

## Comments on the on the draft recommendations on Reducing Inequalities for Food Security and Nutrition – Zero Draft

Michael Fakhri  
Special Rapporteur on the Right to Food

I congratulate the Rapporteur and Secretariat for preparing this Zero Draft. I provide my comments and suggestions below.

### **Rationale:**

First paragraph:

“Rising inequalities within and among countries is recognized as a major challenge to human rights and sustainable development.”

Second paragraph:

In this paragraph the phrase “high levels of concentration in food production” does not identify concentration of what. I would suggest “high levels of concentration of power and ownership in food production”. It is worth including also “exploitation of workers” as a trend.

This paragraph should also identify structural violence, protracted crises and conflict also as drivers of inequality in food systems.

Fifth paragraph:

This paragraph gives the impression that growth per se would lead to more political stability, less migration fluxes etc. However, we know that growth is not an antidote to inequality. Therefore, the suggestion is the following (with suggested changes for clarity:

“Sustained disparities across countries and between vulnerable and other social groups can slow growth, ~~and~~ lead to political instability, cause mass migration, along with related adverse consequences on food security and nutrition and the progressive realization of the right to adequate food, in high, medium and low-income countries.”

Eighth paragraph:

When referring to whom the recommendations are addressed, you should add research centres and academia. This is because of the lack of “equity related data and knowledge systems” and the need for them as pointed out by the HLPE Report.

Their role might be different than the other stakeholders so they may want to be identified separately with language such as the following. “Researchers also play an important role due to inadequate amount of food system equity-related knowledge and data available.”

## **RECOMMENDATIONS**

You may want to consider re-organizing the Recommendations and start with Section C, since these are the system drivers (or root causes) and therefore the preconditions for the other suggestions.

### **Access to natural resources and access to markets**

1. “Promote, safeguard, and facilitate...” - this reflects language from VGGT.
2. The current language suggests that markets are the only way to access resources as opposed to certain resources organized through communal means. Access to markets is an important element in and of itself as identified in the paragraph that follows along with access to resources. Therefore, my suggested change allows for a broader concept of “access” and align with Para.1 is the following:

“Develop and strengthen policies that foster a more enabling environment for vulnerable and marginalized groups to improve their access to and power over markets for land, inputs, services, and water while mitigating concentration of resources.”

3. “Increase smallholders’, peasants’, workers’, vulnerable and marginalized groups’ capacity to access markets by strengthening cooperatives, unions, associations and networks, and other organizations which can expand their bargaining power and participation in value chains, prioritizing nutritious foods to address all forms of malnutrition.
4. “Foster public procurement programs for public institutions, food assistance and school feeding and implement policies that prioritize family farmers, smallholders, and Indigenous peoples.”

### **Institutions and partnerships**

The title of this section does not capture the points since the paragraph on social and solidarity economy could easily go above in “access to markets” – it just represents a different type market actors than what is mentioned above. Therefore, it may be more accurate to describe this section as “**Cooperation, fairness and solidarity**”

5. “Facilitate formal and informal organizations of disadvantaged groups and build transparent, accountable and inclusive institutions and partnerships to foster their collective action and participation in decision-making processes by empowering individuals and communities to autonomously and actively participate in shaping food systems” – this language comes from the Right to Food Guidelines; the reference to “autonomous” mirrors the structure of the CSIPM as a model.

Suggested additional paragraph:

Since the Rationale raises concerns regarding concentration of market power, it is important to not only address ways to increase marginalized groups’ bargaining power but to also address the issue of market power directly in the spirit of creating fair and stable markets. Here is my suggested language –

“Ensure markets are fair by enacting and enforcing laws that limit anti-competitive concentrations of power, hold businesses accountable for human rights violations and environmental harms, and promote stable prices.”

The reference to laws regarding anti-competitive concentrations of power is a reference to competition law but in general terms; the reference to holding businesses accountable for human rights violations and environmental harms is a general point drawing from the recognition that businesses have human rights and environmental obligations; and the last point harkens back to the HLPE report #1 which remains relevant today.

Another suggested additional paragraph:

The Rationale raises the point of inequality between countries. This requires cooperation. Moreover, the International Covenant on Economic, Social and Cultural Rights makes international cooperation an explicit obligation when it comes to the right to food (Art. 11.1). I also draw from the most recent Human Rights Council Right to Food Resolution A/HRC/55/L.3 which uses language of international cooperation and solidarity. Here is my suggested language –

“Strengthen international cooperation and solidarity to address the underlying causes of inequality between countries and global food crises.”

**Investments in supply chains and in disadvantaged areas**

8. Increase investment in inclusive and fair value chain approaches, labor rights protection, equity-sensitive storage, food processing and distribution to reduce inequalities in food supply chains;

9. Increase responsible investment in infrastructure, logistics and supply chains, small-scale adapted technology, and in disadvantaged areas by adopting territorial approaches and strengthening regional and local trade and market connections

10. Create opportunities for smallholders, peasants, Indigenous peoples, other vulnerable and marginalized groups and micro, small and medium enterprises (MSMEs) to access finance, including through credit, savings and insurance;

12. Strengthen responsible investments in support of agroecological and other innovative approaches that contribute to the transition to more sustainable, fair, resilient, inclusive agriculture and food systems, while also recognizing their role in facilitating equitable access to healthy diets;

13. Increase investment in research, extension, innovation, and technical assistance in collaboration with universities, research institutions, and civil society organizations, with the aim of improving linkages between institutional markets and disadvantaged groups, particularly smallholders, and improving the relationship on equitable terms between scientists and Indigenous and traditional knowledge holders. (*inclusive research and extension*)

### **Trade, investment and debt governance related to food security and nutrition**

22. The International Covenant on Economic, Social and Cultural Rights Art. 11(b) stipulates that the right to food includes ensuring that international trade and international food markets are equitable.

“Incorporate an equity and right-to-food focus into trade, investment and debt governance related to food security and nutrition by addressing existing disparities of opportunity, wealth and decision-making power within food systems governance”

23. “Foster increased transparency and fairness in the negotiation of multilateral trade and investment agreements to promote access to healthy diets and healthy food environments for all, while also prioritizing the needs of the most affected”

24. The original language suggests that the existing trade system with the WTO at its core is already “rules-based, non-discriminatory, open, fair, inclusive, equitable and transparent” and that the system as such should be strengthened. If all of that were true then the WTO would not be in a crisis and we would not need paras. 22 and 23 in this Recommendation. My suggestions are intended to emphasize that the normative list is a goal and not a description:

“Strengthen the multilateral trading system to be more rules-based, non-discriminatory, open, fair, inclusive, equitable and transparent with the World Trade Organization at its core”

26. This paragraph as its written reflects the old discourse around the WTO Agreement on Agriculture from the 1990s. However, everyone at the WTO agrees that this Agreement is outdated. No one agrees, however, over what kind of agricultural subsidies are harmful and there hasn’t been any consensus for decades. So nothing is “continuing” as such. My suggested language better reflects the existing reality and sets a more general, productive goal:

“Continue efforts to establish an international consensus over which agricultural subsidies negatively affect production, food prices, nutrition, trade and environment and which subsidies are necessary to maintain sustainable and fair food systems.”

### **Systemic drivers of inequality**

27. I am not sure what “leveraging SDG10” means. I read this paragraph as a bit circular. Here is my suggested language that maintains a reference to SDG10:

“Use the right to food and human rights-based approaches to reduce inequality within and among countries (SDG10) and address systemic drivers of inequalities by promoting the meaningful participation inclusion of marginalized groups in policymaking and practice”

34. My proposed language is so that this paragraph better aligns with the CFS-FFA:

“Address the multiple drivers of food security and nutrition inequalities by comprehensively addressing the root causes of protracted crises using a human rights framework working across fragile contexts and the humanitarian-development-peace nexus”