

Mandate of the Special Rapporteur on the right to food

April 6 2020

Dear CFS Chair, Secretariat, stakeholders,

I am pleased to offer my inputs to the zero draft of the CFS Policy Recommendations on "Agroecological and other innovative approaches for sustainable food systems that ensure food security and nutrition."

These comments build upon those I made [during CFS 46](#) as well as those provided to the [Zero draft of the HLPE Report "Agroecological approaches and other innovations for sustainable agriculture and food systems that enhance food security and nutrition,"](#) to which I respectfully refer the CFS Chair, Secretariat and Technical Task Team. I am grateful for the work undertaken on the policy recommendations thus far, which clearly take into account the discussions held during CFS 46 as well as many of the elements and important findings highlighted by the HLPE report on the subject.

Over the course of my mandate, I have consistently supported agroecological approaches as an important alternative to the industrial, monoculture-based model of agriculture that too often undermines the right to food. Adopting agroecology means supporting an ecological approach to food production, one that integrates agricultural development with relevant ecosystem protection. It focuses on maintaining productive agriculture that sustains yields and optimizes the use of local resources while minimizing the negative environmental and socioeconomic impacts of modern technologies.

As explained in several of my thematic reports, including those on pesticides and on climate change, agroecology is critical for the promotion of healthier, more holistic and resilient food systems. Best practices observed during my country missions, particularly those to Argentina, Zambia and Zimbabwe, reaffirmed the potential success of agroecology. In each of these countries, agroecological practices have proven to both increase yields and to promote environmentally-friendly behaviors that ultimately support local livelihoods, rural development, and poverty reduction.

I welcome CFS' efforts to develop comprehensive recommendations on agroecology, as this issue is relevant to all Governments that are committed to diversifying and preserving natural resources, mitigating climate change, and protecting small-scale farmers. In particular, I appreciate the inclusion of the principle of agency as a critical dimension in the document, as well as the focus on strengthening multi-stakeholder engagement, empowering vulnerable and marginalized groups and addressing power inequalities in food systems.

I wish to reiterate that the transformation of food systems poses many challenges that can hinder the enjoyment of human rights, and especially the human right to adequate food. Agroecological approaches call for a strong human rights-based approach and for the application of human rights principles, such as participation of food producers and subsistence farmers to be at the center of policies for FSN. Inclusivity is key to this process.

Although the right to food and general references to stakeholders' rights are mentioned throughout the document, I find it necessary to reiterate my call for a greater inclusion of a human rights-based approach.

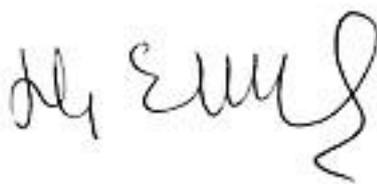
As a member of the CFS Advisory Group, it is my responsibility to ensure that human rights and the right to food receive due consideration in this forum. This means that human rights must be placed at the center of the policy process—a point that I have previously stressed to the CFS.

Article 11 of the International Covenant for Economic, Social and Cultural Rights, the CESCR General Comment No. 12 on the Right to Adequate Food, as well as the Right to Food Guidelines adopted by the FAO in 2004, all establish a strong legal foundation for such integration. If human rights are adequately integrated, these recommendations have great potential to positively influence agrological systems and innovative approaches in the farming sector across the globe.

Finally, in light of the current global crisis generated by the COVID-19, I would urge the CFS to take into consideration and strong account the long-term impact of the ongoing pandemic in all discussions moving forward. As this health crisis has already triggered a global food security emergency, it is incumbent upon this forum to proactively develop future safeguards and human rights-based solutions for global food systems

Thank you again to the CFS Chair, Secretariat and stakeholders for the opportunity to contribute to this discussion. Please let me know if there is a need for clarification. As the end of my mandate approaches, I would also like to respectfully convey my commitment to this forum and my intention to remain available for further work and cooperation with the CFS.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hilal Elver', with a stylized flourish at the end.

Hilal Elver
Special Rapporteur on the right to food

General comments on CFS "Agroecological and other innovative approaches for sustainable food systems that ensure food security and nutrition" – Zero Draft

Introduction:

1. Although the right to food is referenced in the Zero draft, the strong **connections between agroecology and the principles of the human rights-based approach to food security and nutrition are not sufficiently drawn**. Recognizing these connections are fundamental to the realization of the right to adequate food, but are not properly described in the draft and should be further articulated at this point. Agroecology impacts the central tenets of the right to food—availability, sustainability, accessibility, adequacy and sustainability— by raising productivity at field level, by reducing overall rural poverty and benefiting the most vulnerable smallholders, by improving nutritional standards, and by mitigating climate change shocks..
2. Poverty and lack of access to natural resources severely constrains the agency of food producers, reducing their ability to enjoy their human rights. Agroecology calls for **human rights principles, such as participation** (of farmers) to be at the center of policies for FSN. From the outset, the recommendations should promote agroecological approaches that foster and encourage participatory systems. This requires ensuring that small-scale food producers, who are those most affected by intensive agriculture, are empowered and involved in decision-making processes. Respecting the agency of these actors means offering them an opportunity to exercise their rights over natural and productive resources, the very same resources that they so desperately need to achieve their human right to food.
3. **A human rights-based approach already encompasses the four pillars of FSN, but it calls for a paradigm shift on how FSN action is conducted**. Specifically, in a human rights-based approach, human rights principles (participation, accountability, non-discrimination, empowerment, equity, equality, rule of law, transparency, and human dignity) guide all FSN policy action, requiring States to take these principles into account when addressing each of the four FSN pillars, to achieve the right to food.
4. Finally, **innovative approaches need to strongly consider marginalized communities** who are more likely to have limited or insufficient access to technologies such as digitalization. Overlooking such aspect could exacerbate drivers of exclusion, preventing participation and sharing of the benefits arising from agroecology and other innovative approaches. Outreach and education is therefore of paramount importance and it should be embedded and reflected in the policy recommendations.

Comments on specific sections/policy recommendations:

5. The human right to food should be integral part of the initial **policy foundations section**. This part on policy foundations should serve as an important opportunity to frame this document as one rooted in human rights principles, in accordance with a human rights-based approach. The right to adequate food imposes a fundamental legal obligation on all States and it should inform the overall design of the

recommendations. It should be mentioned at this point that States should enforce a human rights-based approach to the development and implementation of policy frameworks that foster agroecology and innovative approaches. Furthermore, alignment to human rights instruments should be made explicit. This will help to encourage coherence and adherence to those human rights principles that are key to the success of agroecological approaches.

6. The section on policy foundations should also call for the establishment of agroecology-related policy framework that makes an explicit reference to the right to food, including in the policy frameworks designed to mitigate climate change (for example the national adaptation plans of action -NAPAs).
7. **Monitoring and accountability** are at the core of the human rights-based approach. This is the responsibility of duty bearers to ensure sustainable agriculture and food systems can really enhance FSN. The recommendations should refer to the private-public sector interaction within the policy sphere, and the risks that are posed by a lack of sufficient State monitoring. To prevent any damage that could arise from unsustainable practices or harm imposed on smallholder farmers and other rights holders, the recommendations should endorse actions by States to bind the private sector to strict monitoring and reporting requirements.
8. Within the “**Area-based planning for diversified and resilient food systems**” there should be an explicit and strong reference to the *Right to Food Guidelines*, adopted by the FAO in 2004.
9. When discussing optimization of the **use of agrochemicals and dependency reduction**, it should be mentioned that these substances have a strong impact on human rights, including the rights to health and to food. . Please refer to the UNSR thematic report on pesticides and their impact on the right to food (A/HRC/34/48).
10. The discussion about **healthy diets** needs to be complemented by and linked to the right to food discourse. A nutrition-centric focus fails to account for the greater human rights context in which the recommendations must be based. Indeed, international human rights law clearly establishes that the human right to adequate food includes the right to nutrition and healthy diets. In addition, explicit reference in this section should be made to the dimension of adequacy which is at the core of the right to adequate food. Adequacy encompasses socio-economic and cultural as well as nutritional issues which are fundamental to agroecology.
11. The section on **Markets for sustainable food systems** should also mention efforts to be adopted to improve the ability of producers practicing sustainable agriculture to access **markets** by using instruments such as public procurement, credit, farmers’ markets, and creating a supportive trade and macroeconomic framework.
12. Finally, as regards to research, although partially mentioned, the section should call for a dedicated support to **decentralized participatory research and the dissemination of knowledge** about the best sustainable agricultural practices by relying on existing farmers’ organizations and networks, including schemes designed specifically for women.