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y la
Alimentación

**INTERGOVERNMENTAL WORKING GROUP FOR THE
ELABORATION OF A SET OF VOLUNTARY GUIDELINES TO
SUPPORT THE PROGRESSIVE REALIZATION OF THE RIGHT
TO ADEQUATE FOOD IN THE CONTEXT OF NATIONAL FOOD
SECURITY**

Second Session

Rome, 27-29 October 2003

REPORT OF THE CHAIR

I. ORGANIZATIONAL MATTERS

1. The Intergovernmental Working Group (IGWG) for the Elaboration of a Set of Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (IGWG) held its Second Session from 27 to 29 October 2003 at FAO headquarters. The Session was attended by delegates from 89 Members of FAO and the United Nations, four representatives of United Nations and its Specialized Agencies, one intergovernmental organization, 23 international non-governmental organizations and observers from the Holy See and the Sovereign Order of Malta (List of Participants attached as Appendix 1).

2. After regional meetings had taken place, the Session was opened by Ambassador Mohammad Saeid Noori-Naeeni (Islamic Republic of Iran), Chairman of the IGWG. Mr Hartwig de Haen, Assistant Director-General, Economic and Social Department, FAO, delivered an opening statement (attached as Appendix 2). The IGWG adopted its agenda (IGWG RTFG 2/1 Rev. 1). The IGWG elected, by acclamation, Mr Robert K. Harris (USA) as a new member of the Bureau in place of Ms Lucy Tamlyn (USA).

3. A general debate ensued which provided all members and stakeholders with the opportunity to express their views on the Voluntary Guidelines. The opportunity was given to the Regional Chairs to express views on behalf of the regions before those of members and stakeholders.

4. In order to facilitate an efficient exchange of views, an open-ended in-session Working Group was established. It was chaired by the Chairman of the IGWG and included four

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spokespersons from each of the seven geographical regions, three representatives from NGOs and representatives of UN Agencies and intergovernmental organizations. It was agreed that the four spokespersons for each region could be rotated among member countries of that region. Delegates not identified as spokespersons were able to attend the meeting. The Working Group convened after a general debate in plenary was concluded and proceeded to discuss the draft Voluntary Guidelines in more detail.

II. PRESENTATION OF ELABORATION OF THE BUREAU DRAFT OF THE VOLUNTARY GUIDELINES

5. The Chair provided an overview of the intersessional process since the First Session of the IGWG during which the draft Voluntary Guidelines were elaborated. As requested by IGWG-I, the Secretariat had finalized the Synthesis Report, incorporating submissions up to 7 April 2003, and posted it on the website. Between IGWG-I and IGWG-II the Bureau met seven times to deal with procedural and other matters related to the Voluntary Guidelines. However, the main task of the Bureau was to prepare the draft Voluntary Guidelines on the basis of a proposal that had been made by the FAO Secretariat. The Bureau met twice, firstly during the period 9-14 July when it could not complete its work in drafting the Voluntary Guidelines. It was, nevertheless, decided to send a copy of the incomplete draft Guidelines to Regional Chairs, and to representatives of international intergovernmental and non-governmental organizations for comments, to be taken into account at a subsequent meeting of the Bureau. A second meeting of the Bureau was thus held for five days from 15-19 September, during which the draft Voluntary Guidelines were completed. Due to this prolonged process, IGWG-II was postponed from end of September to 27-29 October. The Chair pointed out that the Bureau had to face a number of challenges in preparing the draft, such as different views regarding the legal status of the right to adequate food amongst states, some of which are Parties to the International Covenant on Economic, Social and Cultural Rights while others are not, the level of detail of the Voluntary Guidelines, and the extent to which international factors affecting the right to adequate food at national level should be taken into account. The Chair pointed out that the draft could clearly be improved, but recommended that it should be regarded as a basis for discussions and negotiations.

6. In addition to the above tasks, the Bureau concerned itself with the following activities related to the right to food approach:

- During the 29th Session of the Committee on World Food Security (CFS), Rome, 12-16 May 2003, the Chairman of the IGWG presented a report on progress made by the IGWG. In addition, Ambassador Perri (Brazil) and Mr Cissé (Mali) made presentations on national experiences in implementing the right to adequate food in Brazil and Mali respectively.
- International Conference on “The Right to Food and Cost of Hunger”, Jacques Maritain Institute, Rome, 20-21 June 2003, organized by the Jacques Maritain Institute and the Government of Italy (summary of the conference on the FAO Right to Food website);
- Panel discussion on “The Right to Adequate Food: How Right to Food Policies can add to Food Security Policies”, International Association of Agricultural Economists Conference, Durban, South Africa, August 2003;
- International Workshop on “Defining the Role of Food Aid and its Contributions to Sustainable Food Security”, Berlin, 2-4 September 2003, organized by the German Government and chaired by Ambassador Noori-Naeini, which led to the “Berlin Statement” on that subject;
- Intersessional workshop on “Implementing the Human Right to Food: Domestic Obligations and the International Trade in Agriculture”, Cancun, Mexico, 11 September 2003, sponsored by the International Centre for Human Rights and Democratic Development, the Canadian Foodgrains Bank and FIAN International, at which Mr

Hartwig de Haen, Assistant Director-General of the Economic and Social Department, was a keynote figure;

- Ninth European Nutrition Conference, Rome, 1-4 October 2003 on the theme “Making Guidelines for the Human Right to Adequate Food – the Challenge to European Countries and Academia” at which presentations on different aspects of the draft Voluntary Guidelines were made by Ambassador Noori-Naeini and Mr Julian Thomas.

III. PRESENTATION OF VIEWS AND PROPOSALS ON THE BUREAU DRAFT OF THE VOLUNTARY GUIDELINES

7. During the first day, all Members and Stakeholders had the opportunity to express their general views on the draft Voluntary Guidelines. First, Regional Chairs presented the opinion of their regions as a whole, then a wide number of Members and Stakeholders participated in the debate. The IGWG considered the draft Guidelines to be a good basis for the elaboration of the Voluntary Guidelines.

8. On the second and third days the Working Group discussed specific items such as the scope, structure and legal implications of the draft, as well as each of the five parts of the draft and each of the Guidelines.

9. The FAO Secretariat took note of the discussions and will prepare a non-paper that will summarize the main issues raised during debate in plenary and during discussions of the Working Group, indicating the origin of these issues. No attempt will be made to determine convergences and divergences. The non-paper will be translated and distributed to all members and observers of the IGWG before the end of 2003.

IV. FUTURE ORGANIZATION OF WORK

10. Given that only one session remains before the IGWG needs to report on its work to the 30th session of the CFS in September 2004, it was decided that first negotiations of the draft Voluntary Guidelines will take place during an intersessional meeting within the framework of an open-ended Working Group. The open-ended Working Group will take into account the discussions held at the Second Session of the IGWG as summarized in the non-paper to be prepared by the FAO Secretariat. The IGWG delegated negotiation and decision-making authority to this open-ended Working Group. It will meet for approximately four days early in 2004 to begin negotiations of the draft Voluntary Guidelines. It will consist of up to six country representatives from each region, three representatives from international non-governmental organizations, and representatives from intergovernmental organizations, the United Nations and its Specialized Agencies. There will be the possibility to rotate the six spokespersons for each region, and other country representatives may attend but without being able to take the floor. The Chair of the IGWG will elaborate a revised draft of the Voluntary Guidelines reflecting discussions held at IGWG-II and decisions taken by the open-ended Working Group during the intersessional meetings.

11. As to further intersessional activities, the IGWG noted that, in accordance with paragraph 9 of Appendix D to the Report of the 123rd Session of the FAO Council, the Bureau may decide on appropriate additional intersessional activities, subject to availability of resources, noting that currently available funds would not permit the full range of desirable activities.

12. On the basis of the Chair's revised draft, the negotiations of the Voluntary Guidelines will continue and be concluded during the Third Session of the IGWG which will be held for five days in June 2004, to enable finalization of the Voluntary Guidelines before the CFS in September 2004.

V. CHAIR'S REPORT

13. The IGWG noted that the present report is issued as a report of the Chair.