

Mandate of the Special Rapporteur on the right to food

Policy Brief

Last chance to make the Food Systems Summit truly a “people’s summit”

19 August 2021

Executive summary

Climate change is ravaging the planet. Biodiversity diminishes every day. Hunger is on the rise. Inequality is incessant. Global food systems have been failing most people for a long time, and the COVID-19 pandemic has made a critical situation even worse. People are already transforming their food systems to adapt and survive. Now is the moment to globally coordinate people’s actions towards building equitable and flourishing food systems.

Even though the convening of the UN Food Systems Summit by Secretary-General was welcome, there are continued concerns that the “people’s summit” will fail the people it claims to be serving. Key elements such as human rights, equity and accountability are not on the agenda. Human rights are essential in ensuring our food systems serve people and planet and not profits. The right to adequate food and nutrition is central to how communities define who they are.

In this policy brief, the Special Rapporteur on the right to food, Michael Fakhri, shares his critical observations on areas for improvements with regard to the upcoming UN Food Systems Summit, to ensure it better aligns with the Secretary-General’s professed objectives of “making food systems work for people, planet, and prosperity”. The Special Rapporteur outlines key shortcomings, such as conspicuous absence of response to COVID-19 in the Summit’s deliberations, turning a blind eye on structural causes of failed food systems, ignoring the worrisome corporate concentration of power, and diluting the right to participation in decision-making through the so-called multistakeholder approach.

The Special Rapporteur’s objective is to provide guidance to States in their imminent deliberations at the Summit on 23 September 2021, with a view to making it a truly transformative, rights-based and multilateral event.

Introduction

Given the urgency of reforming our food systems, the Special Rapporteur on the right to food has closely followed the UN Food Systems Summit (the Summit) since its announcement in 2019 and was a member of the Summit Integrating Team. He shared early observations on the Summit’s preparations in his [last report](#) to the Human Rights Council in March 2021. The Special Rapporteur participated in and closely monitored the Pre-Summit, which took place in 26-28 July 2021, and he will report to the General Assembly in October 2021 on the Summit, drawing from a vast array of [inputs](#) received by Member States, international and civil society organisations.

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In anticipation of his report and in the lead up to the Summit in September, the Special Rapporteur shares further reflections and actionable recommendations concerning the Summit's expected outcomes, follow-up, and review. This policy brief is intended to guide Member States on how they can ensure that the Summit succeeds in making our food systems serve people and planet, as well as overcome challenges posed by hunger, inequity, and the global COVID-19 pandemic.

Main observations

COVID-19 is conspicuous by its absence from the Summit, despite its devastating impact

The Summit was announced right before the COVID-19 outbreak. As the outbreak became a pandemic and the impacts on the global food systems and food security unfolded, the Summit's objectives were not adjusted to the new reality. The Pre-Summit's programme did not dedicate any session to the pandemic. This is all despite the devastating consequences of the COVID-19 crisis, which has upset people's livelihoods and the entire global food supply chain. The Special Rapporteur has stressed that multilateral action is necessary to tackle the pandemic's deleterious effects on everyone's right to food, especially the poorest, most vulnerable, and marginalized persons. He has also emphasized that the convergence of food security, public health, and labour crises have acutely impacted food workers' health and safety.

The Summit turns a blind eye on root causes and governance issues linked to hunger and malnutrition

Hunger, malnutrition, and famine are caused by political failures and shortcomings in governance, rather than by food scarcity. From the outset, however, it was decided that the Summit would avoid considering the root causes of the failures in our food systems. The Summit's overall emphasis has been on how to "boost production" sustainably through new technologies. The challenges, however, facing our food systems are about ensuring better and more equitable access – questions of how food is produced, by whom, and who reaps most of the benefits from its processing and trade. Even at the peak of the pandemic, the greatest threat to food security and nutrition was not because food was unavailable. People had less access to adequate food because they lost their job, livelihood, or home. Unhealthy and unsustainable food is becoming cheaper as its true cost is not accounted, while healthy and sustainable food is increasingly inaccessible. The Summit has also not paid adequate attention to formidable advancements made recently in agroecology and territorial markets.

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Corporate concentration of power remains the Summit's elephant in the room

The extreme concentration of power in the hands of a private actors in food systems make those entities co-responsible for malnutrition, biodiversity loss and climate crises, all the issues that the Summit declared to tackle. Transnational corporations dominate the world market from the seeds to the supermarkets. Yet, the Summit fails to address the role and responsibility of the corporate sector in the food systems. Power imbalance and concentration have greatly benefited transnational corporations and have undermined local communities' tenure, human rights, and habitats.

Concerns have been raised that technology-driven innovation and the emphasis on a certain model of science promoted at the Summit risks to further marginalize small-holder farmers' needs. This approach ignores the fact that small-holders produce approximately 70 per cent of the world's food while preserving agrobiodiversity and promoting resilience to climate change. This approach also ignores the fact that Indigenous peoples successfully manage 80 per cent of the world's biodiversity on land. Farmers, farm workers, and Indigenous peoples around the world are entirely at the mercy of corporate powers, and it is not by chance that they suffer from hunger, malnutrition, and rights violations. Moreover, it is women and girls within those communities that often bear the heaviest burdens.

Summit's multistakeholder approach is a smokescreen to stifle participation

In order for participation to be effective and meaningful in decision-making, great care must be taken to ensure that processes are transparent and informative. Processes must also be adapted to the needs of the different actors involved, inclusive without discrimination, and ensure that decision-makers are accountable to rights-holders. However, the Summit's so-called multistakeholder approach has not been transparent, nor has it offered affected communities and civil society meaningful opportunities to participate. The decision-making process has been top-down and opaque. The Summit, influenced by agribusiness corporations, think-tanks and philanthropists, has not reflected [the rich history of participation and inclusiveness](#) at UN multilateral forums. The Pre-Summit noticeably lacked interactive and meaningful participation from grassroots movements, Indigenous peoples, small-scale farmers, pastoralists, fishers, and human rights advocacy groups. Since the Summit did not meaningfully include civil society at the outset, millions of people decided to boycott the Summit through the Civil Society and Indigenous Peoples Mechanism of the UN Committee on World Food Security. The thousands of people that did participate in the host of online Summit events and meetings were left feeling cynical about the entire process since there was no clear connection between people's input and the Summit's outcomes.

Recommendations to make the Summit more human-centred

As the UN's global advocate on the right to food, the Special Rapporteur has witnessed first-hand the importance of strengthening accountability in food systems, and the value of people's local and traditional knowledge. At a critical juncture on the road to the Summit, [three UN rights experts warned](#) that it would fail to be a "people's summit" unless it is

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urgently rethought to embed human rights in its outcomes and address the outstanding issues of power, participation, and accountability (i.e. how and by whom will the outcomes be delivered).

In anticipation of the Summit in September 2021, Member States should mobilise further and assess the Summit through the seven principles of the PANTHER framework (participation, accountability, non-discrimination, transparency, human dignity, empowerment, and rule of law), bearing in mind that States bear the greatest responsibility for governance in the public interest.

The Special Rapporteur advises against building new institutions following the Summit and recommends strengthening existing UN multilateral forums in Rome and Geneva for follow-up and review. The UN Committee on World Food Security should be where the Summit outcomes are ultimately discussed and assessed, using its inclusive participation mechanisms.

Noting the emergence of coalitions of action around certain issues, the Special Rapporteur encourages Member States to ensure all coalitions be made responsive to country and regional demands by focusing on human rights and addressing cross-cutting priorities of equity, empowerment, and accountability in food systems.

Finally, the Special Rapporteur recommends that the Summit outcomes should be assessed through a human rights framework. This involves asking what contribution the outcomes and any Summit follow-up and review would make to the realization of everyone's right to food and human rights in general. The following questions may be raised in that regard:

- (a) How do the Summit outcomes help Governments and people come together to tackle hunger, malnutrition, and inequality exasperated by the COVID-19 pandemic?
- (b) How do the outcomes guide States to identify and allocate the maximum of available resources for the realisation of the right to food, and avoid retrogression in the realisation of human rights?
- (c) How do the outcomes identify the root cause of the crisis and hold corporations and other actors accountable for human rights violations?
- (d) How do the outcomes rely on an understanding of agency that puts the control of food systems in the hands of the people in their capacity as rights-holders? And do they make national and international governance mechanisms more accountable to people and responsive to structural inequities?

Further information

Further information and details on the policy brief and upcoming report could be sought through the mandate of the Special Rapporteur on the right to food: srfood@ohchr.org

The Special Rapporteur remains available for further queries and suggestions for cooperation.