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Practical application of CFS products – the case of the Right to Food and the Governance of Tenure Guidelines

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Policies Against Hunger Conference
Berlin, June 2023





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The Right to Food Guidelines: 20 years later

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The Right to Food Guidelines: legal basis

Voluntary, but based on binding legal obligations:

Art. 11 ICESCR: Establishes the “right of everyone to an adequate standard of living for himself and his family, including adequate food” and the “fundamental right of everyone to be free from hunger”

General Comment 12 by the CESCR: Authoritative interpretation of Art. 11: “The right to adequate food is realized when everyone has physical and economic access at all times to adequate food or means for its procurement.”

4 core elements: availability, accessibility, adequacy, sustainability

National constitutions: More than 46 countries have recognized the right to adequate food in their constitutions





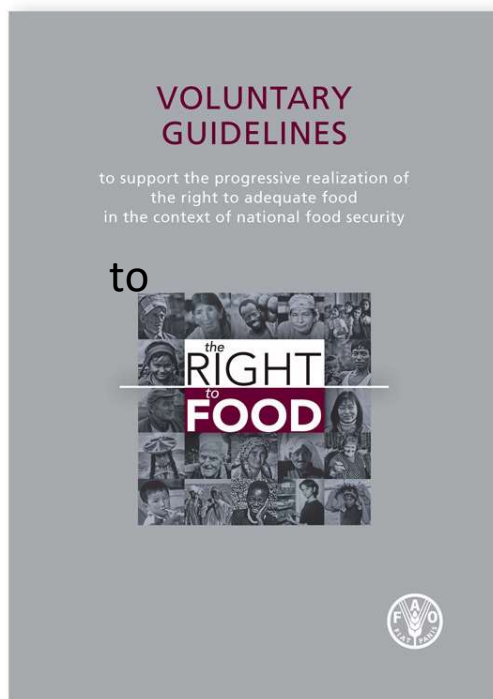
The Right to Food Guidelines: main features

The Voluntary guidelines to support the progressive realization of the right to adequate food in the context of national food security, adopted in 2004

First attempt by governments to interpret an ESC-right

19 guidelines to provide practical guidance on how to implement right food obligations in the areas of legal frameworks, institutions, policies and strategies, nutrition, crisis management ...

„Mother of all Guidelines“: Spearheaded the development of other CFS tools, including the *Governance of Tenure Guidelines* and the *Voluntary Guidelines on Food Systems and Nutrition*



The Right to Food Guidelines: application

Examples:



Establishment of Right to Food Division in German Federal Ministry of Food and Agriculture (Guideline 5 “Institutions”)

Improved nutrition labelling and restricted advertisement of high-calorie foods and soft drinks in Mexico (Guideline 10 “Nutrition”)

Eat Well Age Well, a national project tackling malnutrition in older people living at home in Scotland, UK (Guideline 13 “Support for vulnerable groups”)

Model Law on Food and Nutrition Security, adopted by the Pan-African Parliament to realize the RTF for African countries (Guideline 7 “Legal Framework”)



The Right to Food Guidelines: +20

2024: RTF Guidelines' 20th anniversary 😊

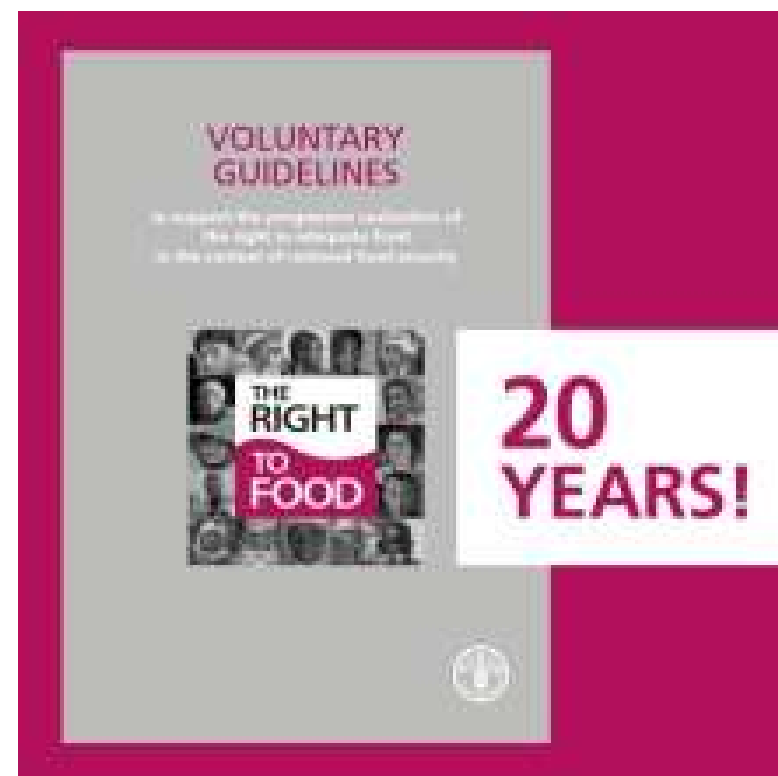
Important stocktaking opportunity

Call for Submissions on realization of the right to food:

- <https://www.fao.org/fsnforum/index.php/call-submissions/20th-anniversary-right-food-guidelines>
- We are still receiving contributions – please contact us: righttofood@fao.org

Thank you for your attention!

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VGGT: a 10 year long story

What do we know and what have we learned

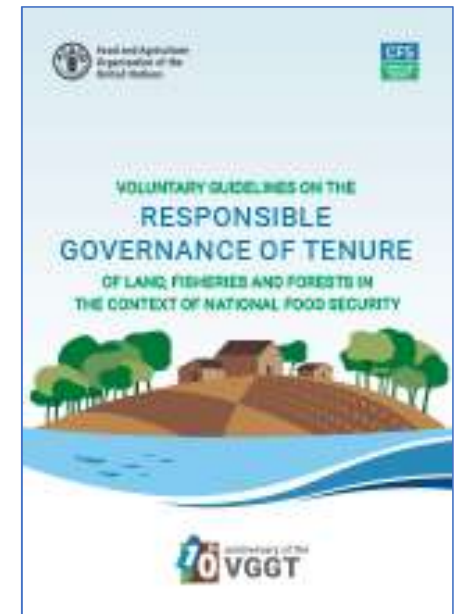
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VGGT implementation: focus areas

- **Awareness** raising and VGGT dissemination
- Embedding VGGT principles in formulation or revision of **policies, laws and procedures**.
- **Capacity development:** tools and materials and learning programs (technical guidelines, training courses, documenting best practices, etc.).
- **New approaches to securing tenure rights** under customary tenure: the application Open Tenure/SOLA; GeoTech4Tenure
- **Addressing global environmental issues** by improving governance of tenure through the VGGT: the UNCCD COP 14 Resolution concerning land degradation neutrality



Importance of the VGGT

- VGGT seen as influential in many of the countries, a progressive land tenure standard, that influenced a number of policy and legal processes.
- VGGT contributed to raising awareness about importance of good governance of tenure and steps to it from community to national levels.
- Progress was made in fields such as recognition and protection of women's land rights and customary tenure rights.
- Impact of VGGT is also evident at local level, thanks to the flexibility of the instrument itself and how it can be used.
- The VGGT have filled a gap on the absence of an intergovernmental forum or framework on land.



Some results

- Enacting new laws/legislation or improving existing laws that recognize **women land rights** in Sierra Leone, Liberia, Niger, Senegal, Albania, Croatia, Bosnia-Herzegovina, Montenegro and Serbia
- Recognition of **pastoralist communities land rights** in Nepal, Mongolia and the Sahel river basin countries and **afro-descendant ethnic-territorial rights** in Colombia. Establishment of three transhumance committees in Mauritania
- Implementation of methodologies for **alternative land disputes resolution** in Tanzania;
- **Improved process for review and approval of land investments** in Ghana, Namibia, Kenya, Tanzania, Liberia.
- **Securing youth and women tenure rights under customary systems**, through new innovative methodologies in Sierra Leone and Guatemala;
- Joint administration of national parks territories by the National Parks Agency and indigenous communities in Colombia



- 3 evaluations from 2016 to 2021; 2 events celebrating the VGGT 10th Anniversary (2022)
- Numerous stock taking exercises and joint initiatives emerging from VGGT (e.g. Land collaborative; MSP Convergence group, GLO and GLA)

What have we learned?



□1: The VGGT

- Application of VGGT does not exist per se: instrument to be linked to a concrete process.
- Don't look for quick and rapid impacts
- Awareness raising is a non-stop exercise
- But VGGT are not out of fashion, principles are still valid and to be defended, on the contrary it is important to bring back some key concepts (e.g. HR), and adopt (reinvigorate) a multi-sectoral approach.
- VGGT struggling to remain as guiding principles: never really internalised
- Rather than giving up or going beyond VGGT.....use such instruments in a different way?

□2: Capacities

- Importance of investing in capacity development and collective action processes in order to reduce the barriers to engagement by marginalized groups and transform platforms into meaningful spaces of dialogue.
- FAO is very strong in capacity development (huge package of material), which should be better aligned with decision making processes



❑3 : Implementation modalities

- Technocratic implementation of the VGGT?
- Need to articulate the interventions after a sound political economy analysis
- Need for a coordinated strategy by (land) donors/actors and other sectors actors

❑4: **Data and Accountability**

- Lack of data to assess and monitor the VGGT uptake / fragmented evidence
- Data collection and monitoring of tenure governance: this is getting better, moving towards a convergence of intentions (Land matrix, Landex, HR4Monitoring, Global Land Observatory)
- More is needed to strengthening accountability mechanisms



A few thoughts on the way forward

- Reinvigorate commitment is required to address political economy factors and achieve change at scale;
- Focus on collective action, data, VGGT mainstreaming in the global development work including Climate Change, migration, peace instability;
- Bring tenure back to the center of development discussion – Land Forums, tenure and UNCCD, CBD and Climate, GLA/GLO;
- Address power imbalances in multi-stakeholder processes;
- Address lack of coordination;
- Strengthen accountability (locally and globally) – Can CFS do more?

