that they can grow food to feed themselves and their families. This means that the government may need to establish a body to design and implement a land distribution system, and the government may also need to invest some funds in purchasing land. Infrastructure is another enabling factor. Governments should invest in roads, so that farmers

can bring their goods to markets. There are many, many such enabling factors, but all are likely to require government funding, some more than others.

Direct interventions

There are some situations where people's access to food is directly dependent on government interventions, and government funds. The clearest examples are situations of widespread hunger, such as result from a drought or other natural disaster. In these cases, people have been deprived of their ability to access food through relying on their own resources, and only government action and government funds can ensure that they get essential food.

However, even if there is a relationship between an issue of concern and the government's budget, it might be that focusing on budget figures should not be (or cannot be) the highest priority. Two possible situations are:

- Being concerned about human rights means being concerned not only with *what* a government does, but *how* it does it. This means that it is not enough that the government has allocated money towards food-related programmes or has even spent a lot of money on those programmes. The government also has an obligation to ensure that people have participated in defining the problems and solutions related to access to food that the government seeks to tackle through its budget. People must have a genuine opportunity to voice their views about the priorities reflected in the government's budget. This is their right to participation. It may be guaranteed in their national constitutions. It is certainly guaranteed in international law.⁴

In addition, the government has an obligation to ensure that people have access to the information they need to be able to assess the government's budget. This includes not only the budget documents themselves, but related policies, plans and programme designs as well as reports. This is people's right of access to information.⁵

It may be that the central or immediate problem is not in the budget figures themselves, but in people's exclusion from the budget process and from access to budget information. If it is, then this is likely the more appropriate focus for attention.

4 Universal Declaration of Human Rights (UDHR), Article 21, and International Covenant on Civil and Political Rights (ICCPR), Article 25. See also Right to Food Guidelines, Introduction, para. 19.

5 UDHR, Article 19, and ICCPR, Article 19. See also the Right to Food Guidelines, Guideline 7.3.

- Before there is a budget, there is, or there should be, a policy.⁶ With regard to the right to food, the government should have policies related to various issues that affect access to food, including agriculture and agricultural productivity, food security and emergency food provision. It should also ensure that functioning institutions and government agencies are in place to implement these policies. An initial question for those concerned about the impact of the government's budget on the right to food is whether such policies (and related plans, programmes and projects, as well as institutions) exist. If they do, then the question becomes: Are they well designed; in other words, will they efficiently and effectively enhance people's access to food, and enjoyment of their right to food? If there are no policies or if they are not well designed, then perhaps rather than looking at figures in the government's budget it is more important to assess the policies, plans and programme designs (as well as institutional functioning), and propose improvements (using, among other things, right to food standards).⁷

BUDGET WORK TO ADVANCE THE RIGHT TO FOOD: WHAT IT SEEKS TO DO

An old English proverb says 'There's many a slip between cup and lip.' The saying simply means that no matter how good a person's intentions and plans may be, many things can, and typically do, go wrong in realizing them. There are undoubtedly similar sayings in many countries and cultures, because these 'slips' are human—and government budgets do not escape this phenomenon. Governments may have visions about a food-secure society and detailed plans for realizing the right to food, but, even with good intentions, those visions and plans are typically not realized as they were originally conceived and articulated.

Budget Work to Advance the Right to Food is a guide that focuses on some of the many slips between government rhetoric and plans, and their realization. It focuses on those situations where the government's budget is or appears to be an important factor in a right to food problem, situations where changing the revenue or allocations in the budget, or changing the way the government spends its money, is likely to make a positive difference to people's enjoyment of their right to food.

6 In the context of this publication, policy means a government's statement of its broad vision and intent with regard to a specific area. An example of a policy would be Uganda's Food and Nutrition Policy, adopted in 2003. A policy is not legally binding, whereas a law that has been duly adopted is. An example of a law would be Uganda's Land Act of 1998. A budget should reflect what is stated in policies, and should be in line with existing law. This guide discusses, among other things, Uganda's budget as it relates to specific agriculture- and food-related policies and laws.

7 Guideline 2 of the FAO Right to Food Guidelines specifically addresses a government's economic development policies and how these relate to poverty, hunger and access to food (FAO, 2004).

The guide is intended to assist members of civil society as well as government institutions, such as national human rights commissions or legislative committees, that have responsibilities for monitoring government actions related to the right to food, to learn more about the government's budget and its relationship to ensuring realization of the right to food. The guide seeks to shed light on questions such as:

- In looking at a government's budget, is it possible, and if so, how is it possible, to know if the government is complying with its right to food obligations?
- What knowledge and skills are essential, or at least helpful, to the task?
- How does one go about making an appropriate assessment, and how does one present the findings?

BOX 1. Budget analysis vs. budget work

In this guide we use the term 'budget analysis' to mean work related to analyzing figures in the government's budget—whether those are revenue, allocation or expenditure figures. The analysis may be of figures presented in the budget itself or in other government in-year or end-year (audit) reports. 'Budget work', in contrast, can include budget analysis, but also encompasses work such as expenditure tracking of various sorts, assessments of the impact of government expenditures, community education about the budget, advocacy related to the way the budget impacts the poor, and so on.

Budget Work to Advance the Right to Food does not provide a comprehensive treatment of the right to food, government budgets, or the relationship between the two. The right to food is a broad, multi-faceted topic. To ensure that the guide is manageable, it is focused on a limited number of right to food issues, although efforts have been made to include ones that will be relevant to the experience of many people. Similarly, although much could be said about government budgets, coverage of that topic is limited as well, with the emphasis being on those elements in a budget that are most relevant to human rights work, and on methodologies and tools for analyzing budgets that seem of particular help in that work.

It will not be surprising then to learn that the guide is not a 'stand alone' document, but is written in the expectation that if more information is needed beyond the brief summaries or explanations provided on various topics or issues, the reader will track down additional materials. To that end, references to useful resources have been made at various points in the text and listed in References.

BUDGET WORK TO ADVANCE THE RIGHT TO FOOD: HOW IT IS ORGANIZED

Organizations that regularly do human rights budget work explain that determining how best to use budget analysis or budget work to address a human rights issue involves them in a process of moving from a relatively large picture of an issue (the top portion of the inverted pyramid) to a narrower one (the bottom portion), from a more general understanding of the role of a government's budget in causing and potentially resolving an issue, to a deeper, more focused, understanding of how a specific government policy, programme and related budget allocation or expenditure needs to be modified.

Figure 2. From the general to the specific



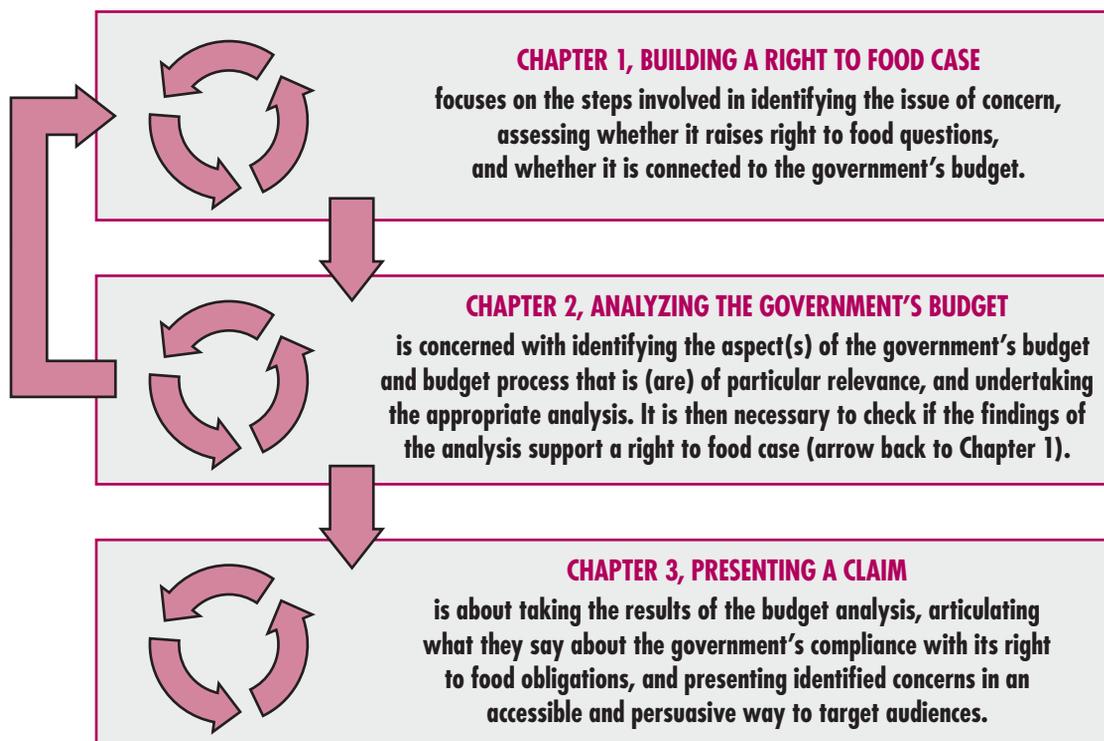
Budget Work to Advance the Right to Food seeks to replicate this exploration. It provides step-by-step guidance, through explanation and examples, of a process of moving from a relatively broad statement of an issue, towards defining it more precisely, identifying the budget dimensions of the issue and doing the budget analysis work, and, finally, deriving and presenting accurate conclusions and recommendations on the role of the government's budget in a right to food situation, as in Figure 2.

'Step-by-step' may give the impression of a rigid process, but the process can, in reality, be approached with flexibility. Some groups have started budget work at a point different from the first step discussed in Chapter 1, and they have not followed the order set out in this book. At the same time, there is a logic to the process presented in this guide, one that can usefully be followed.

Budget Work to Advance the Right to Food is divided into two principal parts, which are followed by two annexes:

- Part one, comprising Chapters 1 to 3, is the ‘how to’ part of the guide, and discusses in some depth the steps just mentioned. Throughout these chapters many of the points made are illustrated using information and insights gained from three country case studies (in Guatemala, the Philippines and Uganda). A concept that will be used several times throughout these three chapters is ‘iterative.’ An iterative process is one that involves repetition, going back over the same steps once, twice or more times; i.e. revisiting an issue in order to define it more precisely, re-analyzing the budget problem to develop a deeper understanding of it, or rephrasing conclusions so that they communicate the research findings and the related concerns more clearly. This type of iterative process is familiar to anyone monitoring and documenting human rights issues, and it is one that is critical to human rights and budget work. Here is a picture that tries, in very simple form, to illustrate the iterative process discussed in Chapters 1 to 3.

Figure 3. Budget work on a right to food case: A process



This process will be discussed in greater depth in those chapters.

- Chapter 4 is the only chapter in Part two of the guide. Part one focuses on the steps of a process that can be undertaken by civil society groups as well as legislators and government institutions, such as national human rights commissions and ombudspersons. Chapter 4 is in a Part of its own, because it talks about initiatives designed to create something approaching a right to food budget; i.e. a budget that is quite comprehensive in its provisions related to elements of the right to food. Because of the complexity of the analyses involved in such initiatives as well as the need for access to key government information and processes, such initiatives effectively depend on significant government involvement. Chapter 4 provides information about three different, all very interesting and important, initiatives (from Brazil, India and Mozambique), two of which involve the challenging and essential process of costing (explained in the Annex 2).
- The guide concludes with two annexes that contain information referred to at points in the four preceding chapters, related to Governments' international human rights obligations and the Right to Food Guidelines (Annex 1), and budget classifications, budget calculations and costing (Annex 2).