

## CSIPM interventions during the third Open-Ended Working Group on Data on 23 March

### INTERVENTION BY PATTI NAYLOR, NATIONAL FAMILY FARM COALITION

- The Civil Society and Indigenous Peoples Mechanism would like to thank the Technical Task Team and all those involved in creating this zero draft.
- I became involved with this workstream on data out of concern for what I see happening to farmers and to agriculture where I live, which is relevant to global efforts to address food security and nutrition.
- Most of the farmers in my region of the United States grow genetically-engineered (GMO) corn and soybeans that are used to feed livestock housed in facilities rather than on farms, and are used to produce biofuels. These crops need synthetic fertilizers and toxic pesticides to produce well.
- Farmers in my region also are enticed into using data-collecting technologies in what could be called a “bait and switch” strategy by agribusinesses partnering with tech companies. Farmers give the company production data with the promise of better yields or payments from carbon markets or from climate-smart practices, but in return, they are locked into more control by the company. This agronomic data does not help farmers, nor would it help small-holder producers. The kind of data that is being forced onto the agriculture system instead will facilitate the further industrialization and exploitation of this agriculture system in all regions of the world. The same tactics that are used by agri-tech companies to entice farmers are being employed on governments as well. Big promises that hide the big risks.
- Many of the technologies that are being developed and used by my neighbors will allow the management of land to produce commodity crops by computer, using artificial intelligence, with little regard to the realities on the ground, with little regard for the needs of farmers, farmworkers, rural communities, and the natural environment. I fear a time when farmers, peasants, and Indigenous Peoples are replaced as food producers and as caretakers who fulfill their obligation to the land and to future generations.
- Today the data that is collected is a key source of value of informational or data capitalism. The governing of data has huge implications for the kinds of technologies, infrastructures, and systems that will be developed. The future of food security – and of each country’s food sovereignty – is at stake.
- The CSIPM therefore believes that **governance** should be at the heart of data collection and analysis. In the Zero draft, however, it still remains at the end of the document.
- The collection and use of FSN data directly affects human rights and brings along serious risks in this regard. This is why we welcome the reference to the right to food, UNDROP and UNDRIP, but see **a need to streamline human rights throughout the document**. In particular, we consider that the recommendations should put an emphasis on safeguarding and promoting the rights of small-scale food producers, Indigenous Peoples, and other marginalized people. This particularly concerns their rights over their data, including the economic rights over the data that they produce/generate, as well as their right to decide what of their data they want to share, with whom, and under what circumstances, including the right not to share it.
- We are **concerned about the recommendation for states to use and invest in data-collection tools such as remote sensing, drones and digital data collection tools** (recommendation 3e). It is important to acknowledge that the use of such technologies is preceded by **an assessment of the most appropriate technologies in a given context**, including the socio-cultural context. Moreover, the use of such technologies should happen **within adequate regulatory frameworks** ensuring that public data as well as the benefits generated from it are not privately accumulated.

- Relatedly, the CSIPM considers that the policy recommendations should **address the governance of data and data infrastructure that is held by corporations and other private actors**. The draft mentions the use of technologies in several places, but it fails to acknowledge the fact that a lot of data relevant for FSN is held by private actors who also accumulate the (economic) benefits generated from it.
- Finally, these recommendations should contain **guidance on how privately held FSN data should be made available and used for the public interest** (particularly in those cases where private data holders have not produced/generated the data, but merely collected and aggregated it). Moreover, it is critical for these policy recommendations to call for public policies that **prevent accumulation of public data as well as the (economic) benefits** generated from it.

## INTERVENTION BY PHILIP SEUFERT, FIAN INTERNATIONAL

Thank you for allowing us to share some additions comments.

- Re scope/objective of the recommendations: Mandate given to this OEWG by CFS Plenary/MYPoW refers to “**data to improve critical decision-making** around food security and nutrition policies.” This **focus on decision-making is not reflected in the draft**, which rather gives the impression that it deals with data collection per se (and implicitly conveys the message that data per se is good and more data will necessarily lead to better FSN outcomes. The reality, however, is much more complex.) Therefore, we consider that the draft document should be refined in this sense, starting from its title and throughout the rationale and recommendations.
- Under paragraph 2 of the rationale, the recommendations mention “evolving discussions regarding **agency and sustainability**.” However, the CSIPM strongly recommends that these **should be included with the other four dimensions of food security**, which have been recognized repeatedly by the HLPE and CFS discussions.
- **Not all data is digital**: the rationale mentions that there are different types of data, but we see that **the draft implicitly focuses very much on data in digital form**. We believe that it is important for the document to take into account that there is a lot of data relevant for FSN, which is not currently digitized, and **digitizing that data will not necessarily lead to good FSN outcomes for marginalized groups**. Furthermore, **Indigenous Peoples, small-scale food producers, and other communities have their own information and knowledge systems, which should in no way be undermined by these recommendations**. This is also relevant for data that is **qualitative and not quantitative** and which should also be covered by the recommendations.
- The draft urges governments to treat FSN data as ‘**open by default**,’ (5b) relying on the recommendations by the UN Statistical Commission. However, this ignores **the special role and specificities of food and agricultural data. FSN data must be understood broadly and holistically** – it includes the knowledge of small-scale food producers and workers, the qualitative information they collect and share with their communities, publicly collected data, as well as data collected by the private sector. **Rather than being ‘open by default,’ data needs to be democratically governed, through inclusive and participatory processes that place the needs of rights-holders at the center of decision-making.**
- The CSIPM is also very concerned that the draft document does not include recommendations regarding comprehensive **assessments of risks arising from the collection and use of data**. We believe that it is important to close this gap by **recommending states to put in place adequate policies, referring specifically to human rights as well as social and environmental risks**. The latter is particularly important because collecting, storing and processing big amounts of data requires an immense amount of energy to store and analyze. These **ecological and environmental effects of data collection and analysis should be addressed** in the recommendations. Generally speaking, **risk assessments are critical to ensure accountability**.

- We echo the questions raised regarding the **Trust Fund**. The recommendations currently encourage the establishment of a Global FSN Data Trust Fund (recommendation 2h). **We have many questions about such a Trust Fund**: How would it operate? How would it be governed? By which organizations? Would it be operating under the auspices of the CFS? And how would it collect and share data? And on what basis would it decide about the eligibility of countries to receive support from the fund? **These questions need to be answered** if this proposal is to be included in the recommendations.

We will also share these and more comments in writing.

- Regarding Canada's comment on **the difficulty of discussing a complex issue in such a short time**, we consider that the OEWG should indeed reflect on this. We are worried that there has not been a lot of participation in this process so far.

Thank you