

CSM Comments on the CFS Zero draft of the Guidelines on Gender equality and women and girls' empowerment in the context of food security and nutrition

June 2021

This document conveys the comments of the Women's Working Group of the Civil Society and Indigenous Peoples' Mechanism (CSM) for relations with the CFS on the Zero draft of the GEWE Guidelines.

Background

The CSM Women's Working Group currently gathers 190 participants from a wide array of constituencies and sub-regions. During its preparatory process towards the drafting of these written comments the CSM Working Group has once again stressed the high expectations towards this policy convergence process and the urgent need to have a **groundbreaking** CFS policy document on Gender issues. The CSM Working Group confirmed that there is no interest in a process that will limit itself to copy-paste already existing agreed language.

In light of this expectation, we share through this written submission the general comments on the zero draft and its structure, the specific comments related to each section of the document and a few elements for the process ahead.

General comments on the content and structure of the Zero Draft

From a CFS perspective the document is undoubtedly advanced in some aspects, but in general is perceived by CSM constituencies working on the ground, as not sufficiently ambitious, impersonal and not fully capturing yet the policy demands needed for real transformation on the ground. The Zero draft weaknesses are mainly reflected through the following general elements gathered by CSM comments:

- It lacks a strong grounding on Human Rights and it lacks reference to internationally agreed documents and resolutions (see comments on the first section of the zero draft). Both are considered the basis for any transformative policy work;
- It has a strong productivist approach which does not put into discussion nor qualify the current dominant mode of production. The document should clearly state that current food systems are unsustainable and the food produced within them is not healthy. There is a big focus on "cultural contexts and norms" as responsible for gender injustices, but there is no mention of the responsibilities of the current neoliberal, colonial and patriarchal economic model. On the other hand, alternatives are hardly mentioned. Agroecological approaches that have proved to be sustainable, equitable and healthy are not mentioned enough, while they provide pathways that not only ensure healthy and sustainable diets, but they also address structural causes of inequalities, particularly from a gender perspective. The document seems to suggest that the achievement of gender equality, women and girls' empowerment and rights are linked to women's integration in the current dominant food production and consumption model rather than linked to a radical transformation of food systems and the subsequent tackling of power imbalances and inequalities.

- It is not addressing a transformative paradigm and women and LGBTI persons' crucial role within this paradigm, mainly focusing on women as actors that are functional to agricultural value chains, often portraying rural women as victims and not agents of change, resistance and resilience. Women produce the majority of the food and the change they foster on a daily basis is not aimed at simply achieving equality in an unequal economical, ecological, political and cultural way of production but to achieve a systemic change. The draft fails to present the way in which women, girls and LGBTI persons are bearers of alternatives, knowledge and solutions to tackle the intersecting crisis we are facing at global level, including COVID-19 and the climate crisis.
- While the mainstreaming approach is more related, in our understanding, to policy intervention and programming, the transformative approach is not yet reflected strongly in the policy proposals and areas. Transformative approaches require strong public policies, regulation of conflict of interest and participatory spaces. Hunger is not linked to women's efficiency as food producers but to structural causes of gender inequalities.
- It has a strong binary approach narrowing the sexual orientation and gender identities only to men and women, without naming and making visible LGBTI persons, which are indeed also contributing to our food security and nutrition as small-scale food producers and are often subject to multiple forms of discrimination in the current food systems;
- It lacks the recognition of the different cultures and the crucial role of Indigenous Peoples. The mentioning of casts for the Asian context is perceived also as crucial (e.g. Dhalit women)
- The concept of empowerment throughout the text, should always be aligned with the content defined in section 2, in order to avoid a top-down conceptualization. Empowerment is community-centric and promotes the recognition of rights, including collective rights, via the strengthening of women's and LGBTI groups, networks and communities.

In terms of structure, particularly in reference to section 3, we welcome the idea of a problem statement and a related policy area to address the problem. However, it seems that more articulation and consistency is needed between the different sections, and also within the sections themselves, where often the policy areas seem to be disconnected from their respective rationales. More effort is needed to ensure connection among the different parts, instead of isolating the different topics and addressing them in silos. In particular, the structural issues are not addressed early enough in section 3. We suggest changing section 3.8 on gender-based violence as 3.1, and section 3.3 on unpaid care work as 3.2. This will strongly improve the framing and flow of the Guidelines.

Comments on the Introduction (Section 1)

Background and rationale; Objectives of the Guidelines; Nature of the Voluntary Guidelines and their intended users

This section defines the scope and the applicability of these Guidelines and at the moment it refers several times to the Sustainable Development Goals (SDGs) but fails to directly list even once a reference to the UN Declaration of Human Rights or the UN Convention on Biodiversity and the derived international instruments. In particular, there should be a **direct mention in the text (i.e paragraph 5, 14) of CEDAW, CEDAW's General Recommendation 34 on the rights of rural women, and in particular of para 64, UNDROP and UNDRIP, Agenda 21 to UNHDR, Beijing Declaration and Platform for Action, International Conference on Population and Development, and the Security**

Council Resolution 1325 in terms of the connection between food security, peace and women's political participation in conflict resolution mechanisms. A footnote does not carry the same weight as being listed in the text and refers only to that specific sentence. At the moment it seems as the Guidelines will have a main objective to help implement the SDGs by the UN organizations but not the other international law instruments that guarantee women's rights. These are conventions and commitments that are always included in UN documents as landmarks and milestones. This is also an issue of timing the Guidelines and making them irrelevant after 2030 if SDG process takes precedence over other international law references.

- Gender equity: it would be important to also refer to gender equity when talking about gender equality, particularly in paragraphs 3, 5 and 7
- Gender identities: mentioned in our key messages, LGBTI persons need to be visibilized within the document. References should be included in paragraphs 7, 10, 11, 12 (in terms of LGBTI rights), 13 (in terms of increasing data collection about LGBTI in the context of food security), 14, 15 and 17. Furthermore we suggest to add 2 new paragraphs on this respect:
 - 3bis: Furthermore, the UN has become increasingly concerned¹ with the prevalence of discrimination on grounds of sexual orientation and gender identity. Lesbians, gays, bisexuals, transgenders and intersex²(LGBTI) are vulnerable to a range of human rights violations, including gender motivated violence, killings, rape, arbitrary detention and widespread discrimination in the workplace and in access to basic services like housing and healthcare. In such a context the right to food of these minorities is also under threat. The UN Secretary-General, the High Commissioner for Human Rights and heads of various UN agencies have all spoken out, calling for the decriminalization of homosexuality. Similarly, special rapporteurs³, independent experts and working groups appointed by the UN Human Rights Council, have issued dozens of reports, statements and appeals highlighting the vulnerability of LGBTI persons to human rights violations and calling on States to repeal or reform discriminatory laws and policies. Including LGBTI people in the frame of the current Guidelines is key to advance with gender equality, to end hunger and ensure food security and nutrition for all.
 - 8bis: Rural LGBTI people face often challenging realities of non-acceptance, expulsion from the community or a life of sexual clandestinity, harassment and violations. Many of them leave rural areas still very young, searching for a life in freedom in urban realities. However, also here sexual orientation and non-conforming gender identities lead to discriminations and human rights violations. In such a context, especially intersectional minorities are the target of even bigger discriminatory behaviors. Many of them end up doing sex work, in order to survive.
 - On paragraph 4, we suggest the following addition after *"The COVID-19 pandemic may have added an additional 83 to 132 million people to the ranks*

¹https://www.ohchr.org/Documents/Issues/Discrimination/LGBT_discrimination.pdf

²<https://www.ohchr.org/Documents/Issues/Discrimination/LGBT/BackgroundNoteHumanRightsViolationsagainstIntersexPeople.pdf>

³<https://www.ohchr.org/EN/Issues/SexualOrientationGender/Pages/Index.aspx>

of the undernourished in 2020, disproportionately affecting women and girls in part as a result of gender inequality and discrimination”: The lack or nonexistence of data collection regarding the impact of malnutrition and hunger faced by LGBTI people around the world represents an enormous challenge to address inequalities faced by individuals based on their sexual orientation and gender identity.⁴As recent reported by the United Nations Independent Expert on protection against violence and discrimination based on Sexual Orientation and Gender Identity (2020), LGBT persons have been strongly impacted in their human rights by the COVID 19 pandemic.⁵

- Paragraph 3: It should be clear that gender equality should be valid beyond Agenda 2030. We suggest including the following reference: *“Women’s rights have been guaranteed in the Universal Declaration of Human Rights”*
- Paragraph 5: The respect of the Free prior and informed consent (FPIC) should be included in the references made to investment
- Paragraph 6: Urban poverty and exclusion should also be mentioned within this paragraph as they also constitute causes of discrimination and inequalities.

Core Principles that underpin the Guidelines (Section 2)

We welcome this section as we believe it sets a good tone and the right framing for the Guidelines.

We would have some comments to improve the section:

- We would add a new principle (new 19 - while old 19 would become new 20 and so on): **Recognition and inclusion of LGBTI people.** The Guidelines acknowledge the importance of embracing LGBTI people in its scope, in order to stand against the physical, psychological and structural discriminations they face in rural and urban realities. The Guidelines promote non-discriminatory policies on sexual orientation and gender identity, so that anyone is left behind. It is key that LGBTI people can enjoy freedom over their bodies, feelings and sexual preferences, in order to fulfil their role in food systems and as pre-condition to overcome hunger and malnutrition.
- We would delete para 26 as we believe multi-stakeholderism is not a principle but possibly a means.
- We would suggest the following reformulation of para 23: 1. **Gender transformative approaches.** The Guidelines promote the use of gender transformative approaches that **tackle patriarchal structures, which are responsible for the causes of gender inequalities as to achieve lasting change.** This requires engaging **men and boys** to strengthen their joint responsibility and play an active role for the successful transformation of unequal power relations and discriminatory social systems, institutions and structures.
- We would add a sentence at the end of para 21: **Context-specific approaches.** The Guidelines promote context-specific analysis and actions that take into account the national, regional and local context and its impact on gender relations, roles and norms, **as well as on sexual orientation.**
- Para 22: **Gender mainstreaming combined with targeted actions.** The Guidelines support mainstreaming a gender perspective into all policies and interventions. Achieving gender

⁴ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/138/27/PDF/G1913827.pdf?OpenElement>

⁵ <https://www.ohchr.org/Documents/Issues/SexualOrientation/ImpactCOVID19LGBTpersons.pdf>

equality requires a **multiple** approach and complementing gender mainstreaming with targeted measures, focusing especially on women, girls and **LGBTI people in vulnerable situations**.

- We would add LGBTI knowledge in para 26, LGBTI people in para 24, 25 and 26.

The Voluntary Guidelines on Gender Equality and Women's and girl's empowerment in the context of food security and nutrition (Section 3)

1. Women's participation, voice and leadership in policy- and decision-making at all levels;

- The policy areas for discussion are very general, particularly point (ii) and (iv). Specific case studies or real-life examples of how women's organizations can be strengthened and also cases of discrimination or gender-based violence might need to be included in order to strengthen the section.
- In paragraph 30, it would be important to also mention "care of the sick" in the examples of key decisions.
- LGBTI persons need to be referred along this section. Moreover, we suggest the following new paragraphs:
 - 29bis: LGBTI people's participation in decision making spaces is almost invisible. Sexual orientation and gender identities are often seen as an issue of the private sphere. However, considering the structural discriminations, violences and invisibility LGBTI people face, their individual and collective empowerment and active participation in policy making spaces must be addressed. Only so, they can speak up, self-contributing to transformative processes towards gender equality.
 - 33bis: LGBTI people's participation in decision making spaces is almost invisible. Sexual orientation and gender identities are often seen as an issue of the private sphere. However, considering the structural discriminations, violences and invisibility LGBTI people face, their individual and collective empowerment and active participation in policy making spaces must be addressed. Only so, they can speak up, self-contributing to transformative processes towards gender equality.

2. Women's economic empowerment across food systems;

- It is important to highlight the need to transform current food systems for the valorisation of women's existing and essential role: e.g. focusing on local crop varieties instead of high yielding ones, supporting local markets and small scale exchange practices, encouraging farm to fork initiatives. This should be reflected as part of the policy areas for discussion.
- This section has a strong focus on cultural context, but fails to recognize that today's economic context and financialization of food and agriculture is a strong driver for land grabbing.
- Paragraph 37: when women's integration to value chains are mentioned, it should be made clear that the priority is local and territorial value adding processes, rather than globalised and industrial ones.

3. Recognition, reduction and redistribution of unpaid care and domestic work;

- Policy area (iii) should aim to redistribute unpaid work, as it is to be reduced from the overburden of women, but it is nevertheless essential for human life and economies. Moreover, the following aspects should be included within this paragraph: implement a solid social security system, promote and strengthen health benefits, improving rural and suburban infrastructures

4. Access to agri-food labour markets and decent work;

- This section should include the governance aspect of food systems' work and labour
- The focus of this section should not be on empowerment at an individual level, connecting women to markets will be useless if these markets remain highly unequal, given market domination that prevents producers from negotiating prices and conditions, unfair commercial practices.
- Paragraph 53: we believe this paragraph is very problematic, as it seems to suggest that one of the main causes for unhealthy and unsafe conditions is women's lack of information. This completely bypasses the structural causes of inequalities in terms of health and safety in workplaces. We strongly recommend deleting the following "access to information and training that would enable women to protect themselves."
- In the problem statement (paragraph 56) and the policy area for discussion (i) include the reference to LGBTI people. We also request to include the following new paragraph:
 - 54bis: Poor LGBTI people from ethnical minorities face increased discriminatory behaviours and violence in the labour market. Different forms of harassment, mistreatment at work related to their gender identities and lack of job retention, lead to financial difficulties to secure their right to adequate food and housing. Therefore, many of them go to prostitution. However, also here they often are victims of multiple discriminations. Social programs, supposedly put in place to provide support to people in necessity, are often discriminatory and public servants perpetrators of patriarchy. In such realities, their rights, including the access to adequate food and nutrition, are systematically violated.

5. Access to and control over natural and productive resources;

3.5.1: Natural resources, including land, water and forests

- If case studies were to be added to this section, it would be strengthened further. Case studies from fisherwomen in Mauritania or Soulaliyate women in Morocco could be considered
- Paragraph 61: Women's equal access to land should be a matter of rights and not circumscribed to potential economic gains. This is a very problematic and biased assumption that in order to enjoy their equal rights, women must prove that the society will have quantified economic benefit whereas the status quo of men owning productive resources is not questioned or required to provide economic benefit proof.
- Paragraph 62: while it is important to reference "cultural norms" in this paragraph, we believe that there should be a recognition that the current dominant industrial model is a major driver of land grabs and degradation, and a high number of landless...Moreover, we propose adding the following sentence to the end of paragraph 62 "Barriers encountered by same gender couples are also enormous, since

in the majority of the countries laws and policies don't foresee this kind of engagement/partnership as an option."

- Paragraph 63: Women's land tenure and access is not uncertain, but rather not ensured. There should be reference to the actual barriers to women's land ownership through customary practices and more recent practices such as land grabbing from widows.
- Paragraphs 67 and 68 are both seen from a very restrictive binary approach. Policy areas for discussion should also include the reference to LGBTI persons as too often land tenure rights are not guaranteed to them.
- Paragraph 68: this paragraph contains references to women's knowledge, it should be strengthened to recognize their knowledge, while also protecting and supporting it. Along this line, it is important to add reference to the risk of privatisation of this knowledge and the risk to see this knowledge captured serving the private interests, rather than the public interest. This should also serve for the entire document, as we see that it is weak on mentioning this fundamental aspect for food systems.
- In the policy areas for discussion, we suggest adding an area to shift the perspective on food production to include food systems and agency (as defined by the HLPE's Global narrative towards 2030). This would provide strong support for women's role and value in food production systems, including recognition of their traditional knowledge, appreciation of small scale food producers and family farmers, improving direct access to consumers to the benefit of small food producers and sustainable use of resources.
- Policy area (i): We suggest reformulating to "Equal participation" or at least "meaningful participation" rather than just "participation"
- Policy area (iii): It is not about "inclusion" but "equal participation" of women and girls

3.5.3: Financial services and social capital

- Paragraph 85 is very important: developing women's networks and women's organisations can encourage real change toward financial autonomy of women.
- In the policy area for discussion (i), there should be a recognition and support of local financial programs familiar to women for centuries such the "cooperative" system whereby several women agree to collect a certain amount of money monthly and one of the group gets the entire amount each month. It is an interest free loan but needs collaboration, trust and sound management.

6. Access to education, capacity building, training, knowledge and information;

- It would be important to reference the youth in this section

7. Access to appropriate technologies, including ICT-based, digital and agri-innovations;

- The place given to technologies, ICTs, is problematic. The section puts them at the same level of structural approaches (social protection) and is placed before the paragraphs on GBVs, or paragraph 98 on security. We are concerned about the space given to approaches that characterize big tech companies: farmers are viewed as clients, top/down with neither participatory approaches, nor co-design of technologies to meet women's needs and respect their rights.

8. Safety, security and elimination of violence and discrimination against women and girls in the context of rural and urban agri-foodsystems;

- This section is extremely important, therefore we reiterate the need to move it up as section 3.1, as this is the cause and consequence of gender discrimination. Without it as priority there is no possibility to guarantee women’s rights, including the right to food.
- LGBTI people should be referenced to in all paragraphs of this section, including the title itself. In 2021, we can no longer ignore violence and discrimination suffered by LGBTI persons, evidence on this is overwhelming. This is a matter of food security and nutrition, if discrimination and violence persists, hunger and malnutrition will never decrease, as food is too often a vehicle to impose power, including within the households themselves. We suggest the additional changes:
 - add paragraph 105bis: “Discrimination and the different forms of violence faced by LGBTI people in rural areas often lead them to the migration to urban areas, frequently in very young age. Instead of finding a welcoming environment, several of them are confronted with other forms of violence and discriminations, feeding the anonymous poverty of urban areas”
 - add at the end of paragraph 106: “and sexual choices”
- Paragraph 101: add “cultural” to “social, economic and political development”
- Paragraph 102: add “LGBTI people are also victims of high levels of violence.” and, after “together with their children”, add “in the household are likely to present nutritional impacts.” (after “together with their children”)
- Paragraph 109: Climate crisis is also responsible for rising gender-based violence. There should be a mention of the rise of violence against Women Environmental Rights Defenders.⁶
- In policy area for discussion (ii) incorporate “**safeguarding principles**” in operations of agencies and donors engaged in food security, agricultural development and nutrition.

9. Social protection and food and nutrition assistance

- Social protection is only viewed in a very classic manner, through the food assistance prism. This section is “under-using” social protection by considering it only as a tool to reduce poverty and malnutrition. Social protection must be universal (respect social protection floors before putting in place additional safety nets in case of shock). Social protection is also a transformative lever that can be used to challenge and transform gender relations. For example, social protection and cash transfers can have a positive effect on unpaid care work redistribution.
- Add paragraph 112bis: “Charity emergency facilities offering housing and food are often divided between female and male genders. Especially transgender people face discrimination to access such facilities, facing tremendous barriers to access their rights, including the access to adequate food and nutrition.”
- In policy area for discussion (iii) replace “women, men, girls and boys” with “all genders”

⁶ [Gender-based violence and the environment | IUCN, Women Human Rights Defenders confronting extractive industries | AWID](https://www.trocaire.org/sites/default/files/resources/policy/the_gendered_impacts_of_large-scale_land_based_investments_and_womens_responses_-_scoping_study.pdf) and https://www.trocaire.org/sites/default/files/resources/policy/the_gendered_impacts_of_large-scale_land_based_investments_and_womens_responses_-_scoping_study.pdf

Implementation and monitoring of the use and application of the voluntary guidelines (Section 4)

- We believe that this fundamental section should not only mention equality and empowerment but also the human rights dimension.
- The capacity building of implementing and enforcing agencies and bodies should be strongly mentioned and developed in this section.
- Participatory approaches and multi-actor spaces are also crucial for the implementation and monitoring phase. Multi-stakeholder platforms should have strong regulations and safeguards against conflict of interest, in order to address power imbalances affecting the voices and experiences of those most marginalized. It must be made clear that the different actors involved in the process do not have the same responsibilities with regard to the development, implementation, and monitoring of public policies needed for the achievement of gender equality, women and girls' rights and empowerment. All actors are important, but within the framework of these Guidelines and that of the Committee on World Food Security, the responsibility of States as guarantors of rights as well as citizens as subjects of rights must be placed in a relevant position and be differentiated from what it means to be a mere "stakeholder";
- Participatory institutional spaces should be safe spaces, free from gender discrimination and sexual harassment.
- Despite the voluntary nature of the Guidelines, each country should come up with their binding guidelines to fit within the limitations mentioned in points 14 and 15 of Section 1.

On Section 4.1: policy formulation

- Para 115. This para needs a reframing. It currently says "...commitments to ensure the equal rights of men and women, boys and girls", while should rather say: ... commitments to ensure [women's, girls and LGBTI's rights, gender equality and women's empowerment...](#)
- Para 117. "Governments are invited to use the Guidelines as a tool to undertake initiatives toward achieving gender equality and women's and girls' empowerment in the context of food security and nutrition, [in consultation and close collaboration with women's organizations](#)

Section 4.2.: building capacity for implementation

Two aspects could be included:

- Collaboration in funding the implementation of the guidelines: The standard phrase (see para 69 VGFSyN and 26.3 VGGT), could also be different: Development partners, intergovernmental organizations, including the Rome-based Agencies, and regional organizations, private sector, civil society and other relevant stakeholders are encouraged to support, with-in their existing resources and mandates, efforts by governments to implement these Guidelines.
- Collaboration of the Rome based agencies with other specialized UN agencies, such as UN Women, UN High Commissioner of Human Rights, CSW, CEDAW, etc.

On section 4.3: monitoring

- Para 119: Governments, in consultation with relevant stakeholders, [especially women's organizations](#),
- The monitoring of the implementation of these Guidelines could be used for SDG 5 monitoring, also in monitoring other Global Action Plans and CEDAW implementation monitoring (similar to VGFSyN 73)

Comments and suggestions for the process ahead

Regional consultations: The regional consultations must be inclusive and based on the framework and modalities of the CFS, respecting its different mechanisms and guaranteeing the participation of the groups most affected by food insecurity and malnutrition but most contributing to food security and nutrition worldwide. It is key that the CSM is involved from the very beginning (preparation of the consultations) and that civil society participation is organised autonomously through and according to the principles of the CSM and the reformed CFS. The CSM suggests that a clear methodology for the consultations is elaborated as well as guiding questions that can be followed across regions.

CFS 49th Plenary Session (October 2021): We believe that the upcoming CFS Plenary Session could be of great use to start debating around some of the most divergent and key topics of the GEWE Guidelines. CSM proposed during the Advisory Group and Bureau meeting of April 2021 to make use for this purpose of the CFS Secretariat's special session, currently scheduled on the last day of the Plenary, 14 of October, at the eve of the international day of rural women. This session will not be included in the Final Report, but could offer a moment of exchange making use of the most participatory and inclusive space of the Committee, its Plenary Session. The TTT could also be tasked to design a proposal of format and methodology.