Keeping the momentum on the Right to Food

By Jenny Lei Ravelo on 28 October 2013

A court case filed in 2001 by civil society groups in India that linked the right to food to the right to life has spawned a series of interim orders that ensured the continuation and expansion of social nutrition programs across the country.

But more than the legal success — which now includes a new food security law that provides food access for two-thirds of the population — the case showed the benefits of having a strong civil society in the Right to Food movement.

Indeed, in the past decade, an empowered civil society has been a driving factor of the significant progress made in several countries in ensuring food security and combating malnutrition. CSO participation has helped shape government policies and improved service delivery, particularly for the most vulnerable populations, according to a U.N. General Assembly report filed on Friday by outgoing Special Rapporteur on the Right to Food Olivier De Schutter, whose mandate ends April next year.

And this is not only true for India, but also for countries such as Nepal, where in 2010 local NGO Pro Public successfully got the court’s attention regarding the uneven distribution of food in several districts across the country.

Uneven progress

An empowered civil society was one of the six common characteristics that was present in countries that have made some headway in the fight against malnutrition in the past decade, the report notes.

Others characteristics include getting the highest levels of government to put food and nutrition security a priority, establishing institutions to monitor progress and policy implementations, and a continuous flow of investments.

But successes are still very few, and were only possible in both instances because the right to food was protected by the Indian and Nepal constitutions, a scenario still not present in many countries across the globe, De Schutter told Devex.

He argued: "The main challenge is therefore to campaign for the right to food to be given constitutional protections, and to be written into national framework laws. These steps are essential for making it a justifiable"
and operational right … Where the right to food is yet to be written into law, it is up to civil society to demand these steps."

Implementation woes

Ensuring legal protection is however just the first step.

As in every policy, the devil is in the implementation, so it is crucial different aid actors ensure civil society has the capacity to demand accountability at every level, from a country’s policy-making body down to the government units in charge of implementing the social programs, like Bolsa Familia in Brazil.

"Civil society has a key role to play in ensuring that people are not only entitled to food on paper, but also in reality … Accountability is key, and the social audits used by India’s Right to Food campaigns to assess compliance with court-mandated policies … will be essential in the coming years," said De Schutter.

International NGOs can share their expertise in this area, while donors, including nontraditional ones, can establish programs aimed at helping them build their capacity, although they should not expect this would translate into immediate impact on the ground as advocacy work takes some time to show results. This rings true for Mexico, where the insertion of the "right to food" in the constitution took 20 years of civil society advocacy work.

Donors can also help supplement government resources in putting right to food policies in place, though De Schutter warns against putting conditions on their assistance as it would "reduce the leverage of governments to take measures to build food security."

Private sector investors, meanwhile, can involve smallholders to help them raise income and "rise up the value chain," such as through contract farming schemes, but refrain from investments that constitute land grabs, concluded the U.N. special rapporteur.

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