

THE RIGHT TO ADEQUATE FOOD

- *GUIDE FOR RAPID ASSESSMENTS* -

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“The right to food is the right of every man, woman and child to have physical and economic access at all times, individually or collectively, in a regular and permanent form, to adequate and sufficient food or the means for its procurement, in ways consistent with cultural tradition and human dignity.”

WHY A GUIDE FOR CONDUCTING THE RIGHT TO ADEQUATE FOOD ASSESSMENT?

More than 850 million people worldwide do not have enough food to have an active, healthy and decent life according to the latest FAO estimates corresponding to the period 2001-2003. Despite the efforts made to reduce the number of hungry people, no significant achievements have been made to date. Today, the world produces enough food to feed the double of its current population; therefore, it is clear that the problem is not related to food availability but rather to the unequal distribution of resources that enable the people to feed themselves partly due to the lack of political will of the states to meet its obligations.

Access to adequate food is a fundamental human right which implies State's obligations and collective responsibility. The human right to food is established in many declarations and treaties approved and ratified by the United Nations Member States¹. These Member States have also committed to drastically reduce the number of hungry people².

The right to food (RTF), as any other human right, imposes upon States certain **obligations** which should be fulfilled. This includes the obligation that requires States to take steps to accomplish the respect, protection and effective fulfilment of the right to adequate food (i.e. adopting legislative measures, public policies and strategies, creating institutions...). Such steps should result in the improvement of the situation of the right to food and, therefore, in the quality of life of the population, particularly vulnerable groups.

¹ Including the Universal Declaration of Human Rights (1948) and the International Covenant on Economic, Social and Cultural rights (ICESCR, 1966) and the Convention on the Rights of the Child (1989)

² In 1996 World Food Summit (WFS), 185 countries made the commitment of halving the number of people suffering hunger by 2015. This commitment was endorsed in the WFS: five years later in 2002. In the Millennium Declaration (2000) the First Goal aims at the reducing by half the proportion of people who suffer from hunger also by 2015.

- The obligation to **respect** the existing access to food and resources requires States not to take any measures that result in preventing such access.
- The obligation to **protect** requires measures taken by the States to ensure that enterprises or individuals do not deprive individuals or groups of their access to adequate food and resources.
- The obligation to **fulfil** incorporates both an obligation to facilitate and an obligation to provide the right. The obligation to **fulfil (facilitate)** means that States must pro-actively engage in activities intended to strengthen people's access to resources and their uses, as well as the means to ensure their livelihood, including food security. The obligation to fulfil requires measures by the state to identify marginalized and disadvantaged groups and to design policies and programmes that improve their access to food-producing resources or income. The obligation to fulfil can only be realized progressively, but with the use of maximum of available resources.

The obligation to **fulfil (provide)** the right means that whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to fulfil that right directly, to provide resources so that individuals may gain access to food or provide them with food (or money to buy food). This obligation also applies for persons who are victims of natural or other disasters.

- The obligation to **ensure non-discrimination**. The principle of non-discrimination is inherent to human rights. The non-discrimination principle has to be applied immediately and is not dependant on available resources and development level. States must under no conditions discriminate "de jure" or "de facto" parts of their population when it comes to their enjoyment of rights.

In 2004 an important step was taken when the "Voluntary Guidelines on the Right to Food" were adopted by the FAO Council and approved by Governments. The "Voluntary Guidelines" offer a practical tool on how to develop and implement strategies and specific measures that are expected to **progressively** lead to the realization of the right to adequate food at the national level. As a first step in the process to develop national strategies, it recommends to carry out an assessment on the existing food security situation, national legislation, policy and administrative measures, current programmes, systematic identification of existing constraints and availability of existing resources.

In this context, one of Action Aid's main objectives is to **support civil society organisations in developing countries, helping them to effectively contribute to the realization of the right to adequate food**. Civil society organizations are usually very close to the vulnerable groups who are suffering from the impacts of the failure to realize the right to food. As a result, they are key actors in the identification of deficiencies and problems that interfere with or prevent the realization of the right by State activities.

Action Aid is supporting several civil society networks through IFSN project and soon will be launching an International campaign for the Right to Food denominated "HungerFREE" planning to provide its local partners with training and support for undertaking assessments on the realisation of the right to adequate food in their countries.

A complete assessment would consist of the review of State's public policies and institutions, as well as the fulfilment of its obligations to realize the right to food. This includes whether the State has taken immediate steps to respect, protect and fulfil this right and whether policies and institutions contribute to the progressive realization of the right to food. However and due to time and financial constraints, the present exercise will

focus on some cases studies of vulnerable groups and the identification and analysis of precise actions and omissions on the part of the relevant authorities with regard to their problems.

Once the assessment has been carried out, civil society organizations will have documented information that could be used for awareness raising amongst public opinion about state performance concerning the right to food and the fulfilment of related obligations, establish specific demands related to concrete cases of violations in order to put a stop on them, and encourage change on the part of national authorities.

At the end of Action Aid's training and the practical experience gained during this exercise, civil society organizations will be prepared and motivated to continuously monitor the realization of the right to food by State authorities.

Table 1 - When does a violation of the right to food occur?

"Violations of the Covenant occur when a State fails to ensure the satisfaction of, at the very least, the minimum essential level required to be free from hunger. Furthermore, any discrimination in access to food, as well as to means and entitlements for its procurement, on the grounds of race, colour, sex, language, age, religion, political or other opinion, national or social origin, property, birth or other status with the purpose or effect of nullifying or impairing the equal enjoyment or exercise of economic, social and cultural rights constitutes a violation of the Covenant. "

Paragraph 17 of General Comment No. 12

FIAN, an organization exclusively dedicated to the struggle for the implementation and realization of the right to adequate food, has developed a monitoring tool which provides very clear information on how to identify the violations of this human right. Some of the main points are the following:

- If the State does not fulfil its obligations to take steps, not discriminate, respect, protect and fulfil the right, causing damage to a person or a group, and the damage can be attributed to the State, the right to food is violated.
- The obligation for the full realization of the right includes the obligation to adopt public policies or strategies that establish specific programmes and the necessary institutions for the realization of the right. In the framework of adopting and implementing these public policies various types of violation might occur:
 - o Failure to adopt adequate policies;
 - o Adoption or implementation of inadequate policies;
 - o Total lack of or inadequate implementation of policies.

Two types of violations caused by public policies or their absence could be identified during the assessment exercise: Grave violations (constitute severe abuse) and Systematic violations (refer to the scale of prevalence of violations or to existence of scheme or policy directing violations). Those are the more recurrent, and should be focus of inquiry.

OBJECTIVES OF THE ASSESSMENTS

This exercise will primarily contribute to:

- Identify cases of violations of the right to adequate food, report them to the UN Rapporteur on the RtF and other available national human rights institutions and disseminate them through the media
- Guide civil society organizations in defining key priorities regarding the right to adequate food for interventions and work during 2007 and 2008, and establish a National Working Group on the Right to Food that will develop simple and “easy to follow” indicators to monitor progress.
- Mobilise and allow national food security networks and organisations participating in the “International Food Security Network Project” to actively participate in Action Aid campaign and other initiatives in support of the realization of the right to adequate food.

The present guide is a methodological tool which aims to facilitate the work of civil society organisations when undertaking these assessments, and standardize the reports of the different countries.

HOW DO WE START?

- a) **The coordinating team:** A team composed of 6/7 active civil society organizations (participating in the national civil society network for food security when in place) should be established. The team should include the national IFSN coordinator and, if possible, staff from different AA themes (Human security, women's rights, governance education for example). The team members should have well-developed analytical skills, broad knowledge of the political, socio-economic and cultural characteristics of the country and enough time to undertake the assessment.

A coordinator should be elected by the team members. He/she will be responsible for supporting and making more dynamic the work of the team members, meeting the deadlines according to the approved work plan and consolidating the final document.

- b) **The work plan:** The team members should elaborate a detailed work plan which will include: the objectives of the assessment, the activities to be carried out, who will carry them out, which methodology will be used for each activity, the chronogram and the budget. A tentative programme is shown in Annex I.

It should be taken into account that the exercise has to be completed in a 4 month period. It is recommended that each team member is responsible for one phase of the assessment.

c) **The methodology:** The assessment has been divided in various phases. Each phase will have a specific methodology. The methodologies that will be used are the following:

- Information gathering through internet, official documents, and other documents and reports prepared by governmental institutions, UN, NGOs and civil society organizations. References will be provided.
- Interviews: Key representatives from Government, UN, NGOs and other institutions will be interviewed.
- Participatory workshops: Workshops will be held with the key food security stakeholders and representatives of vulnerable groups in the country. The objectives of the workshops as well as the expected products should be defined in advance.
- Case studies: The case studies will be identified during the workshops. This Guide provides the criteria and methodology for undertaking the case studies.
- Report writing: Recommendations and tips about the structure and content will be provided for writing the final report.

Table 2. Phases of the exercise

I. Learning about the context:

- Poverty and food insecurity
- Human Rights Commitments

II. Defining the scope and target of the assessment

- 1st Workshop on the right to food assessment

III. Analyzing the causes of food insecurity with rights-based approach

- Cases studies

IV. Defining violations, responsibilities and next steps

- 2nd Workshop on the right to food assessment

V. Writing the report

Phase I - Learning about the context

Objective of this phase

An assessment on the right to adequate food should start with knowledge of the environment in which this work will be carried out. This will enable us to have a general vision on the food insecurity situation of the country and the commitments acquired and related to the right to food.

This work of documenting and analysing the context must be completed with as much rigour as possible. The information available will enable us to conclude on the will and political and operative responsibility with which each country addresses the right to food. The working team should dedicate no more than 15 days to this task.

The results of this first phase will be included in a brief and concise report.

a. Information on poverty and food insecurity

Key points for analysis:

- To have basic indicators from international and national sources
- To have specific indicators on the more vulnerable groups
- To have information on one-off or recurrent food crises

Firstly, information will be compiled on general indicators on poverty and food insecurity in the country. The technical team should obtain information on the following basic indicators at least:

- Human development index (HDI): Index made up by life expectancy, literacy rate and GDP per capita
- Poverty index: percentage of population under the poverty line
- Index on income inequity or GINI
- Number and percentage of undernourished population: Population whose food intake does not cover their energetic needs in a continuous manner
- Chronic malnutrition (low height/age) and global malnutrition (low weight/age) amongst children under 5 years of age

This information can be found in:

- o UNDP's human development reports (www.undp.org)
- o FAO's food insecurity report (www.fao.org/sof/sofi/index_en.htm)
- o Millenium development goals (<http://mdgs.un.org/unsd/mdg/Data.aspx>)
- o World Bank (<http://devdata.worldbank.org/wdi2005/section2.htm>)

Existing sources should also be looked at in each country in order to gain knowledge on more updated and specific data for each country case. In addition to the general information of the country, available information should also be collected on food insecurity indicators amongst specific groups and geographical areas with the highest vulnerability. A special effort should be done to gather sex disaggregated data.

For example, the most vulnerable groups can be: population with HIV, ethnic or other groups living in extreme poverty situations, groups with micronutrient deficiencies (pregnant women, children ...), landless people, rural workers, indigenous people, marginal urban areas, elderly, etc.

Once data is analysed and checked for its reliability, a careful selection of the most representative and striking facts should be made, which will then be used during the assessment process.

This will also be the moment to analyse one-off or recurrent factors that have created food crises relevant to each country, to know the magnitude of the crises and to analyse the efficiency of the measures taken up to respond to them and the appropriateness of these responses (including timeliness).

b. Commitments related to human rights

Key points for analysis:

- Get to know the international commitments of the country concerning human rights
- Get to know the degree of incorporation of the right to food and related rights in national legislation and poverty reduction strategies as also the existence of national structures with civil society participation contributing for the institutionalization of the Right to Food.
- Get to know the available mechanisms in place to remedy and report violations of this right

Human rights are supported or protected by international treaties and conventions that are signed and ratified by the States that agree to abide by them. When a treaty comes into force, the States which ratify it are obliged to respect the agreed commitments.

Therefore, one of the fundamental aspects that we should know is **the degree of international commitment to human rights in each country**. Here, the current state on the signing and ratifying process of treaties and conventions relating to human rights should be revised. In particular, the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political rights (ICCPR) the Convention on Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women and the International Labour Organisation Conventions (freedom of association, right to organise...).

It is also important to know the officially assumed obligations under international humanitarian law – the 1949 Geneva Conventions and its Additional Protocols – which are protecting the humanitarian needs of the civil population, and thus, the access to food in situations of armed conflict and occupation.

In order to get to know the commitments of each country, the web page of the Office of the UN High Commissioner for Human Rights (www.ohchr.org/english/countries/) is recommended.

The level of international commitment is also represented in the signed and ratified treaties at a regional level, such as the African Charter on Human and People's Rights (see www.oau-oua.org) and the Additional Protocol to the American Convention on Human Rights (see <http://www.oas.org>).

The following step will entail getting to **know the level of incorporation of these international commitments and the right to food and other related rights in the national legislation**. Here, there is the need to analyse the specific references made to the right to food and related rights in a country's Constitution. This means making a thorough revision of the Magna Carta and compiling all the reviews which mention approaches concerning the respect, protection or fulfilment of the right to adequate food. Here, it is important to detect whether the right to food is considered as an individual right and whether it can be supported by legal processes.

Special attention is needed during the process of revision, given that it is possible that aspects are mentioned, which are much related to this right, without explicitly mentioning the right to food. For example, in Malawi's Constitutions, there is a statement on "the obligation of the State to eradicate social injustice and inequality and to justify its policies according to this responsibility". This makes up a fundamental starting point for the right to food, without actually explicitly mentioning this right.

The next step will be to learn about the level of incorporation of these commitments and the right to food in the poverty reduction strategy or the main medium-long term development strategy of the country. The construction process of this strategy should be analyzed with an emphasis on getting to know the degree of legitimacy and participation of the civil society representatives during its preparation and the formal existence of appropriated spaces for negotiation and dialogue at local and national levels. In reviewing the contents of the strategy, we should address the following questions:

- Is reference made to human rights in these documents?
- Is the issue of food security, rural development and/or nutrition addressed?
- To which extent are approaches based on the right to food taken into account?

Key criteria are suggested in Table 3 to facilitate the analysis of these strategies through a right to adequate food approach.

Table 3. Criteria to analyse strategies from a right to food approach

The human rights principles that guide the design, implementation and evaluation of policies enable us to pose some basic questions, which should be taken into account when defining strategies based on the right to food:

- **Participation** - Was this strategy discussed with the most vulnerable groups due to their food insecurity situation? There is a specific forum in which Civil Society can participate in the discussions concerning the Right to Food related legislation ? Considering the way this strategy is defined, can the most vulnerable take advantage of it?
- **Equity** - Do the strategies identify the most vulnerable groups? Does it propose measures directed at eliminating social injustice and inequalities? To what extent is it oriented towards solving the food insecurity situation of the most vulnerable groups in a sustainable manner?
- **Transparency** - Are the available objectives, instruments and resources of this strategy clear for the beneficiary population? Is the decision-making and participation process of each of the involved institutions clear?
- **Accountability** - Is it clear and are the responsibilities and obligations of each institution identified in this strategy? Are there periodic monitoring systems for its application? To what extent can responsibilities be demanded from institutions following their incompliance with obligations? Do beneficiaries know the right to claim its application and to demand responsibility for the lack of compliance of this policy framework?
- **Non-discrimination** - Are there groups or individuals excluded due to discriminatory reasons?

In this section, it is also fundamental to **gain insight on the administrative or judicial mechanisms to resort to in case of violation of these rights**, and how such mechanisms can be used. Here, it is necessary to investigate and learn about cases of violations of economic, social and cultural rights, which aspects were put forward, where they were presented and what were their results.

For more information on these issues, see <http://www.cetim.ch/en/bro1-alim-an.pdf.pdf> - also available in French and Spanish

Phase II – Defining the scope and target of the assessment

Objective of this phase

Once the current food insecurity situation has been documented, as well as the international commitments that each country has assumed in order to eradicate hunger, it is important to invite the national civil society network (NFSN) and other actors that work in food security to participate in this process.

The aim of this phase is to:

- Validate and complete the information of the previous phase based on the knowledge and experience of the key actors in food security and human rights
- Identify the vulnerable groups
- Select 3 or 4 examples of vulnerable groups for case studies, where there is a clear violation of their right to food, which can be analysed

Methodology

The methodology of this phase, of an informal nature, will be based on the participative analysis with the stakeholders of the work carried out during the first phase and the definition of the scope and target of the assessment. This methodology is effective, easy to use, fast, not very costly and very useful.

In order to do this, a starting point will be the “I Workshop for the assessment of the right to adequate food” which will be a participative event with stakeholders related to food security and human rights, including those from the government, the United Nations, donors, NGOs, civil society organisations participating in the national civil society network (NFSN) and other civil society organizations and institutions working in this field.

The aims of the seminar are:

- Validation of the context analysis
- Identification of vulnerable groups
- Selection of case studies
- Formation of working groups to carry out case studies

It is important to previously inform the invited institutions of the assessment that we are carrying out if they were not involved since the beginning in the process. We should thus, send out the agenda and documentation for the seminar in advance (results summary of the context analysis phase and some basic information on the right to adequate food) so that the invited institutions can prepare their participation and compile other additional information they wish to share during the event.

The seminar will be divided in two parts. During the **first part**, the team will make a brief visual presentation (PowerPoint presentations are recommended) on the information collected during the previous phase: the key points on the food insecurity situation in the country and the commitments related to the RtF ratified by the country. This information will be discussed during the meeting, and the participants will have the opportunity to complete it with specific data on geographical zones or specific groups. At the end of this session, a consensus will be reached concerning the country's context. If during the plenary session, it is considered necessary to collect other information, the team shall assume this commitment.

The **second part** of the seminar will be centred on the identification of the vulnerable groups and the selection of the case studies. In order to identify the vulnerable groups (VG), the meaning of VG will be presented to participants, and the debate will be started so that they identify the groups which they consider to be the most important in the country (brainstorming). Table 4 shows inputs to address this activity.

Table 4. Information on vulnerable groups

Vulnerable groups are those population groups who, due to structural or transitory problems, suffer from food insecurity or present an elevated risk of suffering from it. Their degree of vulnerability is determined by their exposure to risk factors and their capacity to face or resist problematic situations.

In general, vulnerable groups are made up by individuals who do not have the same opportunities as the rest of the society. They are usually marginal populations, whose rights are less respected than those of other social groups. Generally, they lack necessary resources to complain when there is a violation of their rights, and they do not have the means to survive whilst awaiting compensation. Frequently, the economic, political and social discrimination which they suffer from is directly related to the lack of access to food and means of production.

The food insecure and vulnerable groups can be very diverse, but usually present two common characteristics: poverty and exclusion. According to the Task Force on Hunger of the United Nations Millennium Development, about 80 % of the hungry live in rural areas. They are peasants that make a living of small plots of land, indigenous people, landless, rural workers, fisher folks, herders, rural unemployed ... However; the number of hungry people in urban areas represents currently the fastest growing group. This group includes: people living in slums and city outskirts, urban unemployed workers, recently arrived migrants, homeless people, orphans, street children, people living alone on small fixed incomes or without support (elderly, pensioners, widows and widowers, divorcees, invalids, handicapped people) and beggars, etc.

In both rural and urban areas, children under 5 years old represent a large group suffering from hunger and malnourishment worldwide. In addition, women, especially pregnant, nursing and single mothers as well as women headed households are often particularly vulnerable to hunger and malnutrition.

The team will then carry out a brief introduction on the objective that is sought with the case studies, and will present the criteria that will be used to select the vulnerable groups for analysis. Depending on the number of participants, work will be carried out either in plenary or in groups, according to the final decision of the plenary.

In order to select the case studies, it is recommended to take into account the sought objective of this assessment and the limitations for time, financial and human resources. For this reason, we suggest the selection of 3 or 4 concrete cases of individuals suffering from hunger and malnutrition that comply with the following requirements:

- They include an element of reported violation of the right to food
- The cause of their food insecurity is related to a current national or international theme of interest, which is also of interest to the media and causes an impact
- Its causes are structural rather than temporary (natural disaster, armed conflict...)

Lastly, present institutions will be invited to participate in the case studies, especially those that know or have worked with selected groups. Each group should have 3 or 4 people.

The coordinating team will write an aide-memoire on the results of the workshop, which will be sent to all the participants.

Methodological tools for the workshop and other recommendations are found in Annex II.

Phase III - Analyzing the causes of food insecurity with rights-based approach

Objective of this phase

The aim of this phase is the identification and analysis of the main causes of food insecurity amongst the most vulnerable groups using a rights-based approach.

Using a rights-based approach means making explicit the dimension of human rights linked to food security. Human rights describe obligations, therefore, we would not only identify the origin of the problem of these vulnerable group but also we will analyze if the State is fulfilling its obligations (respect, protect and fulfil) in these cases.

Methodology

The methodologies used during this phase will be: case studies and a later review of some policies and institutions related to them. The case studies will include 3 fundamental steps:

1. **Group profile** - Before the field visit, a maximum amount of available information on the characteristics and situation of the group under study will be compiled. Once in the field, this information will be validated through individual interviews with key people from the group or community. It would be desirable to acquire

information on the general characteristics of the group: geographical location, size of the group, age, ethnic group..., as well as more concrete data on the nature of its food insecurity and its main livelihoods.

2. **Causality Analysis** - During a group reunion, where representatives from all interested or affected parts will participate, we will explain the reason of the exercise and will facilitate the construction of a problem tree in a participative manner. The objective here is to identify the **main problem** related to the food insecurity situation of the group, and organise the other problems around it, according to whether they are causes or effects. This analysis should focus on the components of food security (availability, accessibility, stability and biological use) which are closely bound to the State's obligations relating to the right to food.

Table 5. Guiding the causality analysis

The 4 pillars of food security are the following:

- a. **Availability of food** - refers to the possibilities either for feeding oneself directly from productive land or other natural resources, or for well functioning distribution, processing and market systems that can move food from the site of production to where it is needed in accordance with demand. There is a need to analyse whether food insecurity is due to the lack of available food both at a national and local level. The following should be taken into account: national production, imports and exports, capacity of storage, food aid... Currently, food availability is not a main cause of food insecurity, unless it is in serious emergency situations (natural disasters or conflicts)
- b. **Access to food** - Food should be more than just available, people should have access to it in order to be able to consume. The most frequent cause limiting the implementation of the right to food is the lack of access both to the means of production (land, water, agricultural tools, knowledge...) as well as the food itself. The lack of access to food can have a physical origin (implies that adequate food must be accessible to everyone including physically vulnerable groups as women, disable, indigenous, etc) or economic origin (due to the lack of sufficient income in order to be able to eat regularly, with an appropriate quality and dignity, meaning that it is due to the high poverty index)
- c. **Stability** - In some cases there is a transitory situation of food insecurity, of a cyclic or seasonal nature usually associated with the cropping seasons. The lack of infrastructure for adequate storage, the limited diversification, the lack of income of the agricultural daily labourers in certain periods, as well as occasional employments are just some of the causes that limit the availability of food in certain periods of the year.
- d. **Consumption and biological use of food** - Food that people consume should be adequate not only in terms of its quantity but also in terms of quality. It should have a mix of nutrients for physical and mental growth, development and maintenance, and physical activity that is in compliance with human physiological needs at all stages throughout the life cycle and according to gender and occupation. Food should also be free from adverse substances that imply that protective measures by both public and private means to prevent contamination of foodstuff through adulteration and/or through bad environmental hygiene or inappropriate handling at different stages throughout the food chain.

There are many factors that affect the biological use of food. Among these, we can find: poor hygienic conditions in the homes, bad storage/conservation of the food, lack of access to safe water, poor sanitation, diseases, weak health system, etc.

3. **Right-based analysis**.- Once the main causes of the food insecurity situation have been identified and analyzed, the group will have to select the **principal cause** that is causing the situation, and then, they will analyze whether the State is fulfilling its obligations in relation to its rights.

In order to carry out this analysis, the group should identify:

- The precise actions and omissions on the part of the relevant authorities with regard to its problem,
- For actions: how are they being implemented and their level of success and impacts
- For omissions: why the relevant authorities have not take any action
- Who are responsible for those actions or omissions...

During the field work, the teams will brief the target group members about their rights, in particular the State's obligations to respect, protect and fulfill the right to adequate food, as well as legal mechanisms to remedy violations of their right to adequate food.

Table 6 - Identifying typical forms of violations

Between 1995 and 2005, FIAN documented numerous cases of violation of the right to food in five countries: Brazil, Ghana, Honduras, India, and the Philippines. After analyzing the cases, similar patterns of violation were identified which were structured according to the state obligations, respect, protect, fulfill as well as the obligation to assure nondiscrimination. This constitutes a good example of typical forms of violations.

Obligation to respect

The most typical forms of violations documented by FIAN related to the obligation to respect were forced evictions or threat of forced eviction from arable land carried out by the state without appropriate compensation, resettlement and rehabilitation. Forced evictions are often consequences of larger development or infrastructure projects such as the construction of dams, or state support to mining activities, natural reserves, land conflicts between peasants and private companies ...

Obligation to protect

In relation to the state obligation to protect, the most frequent forms of violation identified were the following:

- inappropriate protection against negative activities of corporations and industries (i.e. agribusiness and monocultures using pesticides that polluted the livelihoods for peasants, mining activities polluting land and water, depletion of ground water by multinational companies causing severe shortage of water for the local population,...);
- inappropriate protection of land tenure and neglect or lack of traditional land rights or use which were closely related to the problem of displacements and forced migration;
- lack of protection of labour conditions: illegal dismissal, denial of minimum wage and forced labour.

Obligation to fulfill

Some of the violations identified were related to:

- irregularities in the implementation, non-implementation, discrimination or lack of agrarian reform;
- malfunctioning or non-implementation of social transfer programmes (mismanagement, doubtful targeting ...);
- inappropriate post-disaster resettlement (or no resettlement provided to the victims of natural disaster).

Obligation to ensure non-discrimination

Women, children and minority groups (ethnic groups...) suffer from hunger more than other groups as a result of discrimination in access to food or productive resources, evictions or the lack of implementation of food-based schemes. It is important to point out that women belonging to minority groups are often further because of the additional impact of gender discrimination.

The methodological tools that will be needed for the completion of the case studies can be found in Annex II.

After the field work, the teams will have to review and analyze the policies and institutions involved in the case, either identified in the rights-base analysis or considered by the teams crucial for it, in order to document the cases. Table 7 states a general view of the most relevant policies obtained from the Voluntary Guidelines on the Right to food.

They will have to look into the following aspects:

- a) Policies focusing on improving the defined food insecurity situation do not exist
- b) Policies focusing on improving the food insecurity situation exist but they partially address the problem or are deficient
- c) Policies focusing on improving the food insecurity situation exist but they are not fully or efficiently implemented due to lack of political will, lack of institutions, lack of capacity, lack of financial resources
- d) Adverse policies enhancing the food insecurity situation are being implemented

Finally, this analysis will enable us to detect and suggest which public policies are lacking, which are based on the RtF, which of them interfere in the progressive achievement of this right and what can be the causes for impeding the implementation of certain policies and programmes.

Table 7 - Some public policies related to the causes of hunger

Productive policies:

- Land, forestry and fishing policies directed, or not, at respecting and protecting landless, small farmers and peasant families, indigenous people, extractivists and traditional fishermen and their livelihoods;
- Policies on access to productive resources (land tenure security, sustainable use of hydro resources, conservation and sustainable use of genetic resources);
- Policies of access to productive services (appropriated research, extension, marketing, rural finance and information);
- Sustainable growth policies directed at, or not, promoting salaried and autonomous work that enable an adequate level of living;
- Policies on food trade at an international, national and local level;
- Policies on food safety and protection and information for the consumer;
- Gender policies for the safe and equal access of women and the control of resources and productive services.

Social policies:

- Tax policies of a redistributive nature;
- Policies for promoting civil society's participation in decision making and organisation of the most affected groups by food insecurity;
- Health and nutrition policies such as school meal programmes that guarantee access to essential micro-nutrients and nutritional education;
- Programmes for security networks to protect those who cannot support themselves as for example people living with HIV/AIDS;
- Minimum wage programmes;
- Education policies and literacy programmes.

Support policies:

- Policies oriented towards relying on information systems and early warning;
- Food aid policies;
- Emergency policies for disaster situations (disaster risk prevention).

The teams that have participated in the case studies will write a brief report with the main conclusions of each case and will attach the problem trees and their causes.

Phase IV – Defining violations, responsibilities and next steps

Once the case studies and the analysis of the public policies selected are finalised, stakeholders will be invited to a second workshop, which will have the following objectives:

- Get to know and validate the results of the case studies
- Determine if a violation of the right has occurred and if so, agree on the main cause (actions or omissions) and responsibilities, and ensure that all proofs and information required to present a case are well-documented.
- Decide how to proceed to present a case
- Propose measures to spread the case at a national and international level.
- Propose measures to follow up on the violations identified
- Establish a National Working Group on the Right to Food which will be the focal point of civil society for the monitoring of the full realization of the right to adequate food

Representatives of vulnerable groups that have been under study will participate in this seminar.

The seminar will begin with the presentation of the case studies by the affected people themselves. They will present the identified problem³ and the conclusions of the causality analysis with human rights -based approach. The teams will present the conclusions of the policy analysis.

The team coordinator will then make a brief introduction of the State's obligation relating to the right to food and the violations of this right. Following this, a debate session will be opened so that the participants can comment on the analysis carried out on the case studies and add new elements to the analysis, as well as to express their opinions on the State's compliance with the right to food obligations and the identification of case studies as violations of this right.

During the last part of the seminar, three groups will be formed and will work on different themes: the first group will define some actions to spread the possible violations of right to food; the second group will propose measures to follow up the progress on the achievement of the right to adequate food in the cases study; and the third group will define the terms of reference and responsibilities of the National Working Group on the Right to Food (WGRtF). Among the main tasks of the WGRtF will be the definition of some basic indicators to monitor the progress in the realization of the RtF and the participation in future assessments⁴.

As in the previous case, an aide-memoire will be prepared and distributed to all participants.

Methodological tools for the seminar and other recommendations can be found in Annex II.

³ Adjusted participatory methodologies will be used in order to help the representatives of each studied group to present and discuss the case study.

⁴ It is strongly recommended to liaise with FIAN (currently developing a monitoring tool for the Voluntary Guidelines on the RtF) and FAO Right to Food Unit (presently in the validation process of a Guide to Conducting a RtF Assessment)

Phase V. Writing the document

“Between two explanations, pick the most clear; between two forms, the most elementary; between two words, the briefest”

(Eugenio D’Ors)

The last phase of our work consists in writing up the assessment document on the right to adequate food.

Before starting to write up the final document, we should organise a session for reflection and analysis amongst the team members to jointly review the main information, findings and analyses that have been done during the different phases, and to reach a consensus on the final conclusion.

At the beginning of the work, we had mentioned that each team member would be responsible for coordinating work in a phase. Therefore, each of the members will prepare a brief presentation on the work carried out during his/her corresponding phase.

Once the presentations are finished, a debate session on the main points of the assessment will be opened so that conclusions will be reached, which should be negotiated. As a finishing step, the structure of the document will be agreed on and the contents to be written up will be assigned.

A suggestion for an outline model for the write-up of the document is found below. However, the group can decide whether they wish to include some points of special relevance to their case or/and eliminate other points that they do not consider necessary. Detailed information on the contents of each section can be found in Annex III.

1. Introduction
2. Objectives and Methodology
3. Food Insecurity and Human Rights
 - Current situation
 - International Commitments
 - Access to Justice
4. Cases Study
 - Case 1
 - Case 2
 - Case 3
5. Conclusions

As a last recommendation, we consider it necessary to send the draft of the final document to the main actors that have intervened in the assessment, for their comments and suggestions. Once these are incorporated, the document should be disseminated at a national and international level.

ANNEX I. CHRONOGRAM

	month 1				month 2				month 3				month 4			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Preliminary phase																
Formation of the team	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Definition of work plan	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Definition of methodology	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Phase I																
Information collection	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Carrying out visits and interviews	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Context analysis report	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Phase II																
Preparation of the seminar	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
1 st Seminar	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Write-up of aide-memoire	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Phase III																
Organisation of field work	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Field work: case studies	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Policy analysis	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Field work conclusions report	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Phase IV																
Preparation 2 nd Seminar	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
II Seminar	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Write up of aide-memoire	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Phase V																
Final analysis. Conclusions	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Composition/write up of document	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■

ANNEX II. METHODOLOGICAL TOOLS

In order to obtain reliable, pertinent and good quality information, adequate techniques must be used for its collection and analysis. Three methodological tools are stated below, which we will use during the assessment: personal interviews, seminars and case studies.

1.- Personal interviews

The interviews to be carried out during the assessment should be previously planned and based on a guide. This guide should include a list of questions on the issues mentioned in this document and oriented according to the characteristics of the interviewee.

The interviews should be carried out in a trustful environment that motivates dialogue, in order to be able to share and analyse the situation of the accomplishment of the right to food with the interviewee. In order to have such conditions, it is necessary to take into account some recommendations:

- a) Clearly explain the sought objectives before the day of the interview and then once again just before carrying it out. Here, it is necessary to mention the importance and value of the information given by the interviewee, as well as their reserved or anonymous nature.
- b) Set the place, day and hour for the interview that most suits the interviewee, and specify its duration (preferably no more than 1 hour), so that it does not interfere with the person's activities and does not leave the impression that their time will be taken away, which is important for the interviewee.
- c) Agree on interviewing only those people who are willing to be interviewed; when faced with people who seem wary or reticent, it is best not to insist.
- d) Carry out the interview with two people: whilst one asks the questions (and talks to the interviewee) the other writes down the answers; this way, more information will be registered and, at the same time, the conversation form is kept, which should be present in all interviews.
- e) The use of a recorder to save the interviews might be very useful, as it enables the interviewers to capture all the answers. However, it should be taken into account that there are people who feel uncomfortable with this, thus, the interviewers should have the interviewee's consent before the interview, and should inform him/her that the use of the recording will be restricted.
- f) The interviewer should always have a friendly, cordial and relaxed attitude, and also use a certain degree of familiarity with the interviewee, so that he/she feels at ease to give out information.
- g) Generally, questions should be open, and when possible followed by a "why?" Asking why can be a key point in identifying the mechanisms or the motivations that lead people to act in a certain way.
- h) Respect the fixed amount of time for the interview. If this is not possible (and when it is clear that additional time is needed), the interviewer must inform the interviewee and ask whether he/she will be willing to continue or whether it is possible to set a new date to continue the interview.

2.- Workshops

During the assessment, two workshops will be organised, which will be destined to the most directly involved actors in the right to adequate food.

Before meeting, the coordinating team will define the objectives, draft agenda, participant list and budget. Furthermore, it should prepare a methodological tool with the facilitator, which defines the type of activity, necessary materials and the person in charge of each action. Prior to the meeting, we will identify and visit the place where the seminar will be carried out and will deal with all the logistics details of the event with the people in charge of the place of the meeting.

Some recommendations for the organisation of the seminar include:

- a) The notification for the seminar will be sent out at least ten days before the beginning of the seminar. One week before the meeting, participants will be contacted by telephone to confirm their presence.

- b) The information in this notification will include: invitation letter, objective and agenda for the seminar, documentation that will be discussed throughout the event.
- c) Prepare in advance the materials to be used: data-show, cards, flip-chart, etc.
- d) At least two organisers should participate during the event: one will facilitate and the other will report and present the conclusions of the group in the plenary session. The facilitator should have participative and group dynamics skills and be clear on the sought products, as well as being neutral throughout the event and clear and concise in his/hers comments and proposals. Both people should be familiar with the right to adequate food issue.
- e) There should be no more than 40 participants.
- f) The maximum duration of the event should be one day.
- g) The presentations should be brief (maximum 20 minutes) and there should be enough time for plenary discussion after each one (minimum 15 minutes). In case the projector is used, presentations should not exceed 12 slides and each one will have less than 6 lines. Presentations will be reviewed by the coordinating team and the presenter, in terms of approach, contents, but also on duration and image.
- h) During the plenary sessions, the facilitator will organise people's turn to speak and will make a summary of the issues dealt with and the reached agreements at the end of each session.
- i) Group work should include a previous guide which explains in detail the objective and methodology of the work and the foreseen output for each group. Each group will nominate a leader who will present the group work in the plenary.
- j) Once the seminar is finished, the coordinating team will write an aide-memoire with the most important discussed points and the reached agreements.

3.- Case studies: Causality analysis

Amongst the most successful methodologies for initiating a case study, we can find the "problem trees", which are made up by diagrams that analyse a problem from the point of view of the causes that create it. This type of diagram enables the analysis of a complex situation, such as the violation of the right to food, and integrates perspectives of different actors and approaches.

This methodology uses a vertical logic, in the form of a tree, where a central problem is identified, followed by the progressive identification of the main causes in the lower layers. The immediate causes are found in the first layers, then the underlying causes are in the layers below, and the root causes are found at the bottom. This means that the tree is built vertically towards the bottom.

The fundamental steps include:

- a) Invite people to the meeting, who are representatives of vulnerable groups in a studied community, especially the most marginal groups that are usually excluded. This way, we are making sure that the most vulnerable people participate in the analysis of the problems and their causes.
- b) Explain in a simple way to the participants what the right to food is. It is recommended to explain the definition in a broken down manner using simple words and examples, and emphasizing that all actors are responsible for its implementation.
- c) Make a brainstorm and ask participants to identify all the problems related to food insecurity, and ask them to write each problem down on a separate card.
- d) Explain to the participants that they will try to identify the problems and their causes. Give a simple example. Ask them to identify the problem that seems to be the most important to them.
- e) Identify the focal problem, meaning the one that is central and will determine how the rest of the information is ordered. In order to select the focal problem, the main problems are selected (maximum 5 or 6), which are related to the others that are its cause or consequence; the corresponding cards are placed in the centre of the board or wall.
- f) Organise all the problems around the focal problem, so that the causes are under it, as the roots, and the effects above it, as the branches. The key element that enables carrying out this exercise is to ask oneself "does problem A cause problem B? Or is it problem B that causes problem A?" By doing this, progress will be made on the different levels, working towards the bottom, and asking which are the

causes of the causes. In order to complete the information, a starting point is to place the already written cards and then complete the tree with important causes that had not been written down on the cards.

- g) Review all the cards that have not been placed in a specific location, in order to make sure they have no relation with the cards already placed on the board/wall.

Making a problem tree is not easy and we should bear in mind the following precautions:

- a) Role of the facilitator. A session on making a problem tree can be long and difficult to manage. The facilitator should never be involved in the contents of a discussion beyond clarifying the nature of a problem and searching for a causal logic that satisfies the majority of the participants.
- b) The definition of the problems
 - Vague and/or unclear ideas that can lead to confusion should be avoided. It is important to dedicate time to clarify and define the contents of each card.
 - The definition of a problem as the lack of solutions can limit the search for other options to solve it. For example, "lack of pesticides" instead of "high rate of locus plague attacks".
 - Avoid overvaluing problems or searching for inexistent problems

Once we have clearly defined the problem and its causes, we will find causes that are within the field of action of the present actors from the target group, and other causes that are outside their field and are the responsibility of other entities at a local, sub-national or central level. In any case, the group should define at which level lays the responsibility for the detected problems.

This analysis will enable us to define more clearly the aspects in each case study that we will use as the basis for the violation of the right to adequate food.

ANNEX III. STRUCTURE OF THE DOCUMENT

1. Introduction (1-2 pages)

Reference will be made to the hunger and poverty situation in the country, human rights, and the right to food. An explanation will be made on the contents of the document: situation analysis, case studies... and those people and institutions that have carried out the work.

2. Objectives and Methodology (1 page)

An explanation will be made in a schematic way on the objectives of the assessment and the methodology used (documentation, participative seminars and case studies).

3. Food Insecurity and human rights

▪ Current situation (3 pages maximum)

This section should give a clear idea of the insecurity situation of the country, the most vulnerable groups, the geographical zones that present the highest vulnerability, etc.

The two starting paragraphs will summarise the most basic data, which provide the reader with quick knowledge on the geography, demography and the socio-political situation of the country.

The text should emphasise the most representative indicators amongst those previously mentioned. It is not about incorporating each of these indicators in the final assessment, but rather about a careful selection of the ones that stand out the most.

Following this, general information will be provided on the groups in geographical areas where the situation is deemed the most vulnerable. Here, the fragility of the livelihoods of these populations can be mentioned. Should there be a large amount of vulnerable population sectors, specific information will be provided on the situation of these groups (for example, population with HIV, ethnic groups with high vulnerability, micro-nutrient deficiencies amongst certain groups, such as pregnant women, children...).

▪ International commitments (2 pages maximum)

There will be an indication on whether the country has signed and ratified the treaties and conventions on human rights. If a country has not ratified the International Covenant on Civil and Political rights (ICCPR) or the International Covenant on Economic, Social and Cultural Rights (ICESCR), this will be clearly stated, and if possible, the reasons for it will be explained.

Following this, there will be a statement on whether there are specific references or a review related to the right to food in the Constitutions or in the poverty reduction strategy. The references can be cited.

▪ Access to justice (1 page maximum)

There is a need to mention whether the right to food is considered as an individual right and whether there are administrative and judicial mechanisms to report violations of this right.

4. Case studies (5 pages per case study maximum)

This section will start with a brief introduction on the selection process for the case studies and the criteria used. It will briefly explain the methodology used before, during and after the field work and the policy analysis that followed.

▪ Case 1

- Case 2
- Case 3

Each case study will start with a brief description of the group (the specifically relevant characteristics will be selected: size, geographical location, average age, ethnicity, nutritional status, livelihoods...). The main problems of the group will then be presented, as well as the causality analysis with rights based approach. The problem tree and its causes can be annexed.

A summary of policy analysis will follow which will lead to the clear identification of the cases where the State does not fulfil its obligations to take steps, not discriminate, respect, protect and fulfil the right to food. In these cases, the RtF has been violated.

It is important to mention that the selection of the case studies and the identification and definition of violations of the RtF have been carried out in a participatory manner (Workshop 1 and 2).

5. Conclusions (3 pages maximum)

This is the key session of the assessment, and must therefore be clear, concrete and brief. Key points that have been analysed during the assessment must be presented here. These include:

- a) Food insecurity situation of the country (has it gotten better or worse? is it alarming?)
- b) Human rights (are human rights respected? are there serious violations?)
- c) Case studies (violations of RtF in each case and their causes)
- d) Next steps: measures to spread the cases, measures to follow up on the violations identified and establishment of a permanent National Working Group on the Right to Food within the NFSN.

It is recommended to present this section in numbered paragraphs.

ANNEX IV: THE RIGHT TO ADEQUATE FOOD AND THE OTHER HUMAN RIGHTS

“All human rights are universal, indivisible, interdependent and interrelated”
Vienna Declaration of the 1993 World Conference on Human Rights

The right to adequate food (RtF) is linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights. As Vienna Declaration establishes, there is an interrelationship between the RtF and other social, economic and cultural human rights. Hungry people cannot learn, work or be healthy and free. Focussing on the realisation of the right to food can thus be an entry point to realising a wide range of other human rights. At the same time, progress at other human rights fronts can accelerate the process of realising the right to food. Human rights are best approached in a holistic manner.

Analysing the inter-relationship between the RtF and other human rights can help us to find the deeper reasons for food insecurity. This analysis can also provide us with tools of persuasion and action when advocating for the RtF.

Quite frequently, the violation of basic human rights constitutes major constraints to accomplish the right to food; therefore they should always be addressed during the RtF assessments.

In the RtF assessment, special attention will be paid to the achievements in the following human rights:

- right to education
- right to health (in particular we will focus on the HIV/AIDS epidemic)
- women's right to food

Furthermore, we should also bear in mind that other human rights, such as the human right to access to resources (particularly land), human right to work and receive wages that contribute to an adequate standard of living, to freedom from discrimination (when analysing indigenous groups), to social security for the most vulnerable groups, and to peace in a conflict context, should also be taken into account in some countries and for some cases study.

SOME BASIC INFORMATION:

1. Right to Food and Right to Education

- The right to education is directed to the full development of the human personality and the sense of its dignity, and represents both a basic human right in itself and an indispensable means for realising other human rights, including the right to food.
- Education has a key role in empowering economically and socially marginalised adults and children, especially women and girls, and also in promoting democracy, tolerance and mutual understanding, as well as respect for all human rights, which together may contribute to non-discrimination.
- Education enables adults and children to acquire knowledge and skills which contribute to their personal development and self-reliance, thus opening the doors to better jobs and sustainable livelihood for men and women.
- Education also contributes to the diffusion of principles of good nutrition promoting safer food and an adequate diet. Malnourished children have less ability to concentrate and to learn; childhood malnutrition may also hamper the development of intelligence. Compulsory and free education becomes meaningless for the malnourished child.

- For the above reasons, in the RtF assessments the state obligations to strengthen and broaden education opportunities, especially for girls, women and other economically and socially marginalised groups need to be examined.

2. Right to Food and HIV/AIDS

- The past two decades have revealed a complex, bi-directional relationship between food security and HIV/AIDS. HIV/AIDS weakens a household's ability to provide for basic needs. When a person living with HIV/AIDS (PLWHA) cannot work, food production or earnings may decrease. Healthy family members may need to stop work to care for sick family members. Household labour constraints can lead to reductions in cultivated land, shifts in crops, and depletion of livestock. For households that are food insecure prior to a member's falling ill, the effects can be devastating. As the epidemic progresses in highly affected areas, communities are weakened as traditional safety nets are stretched.
- At the same time, food insecurity and poverty fuel the further spread of HIV when people are driven to adopt immediate survival strategies (e.i. high-risk sexual behaviours and migration) that make them more vulnerable to HIV infection. Food security is also compromised by HIV/AIDS because of the specific nutritional requirements of those infected by the disease. Not only do people living with HIV require greater energy intake from foods, they often experience difficulty in digesting it. Access to adequate nutrition is critical to the health of infected individuals, including those receiving antiretroviral therapy (ART).
- Finally, the combined impacts of food insecurity and HIV place further strain on already limited household resources as affected family members struggle to meet household food needs while paying for care, treatment and support of infected members.
- The Voluntary Guidelines to support the progressive realization of the right to adequate food contain a number of provisions specifically addressed to PLWHA. They request that the states protect access to resources and assets of PLWHA and address their specific nutritional needs. The right to adequate food can play a key role in offering a more comprehensive and holistic response to the epidemic.

3. Women's Right to Food

- The International Covenant on Economic, Social and Cultural Rights recognizes the right to be free from hunger, to be exercised without sex discrimination, and sets up that States will ensure "...the equal right of men and women to enjoy all economic, social and cultural rights...".
- Women's differential access to power and control of resources is central to this discrimination in all institutional spheres (household, community and state). Within the household women and girls face discrimination in the sharing out of household resources including food.
- Because of their lower social and economic status, as well as their physiological needs, women are often more vulnerable to nutritional problems. Poor female nutrition early in life reduces learning potential, increases reproductive and maternal health risks, and lowers productivity.
- This situation contributes to women's diminished ability to gain access to other assets later in life and undermines attempts to eliminate gender inequalities. In essence, women with poor nutrition are caught in a vicious circle of poverty and under nutrition.
- In order to enhance their right to feed themselves in dignity, women must have equal access to economic resources, including the right to inheritance and the ownership of land and other property, credit, natural resources and appropriate technology, as well as measures to respect and protect self-employment and work which provides a decent living for wage earners and their families

- The legal framework for equality has been strengthened in many countries and also for food, but there is a need to put in place, or to strengthen if already existing, institutional mechanisms that act as catalysts for the promotion and protection of the human right to food in its gender dimension.
- These aspect should be pointed out in RtF assessments, where priority should be given to state obligations to secure and equal access to, control over, and benefits from productive resources, eradicate any kind of gender discriminatory practices, strengthen and broaden primary education opportunities, especially for girls, and monitor the food-security situation of vulnerable groups, in particular women.

Women's rights to land, natural resources and livelihoods

Across the world, women play a key role in achieving the right to food. In most developing countries, rural women produce between 60 and 80 per cent of the food and are also responsible for the nutritional status of the family. However, women face enormous barriers in their access to means of livelihoods (land, credit, water, technology...) suffering discrimination at all levels. Rural women work is seen as an extension of household duty and not as an economic activity. The elimination of the discrimination against rural women will contribute to enable them to fully enjoy their right to food.

Right to land

Millions of rural women around the world have very limited access and control over the land. This situation is more dramatic for women heads of rural households (almost one third in some developing countries) and it is becoming worse by the ongoing shift from food crops to commercial crops.

Land tenure rights (rights to own, control and use the land) are critical when dealing with the right to food. Land is a basic source of livelihood and employment, the key agricultural input, and a major determinant of women's access to other productive resources and services. But land is also a social asset, crucial for cultural identity, political power, social security and participation in local decision-making processes.

Although women own only about 2% of all, the UN Economic and Social Council Commission on the Status of Women states that "land rights discrimination is a violation of human rights" and urges States "to design and revise laws to ensure that women are accorded full and equal rights to own land and other property..."(42 Session, 2-13 March 1998, Agenda item 3). Similarly, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) states in Article 14 that "State Parties shall take all appropriate measures to eliminate discrimination against women in rural areas...and...shall ensure to such women the right...to have access to...and equal treatment in land and agrarian reform..." (CEDAW/C/LUX/3, p. 83).

Problems such as discriminatory inheritance and non-gender sensitive agrarian reforms clearly affect the realization of women's right to land and should be carefully analyzed during the assessments.

Right to natural resources

Despite the lack of access to land and resources, women generally have the primary responsibility of providing their families with food, water, fuel, medicines, fibres, fodder and other products. Women's livelihoods essentially depend upon natural resources in developing countries. However, at national and local levels rural women today are still hampered by restricted rights to the resources they rely on to meet their needs. Where access to privately owned land is not available, women should be guaranteed their ancestral ownership and inheritance rights. Moreover, the preamble of the Convention on Biological Diversity and the Rio Declaration establishes that women have a "vital role" in the conservation of the environment and sustainable use of biodiversity and their full participation in policies concerning these issues is essential to achieve sustainable development.

Right to livelihoods

Women also face great difficulties in gaining secure access to other resources (such as water, inputs, technologies, credit...), services (education, health, information...) and employment. Without access to productive resources, social services or secure employment, women's economic independence and ability to feed themselves are limited.

PRACTICAL GUIDANCE FOR THE ASSESSMENT

As it has been explained above, the right to food will be better respected, protected and fulfilled when other human rights are fully implemented. During the RtF assessments, we would look into these rights in the IV phases as follows:

Phase I - Context analysis

In the main document, it has been already recommended to revise the current state on the signing and ratifying process of treaties and conventions relating to human rights, in particular, the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political rights (ICCPR) the Convention on Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women and the International Labour Organisation Conventions.

SOME TIPS:

1. Revise the following declarations, laws, polices:

Right to Education:

- **The UNESCO Convention against Discrimination in Education (1960).** It is the major legal instrument adopted by UNESCO in the field of education. It expresses the fundamental principles of non-discrimination and equality of educational opportunities. It is recognized as a key pillar of "Education for All".
http://www.unhcr.ch/html/menu3/b/d_c_educ.htm
- **The Dakar Framework for Action (DFA)** adopted in the World Education Forum (Dakar, Senegal, April 2000) By adopting the DFA, the participants of the Forum reaffirmed their commitment to achieving Education for All by the year 2015.
http://www.unesco.org/education/efa/wef_2000/index.shtml

Right to food and HIV/AIDS:

- **The Declaration of Commitment by the United Nations General Assembly Special Session dedicated to HIV/AIDS (UNGASS)** (June 2006). In its Article 28 highlights the essential role of food and nutrition in a comprehensive response to HIV/AIDS.
http://data.unaids.org/pub/Report/2006/20060615_HLM_PoliticalDeclaration_ARES60262_en.pdf

Women's right to food

- **The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women** is a treaty which provides some procedures with regard to the Convention on the Elimination of All Forms of Discrimination Against Women already analyzed in the main document. The optional protocol includes an inquiry procedure (which enables the Committee to conduct inquiries into serious and systematic abuses of women's human rights in countries that become States parties to the Optional Protocol) and a complaints procedure (which gives individuals and groups of women the right to complain to the Committee on the Elimination of Discrimination against Women about violations of the Convention).
<http://www.un.org/womenwatch/daw/cedaw/protocol/whatis.htm>

Once we know about the country commitments to these particular themes, it is recommended to revise some basic indicators in order to learn how the gender, HIV AIDS or education situation could be affecting the realization of the Right to Food.

2. Look for the following indicators (depending on the selected cases study):

Education

- National literacy rate of 15-24 year-olds (women/men)
<http://stats.uis.unesco.org/unesco/ReportFolders/ReportFolders.aspx>
- Enrolment of pupils of the official age in pre-primary, primary and secondary education (males, females)
<http://stats.uis.unesco.org/unesco/ReportFolders/ReportFolders.aspx>

HIV/AIDS

- HIV prevalence (% aged 15-49) <http://hdrstats.undp.org/indicators/79.html>
- HIV prevalence among pregnant women aged 15-24 years:
<http://millenniumindicators.un.org/unsd/mdg/SeriesDetail.aspx?srid=746>

Gender

- GDI (Gender-related Development Index) which measures achievement in the same basic capabilities as the Human Development Index (HDI) does, but takes note of inequality in achievement between women and men.
<http://hdrstats.undp.org/indicators/269.html>
- GEM (Gender Empowerment Measure) which evaluates progress in advancing women's standing in political and economic forums.
<http://hdrstats.undp.org/indicators/280.html>
- Ratio of estimated female to male earned income: <http://hdrstats.undp.org/indicators/284.html>
- % of women land owners
Country statistics

Phase II – Defining the scope and target of the assessment

- During this Phase, we suggest to promote the participation of some representatives of health, education or women's organizations involved in food issues in the workshop. They will contribute to validate the context analysis, and will provide interesting inputs for the identification of vulnerable groups and the selection of case studies.
- If the cause of food scarcity and malnutrition is related to educational problems, gender inequities or linked to the HIV/AIDS epidemic, it would be advisable to promote their participation in the cases study.

Phase III – Analysis of the causes of food insecurity in the case studies

- As it is stated in the main document, the analysis of the main causes of food insecurity amongst the most vulnerable groups using a rights-based approach means making explicit the dimension of human rights linked to food security. In this sense, we should take into account not only the state obligations in relation to the right to food but also in relation to the right to education, the right to health and women's rights when undertaking this analysis.
- During this phase, it is important to take into account problems, limitations or violations of other human rights which can also be one or the main cause of the food insecurity situation of our target group. It should be noted that not all the human rights must be examined in every case study.

Right-based Causality Analysis

- When constructing the problem tree, we should consider problems related to lack of education, the HIV/AIDS situation and response, and/or gender inequalities (if appropriated) and link them to the situation of food insecurity.
- During the right-based analysis, we should analyze whether the State is fulfilling its obligations in relation to the other human rights (education, health-HIV/AIDS and women's rights) if they have been identified as the principal causes of the food insecurity of our target group. Actions, omissions and responsibilities will be then identified.

Policy and institutional analysis

If the principal causes of food insecurity involve or are intrinsically linked to the lack of realization of other human rights, the teams will have to review and analyse the main policies and institutions related to these other sectors.

Some policies and legal frameworks that could be analysed are the following:

- Administrative, quasi-judicial and judicial mechanisms to provide adequate, effective and prompt remedies - especially for women, children and PLWHA -. This indicator covers the justiciability/ accountability aspect of the right to adequate food
- Policies, institutions, and programs in place for the implementation of the right to food targeted especially to women, children and PLWHA.
- Nutrition and nutrition adequacy legislation and programs, e.g.:
 - Public nutrition programs or supplement nutrition programs (% coverage and effectiveness)
 - Programs to respect/protect/fulfil cultural or traditional food use and nutrition
 - Public programs on nutrition education and awareness (% of households, schools or pupils)
- Social safety and food safety nets to protect those who are unable to take care of themselves, in particular children, PLWHA and female-headed households, e.g.:
 - Coverage of a social transfer scheme or food safety net, disaggregated to female headed households and HIV/AIDS
 - Coverage of feeding programs for school children
- Protection and enhancement of access to productive resources (e.g. land, forest, fishing grounds, water) and assets, e.g:
 - National laws, policies, land institutions and customary practices regulating and impacting women's equal access to land
 - Coverage of programs to secure or prepare access to productive resources for women.
 - Protection measures of the full and equal right to own land and other property, including the right to inherit for women
 - Expenditure for rural development, focused on women (female farmers' access to extension and number of female extension agents)
- Access of women and girls to adequate food within household. This indicator (however difficult to obtain information on) identifies the traditional in-household discrimination of women.

Phase IV – Defining violations, responsibilities and next steps

- As the guide proposes, at Phase IV a second seminar will be organized to validate case studies, define violations, determine responsibilities, decide how to proceed and propose measures to follow up on the violations identified. If these violations and responsibilities concern to educational, gender or HIV AIDS rights, civil society organizations, NGOs and institutions involved in these matters should have an active participation in the workshop.
- In case, there is a clear evidence that the violation of these rights are main causes of the food insecurity situation of these marginalized groups, it would be advisable to count with experts on these issues in the National Working Group on the Right to Food (WGRtF).