**Draft Contribution on the ICN 2 Framework for action to the JWG**

**FIAN International – supporting struggles for the Right to Adequate Food**

**Questions:**

1. **Do you have any general comments on the draft Framework for Action?**

Need to recognize that past and existing strategies:

* did not deal adequately with structural causes of hunger and malnutrition
* are not based on the human rights framework, and do not promote and protect the right to adequate food and nutrition as a human right, and due to that:
  + are fragmented in dealing with access to productive resources, social exclusion, poverty, the different models of production and access to adequate diet, and the needed public services to guarantee adequate nutrition.
  + Are fragmented in sealing with the issue of wealth, income and access to adequate diet and the needed public services to guarantee adequate nutrition.
  + Do not regulate the activities of the powerful economic actors (TNCs and other business enterprises) that abuse and contribute to violations of the human right to adequate food and nutrition and related rights.
  + are fragmented in dealing with food and nutrition, which are inextricably linked; from a human perspective, the human right to adequate food is only fully realized when people achieve highest level of nutritional wellbeing possible; (example of this is the totally separate national and global governance structures for food security and nutrition; the lack of discussion of the negative impact of the hegemonic agro industrial model of production on working conditions, destruction of livelihoods, environment, biodiversity, climate change, food quality, nutrition, etc. ) (The preparation of ICN 2 is an example of this, totally dissociated from the CFS discussions)
  + are fragmented in dealing with women´s rights and mothers’ and children´s rights (Need to combat violence and discrimination against girls and women, from birth, as a major measure to promote girls ´and women´s nutrition, autonomy and human dignity as a prerequisite for maternal and children´s rights, included the informed right of women to sexual and reproductive right s and to breastfeed; and inconsequence reduce maternal malnutrition, low birth weight, stunting, etc.)
  + do not guarantee full participation of public interest CSOs, social movements, indigenous peoples, in national
* Breastfeeding promotion and protection must be a key priority throughout the FFA. However this priority should be clearly seen as a societal responsibility, in which the States have the obligation, at national and international level, to guarantee the enabling conditions for women to make the informed decision to breastfeed , and the family to support her in this social task, free from the undue pressure from mega commercial interests. This means the full promotion and protection of women´s rights, including sexual and reproductive rights, reduction of child marriage, and for the reduction of violence; the regulation of work related parental leave; the integration into law of the Code of conduct on the marketing of breast milk, among other.
* Promote and guarantee the participation of women in the ICN 2 process as well as in its follow up is central to ensure that women’s rights are fully respected, protected and fulfilled.
* Any new Governance Mechanism for Nutrition , at international level, must be well coordinated, and probably institutional linked, with the Committee on World Food –Security and maintain working relations with key UN Human Rights System bodies, such as: CESCR,, CEDAW, CRC, HRC, among others.
* The same principles would apply to the national level, and this mechanism should be government led and have the full participation of public interest CSOs.
  + Categories such as Stakeholders, or Non State actors, that tend to level off power inequities, as if they did not exist, and to treat “all”, on the same footing are unacceptable to public interest CSOs, social movements and indigenous peoples.
  + TNCS and business enterprises should not participate in policy discussion and decision in intergovernmental or governmental spaces.
* **Do you have any comments on chapter 1-2?**
* Chapter 1
  + 1.1
  + Include, in first paragraph, page 1, numbers on low birth weight, wasting and stunting. Linking this to maternal undernutrition and women´s rights violations. (structural violence, child marriage, discrimination)
  + Para 3, page 1, mention the threats placed by the expansion of the unsustainable agro industrial model of production and the negative consequences in terms of land grabbing, destruction of livelihoods, evictions, climate change, monotonous diets, etc….
  + Para 4, page 1, it should read:
    - The challenge is to improve global and national nutrition and food system governance to ensure more nutritional wellbeing –enhancing food systems, and social economic environment. In order to achieve this it is necessary to achieve political and policy coherence with human rights and coordination across all sectors, including in agriculture and food systems, health, social protection, education, employment, trade, investment, finances, environment, information, consumer affairs, planning and other sectors.
  + 1.2
  + Para 1, page 2, should read:
    - This Framework for Action (FFA) is guided by the Rome Declaration on Nutrition, a collective commitment made at ICN2 , in coordination with the Global Strategic Framework for Food Security and Nutrition of the CFS, to ensure that development, including that of the global food system and breastfeeding, is improving people’s nutrition in a sustainable way, particularly that of women and children.
  + Para 3, page 2 should:
    - Include:
      * The international Covenant on Economic, Social and Cultural rights (1976) at: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/cescr.aspx>
      * The Convention on the eradication of all forms of discrimination against women ( 1979) at: <http://www.un.org/womenwatch/daw/cedaw/>
      * The international Code of Marketing Breast-milk substitutes (1981) at: <http://www.who.int/nutrition/publications/code_english.pdf>
      * The Convention on the rights of the child ( 1990) at: <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
      * The Voluntary Guidelines for the progressive realization of the Right to Adequate Food in the context of national food security, approved by FAO council (2004) at: <http://www.fao.org/docrep/009/y7937e/y7937e00.htm>
      * The document of the Reform of the Committee on World Food Security (2009) at: <http://www.fao.org/fileadmin/templates/cfs/Docs0910/ReformDoc/CFS_2009_2_Rev_2_E_K7197.pdf>
      * Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (2012) at: <http://www.fao.org/docrep/016/i2801e/i2801e.pdf>
      * The Global Strategic Framework for Food Security and Nutrition (2013), approved by CFS plenary at: <http://www.fao.org/fileadmin/templates/cfs/Docs1213/gsf/GSF_Version_2_EN.pdf>
    - NOT include the Scaling Up Nutrition (SUN) movement and the Global Nutrition for Growth Compact since:
      * **THEY ARE NOT DOCUMENTS, or GUIDELINES discussed and approved by intergovernmental multilateral bodies**, therefore are not in the same standing with the other mentioned documents;
      * **There are serious concerns in the part of many governments, and of civil society especially, about the potential for individual and institutional conflicts of interest linked to the participation of TNCs and other business enterprises in the policy making mechanisms** of these initiatives, that can potentially lead to negative consequences to the enjoyment of nutritional wellbeing for many.
  + Para 1, page 3 should go beyond World Health Assembly goals, and include
    - Eradication of land-grabbing by 2025
    - 30% increase in public procurement, especially at local level, from small scale food producers;
    - 30% reduction in use of agrochemical by 2025;
    - Eradication of use of forbidden agrochemicals by 2025;
    - 30% reduction in child marriage rates by 2025;
    - 20% reduction in youth and adult overweight and obesity;
    - 30% of countries have incorporated Code on marketing of Breast milk substitutes into binding national law;
  + Para 3, page 3, should read:
    - This FFA, **building on the already cited documents**, provides….
    - …acting in partnership with **public interest** civil society organizations (CSOs), **women´s organizations,** and grassroots….
  + Para 4, page 3, should include at the end a sentence to this effect:
    - This also entails considering the impact of the development plans and activities of powerful economic actors, such as TNCs and other business enterprises, on the enjoyment of the right to adequate food and nutrition for all, and taking the necessary policy steps to respect and protect these rights, including the regulation of these activities
* C**hapter 2**
  + 2.1
  + Last para, page 3, should include two more elements:
    - Political will to ensure the principle of do no harm to the enjoyment of the right to adequate food and nutrition for all;
    - Political will to protect the enjoyment of the right to adequate food and nutrition for all, against undue interference of private interest initiatives led by powerful economic actors;
  + 2.2
  + First para, page 4, should read:
    - Six elements are particularly important ~~for improving~~ **for establishing human rights based** governance of food and related systems to improve nutrition
  + Heading of Second para, page 4 should read:
    - **Human rights** coherent government-endorsed….
  + Second para, page 4, third, eighth and last line respectively, should read:
    - …establish policies to ~~encourage nutrition justice~~ promote and protect the right to adequate food and nutrition.
    - … producers, processors, distributors and retailers of food, **and** businesses whose activities **positively or negatively** affect nutrition;
    - … contexts in which these choices are made **including the negative influence of advertising especially for children**.
  + Last para, page 4, 1st and 2nd line, should read:
    - Regular assessments of progress **towards the progressive realization of the Right to adequate Food and Nutrition,**  by national and local governments, as well as the partners with whom they work**, in special public interest CSOs,** can greatly enhance accountability
  + 2.3
  + Economic arguments maybe taken into consideration, but it is a Human Rights obligation of States, to guarantee national and international realization of the right to adequate food and nutrition. And this should be reaffirmed.
* **Do you have any comments on chapter 3 (3.1 Food systems, 3.2 Social Protection; 3.3 Health; 3.4 International trade and investment)?**
* **Chapter 3**
  + Last para page 6,second line should read:
    - …includes coordinated, human rights coherent and complementary…
    - Aside from having national human rights obligations, States have extraterritorial obligations: a) to avoid causing, harm; b) as members of international organizations; c) to protect, d) to regulate, e) to create an international enabling environment.; f) to provide international assistance g) to seek international assistance, h) to provide effective remedies and reparation
    - Therefore, a set of policy and programme options must be elaborated for the international level as well.
  + 3.1.Food systems
  + Breastfeeding is integral part of the short circuit family food system, in which the woman needs the support of the family and of social mechanisms to make an informed decision and carry out this action in a way that the house chores are shared, and she is protected by labor legislation to guarantee that she can exclusively breast feed her baby until 6 months of age, and not lose her job or pay.
  + The importance and role of breastfeeding and its promotion for infant nutrition and health in adulthood should be highlighted in the beginning of this section.
  + The potential of the traditional small scale food producers to be more sustainable, biodiverse, adjusted to the local eating patterns, and more labor intensive, should be more emphasized.
  + The risks of the agroindustrial model in terms of environmental , working conditions, contamination of workers, water and food, food monotony, reduced food diversity, etc, should be highlighted
  + The presence of extreme power imbalances between coexisting food systems , and between the hegemonic food system and the other social actors (small scale food producers, workers, communities, women, and consumers, in general) all right holders, demands different sorts of regulation measures in the part of the State, to break the cycle of concentration of power, wealth, and land.
  + Priority actions
  + The issue of power imbalance and abuses of power, as one of the social economic determinants of hunger and all forms of malnutrition, must be addressed by the FFA. Therefore, the following priority actions should be added to the existing ones:
    - Promote the full respect, protection and fulfillment of all girl´s and women´s rights, including sexual and reproductive rights, with special attention to protection against structural violence and discrimination, sexual violence, child marriage and to the promotion of the status of women in society, in equal standing with men.
    - Promote and protect the right of women, with the support of her family, to an informed decision on whether to get pregnant and to breastfeed.
    - Promote and support small scale food producer food systems as more socially and environmentally sustainable, diverse and culturally adequate food system.
    - Protect small scale food producer systems against land grabbing, securing responsible governance of tenure and control over land, forests and fisheries.
    - Regulate the activities of powerful TNcs and other business enterprises, directly linked to food or not, that abuse human rights and contribute to HR violations, with special attention to the right to adequate food and nutrition, right to health, right to social security, women´s rights and child rights.
  + 3.1.1.
    - Include breast milk as the first healthy diet, that requires promotion, protection and guarantees. The woman needs the support of hear partner, family and form social mechanisms, including against pressures from medical personnel and baby food producers.
  + Priority actions
    - Include the need for legal regulation of maternal and parental leave, without losses for the woman
    - Translate the International code on Breast milk substitutes into national binding law.
  + 3.2
    - Social protection should be seen as part of guaranteeing the realization of the right to social security.
  + 3.3. Health
    - Need to highlight the importance of the promotion of sexual and reproductive rights of women.
  + 3.3.1.
  + Priority actions to address stunting, add as first
    - Promote girls’ and women’s rights, autonomy, nutrition, education, and sexual and reproductive rights. Do not reduce girls to her possible role of “future mother”.
  + 3.3.2.
  + Priorities on reproductive health and family planning, add as first
    - Protect girls and women against structural and sexual violence
  + 3.3.4.
    - Nutrition education should be associated to measure to regulate food and beverage marketing practices and publicity, especially those directed at children.
  + 3.3.5
    - Invest on popular housing
* **Do you have any comments on chapter 4-5?**
* Chapter 4 Accountability
  + The accountability mechanism to be established should be human rights based and should be linked to the global governance of nutrition, which in its turn should be closely coordinated with the CFS, and related Human rights bodies.
  + Para 2, page 26.
    - SUN should not be in the list, it is not a UN or an international organization, and has not been fully discussed and approved by an intergovernmental body.
    - We would suggest the inclusion of OHCHR and UNWomen.
  + Para 2 and 5, page 26
    - The CFS must play a central role in the follow up together with FAO and WHO.
* Chapter 5
  + Para 6, page 26
    - The FFA should be submitted to the CFS for endorsement and harmonization with the Global Strategic Framework for Food and Nutrition security.
  + Para 1, page 27
    - The CFS and the Human rights Council, should be specifically requested to evaluate their contribution to the implementation of the Rome Declaration and FFA.
  + Para 2, page 27
    - The CFS should be the intergovernmental body to which countries should preferentially report on the follow up of ICN 2
    - WHO should join the CFS secretariat
    - The global governance mechanism for nutrition will be discussed and proposed by June 2015, in coordination with the CFS;
  + Para 1, page 28
    - The idea of establishing an Intergovernmental Panel on nutrition is interesting, but too whom it presents its reports and recommendations must be clearly spelled out.
    - FIAN proposes that the CFS could be the intergovernmental umbrella for the new intergovernmental governance mechanism for nutrition, composed of governmental country missions representative of the broad national intersectoral food and nutrition coordinations/platform. This could be a subset of the CFS
    - The IPN could report to this governance mechanism.

1. **Does the Framework for Action adequately reflect the commitments of the Rome Declaration on Nutrition, and how could this be improved?**

We have not had access to the latest version of the Rome Declaration. The last version we saw presented similar limitations to the ones we identified in the FFA.

1. **Does the Framework for Action provide sufficient guidance to realize the commitments made?**

FIAN understands that it is unacceptable that the CFS has not been involved in the preparation of the ICN 2, and has been basically excluded from the document and the follow up proposals.

The lack of recognition of the important role played by the CFS, since its reform, as the most relevant and inclusive intergovernmental platform for food and nutrition security by the ICN 2 Secretariat and, especially by the Joint Working Group raises several questions in our minds:

1. Is this linked to the intention of some governments to exclude public interest civil society organizations from any effective participation in the elaboration process of the outcome documents of ICN 2, and the eventual governance of the follow up, in total opposition to the CFS reform process?
   1. This would be totally in line with the formal exclusion of Public interested CSOs from the direct elaboration process of the Declaration and FFA.
2. How can civil society be convinced about the seriousness of the intention of the ICN 2 secretariat and JWG to promote coordination and policy coherence on nutrition, and build on what exists, when:
   1. The ICN 2 process does not articulate with or involve the CFS, the intergovernmental body that deals with food and nutrition, and therefore is the closest to its central issues;
   2. The Global Strategic Framework for Food security and Nutrition, discussed at length and approved by the CFS State members, is not even mentioned either on the Declaration or in the FFA
   3. Two of the main documents, related to food and nutrition, central to people on the ground, are not mentioned either: the Guidelines on the RTF, and the Land tenure guidelines.
   4. There is no proposal for a clear global governance mechanism to guarantee a minimum of coherence of the actions proposed by the outcome documents,
3. Does this reflect the powerful presence of the private corporate sector in the field of food and nutrition?

FIAN sees the ICN 2 process as an enormous setback in terms of CSO participation in the discussion of policies in areas that are extremely relevant to people. The lack of direct debate with government representations on key issues linked to the social determinants of hunger and all forms of malnutrition has led, in our understanding, to a very poor process, as well content wise.

1. **Are there any issues which are missing in the draft Framework for Action to ensure the effective implementation of the commitments and action to achieve the objectives of the ICN2 and its Declaration?**

The missing points and suggestions were already presented along the previous 8 pages.