



IF RIO+20 IS TO DELIVER, ACCOUNTABILITY MUST BE AT ITS HEART

Background Note: *The Right to Food as a Global Goal*¹

The Zero Draft dedicates paragraphs 64 to 66 to food security. It includes a reference to the right to food and to the need to “prioritize sustainable intensification of food production through increased investment in local food production, improved access to local and global agri-food markets, and reduced waste throughout the supply chain, with special attention to women, smallholders, youth, and indigenous farmers” (para. 64). Food security, sustainable agriculture and more broadly “sustainable consumption and production patterns” are among the possible Sustainable Development Goals (para. 107).

The Special Rapporteur on the right to food offers three proposals for consideration, in order to ensure that the Rio+20 commitments are coherent with previous commitments related to the human right to adequate food; that they build on existing intergovernmental institutions specifically dedicated to food security, and that they build on the best concrete approaches to foster a swift transition to sustainable food systems.

Proposal 1: Reaffirm the right to food and clarify its implication

The Zero Draft reaffirms the right to food (para. 64). This recognition should be completed with better reflection of the definition of the right to food, which emphasizes the importance of access (physical and economic) to food. Furthermore, in addition to a restatement of the definition of the right to food, its implications need to be clearly expressed in the Rio+20 Outcome Document.

Under international human rights law the right to food protects the right of all human beings to feed themselves in dignity, either by producing their food or by purchasing it. The right to food is the right to have regular, permanent and free access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and which ensures a physical and mental, individual and collective, fulfilling and dignified life free of fear from hunger.

To produce his or her own food, a person needs land, seeds, water and other resources, and to buy food, a person needs purchasing power and access to markets. The right to food, therefore, requires States to provide an enabling environment in which people can use their full potential to produce or procure adequate food for themselves and their families. As not everyone will produce their own food, the right to food requires States to ensure that wage policies or social safety nets enable people to realize their right to adequate food.

As authoritatively defined by the Committee on Economic, Social and Cultural Rights, the body of independent experts tasked with clarifying the obligations of States parties to the International Covenant on Economic, Social and Cultural Rights: “The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement.”² To include such a definition would only reflect existing consensus. The 192 Members of the FAO Council already affirmed such a definition in 2004 through the Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security.

¹ See also *Open Letter from Special Procedures mandate-holders of the Human Rights Council to States negotiating the Outcome Document of the Rio+20 Summit*.

² General Comment No. 12 (1999): The right to adequate food (ar. 11 of the Covenant), E/C.12/1999/5.

Beyond a restatement of the definition of the right to food, the implications need to be clearly expressed in the Rio+20 Outcome Document. The need to give specific consideration to the right to food in food and nutrition security policies, plans and programmes has also been reaffirmed in the outcome documents of the Special Session of the Human Rights Council (2008), the 36th Session of the CFS (2010) and the MDGs Review Summit (2010). As noted in an October 2011 Guidance note to the United Nations Country Teams prepared by the United Nations Development Group, a human rights-based approach to food security and nutrition “requires concrete actions by Governments, with strong accountability mechanisms,” including “a) policies and strategies for food and nutrition security for all, with clear time frames and benchmarks, b) a legal framework to back up such policies and strategies, c) mechanisms for multisectoral coordination of implementation, d) mechanisms for information, monitoring and analysis, and e) redress mechanisms through which individuals can seek remedies in case of policy failure.”³ Similarly, the Updated Comprehensive Framework for Action, a common strategic framework for food and nutrition security adopted by the Secretary-General’s High Level Task Force on the Global Food Security Crisis adopts similar approach.⁴

Proposal 2: Reiterate the unique role of the Committee on World Food Security and set the ground for a constructive contribution of the CFS in the 2012–2030 road map

Rio+20 should strengthen existing institutions, such as the Committee on World Food Security (CFS), and create new links between existing relevant institutions and the Rio+20 commitments, while avoiding duplication and overlap.

The CFS is comprised of a Bureau and Advisory Group, a High Level Panel of Experts, a Plenary and a Secretariat.⁵ Governments and the Rome-based agencies dedicated considerable efforts in reforming the CFS after the 2007–2008 global food price crisis. In 2009, an agreement was reached to redesign the CFS so that it would “constitute the foremost inclusive international and intergovernmental platform for a broad range of committed stakeholders to work together in a coordinated manner and in support of country-led processes towards the elimination of hunger and ensuring food security and nutrition for all human beings.” The Member States of the Food and Agriculture Organization of the United Nations mandated the CFS to “strive for a world free from hunger where countries implement the voluntary guidelines for the progressive realization of the right to adequate food in the context of national food security.”⁶

The reformed CFS is fully operational now. It has started important work on issues vital to food security such as access to land, investments in land and agriculture, food price volatility, gender and social protection. Civil society has developed an autonomous mechanism for participation in CFS activities, discussions, negotiations and decision-making. The CFS undoubtedly has the world’s most elaborated mechanisms to enable a structured dialogue between governmental and non-governmental actors. The CFS facilitates the participation of the broadest range of civil society actors in its work.⁷ The private sector, too, has defined organizing principles for its engagement with the CFS.

³ United Nations Development Group, Integrating food and nutrition security into country analysis and UNDAF, Guidance note for United Nations Country Teams, October 2011, p. 10.

⁴ Updated Comprehensive Framework for Action, High Level Task Force on the Global Food Security Crisis, September 2010, p.5 and pp.32-34. See, <http://www.un-foodsecurity.org/>

⁵ See <http://www.fao.org/cfs/en/>

⁶ CFS:2009/2 Rev.1, para. 4.

⁷ CFS:2010/9.

The Outcome Document to be adopted at the Rio+20 conference should reiterate the unique role of the CFS as the foremost inclusive international and intergovernmental platform for supporting country-led processes for the elimination of hunger and for ensuring food and nutrition security for all human beings. The specific focus of the CFS's work and its inclusive composition ensure that it is complementary to the proposed Sustainable Development Council (SDC), especially in the areas where overlap may exist. The CFS can make a unique contribution in helping to define the indicators for the proposed Sustainable Development Goals (SDGs) and to strengthen accountability at both international and national levels. The objective should be to establish complementarity between the proposed SDC and CFS, and to ensure that the comparative advantages of each mechanisms are built upon, thereby avoiding redundancy and fragmentation.

As the CFS enters its second phase of reform, it will establish “an innovative mechanism, including the definition of common indicators, to monitor progress towards these agreed upon objectives and actions.”⁸ Insofar as the SDC will develop indicators related to food security, sustainable consumption patterns and sustainable production,⁹ the CFS could propose a set of relevant indicators to the SDC, and develop its own monitoring, by mapping progress made in different regions on the basis of such indicators. This would help ensure coherence by providing a mechanism for the SDC to hold its deliberations on the basis of sound data, validated by the CFS.

When the CFS was reformed, it was agreed that accountability should be promoted at all levels, including the national level.¹⁰ In this regard, the Voluntary Guidelines on the progressive realization of the right to food in the context of national food security refer to the importance of national strategies adopted at country level – strategies that include an independent monitoring mechanism and provide opportunities for civil society and producers' organizations to participate in the identification of priorities and assessment of results. While the CFS encourages States to in this regard, it could ensure that, in the three areas where the SDGs overlap with the CFS (food security, sustainable consumption and sustainable production), these mechanisms also contribute to monitoring progress made towards the fulfilment of the SDGs. The CFS, therefore, could lead by example, encouraging States to establish mechanisms to guarantee that commitments made to safeguard food security, sustainable food systems and the right to food are fulfilled. This would constitute a major contribution to the implementation of the SDGs that could be reflected in the Outcome Document of Rio+20.

Proposal 3: Acknowledge the potential of agroecology and farmer's organizations

The Zero Draft emphasizes the need to “prioritize sustainable intensification of food production through increased investment in local food production, improved access to local and global agri-food markets, and reduced waste throughout the supply chain, with special attention to women, smallholders, youth, and indigenous farmers” (para. 64). This language would benefit from more precise language that refers to agroecology and to the role of farmers' organizations.

A distinction must be made between various modes of production according to their impact (negative or positive) on the challenges discussed in the 1992 Rio Summit: climate change, loss of biodiversity, exhaustion of natural resources, etc. The 2008 food price crisis triggered a reinvestment in agriculture, which was and remains essential. Nevertheless, in a context of ecological, energy and food crises, the most pressing issue regarding reinvestment is not *how much*, but *how*. Rio+20 should deliver a powerful message on the question of *how* since important choices must be made now concerning the direction of agricultural investment, research and development.

⁸ CFS:2009/2 Rev.1, para. 6.

⁹ Zero Draft *The Future We Want*, para. 107, cited above.

¹⁰ CFS:2009/2 Rev.1, para. 6.

The Special Rapporteur presented a report on agroecology and the right to food (A/HRC/16/49) to the Human Rights Council at its sixteenth session in March 2011. The report explores how States can and must achieve a reorientation of their agricultural systems towards modes of production that are highly productive and sustainable, and that contribute to the progressive realization of the human right to adequate food, for instance by giving priority attention to the most marginalized and vulnerable groups. Drawing on an extensive review of scientific literature published in the last five years, the report identifies agroecology as a mode of agricultural development that has proven results for quick progress in improving food security for many marginalized and vulnerable groups in various countries and environments.

Agroecology is resource efficient; it reduces the ecological footprint of agriculture and transforms agriculture from a problem into a solution. While agriculture currently is one of the major contributors to greenhouse gas emissions, the implementation of agroecological approaches could turn significant portions of agricultural land into carbon sinks and, concurrently, could improve nutrition and create jobs in rural areas. The report argues that the scaling up of agroecology is a key challenge today, and identifies appropriate public policies that can create an enabling environment for sustainable modes of production in several countries.

In its resolution 16/27, the Human Rights Council “encourages States and donors, both public and private, to examine and consider ways to integrate the recommendations [contained in the report] in policies and programmes.” The resolution stressed that “improving access to productive resources and investment in rural development is essential for eradicating hunger and poverty,” and that the promotion of investments “in programmes, practices and policies to scale up agroecological approaches” is a means towards achieving that end.

A key recommendation of that report calls on States to “support decentralized participatory research and the dissemination of knowledge about the best sustainable agricultural practices by relying on existing farmers’ organizations and networks, and including schemes designed specifically for women” (A/HRC/16/49, para. 44). Indeed, the expansion and achievements of agroecological modes of production in all continents are impressive, and farmer’s organizations play a vital role in many countries.¹¹ The Outcome Document should reflect the importance of agroecology as well as the importance for public authorities to collaborate with farmer’s organizations in the design and implementation of agriculture, nutrition and food security policies.

¹¹ For an overview of developments in all countries, see A/HRC/16/49 (particularly paras. 32-35). For examples in South Africa, see A/HRC/19/59/Add.3 (paras. 48 and 58), in Mexico, see A/HRC/19/59/Add.2 (para. 58), in Madagascar, see A/HRC/19/59/Add.4 (paras. 14-19).