



Our Ref.:

Your Ref.:

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Dear Ms Prouvez,

I refer to your communication of 16 January 2015 inviting the Food and Agriculture Organization of the United Nations to contribute relevant information related to Human Rights Council resolution 27/24 on "Equal participation in political and public affairs".

The right to participation is widely recognized in a range of FAO instruments, such as the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, the Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security and the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication. It is also applied in FAO's country support interventions.

The Organization is pleased to provide its contribution on this subject as contained in the note attached hereto. The note contains information on FAO instruments and practical experiences on the ground.

Yours sincerely,

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## FAO Contribution to the Office of the High Commissioner for Human Rights

### Human Rights Council resolution 27/24 on “Equal participation in political and public affairs”

Eradicating hunger and realizing food security involves multiple sectors, multiple actors, and multi-level action. Equitable and effective participation of range of stakeholders, including non-governmental organizations, farmers and producers’ organizations and academia in decision-making and implementation brings information “from the ground”, thus contributing to ensure that food security and related policies, laws and programmes are based on real needs, and that local concerns are put on the agenda.

The right to participation is widely recognized in a range of FAO instruments, and applied in FAO’s country support interventions. For example, the Right to Food Guidelines<sup>1</sup> invite states to “*apply a multistakeholder approach to national food security to identify the roles of and involve all relevant stakeholders, encompassing civil society and the private sector, drawing together their know-how with a view to facilitating the efficient use of resources*” (Guideline 6.1) and “*ensure that relevant institutions provide for full and transparent participation of the private sector and of civil society, in particular representatives of the groups most affected by food security*” (Guideline 5.2)

According to the Voluntary Guidelines on Responsible Governance of Tenure<sup>2</sup>, “*engaging with and seeking the support of those who, having legitimate tenure rights, could be affected by decisions, prior to decisions being taken, and responding to their contributions; taking into consideration existing power imbalances between different parties and ensuring active, free, effective, meaningful and informed participation of individuals and groups in associated decision-making processes*” (3B.6) is recognised as one of the essential principles of implementation of responsible governance of tenure of land, fisheries and forests. Furthermore, section 26.2 encourages states to “*set up multi-stakeholder platforms and frameworks at local, national and regional levels ... to collaborate on the implementation on these Guidelines...*” It continues to say that “[t]he process should be inclusive, participatory, gender sensitive, implementable, cost effective an sustainable”.

Along the same lines, the recently adopted Guidelines for Securing Small-scale Fisheries<sup>3</sup> invite States to “*facilitate the formation of national-level platforms, with cross-sectoral representation and with strong representation of CSOs [civil society organizations], to oversee implementation of the Guidelines, as appropriate. Legitimate representatives of small-scale fishing communities should be involved both in the development and application of implementation strategies for the Guidelines and in monitoring*” (13.5). States and other parties should also “*enhance the capacity of small-scale fishing communities in order to enable them to participate in decision-making processes. To this effect, it should be ensured that the range and diversity of the small-scale fisheries subsector along the entire value chain is appropriately represented through the creation of legitimate, democratic and representative structures*” (12.1).

The development process of these Small-Scale Fisheries Guidelines themselves was extremely participatory, directly involving over 4,000 stakeholders in over 20 consultations at national, regional and international level between 2011 and 2014. The majority of these consultations was directly organized by civil society organizations.

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<sup>1</sup> Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, unanimously adopted by the Committee on World Food Security (CFS) and the FAO Council in 2004.

<sup>2</sup> Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, endorsed by the CFS in 2012.

<sup>3</sup> Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication, endorsed by the FAO Committee on Fisheries (COFI) in 2014.

In its country-level interventions, FAO promotes and supports effective participation of relevant groups (farmers, women groups, indigenous peoples etc.) in formal (e.g. national councils on food and nutrition security) and informal participation structures (e.g. community platforms, value chain dialogue platforms) at local, sub-regional and national level. Such support includes action to promote a) promoting interaction, networking and dialogue between the actors (public and private), interest structures and institutions (formal and informal) across different levels; and b) developing capacities of specific actors/ stakeholders to actively and meaningfully participate in the conduct of public affairs and decision-making processes that concern their livelihoods.

Examples of FAO country and regional-level experiences relating to the right to participate in political and public affairs include:

### **1. Promoting small-scale producers' participation in decision-making and implementation in Niger**

In Niger, the 2012 National Strategy on Food Security and Sustainable Agricultural Development (l'Initiative 3N - *les Nigériens Nourrissent les Nigériens*) established the National Council on Dialogue and multi-actor Consultations (NCDC), which provides for participation of a limited number of representatives from producers organizations (POs). Since early 2013, FAO has facilitated a number of meetings involving representatives from producers' organizations and government to discuss ways to strengthen the participation of POs in the NCDC, and more broadly, in the implementation of the Initiative 3N. At the same time, FAO is also supporting the National Network for collaboration among POs, established by five main federations of POs, their professional networks and the Chamber of Agriculture. The support includes strengthening their capacity to understand and negotiate agricultural policy and legal issues. Bringing together government and producers' organizations representatives - women and men – proved beneficial to building confidence, and fostering collaboration and cooperation. At the national level, the POs Network was involved in the process of the formulation of the Draft Law on Agricultural Policy, and at the local level, representatives of regional POs took part in multi-actor Regional Forums on the implementation of the 3N Initiative, in Dosso and Maradi, and were able to submit their recommendations for the development of the agricultural sector to relevant local authorities and thus ensure that the voices of their members impact on decisions made through these critical policy platforms.

### **2. Promoting participatory approach in policy and law-making in Mozambique and its further implementation**

FAO has been actively supporting the Government of Mozambique in the revision of the land policy framework and the development and implementation of its progressive legislation on land and natural resources. It helped to ensure national and local ownership of the Land Policy and Law by assisting the country to set its national priorities and define jointly with all relevant stakeholders and actors the type of support required to ensure its implementation. The focus was on developing national capacities to draft, implement and oversee implementation of the Land Policy and related laws. This experience confirmed the importance of gender-equitable land policy and law-making, i.e. involving both women and men, and all concerned stakeholders in the process to understand their needs and interests. Most interestingly, while a core element of the resulting policy and land law is the recognition of the role of customary norms and practices in land and natural resources management, the involvement of women's groups in the process resulted in important legal provisions being included to condition the potentially negative impact of these practices where they conflict with fundamental constitutional principles, such as the equality between women and men<sup>4</sup>.

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<sup>4</sup> Christopher Tanner 2002: *Law Making in an African Context: the Mozambican Land Law*. FAO Legal Papers Online, No 26. [www.fao.org/legal](http://www.fao.org/legal)

FAO then moved on to supporting the implementation of the new legal framework, again using participatory methods and working with a wide network of government and civil society partners. In addition to the training and field activities, the FAO programme (implemented in close collaboration with the Centre for Juridical and Judicial Training – CFJJ) also raised awareness of the rights of women over land and of gender equality through a national advocacy campaign.

Recently, FAO has also been actively engaged to provide technical support to the Land Consultative Forum created by the Council of Ministers in October 2010 and formally launched with its first meeting on 24 March 2011. Since then, the Forum is served by a ‘Consultation Group’ of government and civil society stakeholders which will debate and report on technical issues identified by the Forum; and a Secretariat to organize meetings and provide other support.

### **3. Developing gender-sensitive methodologies for increased participation in negotiating access to and use of land and natural resources**

Based on lessons learned through the implementation of FAO’s Participatory and Negotiated Territorial Development (PNTD) and the Socio-Economic and Gender Analysis (SEAGA) Programme, FAO developed the Guidelines on Improving Gender Equity in Territorial Issues (IGETI)<sup>5</sup> to promote the use of gender-sensitive participatory methodologies and tools in negotiation processes around issues of access to and use of land and natural resources. The approach offers a possible alternative approach where the territory is considered as an “entry point” to promote gender equality in land access and territorial development. It provides an understanding of different and conflicting values, visions and interests of men and women related to access, use and management of land and other resources and how more peaceful coexistence in a given territory is achieved. The IGETI guidelines propose then a series of interventions to reduce the gender gap in land rights, by strengthening women’s land rights without necessarily involving land redistribution, transferring land to women and implementing reforms to strengthen women’s land rights.

The main objective of the IGETI guidelines is to assist target users to become more aware of asymmetries of power and how these affect participation in decision-making processes aimed at promoting gender equality in territorial development at individual, household and community level. The idea is to promote negotiation tables where different stakeholders (men and women) can sit together and agree on the development of their territory in terms of available resources and services. This strategy aims at establishing a social dialogue through the reinforcement of territorial institutions in order to support bottom-up decision making processes and strategy formulation.

Training was conducted in Angola, Kenya and Somaliland to offer participants with a way to come closer to the principles of territorial negotiation using some participatory approaches. The aim is to build the methodological bases together to decide for the best gender-equitable scenario for the development of their own territory, instead of waiting for the guidance of external stakeholders.

### **4. Facilitating participation of non-state actors in the implementation of the Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) at country level**

Since the adoption of the VGGTs in 2012, FAO is following the multi-stakeholder approach as a guiding principle for its work at country level. The organization is actively engaged in facilitating national multi-stakeholder dialogues on issues related to the VGGTs, in reinforcing capacity of different actors as well as contributing in other concrete ways to ensure that the recommendations by the VGGT are actually translated in practice at country level. For example, in Namibia, FAO is supporting the Ministry of Lands and Resettlement in implementing valuation activities in line with the VGGT. In The Gambia, a workshop to raise awareness on the VGGT for journalists was organized

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<sup>5</sup> See: <http://www.fao.org/Participation/Lessons-IGETI.html>

by a Gambian multi-stakeholder platform with support from IFAD in November 2014. In Moldova, the Organization's support facilitated an analysis of the legal and institutional framework, more specifically the Land Code, in the context of the VGGT. FAO support also includes training of multi-stakeholder groups on both the VGGT as well as the technical guide on gender. This was the case for example, in six Western Balkan countries where the trained groups are now producing gender-disaggregated reports and are using them to improve gender equality in their respective countries. During 2014, partnerships and multi-stakeholder platforms played an important role in the processes of VGGT implementation.

Partnerships were also pivotal in establishing the VGGT themselves; indeed, FAO facilitated the engagement and interaction between governments and civil society organizations, cooperatives and producers organizations, and academia in several countries.

#### **5. Promoting non-state actors participation in national investment planning – the work of CAADP Capacity Development Project for Investment and Policy (CDPIP)**

During 2012-14, the CAADP Capacity Development Project for Investment and Policy (CDPIP) strengthened country investment capacities for CAADP implementation in Cameroon, Chad, the DRC, Lesotho and Tanzania. It focused on having national stakeholders take the lead in preparing and implementing National Agricultural investment Plans (NAIPs). Results of a capacity assessment had shown that lack of meaningful participation by non-State actors resulted from, inter alia, insufficient common understanding of agricultural investment priorities and planning processes among stakeholders.

To address this gap, CDPIP supported a deepened awareness and knowledge by CAADP focal points and members of country teams of CAADP contents, process, implications and stakes for their own constituencies. With some variations between countries, State actors have improved their appreciation of the importance of being in the driver's seat of this process and have deployed efforts at the highest level to ensure full commitment and engagement by the country as a whole. This was particularly evident in Cameroon and Chad. On the other hand, non-State actors have improved their ability to participate meaningfully in the process and are now better equipped in terms of technical knowledge (as confirmed by the Satisfaction Assessment in DRC and Lesotho).

At an organizational level, CDPIP work resulted in better quality participation and an increased representativeness of multi-stakeholder networks involved in NAIP development process. A few elements contributed to this change: increased cohesion and joint understanding by different stakeholders of the national agriculture priorities; improved clarity in roles and responsibilities of actors involved in the process; increased openness of state actors to consider non-state actors' contributions in the process; better internal motivation of the organizations involved to engage. This was noted for instance in Lesotho and Chad, as highlighted by the Satisfaction Assessment reports.

#### **6. Facilitating multi-stakeholder dialogue and participation in food and nutrition security in El Salvador**

Over the past few years, FAO, through its national, sub-regional, regional and global offices, has actively and continuously supported El Salvador in its numerous actions on the right to adequate food. These actions have been carried out at different levels, such as legislative and political, and included numerous components amongst which: a Food Security and Nutrition Law developed through a broad participatory process that is currently under final revision and consultation in the Legislative Assembly; a National Policy on Food Security and Nutrition, launched by the President in 2011, that includes an operative plan, a medium term strategic plan as well as a monitoring and evaluation system; and the establishment of a National Parliamentary Front that notably led to an increased participation by all stakeholders as well as an increased collaboration between them.

## **7. Promoting active and inclusive participation of civil society in parliamentary activities on the right to adequate food in the Latin America and Caribbean region**

Through the Hunger Free Latin America and Caribbean Initiative, FAO has consistently collaborated with regional and national stakeholders in order to accentuate actions taken to eradicate hunger and ensure the realization of the right to adequate food of all in the region. Among such actions, a Parliamentary Front against Hunger (the “Parliamentary Front”) was established in 2009. The Parliamentary Front, which benefits from the technical support of FAO, comprises regional legislators, sub-regional and national stakeholders in the fight against hunger as well as representatives of civil society. It has the objective of assisting the realization of the right to adequate food at all levels, notably by promoting institutional frameworks conducive to this goal and facilitating the exchange of experiences and knowledge among the different actors. As such, recognizing the importance of the inclusion and participation of civil society in the institutionalization of food security, the Parliamentary Front promotes a broad political dialogue space based on the active and inclusive participation of all sectors of society.

Furthermore, to address in the best possible way issues specific to different national contexts, the Parliamentary Front has actively worked for the creation of national Parliamentary Fronts which could accentuate the possibility of different national constituencies and actors to discuss and have a more active hand on how to best handle specific issues for the realization of the right to adequate food. As such, this collaboration has led to the creation of 15 national Parliamentary Fronts since the 2010 declaration of intentions. One such example has been the Dominican Republic where, notably through collaboration between FAO, the Government, the national Parliamentary Front and other international and regional organizations, a law on Food Sovereignty and Food Security and Nutrition for the Right to Food, developed in a participatory manner through extensive public and online consultations over the past few years, was approved by Congress in 2014 and is currently pending approval by the Senate. In sum, FAO has continuously provided support to the Parliamentary Front that progressively increased active and inclusive participation of all stakeholders into the conduct of public affairs at both regional and national levels, whether directly or through their freely chosen representatives.

## **8. Promoting the participation of civil society in the design and implementation of regional and national food and nutrition security policies in the CARICOM region**

With the support of FAO, the CARICOM Secretariat led a highly consultative process that culminated in the formulation and approval of the Regional Food and Nutrition Security Policy in October 2010, and the Regional Food and Nutrition Security Action Plan in October 2011. Both, which have the protection and the realization of the right to food as an underlying principle, are based on an understanding that food and nutrition insecurity is a multi-dimensional, multi-sectoral issue, requiring an integrated set of concrete actions. The Regional Food and Nutrition Security Action Plan mandates the CARICOM countries to formulate and put into action national food and nutrition security policies and programmes within the general framework of the right to food, aimed at improving access by the most vulnerable groups to sufficient, nutritious and safe food.

As part of the formulation process, an online consultation was conducted to gather views and inputs of key regional civil society organizations and refine the strategies and actions proposed to address the objectives of the Action Plan. In a follow up meeting in Barbados, different Caribbean organizations representing women, farmers, indigenous peoples, faith organizations and youth, signed a declaration expressing their commitment as active partners for the implementation phase of the Action Plan while insisting on having an institutional space for dialogue vis-à-vis CARICOM. Their legitimacy as valid interlocutors was recognized in the text of the Action Plan, which was approved at the meeting of the Council for Trade and Economic Development of CARICOM. These actions at regional level, carried out with the support of FAO, have led several CARICOM Member States to initiate processes of formulating national food and nutrition security policies and action plans, in line with the broad provisions of the Regional Policy and its Action Plan.