

**11 October 2022**

**Intervention of the Office of the UN High Commissioner for Human Rights in the discussion of the CFS Voluntary Guidelines on Gender Equality and Women's and Girls' Empowerment in the Context of Food Security and Nutrition**

Thank you Chair,

The Office has followed with interest the negotiations of the draft guidelines on gender equality and women's and girls' empowerment. The guidelines represent a timely opportunity for policy coherence between food security policies and States' human rights commitments. The human rights framework is relevant for CFS' policies as it brings a magnifying glass to spot discrimination and inequality, often root causes of food insecurity, and provides normative and policy guidance for their eradication.

In particular, the human rights monitoring mechanisms such as the UN Human Rights Treaty Bodies and Special Procedures harvest very relevant information and guidance for the members of the CFS to draft guidelines that uphold gender equality and contribute to eliminate the gender gap in food security.

In the negotiations, there was confusion on the content of the principle of non-discrimination. The Office would like to highlight that the UN Human Rights Treaty Bodies have been interpreting the principle of non-discrimination and equality as to include discrimination based on sexual orientation, gender identity and intersex status<sup>1</sup>.

The UN General Assembly, in its resolution 67/168, recognized sexual orientation and gender identity as prohibited grounds for discrimination<sup>2</sup>.

The Human Rights Council created the mandate of the Independent Expert on the protection against violence and discrimination based on sexual orientation

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<sup>1</sup> For example, in General Comment 20 and 23, the Committee on Economic, Social and Cultural Rights, which monitors compliance with the International Covenant on Economic, Social and Cultural Rights, has affirmed that the non-discrimination guarantee of the Covenant includes sexual orientation and gender identity and intersex status. The Committee on the Rights of the Child also interprets the right to non-discrimination in Article 2 of the Convention on the Rights of the Child to include sexual orientation (Gen comment 4), gender identity (Gen Comment 13) and intersex status (Gen comment 20) sex characteristics and has regularly addressed violations of the rights of children who are or who are perceived to be LGBTIQ+. The Committee on the Elimination of Discrimination against Women has emphasized the intersectionality of all forms of discrimination and has addressed human rights violations against lesbian, bi, trans and intersex women (GR 28 and 33)).

<sup>2</sup> The UNGA resolution 67/168 has urged States to ensure the effective protection of the right to life and to investigate promptly and thoroughly all killings committed for any discriminatory reasons, including those based on sexual orientation and gender identity.

and gender identity. In his thematic reports, the Independent Expert has observed that discriminatory laws and sociocultural norms continue to marginalize and exclude LGBTIQ+ persons from education, health care, housing, employment and occupation, and other sectors, creating obstacles to their enjoyment of the right to food.

The Office stands ready to support technically the CFS in finalizing the draft guidelines and looks forward to engaging in an inclusive and consultative process.

Thank you Chair