

REPORT

**OF THE 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**

First Session

Rome, 24-26 March 2003

FOOD AND AGRICULTURE ORGANIZATION
OF THE UNITED NATIONS

Rome, 2003

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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 held its First Session from 24 to 26 March 2003 at FAO headquarters. The Session was attended by delegates from 87 members of FAO and the United Nations, and by observers from the Holy See, three United Nations and Specialized Agencies, three inter-governmental organizations, 15 international non-governmental organizations, and by the United Nations Special Rapporteur on the Right to Food. This report includes the following appendices:

1. Agenda of the Session, 2. List of Countries and Organizations represented at the Session, and 3. List of Documents. The full list of participants is attached.

2. The Session was opened by Mr Hartwig de Haen, Assistant Director-General, Economic and Social Department, FAO. The IGWG elected, by acclamation, Ambassador Mohammad Saeid Nouri-Naeeni (Islamic Republic of Iran) as Chair, Ambassador Christian Monnoyer (Belgium) as First Vice-Chair, and Ambassador Alvaro Gurgel de Alencar (Brazil), Mr Hamadoun Bocar Cissé (Mali), Mr Simon Draper (New Zealand) to act until candidate finalised by South-West Pacific Region, Mr Noel D. De Luna (Philippines) and Mrs Lucy Tamlyn (USA) as Vice-Chairs for the IGWG Bureau.

3. The IGWG welcomed the opportunity to conduct its general debate in a way that enabled both state and non-state participants to contribute equally to a constructive exchange of views.

II. PRESENTATION OF VIEWS AND PROPOSALS AS TO THE ELEMENTS OF THE VOLUNTARY GUIDELINES

4. The IGWG discussed members' and stakeholders' views and proposals as to the elements of the Voluntary Guidelines. The Secretariat had prepared a Synthesis Report¹, reflecting all submissions by stakeholders received as of 28 February 2003, and two Supplements covering subsequent written submissions and statements made during the Session (attached to this Report). The IGWG considered that the Synthesis Report was a good reflection of the submissions received and provided a sound basis for the development of the structure and content of the guidelines. The IGWG considered that the Voluntary Guidelines would be a practical tool for operationalizing the right to adequate food within the context of national food security. Most members confirmed their country's interest in having such guidelines, in order to assist them in the implementation of the right to adequate food. Representatives of civil society organizations and international organizations as well as the United Nations Special Rapporteur for the Right to Food also stressed the urgent need for such guidelines.

¹ The Synthesis Report comprises the following sections: I. Introduction; II. Purpose; III. Scope; IV. Principles; V. National-Level Measures for Achieving the Right to Adequate Food; VI. Situations of Conflict, VII. International Dimension, VIII. International Monitoring of the Guidelines, IX. Proposed Structure of the Guidelines.

5. At the request of the IGWG, the Secretariat prepared a working document highlighting the main areas of convergence and divergence of the various proposals made. Areas of convergence outnumbered the areas of divergence. The IGWG considered that the working document provided a useful indication of areas that needed further attention between Sessions, and requested the Secretariat to prepare a second version of the working document to better reflect Members' views including on the degree of convergence and divergence. Both working documents will be available on request from the Secretariat.

III. FUTURE ORGANIZATION OF WORK

6. The IGWG decided that members and stakeholders may send further submissions until 7 April 2003, after which the Secretariat would finalize the Synthesis Report, incorporating Supplements I and II as well as new submissions. The finalized Synthesis Report would be submitted to the Bureau for presentation to the CFS in May 2003 as part of the progress report of the IGWG to the CFS. Submissions received after 7 April would be posted on the website and, like all others, would be taken into consideration by the Bureau and the Secretariat in their work.

7. The IGWG further decided that the Bureau would prepare a first draft of the Voluntary Guidelines in due time for submission to the Second Session of the IGWG.

8. As to 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 intersessional activities on the basis of suggestions and proposals made at the First Session, subject to availability of resources, noting that currently available funds would not permit the full range of desirable activities.

9. The draft Voluntary Guidelines could be incorporated as an agenda item of Regional Conferences, should the Regions so decide, in consultation with the FAO Director-General.

10. The Second Session of the IGWG would be convened during the week of 22 to 26 September 2003. The possibility of postponing the Third Session of the IGWG from March 2004 to a time closer to the CFS Session of September 2004 was discussed, but the decision was postponed.

IV. OTHER MATTERS

11. In view of the unique and important tasks of a steering nature to be performed by the Bureau in the process of developing the Voluntary Guidelines, the IGWG decided that the Bureau would act as a Steering Committee between the sessions of the IGWG. If the Chair or a Vice-chair was to be absent during a meeting of the Steering Committee, she or he may be substituted, for that particular meeting, by a representative of a Member from the relevant region, following consultations by the Chair.

V. ADOPTION OF THE REPORT

12. The IGWG adopted this report.

Appendix 1**AGENDA OF THE SESSION**

- I. Welcome address on behalf of the Director-General
- II. Election of Officers
 - a) Election of Chair
 - b) Election of six Vice-Chairs
 - c) Election of Rapporteur
- III. Adoption of the Agenda
- IV. Presentation of views and proposals as to the elements of the voluntary guidelines
 - a) Presentation of the Synthesis Report prepared by the Secretariat based on submissions received prior to 28 February 2003
 - b) Verbal presentations by Members and stakeholders wishing to make submissions on the topic
 - c) Discussion of written and verbal submissions
- V. Future organization of work
 - a) Intersessional activities
 - b) Arrangements for the Second Session of the IGWG
- VI. Other matters
- VII. Adoption of the Report of the First Session

Appendix 2COUNTRIES AND ORGANIZATIONS REPRESENTED AT THE SESSIONCountries

Algeria	Lesotho
Argentina	Libyan Arab Jamahiriya
Austria	Lithuania
Bangladesh	Madagascar
Belarus	Malaysia
Belgium	Mali
Benin	Mauritania
Bolivia	Mexico
Brazil	Moldova
Bulgaria	Morocco
Cape Verde	Mozambique
China	Myanmar
Costa Rica	Nepal
Cuba	Netherlands
Cyprus	New Zealand
Czech Republic	Nigeria
Côte d'Ivoire	Norway
Denmark	Oman
Dominican Republic	Pakistan
Ecuador	Paraguay
Egypt	Peru
El Salvador	Philippines
Eritrea	Poland
Ethiopia	Romania
Finland	Russian Federation
France	San Marino
Gabon	Senegal
Germany	Sierra Leone
Greece	Slovakia
Guatemala	South Africa
Guinea	Spain
Haiti	Sudan
Honduras	Sweden
Hungary	Switzerland
India	Syrian Arab Republic
Indonesia	Tanzania
Iran, Islamic Republic of	Thailand
Ireland	Turkey
Israel	Uganda
Italy	United Kingdom
Japan	United States of America
Kenya	Venezuela
Korea, Republic of	Zimbabwe

Member Organization

European Community

Holy See

Representatives of United Nations and Specialized Agencies

UN Special Rapporteur on the Right to Food
United Nations Institute for Training and Research (UNITAR)
United Nations Office of the High Commissioner for Human Rights (OHCHR)
World Food Programme (WFP)

Observers from Intergovernmental Organizations

International Committee of the Red Cross (ICRC)
International Food Policy Research Institute (IFPRI)
International Plant Genetic Resources Institute (IPGRI)

Observers from International Non-Governmental Organizations

All African Farmers Network
Food First Information and Action Network (FIAN) International
International Association of Agricultural Students (IAAS)
International Cooperation for Development and Solidarity (CIDSE)
International Federation of Organic Agriculture Movements (IFOAM)
International Jacques Maritain Institute (IJM)
International Movement of Catholic Agricultural and Rural Youth (MIJARC)
International Partners for Sustainable Agriculture (IPSA)
Ius Primi Viri (IPV)
Mennonite Central Committee
Rotary International
Society for International Development
Soroptimist International
World Alliance for Nutrition and Human Rights (WANAHR)
World Forum of Fisher Peoples (WFFP)

Appendix 3**LIST OF DOCUMENTS****Official documents**

	Provisional Agenda (January 2003)
IGWG RTFG 1/1 Rev.1	Provisional Agenda (March 2003)
IGWG RTFG 1/2	Synthesis Report of Submissions received from Governments and Stakeholders
IGWG RTFG 1/2 Sup.1	Supplement to Synthesis Report of Submissions received from Governments and Stakeholders
IGWG RTFG 1/2 Sup.2	Second Supplement to Synthesis Report of Submissions received from Governments and Stakeholders
IGWG RTFG 1/INF/1	Extract from the Report of the 123 rd Session of the FAO Council, Rome, 28 October – 1 November 2002 (CL 123/REP-Revised)
IGWG RTFG 1/INF/2	Statement of Competence and Voting Rights submitted by the European Community (EC) and its Member States

Background documents

E/C.12/1999/5	General Comment 12 on The Right to Adequate Food (art.11) of the Committee on Economic, Social and Cultural Rights, Twentieth session, Geneva, 26 April – 14 May 1999
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Submissions received as of 28 February 2003, forming the basis of the Synthesis Report**Members**

1. Brazil
2. European Union
3. Norway
4. Switzerland
5. United States

 Observers

6. Food First Information and Action Network (FIAN) - Joint North-South Civil Society contribution
7. Universidad Politécnica de Valencia, Centro de Estudios Rurales y de Agricultura Internacional (CERAI-España)
8. Mouvement International de la Jeunesse Agricole et Rurale Catholique (MIJARC)
9. Justitia et Pax (German NGO Statement)
10. Fair Food
11. Ius Primi Viri International Association
12. JEEP (Uganda NGO Coalition)
13. UN Special Rapporteur on the Right to Food
14. UN High Commissioner for Human Rights
15. World Food Programme

Submissions received 1-21 March 2003, not included in the Synthesis report

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- | | |
|-------|----------------------|
| 13/03 | Benin |
| 14/03 | Switzerland - Annex |
| 14/03 | Switzerland (French) |
| 17/03 | Uganda (revised) |

Observers

- | | |
|-------|---|
| 28/02 | World Health Organization |
| 14/03 | International Food Policy Research Institute (IFPRI) |
| 15/03 | Annex to Submission by Joint North-South Civil Society contribution |
| 15/03 | UN Standing Committee on Nutrition (draft) |
| 20/03 | International Federation of Adult Rural Catholic Movements (FIMARC) |

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Synthesis Report of Submissions received from Governments and Stakeholders
(IGWG RTFG 1/2)

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Annex 1: Submissions considered for preparation of the Synthesis Report	

I. Introduction

1. The decision of the 123rd Session of the FAO Council (28 October–1 November 2002) that established the IGWG mandated the Secretariat of the Working Group to prepare a synthesis report of the submissions sent by governments and stakeholders for the first session of the IGWG. This report is presented to the first session of the IGWG pursuant to that mandate.

2. The Secretariat received 16 submissions as of 28 February 2003, five of which were from FAO Members, and 11 from stakeholders, including international intergovernmental organizations and international non-governmental organizations. These submissions, which are listed in Annex 1, form the basis of the present synthesis report.

3. The synthesis report is intended to order the inputs received in such a way as to facilitate the debates in the IGWG. With that aim in view, the present report is organized in eight sections. **Within each section, an attempt has been made to reflect the different degrees of apparent consensus, starting with issues that seem to have broad support and ending with those on which opinions differ.**

II. Purpose

4. There was considerable agreement among submissions about the purpose of the Voluntary Guidelines (hereafter referred to as the Guidelines). They were seen primarily as a practical tool or road map to assist in the implementation of existing legal obligations regarding the right to adequate food² and in pursuit of the goals established by the Millennium Summit, the World Food Summit and other major international conferences. The Guidelines would serve to guide administrative and legislative agenda and systematically identify legal and policy measures and programmes to achieve the realization of the right to adequate food in all countries. The importance of basing the Guidelines on best practices was stressed by many. Some submissions considered that the Guidelines should identify core elements for national strategies and provide general principles for policy development, with a focus on process, implementation and follow-up.

5. Many submissions stressed the role of the Guidelines in providing guidance to ensure transparency, accountability, decentralization and participation in food security policies and interventions, and to assist in coordination between different levels and institutions of governments. Other submissions stressed that the Guidelines should be clear and simple, drafted in such a way that all stakeholders can identify with them, and that they should add value to existing tools.

III. Scope

6. The Declaration of the 2002 World Food Summit: *Five Years Later* (paragraph 10) called for the elaboration of *voluntary* guidelines, i.e. guidelines of a non-legally binding nature.

² International obligations concerning the right to adequate food are contained in several international instruments, *inter alia*, Article 11 of the International Covenant on Economic, Social and Cultural Rights, Articles 24 and 27 of the Convention on the Rights of the Child, Article 12 of the International Convention on the Elimination of Discrimination against Women, and several provisions in the 1949 Geneva Conventions and their Additional Protocols.

7. Most submissions stressed the importance of General Comment 12 on the Right to Adequate Food, adopted by the United Nations Committee on Economic, Social and Cultural Rights, as constituting an authoritative interpretation of the right to adequate food. Some also noted the relevance of the recent General Comment 15 on the Right to Water adopted by the same body.

8. There was general agreement that the Guidelines should be comprehensive, covering all levels of obligations, i.e. to respect, protect and fulfil the right to adequate food. The need to address both long-term development and self-reliance and the immediate needs of those presently hungry or malnourished, was also widely acknowledged.

9. The importance of international humanitarian law applicable in armed conflict was stressed, and it was suggested that the scope of the Guidelines should cover food-related measures in peace time, as well as during armed conflict, emergencies and other crises.

10. There was general agreement that the Guidelines should focus primarily on state obligations, i.e. obligations of national governments, but there were also many suggestions for a multi-stakeholder approach, stressing the need to discuss the roles and responsibilities of non-state actors, including private businesses. Attention was often drawn to the impact of international trade, cooperation and assistance in the design and implementation of national policies. There seems to be no agreement on the scope of obligations of states at the international level, with some submissions addressing the international or external obligations of states and the responsibilities of intergovernmental organizations and calling for guidance and recommendations in this area, and others submitting that this would not be appropriate. Some suggested that the issue of food sovereignty be treated in the Guidelines, others that human rights in general and the right to adequate food in particular should have precedence over other international obligations. One submission suggested that corporate social responsibility should be encouraged in the Guidelines, including measures such as fair contracts and prices, and more profit sharing.

11. The submissions show that most stakeholders attach importance to linkages between food security and factors that affect it, such as international trade, food and financial assistance, and intellectual property rights. The potential benefits of international trade for poverty reduction were acknowledged, as well as the possible support of the international community for national efforts to implement right to adequate food approaches, but there was no agreement as to whether the Guidelines should address these issues or not. Some felt that such matters should be addressed in the appropriate fora.

IV. Principles

12. Principles proposed in the submissions can be grouped into the following three broad categories:

13. Firstly, the Guidelines should be consistent with international law and compatible with the sustainable social, economic and environmental strategies of recent world summits. However, while some submissions indicated that the Guidelines should not establish any new obligations, others called for the Guidelines to ensure that international economic law was consistent with obligations relating to the right to adequate food.

14. Secondly, the primary responsibility of national governments was recognized by nearly all submissions. However, the essential role of international cooperation was also stressed.

15. Thirdly, the central role of rights-based approaches and the associated principles of putting human beings at the centre of development policies and programmes were stressed. This included concepts such as transparency, accountability, legislative capacity, independence of judiciary, participation, better communication with and hearing of stakeholders, and non-discrimination.

16. The vast majority of submissions emphasized the principle of non-discrimination as a key element in addressing food security from a rights-based approach. International law would prohibit any distinction on any grounds when it has the intention or the effect of nullifying or impairing the equal enjoyment or exercise of the right to adequate food. Non-discrimination as a principle would also underpin gender approaches to food security.

17. Application of the principle of non-discrimination may require special measures to ensure equal opportunities for traditionally disadvantaged and vulnerable groups.

V. National level measures for achieving the right to adequate food

18. In this section, issues raised in the submissions, relevant to realizing the right to adequate food at national level, are grouped under a number of headings in an attempt to suggest a possible framework to facilitate the drafting of the Guidelines. Where possible these issues have been grouped according to the various levels of governmental responsibility in the realization of the right to adequate food, namely, to respect, protect and fulfil the right to adequate food.

V.1 A holistic approach

19. Submissions generally stressed the need for comprehensive, multisectoral and holistic approaches to realizing the right to adequate food. This implies incorporating the right to adequate food in wider poverty eradication and development policies, including, in particular, rural poverty plans. The need to address the situation of rural women and rural youth was stressed. A holistic approach also implies that parallel measures are needed in sectors such as health, drinking water, sanitation, education, employment and social protection.

V.2 The importance of institutions

20. The institutional aspects of a right to adequate food approach were stressed including organizational responsibilities and coordination between different levels and sectors of government as well as between government and civil society organizations including the commercial sector.

21. There were calls for guidance in setting up a legal and organizational framework for the formulation, implementation and monitoring of laws, policies and national strategies for the realization of the right to adequate food. The Guidelines should identify generic issues in national strategies to combat hunger and malnutrition, leaving enough room for states to take into account their particular circumstances and needs.

V.3 Inclusive national strategies

22. National strategies should address all aspects of the realization of the right to adequate food inherent in the food system (production, processing, distribution, trade/marketing and consumption), and in food security (availability, access, utilization, safety, nutritional status).

23. It was suggested that the Guidelines should deal as a minimum with the following core elements of national strategies:

- Objectives, including benchmarks and timeframes
- Resources and responsible actors and institutions
- Monitoring mechanisms including indicators and remedies
- Participatory institutions and processes that are transparent and accountable
- A national policy on emergency situations/natural disasters that contains institutional arrangements and resources to ensure a permanent supply of adequate food through food stocks and food funds and adopts early warning systems
- Identifying and devising special policies and programmes for marginalized or traditionally disadvantaged groups; identifying and addressing the causes of their situation
- Ensuring the sustainable intensification of food production to meet the needs of the present generation while not compromising the ability of future generations to meet their own needs.

V.4 Good governance

24. The importance of participative, transparent and accountable governance practices to make efficient use of available resources while avoiding corruption and favouritism was underscored as a key element in the realization of all human rights and the right to adequate food in particular. Respect for the rule of law, democracy, fundamental freedoms and public participation in decision making, as cornerstones of good governance, empowers individuals and groups to demand from their governments policies that adequately address the causes of food insecurity, and can foster efforts towards self-reliance at the community level. The Guidelines could also provide advice on how to enhance communication between civil society and governments and on ways to enhance civil society participation in the entire process of realizing the right to adequate food.

V.5 Raising awareness

25. Some submissions underlined the need for promotional and awareness raising strategies, including the definition of roles for the media, religious leaders and civil society in general, in relation to all aspects of relevance to the realization of the right to adequate food.

V.6 Best practice

26. The Guidelines could identify measures to be included in national strategies by drawing these from examples of best practice. Among the many fields where measures and policies could be adopted are agriculture, fisheries, livestock and water. Access to land, seeds, knowledge and other productive resources as well as to consumer protection and social safety nets was also mentioned. The importance of, where appropriate, incorporating a gender perspective into the above areas was raised.

V.7 Measures to ensure respect for the right to adequate food

27. Most submissions underlined that the primary aim of efforts to implement the right to adequate food is to create or sustain an enabling environment in which most people can feed themselves. States should take proactive measures only to facilitate or provide food to those

who are unable to feed themselves. In this respect it is recalled that some obligations call for immediate implementation, while others are subject to progressive realization, within the limits of available resources.

V.8 Measures to protect the right to adequate food

28. The importance of the regulatory role of governments in ensuring the enjoyment of the right to adequate food and other human rights was underlined by many. Strong emphasis was placed on the state's responsibility to ensure that the activities of private entities, including multinational enterprises over which they exercise jurisdiction, do not negatively affect the individual's enjoyment of the right to adequate food. The question remains whether or not the Guidelines should address recommendations directly to private actors and businesses, or only provide guidance to states on the regulation of private sector and other non-state activities. However, there seemed to be wide consensus that, at least in the context of food aid in emergencies and conflict, the duties and roles of non-state actors should be addressed.

29. Most submissions underlined that measures that ensure access to safe food of acceptable nutritional quality at all times, including in emergency situations, should be addressed in the Guidelines.

30. A number of submissions indicated that land tenure policy and measures to secure property rights should be dealt with in the Guidelines.

V.9 Measures to fulfil (facilitate and provide) the right to adequate food

31. Some submissions suggested that the Guidelines should address and provide guidance for states' action to improve access to food and to facilitate income generation. This guidance could include advice regarding more equitable access to and better assessment of natural capital and food-producing resources, education and training, technology, markets, financial resources, services and employment.

32. Almost all submissions noted the need for special measures for certain groups. The Guidelines may provide guidance on the type of special measures and adequate safety nets to be put in place for that purpose. These groups include victims of disasters, people affected by HIV/AIDS, persons with disabilities, orphans, the elderly, certain minorities or indigenous people, and women who are heads of households.

33. Measures aimed at conflict prevention and resolution may, according to some submissions, be an important element to be addressed in the Guidelines.

V.10 Monitoring, Evaluation and Recourse

34. Several submissions emphasized the need for effective, participatory and accountable national monitoring mechanisms of the goals and targets set out in the national strategies, while some others strongly suggested that procedures be put in place to allow individuals and groups to raise issues regarding the implementation of the right to adequate food. This implies mechanisms to monitor the processes as well as the results of implementing the Guidelines. For others, the guidelines should recommend the setting up of judicial or quasi-judicial recourses and remedies for violations of the right to adequate food.

35. In this context, the need for verifiable benchmarks and reliable methods used in data collection was underlined. They could feed or be linked with information systems derived from the Food Insecurity and Vulnerability Information and Mapping Systems (FIVIMS).

36. Several submissions underlined the need for remedies for victims of violations of the right to adequate food. Courts could be empowered to adjudicate violations of this and other human rights. Judges and other members of the legal profession may be encouraged to play a role in this regard.

VI. Situations of conflict

37. It was proposed that the Guidelines should recall, by means of safeguard clauses or otherwise, that parties to armed conflicts must abide by their obligations under international humanitarian law and human rights law, in particular the rules specifically aimed at ensuring food, or access to food in situations of armed conflict. Parties to an armed conflict must abide by the rules governing humanitarian assistance and the protection of relief personnel in armed conflicts. It was suggested that the Guidelines reaffirm the duty of states to accept humanitarian assistance, in particular food assistance, which is non-discriminatory, and is impartial, neutral and independent. The principle was also recalled that food should never be used as an instrument of political or economic pressure and that starvation of protected persons is prohibited by international law.

VII. International dimension

38. All submissions assigned high importance to international cooperation, but there were very different views on the extent to which this international dimension should be treated. Mention was made of possible assistance and support that could be provided by third countries, in areas such as conflict prevention, attaining democracy and good governance, identifying international market opportunities as well as complying with food safety, sanitary and phytosanitary standards.

39. With regard to international food assistance, the majority of submissions attached high importance to international solidarity in case of emergencies, with some recalling the duties of states under international law to ensure safe and unimpeded access for international food assistance. The responsibilities of international organizations and coordination amongst them for the purposes of providing timely food relief were also mentioned.

40. Many submissions addressed issues related to international trade. The potential of trade to reduce poverty and the need to pursue further liberalization of international agricultural trade were mentioned. The sometimes negative impact of the current global food trading system on national food security was recalled: unequal competition, subsidized exports, falling primary commodity prices and lack of access to developed countries' markets. Some submissions called for recognition in the Guidelines of the right of countries to define their own policies, levy import duties and provide targeted subsidies in order to realize the right to adequate food. Some submissions called for insertion of the right to adequate food as a priority principle in various WTO agreements or suggested that agriculture should not be subject to WTO rules. There was also a call for reform of international trade rules to favour small-scale producers. Genetic resources were also mentioned and calls were made to declare them patrimony of humanity and ensure that international trade rules do not limit rights over them. Intellectual property rights should be limited to protect genetic diversity.

VIII. International monitoring of the Guidelines

41. Several submissions emphasized that the Guidelines should include international procedures and mechanisms to monitor the implementation of the right to adequate food at

national level. There was agreement on the need that such mechanisms be complementary and do not duplicate the work done by existing mechanisms. Most submissions also underlined the actual or potential role that existing mechanisms such as the Committee on World Food Security (CFS) and the Committee on Economic, Social and Cultural Rights (CESCR) could play. One suggested an annual progress report to be prepared and submitted to the CFS and to the Commission on Human Rights.

IX. Proposed structure of the Voluntary Guidelines

42. Some submissions made suggestions for the possible structure of the Guidelines. The following sections were suggested:

- preamble
- nature of the guidelines
- general principles and definitions
- national level implementation
- national monitoring and remedies
- conflict situations
- state action at the international level, role of international organizations
- non-state actors, principles applicable to private companies
- monitoring of the guidelines.

43. There was broad agreement on the first four sections, but some difference of opinion as to the organization of the rest of the Guidelines. These could be independent sections or located under the fourth heading (national level implementation). Within the main sections of the Guidelines, subjects could be organized, where appropriate, under the three levels of obligations listed in General Comment 12 of the CESCR: respect, protect and fulfil (facilitate and provide). The possibility of referring to established food security concepts (availability, access and utilization) to guide the process was also mentioned.

Annex 1: Submissions considered for Preparation of the Synthesis Report

Member submissions

1. Brazil
2. European Community
3. Norway
4. Switzerland
5. United States

Stakeholder submissions

6. Fair Food
7. Ius Primi Viri International Association (IPV)
8. Joint North-South Civil Society contribution
9. Justitia et Pax – group of German NGOs
10. Mouvement International de la Jeunesse Agricole et Rurale Catholique (MIJARC)
11. Office of the UN High Commissioner for Human Rights
12. Uganda NGO Coalition
13. Universidad Politécnica de Valencia, Centro de Estudios Rurales y de Agricultura Internacional, Spain
14. UN Special Rapporteur on the Right to Food
15. World Food Programme
16. World Health Organization

**Supplement to Synthesis Report of
Submissions received from Governments and Stakeholders
(IGWG RTFG 1/2 Sup.1)**

I. Introduction

The Secretariat was requested to produce a summary of written and verbal submissions to the IGWG subsequent to the written submissions used to prepare the Synthesis Report. When reviewing these submissions³ and the debate held on 24 March 2003 it was found that the majority of issues raised had already been dealt with in the Synthesis Report. It was thus decided that this Supplement to the Synthesis Report would highlight issues not included or insufficiently emphasized in the Synthesis Report. The structure and numbering of this Supplement follows the one used in the Synthesis Report.

III. Scope

A definition of the right to adequate food should be provided under this heading.

The right to adequate food should also encompass the right to safe drinking water and the right to water for irrigation.

V.1 A holistic approach

Paragraph 19 should address the issue of nutritional well-being as a related, but more encompassing issue and ultimate goal.

The need to take special account of smallholder producers was stressed.

The same paragraph should also mention the importance of protecting agrobiodiversity (as provided for in the International Treaty on Plant Genetic Resources for Food and Agriculture) for the realization of the right to adequate food.

V.3 Inclusive national strategies

Paragraph 23 bullet point six should also mention the vulnerable groups.

The importance of analyzing thoroughly the causes of food insecurity was stressed.

A new bullet point should be included that mentions the need for research.

V.6 Best practices

The importance of identifying best practices was stressed.

VI. Situations of Conflicts

³ Members: Benin, Mali, Switzerland Annex, Uganda; Observers: Coopération internationale pour le Développement et la Solidarité, FIMARC, International Food Policy Research Institute, Joint North-South Civil Society Contribution Annex, UN Standing Committee for Nutrition.

The Guidelines should stress the need to prevent conflict.

New item (X)

A new item should be introduced that suggests to submit the Guidelines to the General Assembly of the United Nations for approval.

**Second Supplement to Synthesis Report of
Submissions received from Governments and Stakeholders
(IGWG RTFG 1/2 Sup.2)**

I. Introduction

This second supplement reflects the discussion of the morning session held on 25 March 2003, before the IGWG moved to consider the points of convergence and divergence among the delegations. It highlights issues that are not covered in the Synthesis Report or are insufficiently emphasized. The structure and numbering of the supplement follow the one used in the Synthesis Report.

II. Purpose

In response to questions raised about the need and utility of the voluntary guidelines, several delegations reaffirmed their interest in and the need for an instrument such as this.

III. Scope

The usefulness of the definition of the right to adequate food provided in General Comment 12 was the subject of several interventions.

It was noted that not all members of the IGWG are parties to the International Covenant on Economic, Social and Cultural Rights, but this need not prevent those who are parties to it from developing instruments to facilitate compliance with their obligations under the Covenant.

IV. Principles

The importance of a rights-based approach to combating hunger as opposed to a pure food security approach was also underlined. A rights-based approach empowers people to claim their rights.

V. National level measures for achieving the right to adequate food

Some stressed the need for measures addressing the right to adequate food of the urban poor and paying attention to employment and income.

Others underlined the potential of organic agriculture in ensuring food security.

Several delegations again addressed the issue of the need for judicial remedies for violations of the right to adequate food. It was suggested that the Guidelines provide criteria for identifying such violations. The role of national human rights institutions in the national monitoring of implementation of the right to adequate food was underlined.

VI. International dimension

International factors that affect national ability to realize the right to adequate food, as well as other issues with an international dimension, were addressed in several interventions. The primary responsibility of national governments was emphasized.

New Item (X)

There was a suggestion to submit the Guidelines to the General Assembly of the United Nations and the FAO Conference for endorsement. It was submitted that the Guidelines should form the basis of a future binding instrument.