Contribution of the Special Rapporteur, Mr. Olivier De Schutter, to the inquiry launched by the International Development Committee of the Parliament of the United Kingdom in advance of the June 2013 G8 Summit

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As a contribution to the deliberations within the International Development Committee of the Parliament of the United Kingdom in preparation for the June 2013 G8 Summit, the Special Rapporteur on the right to food, Olivier De Schutter, draws attention to what he considers key priorities for international action in 2013 to progressively realize the human right to adequate food.

1. The right to food is a human right recognized under international law, which protects the right of all human beings to feed themselves in dignity, either by producing their food or by purchasing it. All States have a duty to respect, protect and fulfill the right to food, which may require adopting adequate legislative and policy frameworks. The fight against hunger and malnutrition can also be enhanced by a stronger adoption of the right to food principles and requirements, which are increasingly being implemented in a number of countries. In recent years, the operational dimensions of the right to food – its added value in improving the effectiveness of food security strategies – have been better understood, and a range of regions and countries have strengthened the legislative or policy frameworks that enhance the protection of the right to food based on the principles of participation, accountability, and non-discrimination.

2. The eight priorities for international action in 2013 serve three key objectives:

(I) to support well-designed, human rights-sensitive food security policies at national level;
(II) to strengthen global efforts to cope with food price volatility; and
(III) to improve accountability.

I. Support well-designed, human rights-sensitive food security policies at national level

Priority 1: Strengthen national implementation of the right to food and review efforts to implement the Right to Food Guidelines

3. Grounding food security strategies in the right to food means that there will be improved safeguards against corruption or diversion of funds, and against discrimination (particularly against women or ethnic minorities); that the beneficiaries of support schemes shall be informed about their rights and shall be able to claim benefits if they are denied the support they are entitled to; and that the efforts shall focus on the most marginalized groups, thus maximizing the impact of food security strategies on poverty reduction. This is why the international community has repeatedly emphasized the need to rely on the right to food in efforts to reduce hunger and malnutrition, including in the 2009 Rome Declaration of the World Summit on Food Security. This is also why the Committee on World Food Security has decided to hold, during its 41st session in 2014, a ten year review on progress made in implementing the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted
unanimously by the member States of the FAO in 2004. The review will be an opportunity to take stock of progress made over the past decade, identifying obstacles that remain and sharing good practices. The commitment of the CFS to review progress of the right to food at national level will not only provide a strong encouragement to make progress towards implementing these Guidelines in all regions. It will also provide a unique opportunity to assess the contribution the right to food can make to the effectiveness of national food security strategies grounded on accountability, participation and non-discrimination, and independent monitoring of progress.

4. **All countries should set as a priority to increase their efforts in implementing the Right to Food Guidelines.** A number of countries have initiated processes to build strategies or framework laws that will materialize their commitments to translate the right to food into normative or policy frameworks. Such countries should be encouraged to rapidly bring their efforts to fruition, including with external support and international cooperation. The countries that are now pioneers in the implementation of the right to food at national level, particularly in Latin America, could stimulate efforts in other countries, through South-South cooperation. The G8 States would usefully contribute to the CFS review of progress by preparing a review of their own national efforts, including how they integrate the Right to Food Guidelines in their development cooperation policies and programmes.

5. **The Special Rapporteur on the right to food expresses his availability to support this process.** He is currently working in support of the implementation of the right to food in Africa. The progress already achieved in implementing the right to food at national level in Africa, Asia and Latin America, are highlighted in reports presented by the Special Rapporteur, in particular in Briefing Note 1 “Countries tackling hunger with a right to food approach. Significant progress in implementing the right to food at national scale in Africa, Latin America and South Asia”; Briefing Note 5 “From Charity to Entitlement: Implementing the right to food in Southern and Eastern Africa” (June 2012); and Briefing Note 6 “A Rights Revolution: Implementing the right to food in Latin America and the Caribbean” (September 2012).

6. **National strategies should comprise the establishment of appropriate institutional mechanisms,** particularly in order to: (i) identify, at the earliest stage possible, emerging threats to the right to adequate food, by adequate monitoring systems; (ii) improve coordination between the different relevant ministries and between the national and sub-national levels of government; (iii) improve accountability, through the setting of targets, with measurable indicators, defining the timeframe within which particular objectives should be achieved; and (iv) ensure the adequate participation, particularly, of the most food-insecure segments of the population. Where States do not yet have national framework laws, their creation can become a key element of national strategies on the progressive realization of the right to food. Such laws ensure that participatory rights are stipulated for civil society (including food producers’ organizations), and that national strategies are adopted, and revised, at regular intervals. Participation is indeed key. Civil society organizations are also key stakeholders in the fight to eradicate hunger, malnutrition and poverty, and have proven to have a catalytic role for the adoption of national strategies; they should have a central role in all countries. **Right to food strategies shall only be successful if they are informed by the views of the victims of hunger and malnutrition, and if the authorities are held accountable for results.**

**Priority 2: Guarantee gender equality and the empowerment of women**

7. While essential to the right to food of women, this would also contribute to the realization of the right to food of other members of society: the advancement of women's rights translates into improved physical and mental development of children, whose ability to learn and to lead healthy and productive lives will gain; it translates into better health and nutritional outcomes for the household, as the decision-making power within the family is rebalanced in favour of women; and it results in higher productivity for women as small-scale food producers, in a context in which small-scale family agriculture is increasingly feminized in

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all regions, due to the fact that it is the men who first exit from agriculture and migrate to seek employment in the other sectors.

8. The obligation to remove all legislative provisions that discriminate against women, and to combat discrimination that has its source in social and cultural norms, is an immediate obligation that must be complied with without delay. States should also mainstream a concern for gender in all laws, policies and programmes, where appropriate by developing incentives that reward public administrations which make progress in setting and reaching targets in this regard; and they adopt multi-sector and multi-year strategies that move towards full equality for women, under the supervision of an independent body to monitor progress, and relying on gender-disaggregated data in all areas that relate to the achievement of food security. The Special Rapporteur will highlight complementary recommendations in this regard in a future report that will be presented to the 22nd session of the Human Rights Council in March 2013 (U.N. document A/HRC/22/50).

Priority 3: Direct the reinvestment in agriculture towards food security, the reduction of rural poverty, and improved resilience to climate change

9. As a result of the food price crises of 2008 and 2010, both governments and the private sector are reinvesting in agriculture, a sector that has been largely neglected over the past thirty years. This is welcome. However, depending on how they are channelled – for which producers and in support of which model of agricultural development –, investments in agriculture may diverge widely in their effects on improving food security, reducing rural poverty, and preserving the health of the soils and the ecosystems in the face of the threats emerging from climate change. In March 2011, following the presentation by the Special Rapporteur of a report assessing what agroecological techniques could contribute to the modernization of agriculture, the Human Rights Council encouraged “States and donors, both public and private, to examine and consider ways to integrate the recommendations [contained in the report “Agroecology and the right to food” (A/HRC/16/49)] in policies and programmes” (A/HRC/RES/16/27, OP 14). G8 States could contribute to ensure that adequate follow-up is given to this recommendation not only by international agencies, but also by national aid agencies. Comparative assessments could be conducted, proactively, of how different agricultural modes of production, in different contexts, are more or less conducive to food security and the right to food. This is also a commitment made in the Outcome document “The Future We Want” adopted at the Rio Conference on Environment and Development, reaffirming “the necessity to promote, enhance and support more sustainable agriculture” as well as “the need to maintain natural ecological processes that support food production systems”, and “resolving to increase sustainable agricultural production” globally (A/RES/66/288, Annex, paras. 110-111). The Outcome document also tasks the Committee on World Food Security in "facilitating country-initiated assessments on sustainable food production and food security” (para. 115).

10. Given the importance of improving access to land and the security of land tenure for improving food security, the implementation of the Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) adopted by the 38th session of the Committee on World Food Security (CFS) on 11 May 2012, will be another vital element in global efforts to improve food security in 2013. The Special Rapporteur also notes that an inclusive consultation process has been be adopted and initiated within the CFS for the development of principles for responsible agricultural investments which enhance food security and nutrition.

11. In his reports to the Human Rights Council and the General Assembly, the Special Rapporteur observes that investments in countries facing significant poverty levels need to be directed at promoting farming systems that contribute to employment creation and rural development, with powerful poverty-reducing effects; and that such investments should encourage modes of agricultural production that respect the environment, and do not accelerate climate change, soil depletion, and the exhaustion of freshwater

2 Available at: http://www.ohchr.org/EN/Issues/Food/Pages/Annual.aspx
reserves. He notes that the multiplier effects of investments in agriculture through linkages with the local economy are significantly larger where such investments support small-scale food producers who contribute most to local food security and to improved nutritional outcomes, and have a direct impact on the reduction of rural poverty.

II. Strengthen global efforts to cope with food price volatility

Priority 4: Establish a Global Fund for Social Protection

12. In the face of persistently high food prices and levels of hunger, it is unacceptable that nearly 80% of the world’s poor do not have basic social protection to fall back on. One major reason why least developed countries do not put social protection schemes in place is that they fear that the establishment of standing social protection schemes shall be fiscally unsustainable: they may face an unaffordable surge in the levels of disbursements in the wake of droughts, floods, epidemics, food price spikes and other shocks to which a high proportion of their populations are vulnerable.

13. The Special Rapporteur has called for creation of an international mechanism in order to close the funding shortfall for putting in place a social protection floor in least developed countries, and to underwrite these schemes against major shocks by brokering or providing reinsurance (see “Underwriting the Poor: a Global Fund for Social Protection”, Briefing Note 7, by the Special Rapporteur on the right to food and co-authored by Magdalena Sepúlveda, Special Rapporteur on Extreme Poverty and Human Rights, October 2012).3

14. The proposal of a Global Fund for Social Protection is intended as a contribution to the international dialogue on how to ensure the right to social security for all through the establishment of national social protection floors in all countries, as called for by the International Labour Conference. The proposal has received broad support from governments, international agencies and civil society, and a range of organizations are currently discussing ways to support its progressive operationalization. Provided the necessary political goodwill is created, G8 countries could launch a message in June 2013 on the need to overcome the crisis by ambitious measures, including efforts to strengthen social protection at the global level.

Priority 5: Establish Food Reserves

15. Excessive price volatility is still unresolved and is expected to remain on domestic and international markets. In that context, there is a demand from a number of countries, particularly the members of the African Union, that the international community address the question of volatility. These countries want to reduce their vulnerability when international markets are volatile. These governments see stocks as a useful tool to smooth prices.

16. Reserves are not a panacea, but provided the governance conditions are right, they can help reduce price variations that are inter-seasonal or that are linked to unpredictably changing weather patterns. The management of food reserves can be expensive and complex, and they only work as part of a wider system of risk management and price stabilization. But, if they are governed transparently and particularly if established at regional level, in a system in which countries of a same region provide mutual insurance against shocks, food reserves can be effective. Conversely, the lack of stocks has a higher price, both in dollar terms and in the cost on human welfare. The international community has begun to encourage some limited experiments, related to emergency stocks. The most advanced experiment to date is being conducted in the West African region, across 11 countries, on a range of strategic staple crops. It is important to broaden the strategy to think about the role stocks can play in strengthening producers’ market power.

stabilizing national food supplies and providing some insulation against price shocks in international markets. Much of the existing debate relies on analysis of 1980s programs that do not take account of the very big changes in both domestic and international markets since then. There are new technologies for communication, transportation and storage that should be explored in relation to stocks.

17. Food price volatility was debated at international level during the 2011 annual session of the Committee on World Food Security (CFS), on the basis of a report from its High-Level Panel of Experts. The World Bank, in collaboration with FAO, WFP and other partners have informed the CFS that they are addressing these issues simultaneously, namely assessing buffer stocks and food reserves, and preparing a code of conduct for emergency humanitarian food reserves. While the agencies are to inform the CFS of the outcome of their efforts, the June 2013 G8 Summit could be another step in the process to take measures to curb price volatility, as to enable the 40th Session of the CFS (in October 2013) to review progress made on the recommendations made on this issue at its 37th session, including through (a) an assessment of the constraints and effectiveness of local, national and regional food reserves made by international organizations, and (b) working towards a draft code of conduct for emergency humanitarian food reserves. Postponing this question or not addressing it at the highest level would undermine the credibility of the G8 and the CFS alike.

Priority 6: Give first priority to food security in agrofuel policies.

18. Since 2008, the Special Rapporteur has consistently stated that it is imprudent to support extra agrofuel production when food prices are high and volatile and when the impacts on smallholders and land patterns are likely to be negative, and the environmental benefits highly questionable. There is now a large consensus on this issue across all international agencies. The Special Rapporteur has welcomed the European Commission's announcement, on 17 October 2012, that it would propose to revise the targets set by the EU's 2009 renewable fuels directive (Directive 2009/28/EC of 23 April 2009 on the promotion of the use of energy from renewable sources). However, the EU, US and others should now move towards full removal of agrofuel mandates and subsidies. In addition, any development of agroenergy production should be preceded by robust case-by-case impact assessments that are sensitive to food security and take into account, in particular, the impacts on land rights of the local communities. Putting an end to the current policies, that all impartial observers have now recognized are having a large range of unintended perverse impacts, should be a priority for the G8 in 2013.

Priority 7: Encourage local and regional markets, reshape food chains in order to strengthen the bargaining position of the small food producers, and enable a transition towards less dependency on international markets

19. Countries should build strategies to be more resilient to food price volatility, and avoid excessive dependence on international markets. Poor, net-food-importing countries should be encouraged to strengthen their agricultural sectors by investing in storage facilities and infrastructure improving the ability of small-scale producers to be linked to markets; by supporting their farmers through extension services; by encouraging small-scale farmers to form cooperatives in order to achieve economies of scale in the processing, packaging and marketing of food. These countries should also be encouraged to support the urban consumers' access to affordable and nutritious food by setting up or strengthening social protection schemes providing income support (see Priority 4), and by improving the connection of the local food producers to the nearby urban markets.

20. This transition shall take time, and it shall require investments. It is one that, although it is in the long-term interest of the countries concerned, may be in tension with their short-term interest in continuing to rely on cheap food imports, even at the expense of their agricultural sector. The G8 countries have a responsibility to facilitate such a transition. This means encouraging developing countries that currently depend on food imports to feed themselves in order to gradually reduce such dependency. Depending on each country's situation, this could mean increasing the levels of import tariffs on agricultural products and...
thus better protect their producers from the impacts of import surges, and using the revenues from such tariffs to finance rural development and infrastructure benefiting farmers, and to massively invest in social protection for the net food buyers and in particular for the non-food-producing poor households. In the past, trade policies that were insufficiently aware of their impacts of rural poverty and local food insecurity have resulted in the marginalization of a large number of less competitive production units – small-scale farmers in developing countries who were in effect crowded out by imports subsidized by OECD countries – and in an increase in inequality and poverty in the rural areas in developing countries.

21. Efforts to **phase out export refunds** should be accelerated. G8 countries should recall the reference made to their abolition by 2013 as part of a global trade deal, at the Hong Kong Ministerial Conference of the WTO in December 2005. It should also be acknowledged that, while the negative impacts of export refunds are particularly important, they are not the only source of distortions that could produce negative impacts on developing countries’ markets. Direct payments are close to 30% in some major agricultural countries of the G8, with total subsidies accounting for 40% in the EU for instance. This comes in addition to market price support policies such as import tariffs, which ensure protection against lower-price imports. Without these various forms of support, producers in certain G8 countries would not be in a position to compete on world markets, since the social and environmental conditions under which they operate would not allow them to be competitive. G8 countries should therefore progressively build a **monitoring of the impacts of their agricultural exports towards developing countries**. Adequate supply management schemes aimed at avoiding overproduction could go a long way towards limiting the negative impacts on the local markets of developing countries of the support given to domestic farmers in order to stabilize their incomes and in order to help them meet the requirements they are imposed. Mechanisms should be established immediately to shield the local agricultural producers in developing countries, to the maximum extent possible, from the negative impacts of the export policies of G8 countries.

### III. Improve accountability

#### Priority 8: Strengthen accountability mechanisms in global efforts related to food security, including MDGs and SDGs

22. A real risk exists that commitments made in international summits will remain empty promises without effective monitoring and accountability. Global commitments must be grounded in human rights and enable citizens to monitor the commitments of their Governments. They must put accountability, the foundation of a human rights-based approach to development, at the core of its commitments.

23. States should **incorporate universally agreed international human rights norms and standards in any new “Global Goals”** such as the Sustainable Development Goals, or possible follow-ups of the Millennium Development Goals, and they should establish **strong built-in accountability mechanism** to ensure their implementation. This is a call made by 22 United Nations human rights experts in March 2012, including the Special Rapporteur on the right to food (see Open letter ‘If Rio+20 is to deliver, accountability must be at its heart’), and it will be renewed before future international summits when necessary.

24. These 22 U.N. human rights experts have suggested a proposal as to how a **double accountability mechanism** could be established. At the international level, existing intergovernmental institutions could monitor, on the basis of agreed indicators, progress on global goals in a similar process to the Universal Periodic Review inaugurated in 2007 by the Human Rights Council to provide a peer review of the human rights records of all 193 Member States of the United Nations every four years. At the national level, States should establish participatory accountability mechanisms through which people’s voice can be reflected and independent monitoring can be conducted.

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4 Available at: http://www.ohchr.org/EN/HRBodies/SP/Pages/OpenLetterRio20.aspx