

CFS POLICY RECOMMENDATIONS ON DATA COLLECTION AND ANALYSIS TOOLS FOR FOOD SECURITY AND NUTRITION “0 draft”

Comments of the Special Rapporteur on the Right to Food, Michael Fakhri

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Rationale

The rationale section acknowledges that we are amid a technology driven data which is exponentially increasing the volume and type of data available. Moreover, the number of actors involved in data collection including private agencies is increasing (par.9). For this section to be meaningful, it should also acknowledge the associated challenges, namely, the fact that the data revolution often deepens inequality within and between countries.

In order to clearly outline the rationale of this policy recommendation, this section should clearly identify the challenges it is responding to. This includes the fact that many private actors are extracting directly or indirectly data for their own economic benefit and interests; this fact will conflict with recognition of FSN data as a public good that serves the public interest, as stated in par 9. Some researchers have argued that digital technologies can reinforce existing systems which are considered economically, socially and ecologically unsustainable and favour specific FSN players over the public interest (HLPE Report, 2022).

When using data for decision-making it is even more important to **find ways to include knowledge and forms of culture of specific groups** of peoples such as indigenous peoples and **marginalized groups, that risk** otherwise being overlooked or exploited. The rationale should state this as clearly as possible.

In fact, as already pointed out in previous comments, data generation and analysis are not neutral and **often reproduce biases**. Particularly in food security and nutrition data collection this **might create or reinforce existing discrimination** or leading to even more discriminatory practices.

Another important aspect, linked to the value that the CFS can bring to this topic, is the need to foster food system transformation towards the fulfilment of the right to food. This would entail encouraging coherence and harmonization of data among different ministries (agriculture, education, health, economy, environment, etc.) and between national and the local level, where access to data is often lacking. The HLPE report pointed out that this harmonization problem is not only present among government institutions at country level, but also in academia, and sometimes among international organizations, including within the UN System.

Recommendation 1. CREATE GREATER AWARENESS AND DEMAND FOR BETTER USE OF FSN DATA IN DECISION-MAKING

This section should acknowledge the risk for digital technologies and data collection tools used to influence decision making may inadvertently threaten human rights.

The function under 1.b should be deferred to the FSN governing bodies mentioned in 1a, to avoid duplication of efforts and include an overall reference to respect, protect and fulfil human rights obligations.

1.c and 1.d should not be limited to conduct cost-benefit analyses, since this is too narrow. Decisions should be made withing the context of human rights obligations – this allows for the full array of different values at stake to be assessed and balanced by a government. Particularly, when related to legislation and policy proposals it should recommend conducting participatory risk assessments (social and environmental assessment of data collection, processing, and storage). As the HLPE Report explains: “AI systems can contribute to discrimination and threaten human rights in various ways, for instance when there are biases inherent in algorithmic decision-making AI systems. This can happen if the developers of the algorithm are

(consciously or unconsciously) biased, if biases are built into the model upon which the systems are built or are present in the training data or in the input data (European Union Agency for Fundamental Rights, 2019), or if they are introduced when such systems are implemented in real-world settings". These biases might create or reinforce existing discrimination.

As 1.h is the only recommendation related to capacity development it should target at all levels, and particularly attention should be put on economic, social, cultural risks, included environmental impact of technologies aimed at data collection.

Recommendation 2. INCREASE AND SUSTAIN INVESTMENT IN THE COLLECTION AND QUALITY ENHANCEMENT OF PRIORITY DATA FOR FSN, WHILE OPTIMIZING AND/OR REPURPOSING CURRENT DATA-RELATED INVESTMENTS

Investments should not necessarily be monetary investments, but also in terms of improving harmonization and coherence that serves the public interest. The type of investment needed should be assessed on a case-by-case basis.

When mentioning innovation under c) it should specify what we mean by innovation, including enhancing social inclusivity and different type of data (merging with point i), as well as cross sectoral data gathering to improve coherence, avoid duplication and enhance food system improvements based on the right to food.

Recommendation 3 INVEST IN HUMAN CAPITAL AND IN THE NEEDED INFRASTRUCTURES AND TECHNOLOGIES TO ENSURE THE SUSTAINABILITY OF DATA PRODUCTION CYCLE AND ANALYTIC CAPACITY

Investment in human capital should be grounded in the human rights approach, including for example the consideration of the right of Indigenous Peoples to self-determination. In this section the emphasis is completely unbalanced on "modernization" referring to specific technologies or data collections tools without considering different socioecological models may require different systems or layers of data collection systems. These paragraphs should mention different topics or themes that data should encompass for a system approach to FSN data collection and analysis tools (e.g One Health approaches).

Recommendation 4 INCREASE COLLABORATION AMONG ALL PARTIES TO HARMONIZE METHODS, IMPROVE FSN DATA QUALITY, AND PROMOTE THE SHARING OF FSN DATA FOR THE PUBLIC GOOD

On point c. the recommendation should include the necessity of collecting data on local, national and regional markets to be coherent with the CFS recommendations "Connecting smallholders to markets": the highly diverse local and national food markets that are embedded in territorial food systems have been defined by the Committee on World Food Security (CFS) as territorial markets (CFS, 2016). Despite their importance in linking food supply and demand at the territorial level, data on territorial markets are seldom included in national data collection systems (FAO, 2022; CSM, 2016; CFS, 2016). This will be coherent also with the HLPE report "Locally adapted data and information reduce the risk of one size-fits-all solutions that can be detrimental to the well-being of Indigenous Peoples and the sustainability of their food systems".

Recommendation 5 ESTABLISH OR STRENGTHEN FSN DATA GOVERNANCE AT GLOBAL, REGIONAL, NATIONAL AND SUB-NATIONAL LEVELS

This section on data governance is extremely important, in particular "the issues of ownership, access to and control of data can lead to risks associated with inequitable data access, power asymmetry, negative exclusive property regimes over data, exclusion (wilful or not) of certain types of data, unethical tracking

and targeting (for instance, through AI-powered unethical target advertising), and market dominance by organizations and bodies that control the data” (HLPE Report, 2022).

The CFS should therefore pay close attention to concerns about the unregulated, and in some cases exploitative, terms on which data are extracted from Indigenous peoples, small scale food producers and workers, individuals, and countries in the global South, by corporate actors often skirt accountability.

Therefore, this section should include a call on States to enact laws that regulate those entities that collect and use data. This should include, but not be limited to setting clear, mandatory due diligence requirements and include enforcement mechanisms. Human rights due diligence requires assessing actual and potential human rights impacts; integrating and acting upon the findings; tracking responses; and communicating how these impacts are addressed. As highlighted in the Business and Human Rights in Technology Project (B-Tech Project, which applies the UN Guiding Principles on Business and Human Rights Guiding Principles to digital technologies), due diligence should apply to the conceptualization, design and testing phases of new products aimed at collecting data.