

CSM Comments on the First Draft of the Voluntary Guidelines on FSN

Overarching comments:

The Civil Society Mechanism (CSM) would like to thank the work that has been done in this document, in an attempt to jointly build voluntary guidelines that can lead us towards the transformation of food systems.

However, the new draft of the Food Systems and Nutrition Guidelines (Draft One) falls far short of our expectations and does not seem to reflect many of the issues that we were able to hear, contribute and discuss during the regional consultations. This document, as we see it today, does not meet the overall goal of the Guidelines to fundamentally transform food systems to make them healthy, sustainable and socially just. It is neither spelled out clearly in the objectives, nor reflected in the overall content of the Guidelines.

The systemic approach, one that explores the interconnections between ecology, agriculture, food, and human health, which has been requested by so many CFS members and participants (including the CSM) throughout the whole process, although mentioned in paragraph 10, is missing. In this sense, we believe that the aggregation of elements presented by the current draft does not build a system, due to the lack of visualization of the connections between them. **A systemic approach should highlight an in-depth analysis of the root causes of malnutrition and their interconnections within our current food systems.**

In this sense, we also believe that explicit **references to hunger should be included**. A specific SDG to address this issue has been established¹ and “more than 820 million people in the world are still hungry today”². Hunger seems therefore a problem relevant enough to be spelled out in the document and not "camouflaged" in the terminology of malnutrition.

The first draft presents strong emphasis on technological and market interventions, despite the concerns raised during the regional consultations. Moreover, although speaking of the need for scientific evidence and the incorporation of different types of knowledge, it does not refer to agroecology, a science and practice that presents a major opportunity for transforming food systems and contributing to the right to food in all its dimensions. This has been evidenced by FAO's work, with the **10 elements of agroecology supported by the Committee on Agriculture and adopted at last FAO Council³, as well as by the work being developed at grassroots level in different countries**. It is high time for us to understand that agriculture, climate change and nutrition are connected, it is necessary and urgent to phase out the systems that have provoked the current dysfunctions, but also **to highlight and support those which can help us transform our current situation, thus agroecology**.

The same applies for the agreed focus on marginalized groups (people-centeredness) and a human rights approach both at the beginning and throughout the document. In this sense, **the outcomes of the regional consultations need to be better incorporated**, as there was a strong request that a human rights approach needs to be reflected in the document. Although the **right to food is mentioned, from a perspective of the indivisibility of human rights**, we believe **it is necessary that these be a basic principle of these guidelines and that they appear strongly in the document**. This absence is reflected, for example, when gender equity and women's empowerment is addressed without a rights-based approach or when food production is discussed without mentioning the rights of peasants, the rights of indigenous people and the rights of workers, being themselves the most marginalized parts of the system.

We are in a negotiation process on guidelines, a soft-law instrument. Soft law is part of public international law; hence it is important to ensure that these guidelines are legally sound and consistent with the two previous guidelines adopted by the CFS. We believe that the draft currently has some serious problems in this regard,

¹ SDG 2 (ending hunger and malnutrition in all its forms)

² FAO, IFAD, UNICEF, WFP and WHO. 2019. *The State of Food Security and Nutrition in the World 2019. Safeguarding against economic slowdowns and downturns*. Rome, FAO. <http://www.fao.org/3/ca5162en/ca5162en.pdf>

³ <http://www.fao.org/3/ca7173en/ca7173en.pdf>

as it fails to clearly distinguish the role of states from other actors. Clarity of roles and responsibilities of different actors is however crucial for the meaningfulness and actual implementation of guidelines. In a constructive spirit of accelerating the process, **our proposal is, to ask for the support of the legal office of FAO as well as of the Office of the High Commissioner for Human Rights to revise the document and bring it into line with international human rights standards. This methodology has already been practiced in other negotiations.**

Specific comments:

PART I

Background and rationale

- We still miss here an in-depth analysis of the root causes of malnutrition and their interconnections within our current dysfunctional food systems. This section must clearly spell out the links between ecology, food production, diets, and human health. The role of small-scale food producers and agroecology in providing nutritious and affordable food for the majority of the population has to be recognized.
- There should be greater recognition of the structural factors and power imbalances in food systems that hamper small-scale food producers and agricultural workers securing adequate incomes and access sustainable and healthy diets or to produce more sustainably. References to concrete ways in which those factors and imbalances can be addressed should be added. This part could be strengthened significantly if the Guidelines are to direct actors to very specific actions. Action required to address structural factors and political economy dimensions ranges from grassroots inclusion work for rural actors to be able to influence their food systems relations from a position of greater strength, through to shaping and implementing competition policy to address concentration in food systems.
- There needs to be recognition of the policy roots of the creation and persistence of inequality; policies can create, perpetuate correct economic and social structures that enable poverty, hunger and malnutrition.
- The human costs of malnutrition should be better reflected, while also analyzing the root causes of it. It is high time we understand the causes and consequences of not only income inequalities, but from the perspective of gender, race, ethnicity, age (...) in terms of access, participation, and (...) Lack of access to safe drinking water and sanitation should also be mentioned as one major risk factor for malnutrition.
- Although a reference to the climate change impacts on food quality and safety are mentioned, there should be a strong emphasis on how mining, industrial and agribusiness processes have played a major part in the degradation of the environment
- Governance should be understood in a way in which food systems and its purposes are organized are key to address all forms of malnutrition
- Recognizing the sectoral governance arrangements that already exist, the coordinating role and mandate of the CFS (and UNSCN) in food systems governance should be enhanced to reduce duplication and fragmentation and improve coherence
- Diets reflecting community's continued access to nutritionally diverse and healthy food, and to traditional food systems, with their sustainable social, ecological and cultural interconnections should be protected and promoted.

Objective and purpose

- This section is far too expansive and at the same time unclear. It fails to explain the central objective of the Guidelines: to transform food systems to make them healthy, sustainable and just in line with the RtF. For example, para 24 on drivers does not belong into objectives but into background and rationale for the Guidelines.
- A focus on the most marginalized groups should be highlighted to ensure the people-centeredness of the document. This calls for a stronger inclusion of the UN Declaration on the Rights of Indigenous

Peoples (UNDRIP) and UN Declaration on the Rights of Peasants and Other People Working in Rural Areas adopted by the UN General Assembly (UNDROP) throughout the whole document and more specifically in paragraphs 20, 23 and 25.

Some proposed edits:

- Paragraph 6: “[...] insufficient education and health services, and low socio-economic status. **Sex and age specific higher incidence of malnutrition is a trace of the continued existence of unequal gender patterns, experienced virtually in all societies, with effects more visible on nutrition and food security in poorer countries.**”
- Paragraph 11: “**Lack of access to safe drinking water and sanitation, and** Unhealthy diets represent one of the major risk factors for malnutrition and its related health outcomes. [...] An individual’s ~~food consumption choices and options have impacts that~~ resonate far beyond themselves: diets reflect larger systemic issues that impact population, health, sustainability, and justice. **They also reflect a community’s continued – or loss of – access to nutritionally diverse diets and traditional food systems.**”
- Paragraph 13: “[...] is key to reshaping or promoting sustainable **and sovereign** food systems [...]”
- Paragraph 14: “New policies are required to address policy fragmentation **and policy incoherence**⁴ and its subsequent negative impact on nutrition, ones that are designed and coordinated across sectors such as health, agriculture and food systems, education, environment, water (**irrigation and water supply**), sanitation, gender, social protection, trade, employment, and finance – all of which impact nutrition outcomes.”
- Paragraph 19: Adjust this paragraph in line with para 8 of the TOR which is clearer and does not include the last part on national and international laws.
- Paragraph 20: “The VGFSyN follow a comprehensive, systemic, and evidence-based, **from diverse and plural methodologies and knowledge**, approach [...] food, agriculture, ~~and~~ health, **water supply and sanitation** sectors, while also addressing the challenges of social, environmental and economic sustainability [...]”
- Paragraph 24:
 - (a) “[...] biophysical and environmental (natural resource and ecosystem **functions and services**, biodiversity, climate change, water, and soils);”
 - (c) “political and economic **inequalities** [...] ~~food policies and regulatory frameworks~~ **food-related regulatory frameworks**, land tenure, ~~conflicts~~, **war, conflicts, occupation**⁵, and humanitarian crises);”
- Paragraph 26: include the HLPE Agroecology Report and products envisaged in the policy convergence process.
- Paragraph 27: Include smallholders, fisherfolks, pastoralists, landless, workers.

PART II

- Para 28: We believe that the **definition on food systems could be improved**. Given that this is what is at the heart of the Guidelines, it is important that we have a common understanding what we are talking about. The current definitions is very poor in this respect, as it is only a technical description that, for example, does not capture purposes or interconnections of different elements of food systems. It stems from a document on food losses and waste which is far more limited in scope than the current

⁴ Addition in order to emphasise that it isn’t just that nutrition policies are not coordinated across sectors – sometimes there are other policies on the food system that undermine or are inconsistent with improving nutrition. This would also be much more consistent with the emphasis on coherence throughout the VGFSyN.

⁵ “occupation” is included into the CFS FFA, should not drop it – we need to be vigilant and normalize this language across CFS policy when we talk about “conflict”. <http://www.fao.org/3/a-bc852e.pdf>.

guidelines and insufficient for the purpose. It should also include the elements of human rights, traditional knowledge, natural resources as means of production (instead of environment) and biodiversity. It should also include governance (as activity).

- Para 30: We **appreciate the definition on sustainable and healthy diets** which makes clear that the sustainability and health dimension must go hand in hand. The definition could be further improved by adding the social justice dimension (e.g., the diets we aim for should not be built on exploitation of food producers including workers, and ensure fair prices/decent wages, working and living conditions, social protection etc. for them).
- Para 31: Expand paragraph to highlight different dimensions of the RtF, interrelatedness with other rights, importance of rights of women, peasants, etc. The Guidelines should consider the right to food in light of latest developments, such as the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP), which go beyond the framing of CESCR General Comment 12, and even the Voluntary Guidelines on the Right to Food, which are reproduced in the draft. For example, the UNDROP expands the right to food to include not only access to food in consumption terms, but also the ability of farmers to produce food, and in so doing it explicitly addresses some of the structural factors mentioned above (see background and rationale section), for example affirming the rights to land and to seeds, and calling for access to information in agri-food markets and agricultural value chains. It is essential to include governance and human rights elements, with a focus on smallholder food producers.
- Paragraph 34:
 - (a): Refer to the HLPE Agroecology Report
“Promote a systemic, ~~and multi-sectoral, science and evidence-based~~ approach **that is based on knowledge which allows a consensus of objectivization beyond the limits of the conventional science approach that** and considers food systems in their totality [...]”
 - (d) “[...] as well as ~~the protection of~~ **biodiversity and ecosystems’ rights**” (already mentioned in paragraph 24)
 - (e) “Gender ~~equity~~ **equality** and women’s ~~empowerment rights~~: Promote gender **equity equality** and women’s and girls’ empowerment, ~~promoting~~ **and respect, protect** and fulfilling their rights. ~~and considering the importance of creating the conditions~~ **Create the conditions for** women’s involvement in [...], ~~given~~ **recognizing** their key role in **food production, care, [...]**”
 - (f) Nutrition education is not a principle but an action. The **principle should rather make reference to the need to respect, protect, and build on/foster food related knowledge and culture of communities and indigenous peoples**. “to facilitate producers’, food processors’ ~~and~~ consumers’, **technical experts’ and policy makers’** decisions [...] should be trained on nutrition **focusing on the “demedicalization” of knowledge**”
 - (g): The principle on the realization of the right to adequate food should emphasize the indivisibility and interrelatedness of human rights. Also, the current phrasing makes it sound as if nutrition is not yet an agreed component of the RtF which is not true. We propose to delete the part: “going beyond ensuring minimum requirements and including access to food that is nutritionally adequate”. A footnote should be added with reference to CESCR.
 - We suggest that recognizes the centrality of people, in particular small-scale food producers, indigenous people, and women and youth, and their agency in shaping food systems and nutritional outcomes. The primary focus should be on the people most affected by malnutrition in all its forms and overcoming the challenges they face.
 - Social participation and Free, Prior and Informed Consent should be taken up in the Guiding Principles.

PART III

- The new structure of the Guidelines (Part 3) is more balanced and closer to an overall approach of food systems, compared to the previous draft. However, it misses the interconnections between different elements of food systems and still promotes a fragmented vision of food systems.
- The actual content of Chapter 3 is a major disappointment. While some elements supported by the CSM were included (governance, women, health and wellbeing, culture...) this has been done in a very limited way. The content does not at all reflect the rich contributions made by the CSM and other CFS members and participants during the regional consultations, which were well captured in the Chair's summary presented during the November 2019 OEWG meeting.
- We are pleased to see that the “informal sector” is explicitly mentioned. This is an important step forward towards recognizing a part of the food system that does a lot of the FNS heavy lifting in the Global South. However, we believe that some of the guidelines reflect common misunderstandings about the “informal food sector's” roles and challenges.

Section 3.1

- The title is good but the content poor. Major adjustments need to be made.
- The strong promotion of multi-stakeholder partnerships, in the absence of a clear recognition of the differences in interests, power, and legitimacy of different actors within food systems, and clearly defined roles and responsibilities for each of these actors, is highly problematic from a human rights perspective, and ignores the concerns presented on the multi-stakeholder model during the regional consultations.
- The section needs to clearly spell out the primary role of the State (duty bearer) in food systems governance. Similarly, the regulatory functions of the State need to be spelled out
- The human rights foundation of the Guidelines, moreover, requires that people (rights holders), and in particular groups most affected by hunger and malnutrition, are at the centre of efforts to transform food systems and ensure good nutrition. For this to happen, States need to put into place concrete measures that enable meaningful participation of these groups in the governance of food systems and nutrition.
- It is critical to include in this section a reference to the need for effective conflict of interest (COI) and other safeguards that ensure governance is human rights and public interest based. Reference can be made to the ICN2 Framework for Action, which has clearly spelled out this need (Recommendation 3). Beyond regulating the direct and indirect participation of the private sector in public policy and programme development and implementation, COI and other safeguards should guarantee:
 - the trustworthiness of data collection and knowledge generation in research⁶ and monitoring processes;
 - the financial independence of public spaces, programmes, and education. These should be free of conflicts of interest.

Specific comments:

3.1.1

- The content of the section does not respond to the title. While the title is about multi-sectoral actions and coordination, little is actually said on institutional coordination between sectors within government, while the main focus is on fostering dialogue with other actors.
- We suggest replacing the term “stakeholder” with “key actor” since the term stakeholder blurs the very distinct “stakes” that the different actors have in food systems and nutrition. With some being directly affected by hunger and malnutrition, and others having a purely economic interest. Making this distinction is crucial from a human rights perspective.

⁶ This is critical given the guidelines' strong emphasis on “scientific evidence”.

- The participation of marginalized and disadvantaged groups should, as explained above, be at the center of food systems governance and differentiated from the participation of other groups (they are not just one “stakeholder”). In this context, it would be important to explicitly mention and recognize the essential role of small-scale food producers, including smallholder peasants farmers, indigenous peoples, fishers, pastoralists, food and agriculture workers and landless, who feed the majority of the population, while themselves being among those most affected by hunger and malnutrition. (Stating the role of the private sector as “pivotal”, while small-scale food producers which still produce 70 percent of the world’s food are either not mentioned or mentioned only in passing is unacceptable.)
- The section should mention monitoring as critical part of governance.
- The protection of natural resources should be mentioned in the sentence “This dialogue should cover all dimensions of food systems, including...”
- Vague formulations as “inclusive dialogue with private sector” are problematic. It is important to engage/target the private sector, but equally important to differentiate between types and scales of enterprises, and the level of responsibilities we expect from them in all actions—governance, production, etc.
- The need to ensure sufficient and adequate public budget needs to be clearly spelled out, rather than the currently vague reference to “encourage increased financial investment”.

3.1.2

- It is not just about integrating nutrition in different sectoral policies but about connecting nutrition *with other public objectives* of food systems (e.g., justice, sustainability). Thereby ensuring comprehensive food systems transformation that has all these objectives and the interplay between different elements within food systems in mind and contributes to the realization of the RtF and related human rights in all their dimensions.
- The whole section and in particular (b) is too nutrition focused, and not based on an analysis of food systems. Proposal for re-drafting: “States should work to make food systems sustainable and more just for food producers and consumers. States should integrate food system approaches [...] increased budgetary allocations to food system activities that relate to improving diets and nutrition, promoting local production and short distribution channels, [...]”.
- The proposal to have multi-stakeholder mechanisms as oversight bodies for the implementation of policies, strategies and interventions is highly problematic (see concerns explained above).
- It is unclear what “transparent indicators” are.

3.1.3

- It would be necessary to add the notion of ‘common/public interest’ (versus private interest) which must be evaluated through accountability mechanisms, monitoring and evaluation.
- This section should include the need for protection of policy space / policy autonomy.
- ‘Inequitable power concentration’ mentioned in para 12 should be recalled in this part.
- (b) According to this paragraph, multilateral and bilateral trade and investment agreements should not endanger sustainable food systems. This paragraph is very important but should specify the need for meaningful participation of civil society and assessment of impacts at the negotiation stage (at the moment most of these agreements are negotiated in secrecy). The language on competition and market concentration is too concessionary—of course competition, market concentration and market power would be affected (hopefully reduced) if appropriate nutrition-friendly standards were to be followed, but that is the point of such standards. Beyond consistency with nutrition, agreements should be consistent with human rights and corresponding human rights law instruments.
- (c) Issues of improving technical capacity warrant a standalone paragraph.
- In countries with weak or absent civil society and independent “expertise” to produce such information, we face the risk of information being controlled by corporate-supported think tanks, research institutions, etc.

Section 3.2

We believe that this section needs to be rewritten, as the perspective does not seem appropriate for the proposed food systems transformation. The title itself should be reviewed in coherence with the spirit of the guidelines to reflect a broader approach.

Rationale:

- Climate change has become an emergency that we need to act on. We believe that States must promote sustainable production models with the capacity to transform the inequities, inequalities and externalities generated within current agrifood systems.
- Agroecology is recognized worldwide as one of the important solutions to curb this situation and build fair and resilient food systems. Both the 10 elements of agroecology agreed by the FAO Conference and the CFS process on “Agroecological and other innovative approaches” recognize and confirm this, and we believe this should be reflected in the guidelines. The guidelines need to address issues from a systemic approach. They need to show the relationship between the different sections of the document and translate this into the different recommendations.
- Under the agro-ecological approach, producers, peasants and indigenous people have developed technologies adapted to their territories, transcending the primary level of production and generating a series of innovations at the commercial level. Small-scale food producers are not named in this section. They are the ones who feed the world today with nutritious, affordable and culturally appropriate food and have an essential role in food systems, ensuring food production that is sustainable in all its dimensions. Paradoxically, they are being the ones most affected by climate change and food and nutrition insecurity. Therefore, we believe that they should be named and central to this section.
- We see an irregularity in the proposed role for the private sector, as a stakeholder placed at the same level as States. We believe that it is necessary to make clear the roles and responsibilities of each actor. (See previous comments)

Proposal for redrafting:

- Title: **“Sustainable and healthy food systems in the context of climate change and environmental destruction”**
- This part only considers climate change through a food supply chain lens, while it should be considered through a food systems lens as a whole. In that regard, the guidelines must highlight the key role of agroecology to transform food systems in the context of climate crisis.
- Agroecology should be at the center of the transformation of sustainable food systems.
- 3.2.1:
 - (e) **“States should facilitate peasants’ rights to seeds (UNDROP) and pPromote the diversification [...]”**
 - (f) Rights are not “provided”. Rights to natural resources **should be respected and protected.**
- Use PANTHER principles as done by the HLPE report on Agroecological and other innovative approaches as overarching recommendation: *“human rights as the basis for ensuring sustainable food systems. The seven PANTHER principles of Participation, Accountability, Non-discrimination, Transparency, Human dignity, Empowerment and the Rule of law should guide individual and collective actions to address the dimension of FSN at different scales”*⁷
- Guaranteeing the rights of Indigenous Peoples and peasant communities to their lands and ancestral territories, water bodies, coastal seas, fisheries, communal pasture grounds and forests therein is a paramount step in ensuring the protection and regeneration of nature in food systems. Women, landless

⁷ [HLPE. 2019. Agroecological and other innovative approaches for sustainable agriculture and food systems that enhance food security and nutrition](#). A report by the High-Level Panel of Experts on Food Security and Nutrition of the Committee on World Food Security, Rome.

peasants, young people, small-scale fishers and other rural workers should be given priority in the allocation of public lands, fishing grounds and forests.⁸

- Food systems should be shaped in a way that observes the conditions for the regeneration of biological and other natural capacities and cycles. Agroecology plays a major role in ensuring this. It is both a way of producing food and a movement for change encompassing both socio-economic and socio-political dimensions. *“An agroecological approach to SFSs is defined as one that favours the use of natural processes limits the use of external inputs, promotes closed cycles with minimal negative externalities and stresses the importance of local knowledge and participatory processes that develop knowledge and practice through experience, as well as scientific methods, and the need to address social inequalities”*⁹
- States should recognize, respect and promote traditional agrarian, fishing, livestock keeping and pastoral systems of Indigenous Peoples and small-scale producers that manage and use ecosystems sustainably. Likewise, States are to respect and protect the associated traditional collective knowledge (often orally transmitted) regarding innovation and practices of Indigenous Peoples and local communities, all relevant to the conservation and sustainable use of biological diversity and to food production.
- Small-scale livestock keepers and pastoralists play an important role in the conservation and sustainable use of livestock diversity, in the cyclical regeneration of soil fertility and in the mitigation and adaptation of climate harm caused by humans. Pastoral systems and their mobility strategies contribute significantly to conserve and use certain ecosystems sustainably as well as to ensure food and nutrition for their communities.
- States shall ensure that no discrimination exists at legal and social levels for women’s equal access as men to land.
- Biodiversity loss in itself is an important cause of malnutrition. Conserving and restoring agrobiodiversity and developing new plant varieties through agroecological practices and approaches is of utmost importance in the context of climate crisis. These have proven to protect and ensure local biodiversity in food production, which is fundamental to ensure dietary diversity among the local population benefiting from these models, improving not only their health, but also their social relations. In this sense, the exchange of native seeds among small scale food producers should be promoted rather than engaging in genetic modification that may present severe consequences for biodiversity and health.
- Biodiversity of landscapes also includes wild relatives of crops and livestock that provide resilient genetic resources for climate adaptation. States should give particular priority to protecting indigenous and traditional landscapes in centers of origin and diversity of crops and livestock, including domestication and use of wild relatives to enhance resilience of on-farm populations.
- States must guarantee the rights of farmers, including their rights to:
 - save, use, exchange and sell their seeds
 - select themselves, exchange and sell their breeding animals
 - freely apply their traditional knowledge, and the innovations that result from it, for the protection and development of fertility, quality and health of soils, crops and livestock.
- States must take effective measures to stop the contamination and destruction of aquifers and water sources, overfishing and depletion of seas, deforestation and animal suffering within food systems. The expansion of intensive mono-cropping, the use of agro-chemicals and antimicrobials in agriculture, and of antibiotics for animal growth and aquaculture have to be significantly reduced and phased out.¹⁰

⁸ [UNDRIP](#); [UNDROP](#) Art. 17; [Voluntary Guidelines on the responsible Governance of tenure of land, fisheries and forests in the Context of national food security \(VGGT\)](#) Sections 3A, 5.3, 7-9, 12, 15; [CFS Policy Recommendations on Water](#); [CFS Policy Recommendations on “Sustainable agricultural development for food security and nutrition: what roles for livestock?”](#); [FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries](#)

⁹ [HLPE. 2019. Agroecological and other innovative approaches for sustainable agriculture and food systems that enhance food security and nutrition](#). A report by the High-Level Panel of Experts on Food Security and Nutrition of the Committee on World Food Security, Rome.

¹⁰ [CFS Policy Recommendations on “Sustainable agricultural development for food security and nutrition: what roles for livestock?”](#) Section VIII C

- Biofortification and fortification, along with gene editing, micro-fortification and lab grown meat technologies, must not be considered as long-term solution as they promote a fragmentary vision of nutrition instead of transforming food systems. The precautionary principle and human rights must prevail in front of technologies that imply patents and risks which are insufficiently assessed. The primary strategy for addressing malnutrition, including micronutrient deficiencies, must lie in the promotion of sustainable and diversified food production and diets, not in the artificial enhancement of crops and processed food with nutrients.
- The language regarding youth is problematic:
 - The private sector should not be responsible for the youth's work, States should have the responsibility to ensure their rights and good ways of life. Technologies are not only developed by the private sector, but also by communities. Hence, we cannot reduce work and employment, and the relationship between technologies and young people to the private sector. In this sense, the private sector could be part of the development but should not be considered the only one; small scale food producers working on agroecology are developing many innovations which are of utmost importance in the context of the climate crisis.
 - We cannot think about young people only as employees: living and working in rural areas should be re-dignified. A transformation in the perception of the youth is required for them to take pride and make a respected living with fishing, gathering, hunting, farming and pastoralism. Thereby contributing to the economy; lowering the forced migration; and contributing to the eradication of hunger in the world. To achieve this, collaboration is needed to ensure decent incomes, dignified and remunerative livelihoods at home, decent work and working conditions responding to the needs, rights and demands of diverse youth constituencies, promoting young people's embedding in social relations in their families and communities.
- The HLPE Report on Agroecological and other innovative approaches has clearly demonstrated that agroecology is an important innovation, which is needed to achieve sustainable pathways to transform our food systems. It has also provided a good framework for technology assessment mechanisms on new innovations in terms of ecological footprint, achievement of agency and economic impact. This assessment should be multidimensional, considering human rights, social, environmental, and public health objectives. In this sense, digitalization of food and agriculture must be carefully assessed. (see also point on biofortification and fortification)
- In terms of storage, processing and safety, these guidelines should encourage States to work creatively and constructively with small-scale food producers to develop storage, processing and handling standards that are realistic, reasonable and affordable.

Section 3.3

- The introduction of this part should recall the main principles of a sustainable and healthy diet mainly based on local and unprocessed / minimally processed foods. Furthermore it should be clarified what is meant by nutritious food. It should be made clear that the objective is to promote naturally nutritious, unprocessed food and not nutritionally-enhanced (ultra)processed food (with micronutrients and vitamins added).
- Currently the section is very much focussed on food environments. There is a need for the section to also address underlying socio-economic determinants of access to healthy and sustainable diets. These include: access to natural resources; decent work and living wages; social protection incl. maternity protection; gender equality; financialisation of agriculture; and global trade practices. Even where these determinants go beyond food systems, they need to be spelled out to be able to address them / ensure policy coherence with other sectors and corresponding institutional coordination.
- The focus should not only be on the purchase of food and the "consumer" in the narrow sense, but also on other means and ways of accessing healthy and sustainable diets – e.g., through subsistence agriculture, solidarity economy / exchange, social protection.
- The section emphasizes greater access, availability to, and affordability of nutritious food. Such however does not necessarily reduce reliance on or availability of ultra-processed food, a key factor

of malnutrition. Actions to increase access to nutritious food need to be coupled by sufficient actions, including regulatory, to reduce reliance on ultra-processed food. Currently ultra-processed food is not talked about, apart from one mention in introduction.

- The text calls for zoning regulations that “encourage farmer’s markets and mobile food retailers that sell nutritious food in low-income areas” (3.3.1.b) and calls for States to “encourage small and medium enterprises to competitively participate in wet markets, local, domestic and informal markets” (3.3.2.b). But “informal food markets” already provide affordable nutrition for most low-income citizens and are a common part of the landscape in the developing world. It is important that the guidelines’ calls do not lead to a “boutique” version of wet or farmers’ markets that are only affordable to wealthier consumers. Informal vendors do not need to be “incentivized” to participate in these markets; they do so naturally, often under the harassment and persecution of local authorities. What is needed is their recognition as legitimate actors and the provisioning of basic services that would enable them to carry out their work safely.
- The section should include points on the availability of free drinking water in public spaces as key component of healthy and sustainable diets.

Specific comments

3.3.1

- The section needs to address access and availability of nutritious food through local production, foraging, gathering, hunting, and fishing. This is important as it implies the need for policies to prevent land-eco-system conversions/habitats, environmental contamination, evictions, displacement, etc.
- (e) “States should facilitate **and finance** access to nutritious **and fresh** food [...]”
- Add a separate point: (f) “**States should invest in non-violent means of conflict resolution, considering the egregious violations that conflicts produce against the right to food. They shall also allocate appropriate resources to subsidize humanitarian interventions in conflict prone or affected countries, and support programmes to ensure nutrition for civil populations, in their countries of origin or in countries of asylum.**”
- Add a separate point on improving infrastructure (roads, electricity, water, etc.)

3.3.2

- Include reference to CFS Policy Recommendations on Connecting Smallholders to Markets.
- Important not only to promote but also to protect local/territorial markets. This includes ensuring the economic space for them to function. For example, by applying anti-trust laws to deconcentrate large distribution food channels and retailing, and limit the expansion of large supermarkets.
- (c) Through public procurement systems, states should support sustainable and local agriculture, notably agroecology (make link to 3.2). The point should be less careful on the promotion of “home grown school meals” as this is critical for transforming food systems. Proposed edit: “States should ~~consider promoting~~ **promote** home grown school meals [...]”.
- In low-income contexts, people consuming food sold on the street have little appetite for certification, especially within “informal markets”. Even in some cases, street vendors provide crucial access to nutritious food for low-income female migrant workers. In this sense, constructive dialogue with vendors, rather than harassment or unrealistic standards or certifications, are much more conducive to a healthier offer.
- Emphasis should be not only on improving availability of nutritious food but also on regulating and reducing the availability of unhealthy, ultra-processed foods, especially in schools and other public institutions.

3.3.3

- Affordability issue: should price of nutritious food be decreased or should price of processed foods be increased? The answer is in favour of support for farmers and taxes on processed food. So the general direction of this section is right. It is important though to make the link here to Chapter 3.2 and ensure

that the support for more healthy food production benefits small-scale food producers, and contributes to the preservation of biodiversity and sustainable use of natural resources.

- Pricing policies should internalize the externalities of industrial, large-scale food production and trading and thus allow for true-cost accounting.

3.3.4

- The purpose of the item is unclear. Aspects of different nature are mixed.
- (b) “[...] restaurants are incentivized ~~to promote nutritious food options~~ **to offer dishes made with ingredients preferably of local origin, indicating the information to the customers.** ~~display information about food on menus (i.e. calories, and other nutritional content), and adhere to food safety regulations.”~~
- New food technologies should be properly and fully assessed before being put on the market. The precautionary principle must prevail in this. Citizens should be able to participate in decision-making processes regarding policies in relation to new food technologies. Moreover, States must have the right to refuse access market access for products obtained by new food technologies for which there exists environmental, social or cultural concern.
- Proposed rephrasing of c: **“With regard to environmental sustainability, a precautionary approach should be taken. States must recognise that the risks and unintended consequences of novel food technologies (e.g. lab grown meats, gene editing, biofortified crops, etc.) are difficult to assess. Much greater rigor needs to be used regarding the adoption of CODEX standards. The setting of standards in the public interest is invariably compromised because a lack of Conflict of Interest safeguards (which even allow corporations to sit on national delegations) and a procedure that allows standard to be adopted by politically and commercially influenced consensus rather than credible evidence.”**

Section 3.4

- Social relations and culture must come in much more strongly in this section. Emphasis should not only be on promoting (positive) food cultures, but also on protecting them.
- The section should be centered on the role of social relations, plural knowledge and culture in food systems and nutrition more broadly. Nutrition education is but one element in this. **Proposed rephrasing of title: “Social relations, knowledge and culture”.**
- Currently the section reflects a top-down approach to knowledge and education. The focus is on enhancing people’s access to / providing them with knowledge. This is certainly important but it fails to recognize the vast knowledge that communities have built of millennia in relation to food production and culinary preparation. The preservation/protection, support, and promotion of existing knowledge as well as food cultures by people (communities, peasants, IPs, women, etc.) need to come out much more strongly in the section. This is critical not only for improving nutrition but also for a sustainable use of resources and preservation of existing biodiversity, which is intimately linked with diets and food cultures based on local resources and knowledge. Indigenous and traditional knowledge, practices, worldviews and cultural values should be valued, maintained and strengthened. Traditional knowledge and landscapes rich in biodiversity are closely interlinked with and sustained by indigenous peoples’ cultural values, beliefs and worldviews. Traditional knowledge and culture is being eroded, so it needs to be maintained and strengthened, as well as valued.
- Importantly also, education should not be seen as vertical process, but rather as an exchange, it would therefore be better to speak about “co-construction of knowledge”. A specific recommendation should be for States to foster the exchange between different knowledge systems.
- The overall aim of education/co-construction of knowledge, whether targeted at children and adolescents or other population groups, should be to foster an understanding and critical thinking about food systems overall (e.g., where the food we eat comes from, how and why this has changed over time, why certain food choices are made) rather than focus narrowly on what people should eat.

- Proposed edit of 3.4.1 (b): “States should use ~~the best scientific evidence~~ **cognitive, cultural and plural knowledge resources** to promote education [...]”
- Proposed edit 3.4.2 (a): “States should develop national food-based dietary guidelines **based on these Guidelines** [...]”
- Positive inclusion of regulatory measures for the advertisement aimed at children and adolescents regarding unhealthy and unsustainable food and beverages (fat, sugar, salt, processed food). However, these should not only be the target population, advertisement of unhealthy food should be regulated for everyone (if only for children, advertisement will merge to other age groups, this was clearly mentioned in the Latin American Regional Consultation). Moreover, States should not only “develop” regulatory measures, but also implement and monitor them (3.4.2 (b)).
- “Red light”/ “stop sign” labeling should be mentioned here as example. The idea of evidence informed metrics or ratios is not actually based on best evidence. Proposed edit 3.4.2 (c): “States should institute easy-to-read front-of-pack labelling ~~of evidence informed metrics/warnings such as overall fat quality (e.g. unsaturated to saturated fat ratio), trans fats, carbohydrate quality (e.g., carbohydrate to fiber ratio), added sugars, and sodium,~~ **such as warning labels that indicate if a product is high in fats, trans-fats, added sugars, calories and/or sodium. Food with warning labels should be regulated, i.e., not sold in or near schools and not advertised to children.**”
- Nutrition education should be driven by common and public interest (sustainability and health matters) and not private interest. The private sector should not be the one carrying out nutrition education. This is the prerogative of States, helped only when necessary by NGOs.
- Whenever we speak about nutrition education, there needs to be a recognition that lack of education is usually not the main reason for poor dietary choices, but that these are primarily determined by structural conditions, such as poverty and inequality, lack of decent work conditions/wages, including maternity protection, unequal distribution of land, aggressive marketing of unhealthy products, etc. These therefore need to be addressed in parallel for nutrition education to even be fruitful. We appreciate the inclusion of measures such as school gardens for more participatory and practical education tools. In this context, it would be good to also mention make the link to section 3.2 and 3.3 in relation to local markets. These are critical spaces for learning (e.g., seasonality of food) and knowledge exchange.

Section 3.5

- Positive to place a special focus on gender equity and women’s empowerment. However, a specific section on women must not replace a **transversal women’s rights perspective across all sections of Part 3**. Also, women’s rights should be explicitly mentioned here (alongside gender equity and women’s empowerment), in line with the CFS Forum on Women’s Empowerment. The Forum recognized that women’s empowerment, gender equality and women’s rights are strongly interrelated and need to move ahead together and thus should be considered in future policy outcomes and processes.¹¹
- The section is silent on the central role of unequal power relations and gender violence in causing malnutrition. It falls short of concrete measures aimed at transforming established gender relations, stereotypes and roles, and addressing existing inequalities and violations of women’s rights. The burden of cooking, feeding and caring for family members is unfairly put on women and girls only, many times to the detriment of their own autonomy. For this reason, States should support efforts of redistributing care work so that men and boys take responsibility for their due share. (3.5.1 b) Measures proposed should, moreover, be cautious to not reinforce unequal gender roles and power relations. (see 3.5.2 c)

¹¹ <http://www.csm4cfs.org/wp-content/uploads/2017/10/Draft-Plenary-Statement.pdf>

- Maternity protection should be specifically mentioned as critical measure in creating an enabling environment to promote breastfeeding. Enabling parental leave for both women and men are important measures for re-distribution of care work related to children.
- It is important to clearly recognize the invaluable contributions of women to the protection and regeneration of nature in food systems by producing, preserving and increasing popular knowledge about domestication of plants and animals, nutrition, genetic improvement and conservation of ecosystems. Therefore, upholding women's rights to land, water, fisheries, forests, seeds, breeds and to equal decision making about every aspect of social, economic and political life, is fundamental for healthy, sustainable and just food systems. (Section 3.5.2 is critical in this regard, though the title misleading)

Section 3.6

- There is a bad structuring. "Nutritional quality" is treated separately from "food systems" – nutrition is only really addressed in conjunction with assistance, and that section is the most problematic. Food systems in conflict/crisis should be strengthened in general.
- Nothing on (potential) impact of humanitarian aid on Food Systems and food cultures, hence the need for safeguards. There is virtually no mention of the role of food systems and the climate crisis, nor the consequences on the food and nutrition conditions of populations. This can often lead to large population displacements/humanitarian crisis and protecting/supporting/recovering traditional food systems can be an important measure to reduce impact
- This section should not be only about humanitarian aid, but equally, about observing the provisions of international humanitarian law in terms of prohibitions against the destruction of agricultural areas, irrigation works and drinking water.
- Add more references to the CFS FFA for FSN in Protracted Crises (<http://www.fao.org/3/a-bc852e.pdf>), in particular references to the following sections: Introduction (paragraph 7), Principle 1 (paragraph 22 viii), Principle 2 (paragraph 2 ii), Principle 4 (paragraph 26 iii and iv), Principle 6 (Paragraph 28), Principle 7,
- It is key to strengthen the right to food and not to fall into "charity" approaches.
- Paragraph 16.1 of the Right to Food Guidelines also states that food should never be used as a means of political and economic pressure.
- 4 out of the 5 mentions of resilience in the document are in relation to humanitarian contexts. It should be made sure that there is more emphasis on finding durable solutions and addressing root causes of conflict and climate change.
- On micronutrient-fortified food it needs to be explicitly clear that this is only to be used in very specific acute circumstances (famine) and that the priority is ensuring micro-nutrients through diverse, healthy, sustainable diets. Fortified food must not be considered as a long-term solution regarding malnutrition (see fortification point in part 3.2).
- Regarding food safety and quality in humanitarian contexts, there is a very real possibility that standards fall during war/crisis (this was mentioned during the MENA regional consultation referring to what is happening in Syria), there are no checks on quality, and people trying to make money do take advantage of the sudden lack of oversight on quality, often with poor quality dangerous to health. However, policies and standards should not encourage processed imports over available, local, good and clean food.

Part IV (see also points on 3.1 - Governance)

- Although monitoring is in the title, the section does not present clear monitoring strategies. The proposal of "champions" for dissemination and implementation of the Guidelines (para 54)

undermines their potential strength and impacts. Instead, robust measures such as public observatories, participatory studies, national councils, and so on, will be far more effective.

- There is a need to include safeguards against COI in the production of so-called “scientific evidence” and the abuse of this concept to serve vested interests. When we use this concept, it must be made clear that the evidence generated by small-scale food producers and marginalised communities forms an integral part of implementation, monitoring and evaluation of the Guidelines.
- The repeated reference to “multi-stakeholder partnerships” and “platforms” (para 51) is excessive, and the strong language (“have to be established”) inappropriate for Guidelines. We do not have clear evidence or agreement that multi-stakeholder platforms make positive contribution to the realization of the right to adequate food, and food security and nutrition, as has been recognized by the HLPE Report on Multi-stakeholder partnerships. Hence, there is no justification for them to be so strongly promoted.
 - As mentioned previously, various actors have distinct roles in implementation, monitoring, ensuring compliance, regulating, etc. These roles have to be clearly articulated and distinguished, especially those of duty bearers, who have legal obligations to ensure the progressive realization of rights, especially of marginalized and disadvantaged populations.
 - There should be guidance on the roles of the actors directly involved in the implementation process, in particular how representatives of family farmer, peasant, agricultural workers and indigenous peoples' organizations can be involved in the process of implementation and monitoring of the Guidelines (collection, production and analysis of data; production and dissemination of studies and recommendations at regional and national levels, etc.);
- Also in relation to para 51, we suggest that the exclusive reference to the Scaling up Nutrition initiative is deleted. There are many other initiatives and actual social movements struggling for more sustainable and just food systems, and better nutrition, so it does not seem appropriate for a UN document to single out one initiative.
- We welcome the inclusion of parliamentarians in this section (53). However, a central aspect of the roles-responsibilities of parliamentarians in moving towards sustainable food systems and nutrition is generally absent in the document: that of establishing appropriate legislative and regulatory frameworks, enacting laws, upholding the public interest, obliging governments to meet their human rights obligations and commitments, and ensuring justice, particularly for marginalized and disadvantaged population groups.
- Strategies and/or plans for the visibility, dissemination and communication of the Guidelines to different actors, and to society in general should be further developed.