

## PROPOSAL FOR FICA FUNDED PROJECT ON THE RIGHT TO FOOD

### 1.0 GENERAL CONTEXT

Malawi has recently been experiencing food and nutrition insecurity. It is widely believed that in order to address this there is a need to refocus food security and agriculture strategies and policies towards a rights-based approach. Whilst the Government of Malawi (GOM) has made serious attempts to develop and implement national strategies and policies aimed at food security, there is need to create a critical mass through other actors and stakeholders to protect, enforce, and enhance, the right to food in the national context, with emphasis on issues of gender, climate and child headed households. This intervention would not only encourage the government to strive to work towards adoption of a national strategy that ensures food and nutrition security for all, based on human rights principles that define the objectives and the formulation of policies and corresponding benchmarks, but also address the Millennium Development Goals (MDGs) particularly MDG1 that advocates eradication of extreme poverty and hunger, which currently is lagging behind.

Levels of malnutrition in Malawi remain alarmingly high; for example, half of all children under the age of five show signs of chronic malnutrition, an estimated 48 percent are too short for their age (stunted), 30.6 percent weigh too little for their age (underweight), and 11.4 percent weigh too little for their height (wasted).<sup>1</sup> One third of the population is food insecure, with disrupted eating patterns and reduced food intake. The incidence of food insecurity is markedly higher in rural areas (34 percent) compared to urban areas (23 percent), amongst women headed households (38 percent) compared to male headed households (31 percent), and in the southern region of the country (36 percent) compared to the northern (29.9 percent) and central (29.5 percent) regions. The disparity in levels of food insecurity amongst districts is particularly pronounced in Nsanje and Chikhwawa districts, where 78 and 75 percent of people are considered food insecure, compared to 14 percent in Machinga district.<sup>2</sup>

The Malawi Vulnerability Assessment Committee (MVAC) estimates that in the 2013/14 season 1.8 million vulnerable people in 24 out of the 28 districts will not be able to meet their annual food requirement during 2013/14.<sup>3</sup> Food and nutrition insecurity are in part caused by natural disasters, in particular floods, droughts, and dry spells. Between 1991 and 2005, 10 out of 14 growing seasons were affected by large-scale climatic events each affecting more than 100,000 people, and as many as 5.1 million in 2005. Droughts and floods push on average approximately 265,000 more people into poverty each year and cause an annual average loss of 1.7 percent of GDP.<sup>4</sup>

With a population of 14.8 Million (2012 official estimate), Malawi is one of the regions more densely populated countries (139 habitants per km<sup>2</sup>), and it has one of the highest population growth rates in the region (2.6% per year). It has been designated by the United Nations Population Fund (UNFPA) as one of the 15 'population hotspots' across the globe: its population is expected to triple to over 40 million by 2040, which will cause further challenges in terms of the realisation of the right to food.

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<sup>1</sup> Government of Malawi, *IHS 2010-2011*, p. 183.

<sup>2</sup> Government of Malawi, *IHS 2010-2011*, pp. 188-189.

<sup>3</sup> Malawi Vulnerability Assessment Committee, *National Food Security Forecast, April 2013 to March 2014*, Bulletin No. 9/13 Volume 1 (2013). The MVAC is comprised of Government, inter-governmental, academic and non-profit member organizations.

<sup>4</sup> IFPRI, *The economic costs of extreme weather events: A hydro-meteorological CGE analysis for Malawi* (2011).

## 2.0 RATIONALE

The nexus of food and nutrition insecurity, weak economic growth and high population growth not only threatens the socio-economic development prospects in the country but further threatens the achievement of MDGs by 2015, prospects for the Post 2015 MDGs development agenda and the full realisation of the right to food.

### 2.1 Weak strategy and policy coordination

In recent years, the Government of Malawi has made efforts to introduce substantive policy reforms and significant investment in agriculture, nutrition and food security, however, despite these efforts food and nutrition insecurity continue to be major challenges in Malawi. From a Right to Food perspective, these food security and agriculture policies need to be better aligned and coordinated with key policy objectives, with greater emphasis on the human rights-based approach to food in ensuring a right to food for all.

In this regard, protracted food insecurity is in part caused by weak policy coordination in the implementation of the various agriculture and food security interventions. On the government side, coordination is carried out through the "Agriculture and Food Security Sector Working Group" whose major objective is strengthening and harmonization of commitments in the agricultural sector. In addition, the Ministry of Agriculture and Food Security has developed the Agriculture Sector Wide Approach (ASWAp), along with the recently established National Export Strategy and its Scaling Up Nutrition (SUN)- Nutrition and Education Communication Strategy, all of which aim to induce sustainable and inclusive agricultural growth that supports food security and nutrition. These strategies provide a framework for strategic collaboration and coordination amongst the Government, development partners and the private sector for greater coordination of investments in support of a results-oriented agenda.

On the donor side, coordination is carried out through the Donor Committee for Agriculture and Food Security (DCAFS). The DCAFS aim to ensure full engagement of development partners in the ASWAp and agriculture sector initiatives and alignment of donor support to the government framework. The purpose of DCAFS is to deepen dialogue, coordination and cooperation among development partners, and between these partners and the government in respect to agriculture and food Security with a view to strengthening the quality of partnership and effectively support the ASWAp, and related agriculture development strategies such as the National Export Strategy and SUN initiative.

Bringing these coordination efforts together, commitments of the Government, G8 member states and the private sector should be recognised under the 'New Alliance for Food Security and Nutrition' agreement, which Malawi recently became a member of in 2013.

While the Ministry has assumed leadership responsibility and the DCAFS focused on issues of concern to agriculture and food security, there have been serious challenges in the implementation of policies and programmes. A case in point is the implementation of the agriculture subsidy programme which has witnessed lack of transparency and mismanagement of resources leading to loss of confidence and trust on the part of DCAFS. Recently the concerns on lack of transparency on the part of the government have reached the fore with maize purchases, movement and stocks through ADMARC and Strategic Grain Reserves (SGR) stocks remaining an issue to the point where DCAFS sought clarity from the government authorities to get a clear position.

With the issue of weak policy coordination, poor implementation of potentially effective interventions and a lack of transparency and accountability, prospects for the country to attain food and nutrition security remain in a state of flux unless additional efforts and pressure is applied to catalyse the government to enhance policy implementation related to the right to food. As observed by the Special Rapporteur on the right to food,

Malawi is in need of a food bill, to ensure the right to food by all. It is believed that in succeeding with a human rights-based approach to food, food security and agriculture policies will become key strategies of the Government with real weight to catalyse change. A food bill will better provide a solid framework for an enhanced environment to better coordinate and synergise the wide range of well-formulated and well-intended policies and strategies, not only for greater implementation, but to also accelerate progress in the realization of the right to adequate food.

## **2.2 Limited political will on right to food**

Debate and ground work on development of legislation aimed at upgrading food and nutrition security issues into human rights issues in Malawi has been ongoing for almost a decade. Malawi's right to food bill was drafted in 2002 but has undergone numerous revisions since. The initial push for the right to food bill in Malawi was launched by civil society, who sought a legal framework to give effect to the existing Food Security Policy. 60 Parliamentarians worked in close cooperation with civil society and international organisations in the drafting of the legislation. The government quickly engaged in the project to create the draft bill. A joint drafting committee comprising three key civil society organizations, the Ministry of Agriculture, the Malawi Human Rights Commission and the Department of Nutrition, was formed to produce the Draft Bill. The Draft Bill was scheduled to be presented to Parliament in 2009 as a government bill, though in the end it was not presented. Although government efforts have largely been halted since 2010 due to a limited political will, sixty (60) parliamentarians had been working in close cooperation with civil society and international organizations in the drafting of the legislation. There is, therefore, a need for concerted efforts from all stakeholders including civil society and development partners to step in to lobby and advocate for resuscitation of the process in order to move towards attainment of the right to food for all.

## **2.3 Threats to achievement of MDGs in 2015 and prospects for Post 2015 agenda**

The outcome document adopted at the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals (20-22 September 2010) makes an explicit reference to human rights and specifically refers to MDG1 by reaffirming "the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities". However, MDG1 is one of the four MDGs that is lagging behind in Malawi and will not be achieved by 2015. Poverty stood at 50.7 percent in 2011 a minor decline from 52.4 percent in 2000. The Malawi post 2015 development agenda calls for increased focus and investment in food and nutrition security for all. Unless the strategy and policy implementation are improved, the attainment of MDG1 will remain a dream and food and nutrition insecurity will remain.

## **2.4 Successor medium term strategy and new long-term vision**

The government is currently engaged in planning for the development of the successor medium term strategy, the third Malawi Growth and Development Strategy (MGDSIII) and a new 50-year Long Term Vision for the country. This presents an opportunity within the review of the current strategy and policy implementation, to introduce robust new measures that would accelerate the achievement of the right to food in Malawi. In order to guarantee adoption of the right to food principles, the development of the medium-term strategy and 50-year long term vision For Malawi, requires concerted efforts by non-state actors to immediately begin to lobby and advocate for the right to food. The purpose of this project is to facilitate this strategy development process through the various activities in order to better inform the Government of Malawi on the right to food. Through well-informed information, this project hopes to advocate for the inclusion of the right to food into the medium- and long-term strategies, learning from the challenges that prohibited the food bill from becoming a reality in previous efforts.

## **2.5 Mission of Special Rapporteur on the right to food**

The Special Rapporteur on the right to food, Mr. Olivier De Schutter, conducted a mission to Malawi from 12 to 22 July 2013. This was the first visit of a UN Special Rapporteur to Malawi in over 20 years. Key issues examined included: (1) the legal, institutional and policy framework for the implementation of the right to; (2) food availability and agricultural production, including the impact and effectiveness of the largest agriculture support programme; (3) food accessibility via waged employment and social protection, including (a) access to a living wage, (b) the situation of tenant workers in the tobacco sector, and (c) efforts to reach the 'ultra-poor'; (4) food accessibility via own production, including the situation of smallholders, their access to land and productive resources, and security of tenure; (5) specific obstacles to their enjoyment of the right to food faces by women; (6) prisoners' right to food; (7) the Government efforts to make maximum use of available resources for the realization of the right to food, including tax policies and measures to address illicit financial flows.

In his final report (UN document A/HRC/25/57/Add.1), the Special Rapporteur, in alia, recommends that the Government: (a) establish a framework law on the right to food, with a view to ensuring inter-sectorial coordination, transparency, accountability, and inclusiveness, involving non-governmental stakeholders in policy-making; (b) integrates a gender perspective into food and nutrition security strategies and programmes; (c) improves mechanisms and methodologies for the collection of adequately disaggregated data on poverty and food insecurity; (d) reforms agricultural support programmes, bearing in mind (i) the links between agriculture, nutrition and health; and (ii) the need to promote environmentally sustainable agriculture and to do so in a way which also benefits the poorest and most vulnerable farmers; (e) ensures a living wage for all workers, including casual/seasonal workers; (f) strengthens oversight of compliance with labour legislation, the protection of vulnerable workers, and efforts to combat child labour in agriculture; (g) Ensures adequate protection against land grabbing and forced displacement, giving specific attention to the obstacles faced by women; (h) scales up and improve targeting of social protection schemes, moving away from ad hoc programmes and towards a comprehensive national schemes; (i) scales up school feeding programmes to achieve full national coverage, and source food for such programmes locally to create synergies with efforts to promote smallholder food production; (j) ensures access to adequate food in prisons; (k) takes measures to curb illicit financial flows, including by joining the Extractive Industries Transparency Initiative, and to ensure adequate taxation of companies operating in the country.

The project aims to follow up on the visit of the Special Rapporteur and the recommendations made to the Government, with a view to encouraging and supporting the Government and other stakeholders in their effort to effectively implement the right to adequate food.

### **3.0 CORE CONTENT OF THE RIGHT TO FOOD**

The project activities and outcome will be aligned to the four key elements on the human right to food - availability, accessibility, adequacy and stability.

*Availability* requires that food should be available from natural resources either through the production of food, by cultivating land or animal husbandry, or through other means of obtaining food, such as fishing, hunting or gathering. It also means that food should be available in markets and shops, and that mechanisms are in place to move food from the site of production to where it is needed in accordance with need.

*Accessibility* requires that economic and physical access to food be guaranteed. Economic accessibility means that food must be affordable. Individuals should be able to afford food for an adequate diet without compromising on any other basic needs, such as those related to housing, education of healthcare. Physical

accessibility means that food should be accessible to all, including to the physically vulnerable, such as children, the sick, persons with disabilities or older persons, for whom direct access to food may be difficult.

*Adequacy* means that the food must satisfy dietary or nutritional needs, taking into account the individual's age, living conditions, health, occupation, sex, etc. Food should also be safe for human consumption and free from adverse substances, such as contaminants from industrial or agricultural processes, including residues from pesticides, hormones or veterinary drugs. Adequate food should also be culturally acceptable.

*Stability* requires that the supply of food on the market and also in the household is to be stable. One of the challenges leading to food insecurity has been an issue of high rising of food prices due to instability of food supply on the markets. Consequently, those households that mainly depend on the market for their food supply have faced challenges to safeguard their food and nutrition needs.

#### **4.0 MAIN FOCUS OF THE PROJECT:**

The main objective of the project is to advance the agenda on the right to food, following up from the recent visit of the Special Rapporteur for the progressive realisation on the right to food. In order to achieve this, the project will fund Civil Society Organizations<sup>5</sup> (CSOs) to carry out upstream policy work focusing on duty bearers at national level and downstream policy work focusing rights holders group village levels. The upstream policy work will involve research; dialogue, advocacy, and monitoring on the right to food while the downstream policy work will involve building capacity for the grassroots to demand their rights. Through the initiative of CSO, the government has made effort in the past to promulgate a legal framework on the right to food. The process stalled due to limited political will, misconceptions on the right to food, and eventually misplaced apprehension on the political ramifications on the right to food. Learning from past experiences, engagement of the CSOs will be gained through efforts to induce collaborative work between the government and CSO. As a result, this will create and institutionalise a space for their involvement ensuring their participation in policy making and programme creation and oversight. With the CSO space institutionalised, it is hoped that political will from the Government will be kept in progressing the right to food agenda through the various activities of the project. In addition, the Malawi Human Rights Commission (MHRC) will play an active role in facilitating this space for CSOs and participating in the advocacy of the right to food, creating access to the Government and the commitments to human rights the Government should be fulfilling.

Such activities will advocate for the shedding of more light on the right to food principles; address existing policy challenges in terms of how they are aligned to the right to food; and monitor the implementation of relevant policies, strategies, and programmes.

Issues of gender, climate change and child headed households will be fully mainstreamed in the project. Climate related issues and their effect on the availability, access, adequacy and stability of food supplies will be analysed and in particular, their impact on gender related issues and child headed households will be assessed in order to progress a right to food for all.

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<sup>5</sup> CSOs includes Non-Governmental Organisations, Faith based Organisations, Community Based Organisations, Academia and Professional Bodies.

It is envisaged that information generated from this process will be vital to inform policy dialogue, refine and update policies and strategies where necessary; and eventually lead to the design of targeted interventions on the right to food. The project outcomes, outputs, and activities will all be aligned with the key elements of the right to food namely: availability, accessibility, adequacy and stability.

#### **4.1 Project Outcomes**

The project will support five (5) outcomes in the five years of implementation as follows:

- a) Research and analytical work is carried out on strategies, policies, and programme on food and nutrition security with the view to ensure better alignment with the right to food agenda;
- b) National debates and dialogues are conducted to advocate and build awareness on the right to food policies, strategies, and programmes;
- c) Group villages<sup>6</sup> progressively enjoy the right to food by effectively holding duty bearers to account;
- d) CSOs and Government based monitoring and evaluation framework for tracking progress on implementation of strategies, policies, and programmes on the right to food is functional and strengthened; and
- e) Capacity building on the basics of the right to food; strategies and policies; policy research and analytical techniques, monitoring and evaluation techniques enhanced with CSOs and Government bodies.

#### **4.2 Policy research and analysis on the right to food;**

To carry out research and analytical work to assess alignment on the right to food, the project will fund CSOs to carry out studies on a number of policies, strategy, and programme areas relevant to the right to food with the end goal of influencing policy review especially focusing on amending policies that negatively impact on the realization of the right to food by vulnerable groups. The policy review will also involve relevant Government bodies, including the MHRC to ensure the review process is participatory, creating policy dialogue and learning amongst key stakeholders. As recommended by the Special Rapporteur, the potential research areas will include the following<sup>7</sup>:

- 1) Women's rights and the right to food (focusing among other things on land inheritance by women);
- 2) Fisheries and the right to food (focusing on constraints on production and sources of nutrition);
- 3) Nutrition and the right to food (Nutrition status, volume, quality, dietary diversity);
- 4) Contract farming and other business models and the right to food (Terms and conditions);
- 5) Agro-ecology and the right to food;
- 6) Large-scale land acquisition and leases;
- 7) Agro-business and the right to food (Transparency in ADMRAC and SGR);

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<sup>6</sup> Group Villages are a group of villages under one Group Village Headman (GVH). Such villages may constitute a minimum of 3 villages and be as large as 10 villages. The grouping is often defined by close family ties or linkages.

<sup>7</sup> As the project progresses, the areas of research will become more refined as the realisation of needed research areas are identified.

- 8) Seed policies and the right to food (Review Seed Act);
- 9) Food aid, cash transfer, and social protection on the right to food;
- 10) Climate change and the right to food; and
- 11) Review and finalise the process of developing the Food Security Bill.

Identification of CSO's will be done through a transparent and competitive process, with emphasis on proposals that pay attention to issues of gender, climate and child headed households. Engagement of CSOs will be done through standard UN policies and procedures as illustrated in *Appendix A*. Nonetheless, while UNDP would take the overall responsibility to coordinate the identification and engagement of the various CSOs in this upstream policy activities, UNDP will through the project also enter into a strategic partnership with Civil Society Agriculture Network (CISANET) to identify and select the participating institutions to carry out the research, dialogue, and advocacy activities. As an umbrella organisation, CISANET has extensive knowledge in upstream policy work through their engagement with Government in different policy dialogue levels in Seed Act, Agriculture and Food Security Policy, and National Nutrition Policy to mention a few (see section 9.2.5 for more details). The project therefore recognizes the special roles that CISANET plays in upstream policy activities and therefore will allocate Euro 250,000 to assist in implementing the upstream policy activities in sections 4.3, and 4.5, and training in 4.6. The supported activities of CISANET will be integrated in the main budget due to the complimentary nature of their activities relative to those of the other participating CSOs (*see Appendix B. for details*).

#### **4.3 National level debate and dialogue on right to food;**

From the research findings above, the project will collaborate with CSOs to prepare and present policy briefs to DCAFS, the Principal Secretary and the Minister in MOAFS. The project will also support CSOs to conduct dialogue through stakeholder forums focusing on research results among other issues related to the right to food. In addition, the project will fund CSOs to conduct national advocacy campaigns on the right to food which will include national debates through workshops and the media to present and review research results among other things focusing on bottlenecks to policy implementation on the right to food. The potential but not exhaustive listing of the CSO's partners to be supported by the project in the national level debate and dialogue in line with the policies and procedures as reflected in *Appendix A* are reflected in *Appendix C*.

#### **4.4 Community based right based approach to food dialogue.**

The project will also enter into a strategic partnership with the Democracy Consolidation Programme (DCP) currently supported by UNDP to operate in 19 districts with plans to add 4 districts in 2014. (*For more details on the ongoing UNDP DCP programme; final evaluation report for 2011, see Appendix D and E and section 9.2.5*). The DCP specializes in downstream policy work to build capacity of the grass roots in human rights as rights holders. The DCP supports 13 CSOs (see *Appendix F*) to empower the citizenry at grass root level with knowledge on governance and human rights, with a special focus on the right to development, as well as skills to demand compliance with governance principles and fulfilment of human rights, generally. The DCP has a network of 617 Community Based Human Rights Facilitators (CBFs) and 2,529 Community Human Rights Committees (CRCs) [with a membership of about ten people each, approximately 40 percentage of whom are women] in the (19) districts across the country and 62 Radio

Listening Clubs 9RLCs) [with a membership of about ten people each, approximately 60 percentage of whom are women] in 27 districts across the country. CRCs and RLCs are established and operate at Group Village Headman level. The Facilitators and committees work in their localities on a voluntary basis. The volunteers support the programme's community mobilization and consensus building strategies apart from providing leadership to community interface with duty bearers on various governance and human rights issues. DCP also supports four (4) media projects that mainly complement the grass root-based projects through timely provision of appropriate information to the citizenry as well as acting as a channel for the citizens to air out their views on various governance and human rights issues as well as get feedback from the appropriate duty bearers. DCP promotes use of the Rights Based Approach to Programming and Results Based Management at grass root level.

The Special Rapporteur's report recognized the significance of building the capacity of the grassroots in the districts and village communities to enhance the attainment of the right to food and effectively provide the impetus required to ensure that government moves towards recognition and promotion of the right and establishment of accountability mechanisms: i.e. allowing people (rights-holders) to hold governments and other duty-bearers accountable for their failure to take appropriate action. This requires the facilitation of empowering the people, especially vulnerable groups, with knowledge and skills on the right to food as well as working with duty bearers to increase their understanding of their responsibility to communities with respect to the promotion and protection of the right to food.

The project proposes to expand the mandate of the above stated 13 DCP supported CSOs and volunteer structures to include a special focus on the right to food. Generally, knowledge and skills levels on the right to food are very low in Malawi as the whole idea of food being a human rights issue is new. This will therefore entail building capacity (knowledge and skills) through training of the 617 CBFs, 2, 529 CRCs and 61 RLC's on the right to food, that is, empowering them with knowledge and skills to identify community challenges on the right to food, undertake appropriate analysis on causative factors, identify appropriate duty bearers and undertake dialogue and advocacy. The CBFs and CRCs will also undertake awareness campaigns on the right to food in their localities and provide leadership in:

- a) The identification of challenges on the right to food;
- b) Community prioritisation and analysis on causative factors of the challenges
- c) Community analysis on how the challenge is impacting each demographic group, especially vulnerable groups
- d) Community identification of their role in addressing the challenge as well as community mobilisation to implement those interventions
- e) Identification of appropriate duty bearers and
- f) Community lobbying and advocacy as well as Rights Holder/ Duty Bearer dialogues on the right to food mainly targeting duty bearers at local government level.

The DCP will continue to fund all administrative and core activities on governance and human rights in the 19 districts with funding under this project being used to cover training and other specific activities on the



right to food. Due to the specialized role of the DCP and as an ongoing UNDP project, their budget will be reflected separately in the main budget.

#### **4.5 Monitoring the progressive realization of the right to food**

The project will also fund CSOs to develop and maintain mechanisms to monitor progress towards the realization of the right to food in the country. Monitoring would identify factors and difficulties limiting the Government's ability to effectively implement the progressive realisation of the right to food and further facilitate the adoption of corrective measures. Monitoring will take the form of participatory review of government policy and programme implementation to ensure that policy instruments intended to protect the right to food are effective and functional and that the progressive realization of the right to food remains on the agenda of the government. Monitoring would also build capacity for challenging policies that lead to violations of the right to food. In this regard, CSOs and the MHRC, through their collaborative work with the Government and institutionalised space to participate, would play a key role as monitoring agents and active promoters of the progressive realization of the right to food. The support to the CSOs and the MHRC would further enhance their ability to monitor and advance the right to food agenda. The outcome would catalyse the Government to move towards the full eradication of hunger and malnutrition in Malawi.

#### **4.6 Training on the right to food at community level**

Given the focus areas above, the project would conduct prior training in order to build CSOs capacity on the following areas:

- a) Knowledge on the right to food, strategies and policies;
- b) Monitoring and evaluation techniques on the right to food; and
- c) Community based right to food training (to be facilitated by district managers and CBF).

The trainer would be identified and engaged through the CSOs and will be required to conduct the training before most of the activities commence. However, training on the right to food for community-based volunteer structures will be facilitated by District Paralegal Officers/District Managers (for CBFs) and CBFs (for CRCs).

#### **5.0 UNDP's Comparative Advantage**

UNDP administers the One UN fund, which plays a key role in the coordination of the UN family. This tool allows funding to be entrusted to those agencies that are best placed to deliver on any particular outcome or goal, in this case, the realisation of the right to food. This mechanism is more efficient for development partners, since rather than having to sign separate agreements with different UN agencies/ CSO's to deliver different outputs or outcomes, an overall objective is agreed at the level of the one fund, and then funds allocated based on the agency's ability to deliver.

UNDP is well established as a trust fund manager and has global systems in place in order to transparently manage contributions. The Multi Partner Trust Fund has established a Gateway to enable this financial transparency (<http://mptf.undp.org/>). This allows all to have real time information as to the balance of funds in a particular account. It also allows access to all narrative and financial reports.

The UNDP has also experience administering the Climate Change window under the One UN fund in Malawi, where contributions from Norway, Dfid, FICA and Swiss Development Cooperation (through

UNITAR) allowed for more streamlined funding for the National Climate Change Programme, coordinated by UNDP, and with FAO and World Bank as implementing agencies / technical assistance providers.

UNDP has long experience in providing and overseeing grants to CSO's. UNDP has several micro-financing arrangements, one of which is the Global Environment Facility (GEF) funded and UNDP has executed Small Grants Programme (SGP) on environment, where a national steering committee scrutinizes and endorses request for funding (up to USD 50,000) from NGOs / Civil Society Organizations in Malawi.

UNDP Malawi has developed a close and strong working relationship with the Government of Malawi, especially with the Office of the President and Cabinet Department of Disaster Management Affairs, Ministry of Economic Planning and Development, Ministry of Environment and Climate Change Management), Ministry of Finance, and Ministry of Women, Gender, and Child Development.

UNDP has also been involved in the Right to Food Agenda in Malawi through its coordination of the Democracy Consolidation Programme which is funded by Irish Aid, the Royal Norwegian government and UNDP. The project has been promoting the Right to Food as part of the broad mandate of the right to development. Community rights groups make follow ups on the food input subsidy programme to ensure the targeted individuals benefit from the programme. They take authorities to task where unfair practices in the subsidized inputs distribution are detected. The project has also promoted establishment of grain banks through community rights groups. This project is implemented in 19 districts in the country. The project further includes promotion of establishment of woodlots. Lessons learnt from this project may form practical areas to be included in the project.

#### **6.0 Reflect how the programme relates to relevant national development priorities and/or builds on on-going or emerging policy or political processes:**

The Right to Food is a national development priority. Article 30(2) of the 1994 Constitution refers to access to food as part of the human right to development and commits the State to “take all necessary measures for the realization of the right to development. Such measures shall include, amongst other things, equality of opportunity for all in their access to basic resources, education, health services, food, shelter, employment and infrastructure.” In Chapter III (Fundamental Principles) of the Constitution, article 13(b) stipulates that “The State shall actively promote the welfare and development of the people of Malawi by progressively adopting and implementing policies and legislation aimed at achieving [a number of goals, including to] achieve adequate nutrition for all in order to promote good health and self-sufficiency”. Moreover, as a State party to the International Covenant on Economic Social and Cultural Rights (ICESCR), Malawi recognizes “the right of everyone to an adequate standard of living for himself and his family, including adequate food” and “the fundamental right of everyone to be free from hunger” (art. 11).

Consistent with the status of the right to food in domestic law and with the international obligations of the country, Malawian courts have recognized the justiciability of economic, social and cultural rights, including the right to adequate food.<sup>8</sup> The National Food Security Policy of 2006 also explicitly reaffirms the human right to adequate food in its Section 1.2.2.4, stating that: “Cognisant of the provisions for the protection of human rights and freedoms as enshrined in the Constitution of Malawi, the right to adequate food is fully accepted as a human right. The right for everyone to have access to safe and nutritious food shall be observed in accordance with the fundamental right of everyone to be free from hunger”.<sup>9</sup>

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<sup>8</sup> See for example, the High Court of Malawi Lilongwe District Registry, Constitutional Case No. 15 of 2007 (Gable Masanganos the Attorney General, Minister of Home Affairs and Internal Security, and Commissioner of Prisons.

<sup>9</sup> Government of Malawi, *Food Security Policy* (2006).

As a State party to the ICESCR, the Government of Malawi has committed to take appropriate steps, to the maximum of its available resources, to ensure the realization of the right to an adequate standard of living, including adequate food. A fundamental requirement for identifying “appropriate steps” is to have a system in place to collect and analyse data on the actual status of realization of the right to food. Such data collection and analysis must be carried out periodically in order to continuously monitor progress made, or the lack thereof, with a view to adjusting ineffective policies and programmes.

#### **7.0 Participants and other Stakeholders**

The major beneficiaries of this project will be Malawian citizens who as a consequence of this project will progressively realise their right to food. The secondary beneficiaries will be CSO’s who will be able to access the funding that they require to work towards the achievement of the right to food in a more coordinated manner than was previously the case. The empowerment of communities benefitting from their right to food will ensure that they live in dignity, which is an integral part of larger freedoms.

Matrix on Outcome, Outputs, Activities, and budget

Expected results on right to food project	Relevant national strategies, policies, programmes on food and nutrition security, including ASWAP and MGDS, are progressively aligned to right to food principles.								
Result Area 1: Policy research and analysis on right to food									
Expected Outcome 1	Research and analytical work is carried out on strategies, policies, and programme on food and nutrition security with the view to improve focus on right to food agenda.								
Expected output	Key activities	Time Frame					Responsible Party	Planned Budget	
		Y 1	Y 2	Y3	Y4	Y5		Source of Fund	Amount (Euro)
10 Studies on linking strategies, policies, and programmes to right to food are finalized. 10 Policy briefs developed Contribution towards the finalisation of the Food Security registration	Commission studies on implementation challenges in thematic areas linking food and nutrition to right to food.	x	x	x	x	X	CSOs	FICA	290,000
	Development of policy briefing notes.	x	x	x	x	x	CSOs	FICA	20,000
	Finalise the development of the Food Security registration (bill).	x	x	x	x		CSOs/GO M	FICA	100,000
	Task Team Meetings	x	x	x	x	x	CSO	FICA	10,000
	Validation Workshops on Studies	x	x	x	x	x	CSO	FICA	10,000
	Monitoring and evaluation of outcome.	x	x	x	x	x	RCO	FICA	30,000
<b>Sub Total</b>								<b>460,000</b>	
Result Area 2: National level debate and dialogue on right to food									
Expected Outcome 2	National debate and dialogue are conducted to advocate and build awareness on the right to food policies, strategies, and programmes.								
Expected output	Key activities	Y 1	Y 2	Y3	Y4	Y5	Responsible Party	Source of Fund	Amount (Euro)
5 National workshops on right to food are conducted	Task Team planning meetings.	x	x	x	x	x	CSOs	FICA	30,000
	Produce periodic bulletins and advocacy materials and key messages on right to food.	x	x	x	x	x	CSOs	FICA	30,000
	Meetings with MOAFS and DCAFS to lobby and promote the right to food.	x	x	x	x	x	CSOs	FICA	10,000
	Meetings with the Parliamentary Committee on Agriculture and Natural Resources on the Food Security Draft Bill.			x	x	x	CSOs	FICA	40,000
	Facilitate national dialogue forum on key policy messages from research studies.	x	x	x	x	x	CSOs	FICA	70,000

	Produce and disseminate advocacy materials through print, TV, radio media, and Websites.	x	x	x	x	x	CSOs	FICA	40,000
	Advertisement and promotion	x	x	x	x	x	CSOs	FICA	10,000
	Monitoring and evaluation of outcome.	x	x	x	x	x	RCO	FICA	30,000
<b>Sub Total</b>									<b>260,000</b>
<b>Result Area 3: Community based right based approach to food training</b>									
<b>Expected Outcome 3</b>	<b>Group villages progressively enjoy the right to food by effectively holding duty bearers accountable.</b>								
<b>Expected outputs</b>	Briefing and sensitization meetings for District level duty bearers in 19 districts on the right to food	x	x	x			DCP	FICA	7,400
At least 40% of group villages in the country demand progressive availability, accessibility and adequacy of food and nutrition security.	Train 36 project officers and District Paralegal Officers/District Managers on the right to food.	x					DCP	FICA	12,100
	Train 617 CBFs from 19 districts on the right to food.	x	x	x			DCP	FICA	45,000
	Train 2,529 CRCs from 19 districts on the right to food.	x	x				DCP	FICA	105,000
	Produce, print and disseminate training and IEC materials on the right to food (consultancy fees and printing costs).	x					DCP	FICA	25,000
	Monitoring and evaluation of outcome.	x	x	x	x	x	RCO	FICA	13,000
<b>Sub Total</b>									<b>220,000</b>
<b>Result Area 4: Monitoring the progressive realization of the right to food</b>									
<b>Expected Outcome 4</b>	<b>CSOs based monitoring and evaluation framework for tracking progress on implementation of strategies, policies, and programmes on the right to food is functional.</b>								
<b>Expected Output</b>	CSO design of the monitoring and evaluation framework	x					CSOs	FICA	20,000
At least 30% of the policies and programmes are monitored and evaluated by CSOs on the Right to Food	Training of CSOs in monitoring and evaluation.	x	x				CSOs	FICA	20,000
	Data collection, analysis and compilation of reports.	x	x	x	x	x	CSOs	FICA	50,000
	Dissemination of monitoring and evaluation reports	x	x	x	x	x	CSOs	FICA	40,000
	Monitoring and evaluation of outcome.	x	x	x	x	x	RCO	FICA	30,000
<b>Sub Total</b>									<b>160,000</b>
<b>Result Area 5: Training on policy analytical; and monitoring and evaluation tools</b>									

<b>Expected Outcome 5</b>	<b>Capacity building on the right to food; strategies and policies; policy research and analytical techniques, monitoring and evaluation techniques enhanced.</b>								
Expected Output 20 CSO and relevant government institutions trained in policy analysis, monitoring and evaluation.	Engage consultants to design and train project CSOs on the right to food.	x					CSOs	FICA	20,000
	Engage consultant to train CSOs on the qualitative and quantitative analysis on right to food outcomes.	x							30,000
	Print and disseminate training and IEC materials to CSOs on the right to food.	x	x	x	x	x	CSOs	FICA	20,000
	Monitoring and evaluation of outcome.	x	x	x	x	x	RCO	FICA	30,000
<b>Sub Total</b>									<b>100,000</b>
<b>1% Administrative Agent<sup>10</sup></b>									<b>12,500</b>
<b>Total</b>									<b>1,250,000</b>

<sup>10</sup> As per their Global Regulations, UN Agencies will deduct a management fee. This will normally be 8%, however, participating UN agencies will be required as a condition of the grant to contribute the Management Fee back into their project, through their regular resources, and hence the full amount of resources will be available to the projects.

## **8.0 Implementation Arrangements**

### **8.1 Description of the Right to Food Window**

In order to manage the Right to Food project the UN will establish a dedicated window in the One Fund, entitled the Right to Food Window. This window will utilise current One UN Fund arrangements. The window will be administered by UNDP, as Administrative Agent, on behalf of the participating Development Organisations including UN Agencies and CSOs and the Resident Coordinator as agreed with the Government. UNDP will administer the fund in accordance with its Regulations and Rules and a Memorandum of Understanding among the participating organizations. The Administrative Agent's administrative fee will be 1%. The fee will be deducted from the contributions to the Fund at the time they are deposited.

### **9.2 Governance Arrangements**

#### **9.2.1 Steering Committee**

The overall project will be managed by a steering committee comprising the UN Resident Coordinator, as Chair, the Resident Representatives of WFP and FAO, Senior Government Officials, Heads of Cooperation and CSO's. Representatives of different UN agencies may be added to the steering committee depending on the substantive areas to be discussed.

The steering committee will provide overall management of the window. This includes providing strategic direction and decisions on the modalities of the access and disbursement of the window. The strategic direction will be set through a yearly work plan which will build on this proposal and establish the focus areas, through a consultative process. The steering committee will review project proposals submitted by CSO's and their corresponding budgets and decisions will be made by simple majority. The steering committee will have 5 working days to review and make recommendation on a project proposal.

To ensure independence, steering group members will excuse themselves if a project submitted by their agency is being discussed and abstain from providing inputs to the board unless explicitly requested to do so.

#### **9.2.2 The Administrative Agent**

As Administrative agent, UNDP will ensure that all stakeholders are aware of and comply with rules and procedures accompanying use of the fund. UNDP will also ensure proposals with relevant documentation submitted are funded within 5 working days. UNDP will also provide timely financial reports on the status of the fund. UNDP responsibilities as Administrative Agent will include the following:

- Signing the Standard Administrative Agreement with Donors, and the Memorandum of Understanding with Participating Organisations;
- Receipt, administration and management of contributions from Donors;
- Disbursement of such funds to the participating Organisations in accordance with the approved proposals;

- Provision of consolidated financial reports, in accordance with the Memorandum of Understanding on the right to food to the Resident Coordinator as Chair of the steering committee based on reports of the participating Organisations.

### 9.2.3 The Participating Organisations

Each participating organisation will use the funds disbursed to it by the Administrative Agent to carry out the activities for which it is responsible as set out in the project proposal, as well as for its indirect costs.

The implementation of the Project Activities will be the responsibility of the participating organisations and will be carried out by each Participating Organisation in accordance with its applicable regulations, rules, directives and procedures.

Where a participating organisation wishes to carry out its project activities through or in collaboration with a third party, it will be responsible for discharging all commitments and obligations with such third parties.

Each participating organisation will provide the Administrative Agent with an annual narrative and financial report for the duration of the engagement. The annual report will describe the project activities, background, planned objectives, activities and actual accomplishments. The report will include “lessons learnt” and an explanation of any variance between planned and actual outcomes.

The financial report will be presented according to the budget proposal format categories. The final report will be accompanied by an audited account of project spending, accompanied by supporting documentation if necessary. If there is any unspent money it should be returned to UNDP as AA within one month.

Participating Organisations will also provide the Coordination Officer with quarterly financial and narrative updates. This will enable progress to be tracked and any implementation challenges to be addressed in a timely manner.

### 9.2.4 Strategic Partners

Whilst the selection of participating CSOs will be facilitated by the *Appendix, A*, the project will also identify strategic partners within and outside the CSOs group to assist in coordination of the project activities in line with the prescribed result areas. These partners will include CISANET and DCP management team. They have been identified based on the umbrella function and long experience in carrying out similar project activities.

### 9.2.5 Civil Society Agriculture Network

The CISANET is a grouping of Civil Society Organizations that was established in 2001 to facilitate the engagement of the CSOs working in the agriculture sector with Government over policy issues affecting the sector especially smallholder farmers. Currently CISANET has a membership (including affiliates) of 104 and this membership comprises of NGOs both local and International, Farmer Organizations and interested individuals. It also has a wider range of partners<sup>11</sup> outside its membership who also have an interest in policy issues in agriculture and food security. The current Strategic Plan of CISANET covers the following thematic areas: Climate-smart Agriculture Development; Market Development and International Trade; Livestock and



Dairy Development; Budget Accountability program; and Nutrition and Social Protection. CISANET as an umbrella organisation has extensive experience in upstream policy activities. It has organized consultancies for policy studies and briefs to pursue matters concerning the stalled Food and Security Registration bill, production of advocacy materials, and conduct stakeholder forum including Parliamentary Committee meetings CISANET therefore offers unique strategic partnership and ability to organize other CSOs in upstream policy work more so given its extensive network of the CSOs.

#### **9.2.6 Democratic Consolidation Programme**

The Government of Malawi established the DCP in 1997 in order to put into operation its policy and constitutional commitments to reduce poverty through the improvement of governance. The first phase of the Programme (DCP I), which ran from 1997 to 2001, was aimed at building capacity across four strategic areas of focus, namely; civic education and human rights, parliamentary mechanisms, elections and legal reform and administration of justice. The second phase (DCP II), which started in 2002 and ended in 2007, had three major components: civic education on governance and human rights, especially for vulnerable groups; legal reform and administration of justice, mainly aimed at providing channels for adequate redress to resolve disputes equitably and efficiently; and parliamentary and institutional strengthening. The third phase (DCP III) ran from 2008 to 2011 and was aimed at promoting the realisation of the right to development and activating more responsive and accountable delivery of public goods and services. The evaluation of DCP III recommended a successor programme that would seek to deepen and scale up the results of DCP III. This evaluation used standard criteria of relevance, efficiency, effectiveness, impact, and sustainability. The evaluation provided data on availability, accessibility, affordability, and acceptability to gauge the progress of the project in facilitating benefits from public goods and services.

The evaluation report revealed that DCP was relevant, efficient and effective, and that its outputs were appropriately aligned with both national and community level aspirations and needs. The project left no doubts that processes, work dynamics, and results that change power relationships progressively to improve the quality of life are in high demand. It stressed that knowledge accompanied by skills transfer and animation generates energy and demand for change to improve the quality of community and individual life. The uniqueness of DCP III was in its human rights-based approach and focus on results and effectiveness. The above led to the formulation of the fourth phase of the Programme in 2011 which currently is in operation. The DCP offers the qualities and characteristics of unique strategic partnership given its extensive coverage of downstream policy activities in the 19 districts of the country and the expertise that it has accumulated over a long period time in empowering the grass roots levels in human rights which is beyond many CSOs put together.

#### **10.0. Monitoring and Evaluation**

The Fund will follow a monitoring and evaluation framework (baseline and target performance indicators) to track progress. Implementation will be spread over a period of five years. The selected strategic partners and participating organisations will take the leading role in facilitating the implementation of the project, but collaborate closely with all stakeholders including the government, development partners, academia, and CSOs. A mid-term evaluation will be carried out to assess progress, lessons learnt and to make necessary adjustments for the second half of the project. At the end of the implementation period, there will be an end-line evaluation to assess challenges, successes, lessons learnt and to provide inputs for the development of the next if considered necessary.

The project will be coordinated by the Resident Coordinator's Office. A National Officer (NOA level) will be engaged to provide fund management services including planning, budgeting, and oversight of disbursement in line with the rules and regulations of the managing agent. This National Officer will also be tasked with monitoring and supporting progress of the various projects granted resources under the window.

The steering committee will review activities funded through the window in order to encourage lessons learned, identify opportunities for experience sharing as well as practices to be replicated across various comparable projects supported by the fund. The steering committee will also suggest and participate in joint assessments with partners, solicit inputs from experts, and potentially commission external evaluations to enhance the effectiveness of the window.

UNDP auditors may conduct operational and financial audits of individual projects as part of broader audit purposes. These audits will be available to FICA.