



संयुक्त राष्ट्र संघका लागि नेपालको स्थायी नियोग  
PERMANENT MISSION OF NEPAL  
TO THE UNITED NATIONS  
GENEVA

Ge.OHCHR.SP.2021/166

The Permanent Mission of Nepal to the United Nations Office and other International Organizations in Geneva presents its compliments to the Special Procedures Branch, Office of the High Commissioner for Human Rights (OHCHR), and with reference to the letter from the Special Rapporteur on the right to food dated 09 June 2021 calling for inputs for the preparation of thematic report focusing on Food systems and human rights, has the honour to enclose herewith submissions from the Government of Nepal.

The Permanent Mission of Nepal to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights (OHCHR), the assurances of its highest consideration.

Geneva, 09 July 2021

Special Procedures Branch  
Office of the High Commissioner for Human Rights (OHCHR)  
Geneva



## Response of the Government of Nepal to the Special Rapporteur on the Right to Food, Mr. Michael Fakhri on Food Systems and Human Rights

### 1. What are the most salient challenges facing the foods systems in your country and region? Please explain why.

The food system is directly connected with the production, availability, and accessibility of food. For a healthy and sustainable food system, and inter-linkage of food-water-energy lays a crucial foundation. In Nepal, the most salient challenges facing the food systems include low volume production, unequal distribution, poor quality, unfair access to food, and affordability to all.

The low volume production is especially from low land productivity, limited adaption, and availability of modern technologies in terms of seed, breed, feed, cultivation technology, and infrastructure as well as irrigation, fertilization, processing, storage, marketing, etc. Unequal distribution and availability of foods among and within the different geological regions are the other challenges that have further aggravated the major underlying causes such as the difficult and diverse geographical terrain. Rugged terrain and poor transportation infrastructure make delay, unstable, costly and sometimes no supply of food at all. Affordability is another important challenge in the Nepalese food system, in particular, the people who are in low-income groups, cannot afford quality food in the required amount throughout the year.

### 2. What are the examples of ways in which the challenges facing the global food system are having adverse impacts on human rights broadly, and the right to food specifically?

Any adverse impact on the global food system will ultimately affect human rights such as rights to food, water, sanitation, health, livelihood, etc. Different factors are responsible for bringing imbalance in the food system. In the case of Nepal, climate change is one of the prominent factors. Climate change has resulted in a change in the rainfall pattern, drought, vegetation shifting, unseasonal flowering and fruiting, floods, desertification, reduction in aquatic life, and loss of crop varieties that have directly or indirectly affected the production of agricultural products which ultimately affect the livelihood of a large number of people.

In the 2020 Global Hunger Index, Nepal ranked 73 out of 107 countries. With a score of 19.5, Nepal has a level of hunger that is moderate. The consequences of malnutrition are a significant concern for the Government of Nepal, since around one million children under 5 years (36 percent) suffer from chronic malnutrition such as stunting or



low height-for-age and 10 percent stunted acute malnutrition that includes wasting or low weight-for-height.

Establishing technological and financial cooperation among the nations in a real and true sense may help to overcome the above-mentioned challenge globally. The cooperation should further go in the development of infrastructures (road, storage facility), input supply, and making judicious use of natural resource resilience. The local level government should establish a legal and working mechanism to address the production and access of quality food. A stable food business should be regulated by the government and governed by legal instruments.

**3. Are there specific challenges that your country has faced in attempting to employ the rights-based approach to transforming food systems without leaving anyone behind?**

Low farm productivity, limited livelihood opportunities, and weak market connectivity caused by poor infrastructure, together with geographical heterogeneity, gender and caste disparities are considered as underlying causes of food insecurity and undernutrition in Nepal.

In Nepal, the average size of agricultural land per household is decreasing. The number of landless is more than 1.5 million and the problem of informal settlement is increasing in Nepal. Lack of land ownership and less purchasing capacity among a large section of the population is one of the challenging issues that need to be addressed in Nepal to improve the condition of food sovereignty and food security.

In terms of food production and consumption, the difficult geographical terrain, poorly developed road infrastructure and the transportation system makes the product unavailable to all and poor adaption of improved technologies make production preparation cost high. Although, the Government of Nepal has been providing subsidies to farmers, the targeted groups are far behind from getting benefited from such programs.

**4. To what extent has the UN Food System Summit considered those challenges in its deliberations? Please explain.**

The UN Food System Summit will be helpful in addressing the challenges and transforming them into opportunities. The summit will analyze the challenges of the global food system, identify its key drivers and suggest the possible short-term and long-term solution proposition.

**5. What are the specific obligations of the states and responsibilities of business in terms of preventing and addressing adverse impacts caused by the unsustainable production or consumption of food?**

The Constitution embraces the concept of the responsibility of state and business sector in terms of preventing and addressing adverse impacts caused by unsustainable production or consumption of food. The GoN is committed to ensuring the right to food to every citizen, the right to a clean environment, the rights of consumers and the right to compensation as enshrined in the Constitution as well as achieving national targets along with internationally agreed development goals, including SDGs on poverty, hunger, food, and health, among others.

Thus, the Constitutional provision, laws, and international commitments oblige the State and the business sector to prevent and address the adverse impacts caused by the unsustainable production or consumption of food. For this, the state should ensure effective implementation of the prevailing laws related to sustainable production and consumption of food, make enabling environment for production and supply of basic food for all people in all the time. Further, providing the subsidy, buyback guarantee, provision of premium price, building infrastructure, increasing alternate employment opportunities for increased buying capacity, market regulation, etc. with sustainable use of natural resource would help to prevent unsustainable production and consumption of food.

**6. Despite the challenges of the pandemic, what are specific examples of rights-based initiatives and good examples (including policy, standards, and programs) that have successfully improved people's access to adequate food in a sustainable and systematic way?**

The right to food is guaranteed as a fundamental right by the Constitution of Nepal. Article 36 of the Constitution guarantees every citizen the rights related to food and the right to be safe from a state of being in danger of life from the scarcity of food. Similarly, under the policies relating to agriculture and land reform (Article 51(e)), provisions such as making scientific land reform, enhancing product and productivity by carrying out land pooling, land management, modernization of agriculture by pursuing land-use policies to enhance agriculture products and productivity while protecting and promoting the rights and interests of the farmers, and making proper use of lands while regulating and managing lands on the basis of, inter alia, productivity, nature of lands and ecological balance are to be taken into consideration while framing policies by the State.



In the pandemic, food production, distribution and maintenance of food chain supply were the top most priority of the Government. The GoN implemented several measures for ensuring the right to food to all citizens during COVID 19. Even during lockdown, groceries, dairy product markets were allowed to open for certain hours to ensure supply of agricultural products regularly. Likewise, vehicles carrying agricultural products were given a permit from the administration office to transport the agricultural products (vegetables, grains, dairy products) collected from the farmers, and fertilizers required for farming were distributed regularly. Safety protocols were followed while carrying out these activities. Growers and traders are supported in cash via Province and Local level government.

The health sector and agriculture are given priority by the budget of the fiscal year 2021/22. It has allocated Rs 45.09 billion for the agriculture sector. From the budget of the fiscal year 2021/2022, the GoN has initiated a policy that state-owned fallow land will be provided on lease to the private sector for agriculture purposes. Moreover, up to 50 percent of subsidies will be provided to the organic fertilizer production units. To enhance mechanization in the agriculture sector, the government has announced an increase in tax subsidies in the import of agricultural equipment.

The GoN is committed to achieving the zero-hunger goal of SDG by ensuring food and nutrition security for all. No one should remain hungry, no one dies of hunger is the commitment of the GoN. For ensuring food and nutrition security, the Fifteenth plan incentivizes agricultural production and discourages land fragmentation and leaving the land barren.

Programs including the Prime Minister Agriculture Modernization Project, Advanced Seeds Program, Project for Income Raising of Small and Medium Farmers, Agriculture Insurance Programs and Minimum Price Support Programs have been continued to ensure food and nutrition security. Similarly, the GoN has continued providing 50 percent subsidies on the farm insurance premiums and artificial insemination of livestock free of cost.

As a result of irrigation facilities, distribution of high-yielding seeds, and chemical fertilizers, the status of food security has been improving in Nepal. Data shows that agricultural production, in particular, paddy, wheat, maize, vegetables and potatoes have increased last year.

### **Participation and access to information during the Food systems Summit**

**7. To what extent was the information on the Summit accessible, clear, and practical for you and your community and partnership?**



The information about the summit is accessible through the National Planning Commission (NPC), Nepal. It is clear that the GoN is preparing and conducting a series of national and sub-national dialogues in different arenas. Honorable member of the NPC is designated as the National Convener. The Ministry of Agriculture and Livestock Development and the NPC are working jointly to make the summit successful.

**8. In what ways have you participated in the summit (events, dialogues, submission of inputs, etc.)? Please describe the nature and content of your participation, if applicable.**

In preparation of the dialogue, the NPC, in a team approached the concerned stakeholders (Line Ministries, development partners WFP, ADB, Universities, Provincial governments, experts, etc.) and are conducting a series of dialogues; submitting and consolidating the inputs received.

**9. To what extent would you consider your participation in the FSS as active and meaningful? Please explain.**

Yes, it is meaningful. We look forward that the summit will analyze the challenges of the global food system, identify its key drivers and suggest the possible short-term, medium-term and long-term solution propositions.

#### **Outcomes of the Food Systems Summit**

**1. What are your expectations from the Summit's outcomes following its conclusion in October 2021? How would these outcomes contribute to the full realization of the right to food for all?**

Our expectation from the Summit's outcome is that it will provide specific short-term, medium-term, and long-term propositions. The global Food Systems Summit should insist developed countries to assist low-income countries in establishing seed banks, transferring eco-friendly farming technology, and preserving indigenous knowledge and biodiversity. Developed countries need to assist developing countries in establishing cold stores for food preservation. Transfer of technology is needed to boost the capacity of developing countries in processing and refining agricultural productions.

As the global food system is exceeding ecological limits while failing to meet the food needs of large segments of the world's population, the Summit can make a decision towards adopting an institutional mechanism to carry cost-benefit analysis in food production and consumption patterns. The outcome of such mechanisms may help the countries to adopt rational decisions regarding food production and consumption patterns. Moreover, resources required for implementation will be identified and



managed in cooperation and coordination and between different nations and institutions.

The erratic weather conditions have urged for a need for climate change adaptation and mitigation programs for increasing agricultural productivity so that farmers can retain their agricultural production. Summit needs to draw the attention of participant states towards taking quick strategies and action in this regard to ensure the full realization of the right to food for all.

**2. What would be the most optimal implementation process of the Summit's outcomes? Which international and regional frameworks or forums could serve as a useful platform? Please explain.**

- a. A detailed analysis of challenges on the food system,
- b. Identifying key drivers,
- c. Suggest a specific action plan for overcoming challenges,
- d. Implementation of a proposition by the state,
- e. UN facilitation on mobilizing additional resources and monitoring the outcomes of the Summit.

Either awarding further responsibility to existing regional and national mechanisms or establishment of the new mechanism is promptly needed in order to implement outcomes of the summit on the food system.

At the national level, preparation, and implementation of the national action plan on food is necessary. National mechanisms related to promoting agricultural production and regulating and monitoring food quality and supply needs to be strengthened to achieve national goals as targeted by food submit.

The regional forums like SAARC, ASEAN, EU, African Union, and Arab League can be the useful platform for the implementation of Summit's outcomes at the regional levels. As member states of these regional forums are geographically interlinked and they have been cooperating in supply (import and export) of food items, their collective efforts and the initiation can be the milestone steps for eliminating hunger and all other forms of malnutrition by ensuring that sufficient quantities of safe, nutritious, and affordable food is available to all while promoting sustainable agriculture.

**3. How do you envisage your role in the implementation of the Summit's outcomes?**



The Food System Summit will provide an international platform for cooperation to review food sovereignty and food security. Nepal, a member of SAARC and BIMSTEC, will have a dialogue about the outcomes of the Summit in these forums to adopt a collective regional strategy for sustainable agriculture, supply of food products.