

## **Office of the UN High Commissioner for Human Rights' statement on the Voluntary Guidelines on Food Systems and Nutrition**

### **Plenary CFS - 10 February 2021**

Thank you Chair, I am taking the floor on behalf of the Office of the UN High Commissioner for Human Rights to express our appreciation for the efforts made in drafting and negotiating the Voluntary Guidelines on Food Systems and Nutrition. We take this opportunity to share our concerns on the inadequate reflection of human rights standards and principles in the text of the Guidelines and on the process and the online modalities of the negotiations that might have failed to include properly the views and perspectives of civil society.

On the content, we would like to draw your attention on the general lack of ambition of the guidelines that compared to other CFS' instruments, such as the Framework for Action for Food Security and Nutrition in Protracted Crises, shied away from operationalizing States' human rights obligations in actual policy guidance in the area of food security, nutrition and health.

Firstly, the **lack of reference to the right to water** and to its interdependence with the right to food is a worrying gap. The right to water entails sustainable access to water resources for agriculture to realize the right to adequate food and calls upon states to prioritize disadvantaged and marginalized farmers. Voluntary Guidelines on Food Systems and Nutrition that ignore this dimension risk being irrelevant in many contexts.

The Guidelines should have prioritized measures to ensure **small-scale farmers** and fishers, especially women, have financial support, access to credit, land, seeds, natural resources and technology to ensure their livelihood and shift towards sustainable farming that deliver fresh and local produce. This shift in food systems is crucial for nutrition which is an essential component of both the right to food and the right to health.

The Guidelines should have promoted **gender equality** more vigorously and throughout the text. In particular, the Guidelines should have called for removing all discriminatory provisions in national laws, to ensure women's equal access to productive resources, equality in family relations, freedom from violence, and their autonomy on body and health. Lastly, we regret that the Guidelines are silent on the rights of LGBTI and other non-binary persons.

Data suggests that nutrition outcomes are worse for **people belonging to racial and ethnic minorities** and the Guidelines fail to promote measures that could

contribute to dismantle structural discrimination against specific groups such as people of African descent and Indigenous Peoples.

The Guidelines should have acknowledged and promoted the **responsibilities of the States** in regulating businesses' activities to promote the availability and accessibility of healthy diets, including through fiscal incentives and disincentives. In this context, the Guidelines could have stressed the responsibilities of the private sector to do no harm and respect human rights, including the right to food and the right to health of the population at large and of children in particular.

Finally, CFS is a model and inspiration for other UN forums for its inclusivity and its **participatory processes**, however in the negotiations of the Guidelines, the online modalities and the exceptional circumstances in which we are living led to a less than optimal result: Civil society in a powerful speech during the negotiations expressed their disappointment at the process and content of the Guidelines, detailing how they felt unheard in shaping a policy document that has a direct impact on their lives. The negotiations proceeded without really addressing these concerns.

In light of these shortcomings, OHCHR would have preferred the negotiations to continue for hopefully in-person rounds during the summer to make sure civil society could exercise their right to participation and this would have surely contributed at making the Guidelines more in line with human rights norms and principles.

Thank you Chair