



Chair's summary

CFS-RAI Regional consultation for Africa

28-29 November 2013

Johannesburg, South Africa

General comments

- Need to define terminology such as “investor”, and concepts such as “responsible”
- Need to link CFS-RAI process to country and regional initiatives and frameworks, such as NEPAD and CAADP
- For the African region in particular, need to address the question of the role to be played by NEPAD in implementing CFS-RAI
- Need to include an evidence-based rationale (what is happening and why it is happening) for what behavior CFS-RAI aims to change
- Need to create incentives to encourage stakeholders to change behavior by operationalizing the principles
- Need to go beyond just referencing the VGGTs and address land tenure and governance issues throughout the principles
- At the same time focus in CFS-RAI should be on investment in food systems vs. land tenure, already addressed in the VGGTs
- Need to address ways to engage youth in investing in agriculture
- Need to recognize that investment in agriculture and food systems can take many forms and that approaches need to be targeted
- Need to recognize that foreign investments can play a positive role in contributing to food security and nutrition when principles such as CFS-RAI are respected
- Need to consider trade-offs in implementation (example: climate change goals vs employment goals)
- Need to recognize that one category of stakeholders (governments) is underrepresented in this regional consultation.

QUESTION 1: Are all relevant issues and areas related to fostering responsible agricultural investments adequately addressed in the Zero Draft? If not, what should be changed?

Participants noted the following areas as requiring further attention in the document:

- Nutrition, including the need for nutrition sensitive research
- Crop diversity and the need for research to go beyond the three main staples
- Agro-ecology/organic agriculture
- Indigenous food and food habits
- Pastoral land and communities
- Urban and peri-urban agriculture
- Taxation
- Decent work conditions, safe and healthy practices, collective bargaining, no sexual harassment for food systems workers
- Women's equality
- Social protection
- Information and knowledge sharing and capacity building
- Food loss and food waste, particularly addressing storage issues at all stages in the food system
- Recognition of non-food production's contribution to food security
- Importance of cooperatives
- Inclusive business models
- On-farm and off-farm investments
- Incentive schemes to change behaviour (including addressing smallholders)
- Barriers to entry (especially for small-holders) and voluntary standards (such as food safety standards)
- Need to consider indigenous methods carefully given that they can have both positive and negative impacts
- Need to keep a practical approach and focus on the operational aspects of human rights

In addition, participants debated the importance of addressing regional specificities at this stage or whether it would be more useful to keep a global focus.

QUESTION 2: Are the roles and responsibilities of relevant stakeholders clearly defined in order to facilitate implementation of the principles? If not, what should be changed?

Regarding roles and responsibilities, the following comments were made:

- Need to differentiate categories of investors and address their needs and challenges separately, including domestic investors in the food system, small and large investors
- Governments need to translate voluntary principles into national frameworks
- Role of regional bodies needs to better be addressed in order to ensure food security and nutrition
- Specify civil society' role in working with the private sector to develop inclusive business models
- Emphasize the role of Governments:

- as the main investors in public goods and services in order to provide equitable systems for all
- as a public investor to ensure appropriate infrastructure, health and education systems, technology transfer
- implement smart (specific, measurable, achievable, relevant, time-bound) subsidies for food security and nutrition
- ensure financial resources are reinvested in countries
- supporting the key role of cooperatives
- the governments of states where multi-nationals are based should also play a role in encouraging the application of CFS-RAI in their investments abroad
- Clarify the role of regional bodies, which can have both negative and positive impacts on food security and nutrition
- Need to address how other initiatives and stakeholder can work closely together to implement the CFS-RAI principles
- Recognize the specific needs and responsibilities of each stakeholder category.

QUESTION 3: Does the Zero Draft achieve the desired outcome to promote investments in agriculture that contributes to food security and supports the progressive realization of the right to adequate food in the context of national food security? If not, what should be changed?

In assessing whether the overall zero draft achieves the objective of promoting investments in agriculture that contribute food security and nutrition, the following points were raised:

- Need for further public investment in research, particularly in seeds
- Need for further public investment in participatory research, taking into account the specific needs of smallholders
- Need further public investment in extension services addressing the needs of farmers including smallholders
- Specify the key role of financial service providers in helping to implement the CFS-RAI principles
- Strengthening of cooperatives
- Engage youth in identifying targeted strategies for their involvement in agriculture and food systems
- Need to address household level issues including:
 - Access to credit, adapted to small-scale producers' needs
 - Risk reduction
 - Diversification of livelihoods
 - Technology transfer and time spent on activities (esp. women)
 - Multiple roles of women
- Emphasize the importance of policy coherence
- Strengthen linkages between producers and consumers and addressing local food systems
- Address affordability of food and empowerment of consumers
- Consider issues of security and democracy and post-conflict in investment decision making

QUESTION 4: The principles are intended to provide practical guidance to stakeholders; therefore:

a) Are the current structure and language used clear and accessible for all relevant stakeholders to apply?

- The participants are comfortable with the structure and language used in general, suggested specific changes can be found in the templates attached as an Annex
- More clarity could be achieved by better targeting the diversity of stakeholders in order to achieve an accessible document for all
- Need to re-phrase each title in a way that it conveys a clear message
- Need to clarify what is meant by “application”
- Need to have language that stimulates stakeholders interests
- Voluntary nature of the principles and associated language helps to achieve buy-in from a wide range of stakeholders while on the other hand it can be perceived as being too weak

b) What steps need to be taken for the CFS-RAI principles to be used and implemented by different stakeholders after endorsement by CFS?

- Need to work on awareness raising and focusing on the “domestication” of this global process at the country level
- Need to use CFS-RAI as a checklist and a reference document for countries
- Monitoring and impact assessments
- Identify indicators to specify what the different stakeholders have to do
- Define targets
- 2nd level of document needed (guidelines) to address African continent
- Use multi-stakeholder platforms at national, regional and global level

Annex 1. Break-Out Group results

Reporting Group – French Group

BACKGROUND AND RATIONALE
Gaps and/or redundancies: <ul style="list-style-type: none"> • •
OBJECTIVE, NATURE AND SCOPE
Gaps and/or redundancies: <ul style="list-style-type: none"> • •

Suggestions for improvement

<ul style="list-style-type: none"> • •
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PART I: FOOD SECURITY, NUTRITION AND SUSTAINABLE DEVELOPMENT (ECONOMIC, SOCIAL, ENVIRONMENTAL AND CULTURAL ISSUES)

FOOD SECURITY AND NUTRITION AND THE PROGRESSIVE REALIZATION OF THE RIGHT TO ADEQUATE FOOD IN THE CONTEXT OF NATIONAL FOOD SECURITY PRINCIPLE 1
Gaps and/or redundancies: <ul style="list-style-type: none"> • Insérer le mot souveraineté alimentaire dans (Principe 1) • Insérer un point sur l'importance des investissements publics en ajoutant: “Mobiliser et prioriser les investissements publics pour soutenir les agriculteurs familiaux à petite échelle” (section Application) • Ajouter « après liés aux marchés ; aux catastrophes naturelles et aux crises politiques » (section Application)
ECONOMIC AND SOCIAL ISSUES PRINCIPLE 2
Gaps and/or redundancies: <ul style="list-style-type: none"> • Demander que les Etats ratifient la convention 141 du BIT qui reconnaît les travailleurs ruraux (section Application) • Ajouter « Reconnait et respecte le statut des agriculteurs familiaux » (dans Principe 2) • Ajouter : « Rendre l'agriculture familiale plus attractive pour les jeunes » (section Objectifs) • Ajouter : « l'amélioration de l'offre locale de savoir-faire et de technologies au profit des marchés » (section Objectifs)
ENVIRONMENT, NATURAL RESOURCES AND CLIMATE CHANGE PRINCIPLE 3
Gaps and/or redundancies: <ul style="list-style-type: none"> • Ajouter dans le principe 3 Contribue à une productivité performante et durable des offres agricoles et agro-alimentaires • Dans Objectifs (favorise une utilisation rationnelle, un développement et une régénération durable....biodiversité, rajouter la référence à l'agro-écologie • Dans le deuxième bullet de la section Application, mentionner quelque part « gestion concertée des aires protégées »
CULTURAL ISSUES PRINCIPLE 4
Gaps and/or redundancies: <ul style="list-style-type: none"> • Dans la section Objectifs, mettre “Respecter et promouvoir” la préservation du patrimoine culturel au lieu de “encourager” • Dans la section Justification, supprimer « de façon positive ou négative » et rajouter « Investissements qui reconnaissent les systèmes de production, les modes de vie et les cultures des peuples autochtones et des paysans » • Ajouter dans le troisième bullet dans la section Objectifs « des modes de vie et des paysages

<p>ruraux et leur renforcement »</p> <ul style="list-style-type: none"> • Dans la section Objectifs, il n'y a pas de mention à un traité relatif aux ressources animales • Dans la section Application, rajouter « Les parties prenantes locales devraient pouvoir s'exprimer sur l'opportunité des changements envisagés et leurs points de vue pris en compte » •
ROLES AND RESPONSIBILITIES FOR PART I
<p>Gaps and/or redundancies:</p> <ul style="list-style-type: none"> • Mieux structurer les différents rôles et responsabilités pour rendre plus lisible le document • Mentionner la réalisation des 10 % du budget national à l'agriculture (déclaration de Maputo) • Absence de mention des rôles et responsabilités des Gouvernements dans la mobilisation des politiques publiques et des investissements publics qui accordent la priorité aux intérêts et aux besoins des petits producteurs.

Suggestions for improvement

<ul style="list-style-type: none"> • La question sur la terminologie de "Les investisseurs sont invités", est-on invité à respecter des lois, à se conformer aux lois, aux politiques ? ou « doit-on », « demande » • Mettre un lien entre les droits de l'Homme et le droit à l'alimentation et à la sécurité alimentaire • Mentionner pour les Etats, « la responsabilité d'assurer la libre circulation des biens et des services » • Mentionner La responsabilité de l'Etat qui est fondamentale dans la normalisation des produits • Rajouter dans la partie « Les instituts de recherche et d'enseignement, les organisations de la Société Civile »
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PART II POLICY COHERENCE AND SECTOR DEVELOPMENT

PRINCIPLE 5
<p>Gaps and/or redundancies:</p> <ul style="list-style-type: none"> •
ROLES AND RESPONSIBILITIES FOR PART II
<p>Gaps and/or redundancies:</p> <ul style="list-style-type: none"> • Dans la section rôles et responsabilités, les Etats sont encouragés à : ajouter un bullet « Créer un environnement favorable à la promotion de l'accès des terres et moderniser l'agriculture familiale » • Ajouter « Créer un environnement porteur pour le développement de services financiers répondant aux besoins des investisseurs » •

Suggestions for improvement

<ul style="list-style-type: none"> • •
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PART III GOVERNANCE, GRIEVANCE MECHANISMS AND ACCOUNTABILITY

GOVERNANCE AND DECISION MAKING PROCESSES
PRINCIPLE 6
<p>Gaps and/or redundancies:</p> <p>Remplacer la phrase du deuxième bullet par :</p> <ul style="list-style-type: none"> • "Est réalisé à la suite de consultations effectives à travers des mécanismes de dialogue et de concertation clairement établis entre toutes les parties prenantes et garantissant les droits des peuples autochtones » • Dans la section Justification, mettre « La bonne gouvernance est, pour toutes les parties prenantes, au lieu de « pour tous les investisseurs » • Dans la section Application, rajouter un bullet « Assurer durablement le financement de toutes les parties prenantes pour leur participation aux consultations. » • Dans la section Application, ajouter un bullet « Assurer et garantir des coûts de prestation de services abordables pour les acteurs des filières »

<ul style="list-style-type: none"> Dans la section Application, ajouter « le droit à l'information »
GRIEVANCE MECHANISMS
PRINCIPLE 7
Gaps and/or redundancies: <ul style="list-style-type: none"> Dans la section Application, mettre “Tous les individus ou groupes potentiellement concernés au lieu de touchés ».
REVIEW MECHANISMS AND ACCOUNTABILITY
PRINCIPLE 8
Gaps and/or redundancies: <ul style="list-style-type: none"> Ajouter le “devoir de rapportage”, “les traits et contrats” Dans la section Justification, ajouter dans le deuxième paragraphe, dernière phrase « sont tenus de répondre de leurs actes à tous les niveaux »
ROLES AND RESPONSIBILITIES FOR PART III
Gaps and/or redundancies: <ul style="list-style-type: none"> Dans la section les Etats sont encouragés, ajouter dans le premier bullet « et mettre en œuvre les mesures correspondantes tout en préservant les modes de vie des communautés »

Suggestions for improvement

- Le CSA devrait être pour les parties prenantes la plateforme mondiale d'apprentissage réciproque, qui leur permette de tirer les enseignements relatifs à la mise en œuvre, la diffusion et le suivi.

Reporting Group – English Group

BACKGROUND AND RATIONALE
Gaps and/or redundancies: <ul style="list-style-type: none"> The first sentence is incomplete- propose the word AS , change grows to growing Globalisation has not been highlighted The mandate to eradicate hunger and malnutrition should be the starting sentence / emphasis on paragraph two to be the start of the rationale Numbers missing about the population, grains and the need calculated in figures i.e the number of people who are malnourished (important statistical problems to be part of the rationale)
OBJECTIVE, NATURE AND SCOPE

Suggestions for improvement

- Need to keep land into these investment principals (look at the voluntary guideline as the medium)
- Focus on voluntary guidelines for land
- Make sure we deal with issues of investment especially domestic investment and key group (no youth will be involved if agriculture is not showing any returns, make a rural setup more attractive)
- Be a checklist for guidelines to be used as part of the corporate identity
- Guidelines need to fit in what is happening regionally in Africa – complement each other regionally, and nationally
- The period of implementation the principals are covering – life or has grace period (timing should be considered)
- National governments should be able to take time on board the RAI guidelines

**PART I: FOOD SECURITY, NUTRITION AND SUSTAINABLE DEVELOPMENT (ECONOMIC, SOCIAL,
ENVIRONMENTAL AND CULTURAL ISSUES)**

FOOD SECURITY AND NUTRITION AND THE PROGRESSIVE REALIZATION OF THE RIGHT TO ADEQUATE FOOD IN THE CONTEXT OF NATIONAL FOOD SECURITY PRINCIPLE 1
<p>Gaps and/or redundancies:</p> <ul style="list-style-type: none"> • Confusion of the title and the context of the topic for principle one The title has been left hanging • Food security , nutrition and the right to adequate food should be the title to <p>Objectives:</p> <ul style="list-style-type: none"> • Enhanced agricultural research, education and advisory services for the generation, dissemination and adoption of new technologies and innovation <p>Application section –</p> <ul style="list-style-type: none"> • mobilising public investment and domestic resources especially in support of small scale food producers (to be added as a bullet point) • Enhancing local availability of appropriate know- how and technology
ECONOMIC AND SOCIAL ISSUES PRINCIPLE 2
<p>Gaps and/or redundancies:</p> <ul style="list-style-type: none"> • Inclusion of youth in principle two • Adequate income should be a bullet point • Taxation of large players/ investors in agriculture (there should be transparency on how they are giving incentives) <p>objectives</p> <ul style="list-style-type: none"> - Bullet one add in: and skills development - Add in : Fair wages through collective bargaining - Point four should read Enhancing local availability of appropriate know- how and technology through partnership - Add in : responsible agriculture investment should ensure protection against market fluctuations and price volatility for both food producers and consumers - Add in provision of advisory services <p>Applications</p> <ul style="list-style-type: none"> - Child labour should be prohibited/ eliminated and not avoided -
ENVIRONMENT, NATURAL RESOURCES AND CLIMATE CHANGE PRINCIPLE 3
<p>Gaps and/or redundancies:</p> <p>Objectives</p> <ul style="list-style-type: none"> - Add in bullet point one:(Environmental conservation) <p>Applications:</p> <ul style="list-style-type: none"> • Support for Agro – ecological practices and systems to be included • Strengthening capacity building and adaption of best practices i.e. environmental certification should be slotted in and consistency in environmental protection (e.g. UNEP and other private initiatives on environments) observation was made on some of the standards being barriers to trade • Consistency with other UN guidelines e.g UNEP •
CULTURAL ISSUES PRINCIPLE 4
<p>Gaps and/or redundancies:</p> <p>Objectives</p> <ul style="list-style-type: none"> - Add local to tradition knowledge <p>Application</p> <ul style="list-style-type: none"> • The last sentence in application: and their opinion/ views to be taken into account •
ROLES AND RESPONSIBILITIES FOR PART I
<p>Gaps and/or redundancies:</p> <p>The distinction between obligation of states and encouragements are confusing and should be clarified. Therefore all the bullet points should be split on what is obligatory and what is encouraged.</p>

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Suggestions for improvement

- Investors are **obligated to**: and not called to
- Act in line with the provision set out in the VGGT to be moved as a bullet point on the heading – Investors are encouraged to:
- Add Advisory Service – Research, **Advisory service** and educational institutions, civil society organisations, intergovernmental; and regional organisations and bilateral donors and foundations
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PART II POLICY COHERENCE AND SECTOR DEVELOPMENT

PRINCIPLE 5

Gaps and/or redundancies:

- apart from policies, laws, and regulations, reviews should include national and regional strategies and plans in relation to food and agriculture
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ROLES AND RESPONSIBILITIES FOR PART II

Gaps and/or redundancies:

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Suggestions for improvement

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PART III GOVERNANCE, GRIEVANCE MECHANISMS AND ACCOUNTABILITY

GOVERNANCE AND DECISION MAKING PROCESSES

PRINCIPLE 6

Gaps and/or redundancies:

- In relation to indigenous peoples, include reference to the ILO convention no 169
- Application
Effective and meaningful consultation, participation and negotiation in policy and decision making, based on transparency (delete disclosure) and the right to information
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GRIEVANCE MECHANISMS

PRINCIPLE 7

Gaps and/or redundancies:

- Introduction of **affordable**: fair effective, **affordable**, and timely mediation, administrative or judicial remedies
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REVIEW MECHANISMS AND ACCOUNTABILITY

PRINCIPLE 8

Gaps and/or redundancies:

- Review mechanism and accountability should be defined and applied per principal
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ROLES AND RESPONSIBILITIES FOR PART III

Gaps and/or redundancies:

- Opening paragraph on page 12 needs to include the overview of the roles of non state actors especially investors, cooperates, civil society, farmers organisations, youth.
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Suggestions for improvement

- Additional language
Ensure prior, independent, transparent participatory assessment, **reporting duties**, and review mechanism for investments in agriculture and food systems, including the review of investments- related governance instruments and policies, laws and regulations, **treaties and contracts** related to agriculture and food systems.
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Annex 2. Written Comments Received

Written submission by civil society participants of the African multi-stakeholder consultations on the zero draft of the principles of responsible investment (rai)

Johannesburg, 28 and 29 November 2013

Participants List

The following members participated in the African multi-stakeholder consultations on rai:

Name	Organisation
Mamadou CISSOKHO	PAFO/ROPPA
Marie Louise CISSE	ROPPA
Racheal KALABA	MIJARC
Karim DAOUD	Synagry
Henry Richard KIMERA	Consent Uganda
Hubert NDOLO	COPACO-PRP
Kolyang PALEBELE	PROPAC
Cosma BULU	Mviwata
Edith KUNIHIRA	SWAGEN
Omara AMUKO	IUF
Sylvia KAY	TNI

Elaboration of edits to the Chair Summary (see also separate document)

General comments

1. The document is not drafted from the perspective of small-scale food producers and workers. Although the report of the CFS 37 Roundtable on agricultural investment

recognized the importance and centrality of small-scale producers and workers in food production, the Zero draft does not prioritize them as actors and recognize their particular needs. In fact, the document is drafted from the perspective of large investors, while small-scale producers are added on as needing safety-net type protections. A necessary aspect of the progressive realisation of the Right to Food in the context of national food security must be protecting and enabling small-scale food producers and workers as national citizens, producers and workers.

2. The 2012 State of Food and Agriculture report of the FAO, the 2013 HLPE report on “Investing in Smallholders” and the decision box adopted by CFS 40 identify public investment in support of smallholders as key to advancing food security and rural development. This includes such things as investing in rural roads, electricity, storage facilities and other public goods and services; public procurement schemes; marketing and price information; public and locally adapted agricultural research etc.

3. It is uncertain to what extent the rai principles can be used as a safeguard against land and resource grabbing. After having referenced the VGGT as one of the baselines for the rai principles, the rest of the zero draft remains almost completely silent on the issue of safeguarding legitimate tenure rights. The rai principles should usefully seek to complement remaining gaps of the VGGT (notably with regard to section 12 of the VGGT). They should include for example a clear condemnation of any land or other natural resources grabbing practices, based on an agreed definition of land and resource grabbing that are founded in the progressive realisation of the Right to Food and national food security.

Question 1

4. The issue of food prices is not adequately addressed. Beyond mentioning the fact that food security is about economic as well as physical access to food, the Zero draft contains few provisions related to the issue of food prices. In light of the food price crisis, this is a glaring omission. Responsible agricultural investment should ensure protections against market fluctuations and price volatility for both food producers and consumers. This requires states to regulate local, national, regional and international food markets.

5. There is no section on how the rai is to be monitored and implemented. The principles should be enforceable and entrench the principle of monitoring to hold all investors and governments accountable and to promote stakeholder participation and involvement. They should incorporate the five principles set out in paragraphs 92 and 93 of the already adopted Global Strategic Strategy.

Question 3.

6. In the zero draft, small-scale producers are grouped in the same category as large investors or as all private sector actors. Yet small scale producers—including agricultural workers, processors and cooperatives—have different priorities, goals and strengths and constraints and must be addressed as a particular set of actors, separate

from the private sector, businesses and large investors.

7. A serious omission in the Zero draft is the roles of bilateral, regional and international trade and investment agreements, which are legally enforceable through international dispute settlement mechanisms. All states must ensure that the rai principles are respected and upheld in the trade and investment agreements they sign with other states as well as with private entities. The specific actions by which rai principles should be respected and upheld in such agreements must be elaborated in the final CFS-RAI document.

Question 4. a)

8. The document does not convey a clear purpose. Although the progressive realization of the Right to Food is listed under “objective” and “Principle 1,” the Zero draft then proceeds to drop this language for much of the rest of the document. A Rights based approach should be at the core of the Principles. The proposed 8 principles are facets of a singular project intended to serve the progressive realization of the Right to Food in the context of national food security, which must be emphasized continually in all principles; the principles should not be viewed or treated as individual principles outside the normative human rights framework.