*German Contribution to the Call for Input from the Special Rapporteur on the Right to Food:* ***The right to food in the context of post-Covid recovery***

*1. Please provide information* ***on existing or new local and national laws, policies and programs*** *that* ***proved to effectively ensure people had access to adequate food and nutrition in the past three years.***

*(This may include, but is not limited to, measures such as direct cash transfers; universal school meals; support for territorial markets; support for food workers; support for peasants, pastoralists, fishers and other small food producers)*

**Policies and programs aiming at dietary habits, food information and reduction of food waste**

In 2008, the Federal Government adopted a National Action Plan entitled "**IN FORM – German national initiative to promote healthy diets and physical activity**", with the aim of promoting a healthy lifestyle and preventing overweight and non-communicable diseases. Based on the results of an external evaluation and on current developments, the Federal Ministry of Food and Agriculture (BMEL) and the Federal Ministry of Health (BMG) developed the Action Plan further and placed a particular emphasis on the first 1,000 days of life and the special needs of children and senior citizens. The new priorities were approved by the Federal Cabinet in June 2021.

In the area of nutrition, measures to intensify **nutrition education** and strengthening nutrition skills in all age groups continue to be a priority. In future, greater attention will be paid to vulnerable groups. Sustainability plays a greater role in communal catering.

The **German Nutrition Society’s** (Deutsche Gesellschaft für Ernährung, DGE) **quality standards for communal catering**, which were developed by the DGE on behalf of the BMEL, support those responsible in day-care centres, schools, companies, hospitals, rehabilitation clinics, senior citizens' facilities and providers of "meals on wheels" in offering well-balanced catering. They are regarded as an instrument for quality assurance and aim to provide health-promoting and sustainable food in communal catering. The implementation of the DGE quality standards is generally not binding. Exceptions to this include the federal canteens, where the federal canteen guidelines prescribe compliance with the quality standards, and some Länder, which prescribe compliance with the quality standards in schools. However, these are not school nutrition programmes in the strict sense.

The **National Strategy for Food Waste Reduction**, which was presented in 2019, is currently being refined and developed. The target of the Federal Ministry of Food and Agriculture (BMEL) is to halve per-capita food waste in Germany along the whole food supply chain by 2030. Thus, the continued incorporation of actors from the entire food supply chain to identify the most promising potentials for reducing waste and to develop and implement specific measures within the sectors is crucial. In addition, it is being considered whether legislative changes are required.

To foster the donation of food, the BMEL for example supported the “eco-Plattform” project run by Tafel Deutschland e.V. The platform improves the interface between food-donating companies and the food banks, for example through digitalised delivery notes. In this way, it simplifies the donation of unsold food that is still edible.

Furthermore, as more than half of food waste occurs in private households, the BMEL launched the “Too good for the bin!” programme in 2012 to focus the public’s attention on the issue of food waste and make consumers have a greater appreciation of food. Through diverse activities, including a week-long awareness-raising campaign entitled “*Germany saves food!”*, this programme offers support and information to anyone who values the sustainable, resource-conserving and appreciative handling of food.

The **Protein Crop Strategy** (EPS) is intended to contribute to the expansion of legume cultivation. Both the supply of and demand for domestically produced legumes in conventional and organic cultivation are to be strengthened.

The central elements comprise model demonstration networks and research projects from cultivation to the utilisation of protein plants in human and animal nutrition. The networks serve the exchange among practitioners and between practice and science on questions concerning cultivation and utilisation. The website of the most recent network, "LeguNet" (https://www.legunet.de/), already provides a wealth of information on grain legumes. The research projects are intended to generate innovations and provide impulses for the economically successful cultivation of legumes and their utilisation.

With the further development of the Protein Crop Strategy from 2023, a special focus will be placed on utilisation in human nutrition and thus on supporting the transformation to a plant-based diet. In addition to the existing measures, the area of target group-oriented information is to be expanded.

**Support for farmers and other small food producers**

The most important national funding programme is the “Joint Task for the Improvement of Agricultural Structures and Coastal Protection” (GAK - Gemeinschaftsaufgabe Agrarstruktur und Küstenschutz) which aims to:

•guarantee that the agricultural and forestry sectors are efficient and geared to future requirements;

•ensure that these sectors are competitive in the European Community’s common market;

•ensure that rural areas remain efficient in the long term and that environmentally sound and resource-conserving agricultural and forestry sectors are an integral part of these areas; and

•improve coastal protection.

Another important measure is the **agricultural social security policy** as a target-oriented policy for the benefit of active farmers and their families that helps to establish the conditions for developing an efficient and competitive agricultural sector:

* The agricultural social security system provides farmers and their families with financial protection in cases such as illness, need for long-term care or accidents at work.
* As a special profession-based system, it is uniquely focused on providing self-employed farmers with the best possible social protection and on offering welfare support to cushion the impact of structural change in agriculture.
* Cushioning the financial consequences of structural change is a task for society as a whole. The federal government therefore provides financial aid as part of the agricultural social policy (in 2022 a total of around 3.8 billion euros). With ongoing reforms, account is taken of the goal of making agricultural social insurance future-proof as an independent social security system tailored to the needs of self-employed farmers.

**Support for citizens to guarantee access to adequate food and nutrition**

The German Constitution guarantees a fundamental right to a decent subsistence level. The welfare state requirement gives the legislature the task of actually securing a decent subsistence level.

* Citizens' income is therefore a service provided by the welfare state to ensure a decent subsistence level. It secures the livelihood of those who cannot cover their livelihood from their own income. The time of the corona pandemic has shown how quickly people can get into trouble through no fault of their own.
* Livelihood support, basic income support etc. secure the economic subsistence level and enable participation in the cultural and social life of our society.
* The benefits of the minimum social security schemes are cash benefits. They are flat rates, which are intended to meet all essential needs that arise for individuals, including food. This means that they do not include a specific monthly amount for food or other uses.
* In 2023, the federal government established a new mechanism for the annual update of the flat rate. The new mechanism enables households entitled to benefits to better cope with rising prices until the next update.

Another aspect is the general minimum wage: the general statutory minimum wage in Germany is the lower wage limit, and wages must not fall any lower than this. A minimum wage of 12 euros has been in force since October 1, 2022.

*2. What* ***food security policies from the past three years*** *does your Government envisage* ***converting into permanent programs****?*

*Information cannot be provided.*

*3. What measures, if any, has your Government taken to* ***address rising corporate power and profits*** *in the* ***food and agriculture sector****, in terms of* ***redistribution and avoiding excessive market concentration*?**

Small family farms are a major focus of political activity as they profoundly impact production, landscape, rural structure and rural livelihoods. Rural areas with their villages and traditional farming landscapes are a striking feature of Germany. This is where the majority of our small and medium-sized enterprises from trade, industry and services are located. This is also where our regionally diverse food is produced. The decentralised structure is one of Germany’s particular strengths.

The transposition of European Directive 2019/633 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain has helped to combat the significant imbalances in bargaining power between suppliers and buyers of agricultural and food products.

With regard to the European Common Agricultural Policy (CAP), the new reform strengthens the support of family farms by increasing the incentive bonuses for small and medium-sized farms as well as for young farmers under the direct-payment system.

*4. Please provide information about any steps, which have been taken in* ***support of local small food producers*** *to ensure* ***stronger links between local producers and consumers****, and improved access to healthy nutritious diets.*

In Germany, measures to strengthen short supply chains and small food processing companies have been in place as one of many tools even before the pandemic. These include the promotion of producer organisations, small food processing companies and cooperation for processing and marketing of agricultural products, as well as the promotion of direct marketing by farms.

One policy instrument to mention is the Joint Federal/Länder Task for the Improvement of Regional Economic Structures (GRW) which under certain conditions allows the promotion of commercial investments of certain local small food producer in structurally weak regions. In 2022, the federal government and the federal states agreed on a significant GRW reform. This included changing the criteria for business support from an export-oriented focus towards the potential contribution of an investment to regional development, including the development of local value chains. In the future, therefore, companies that are primarily regionally active, such as local small food producers, can also receive GRW funding if the specific preconditions are met. This expansion of the group of companies eligible for funding is intended to help strengthen regional value chains in the structurally weak regions and tap potential for independent regional development.

In general, local consumption has become an important feature for many food consumers in Germany, particularly due to shorter transportation distances. Almost all leading food retailers in Germany have therefore established concepts in their stores on their own initiative to strengthen regional marketing. This also includes marketing products from local producers.

Consumers should be able to see at a glance how an animal was kept on farms in Germany. The Federal Ministry of Food and Agriculture (BMEL) is working on a binding and transparent animal husbandry label for food of animal origin that comes from animals raised in Germany.

*5. Please also describe any initiatives, which have been undertaken* ***to enhance local governments‘ capacity to fulfil the right to food.***

The **National Quality Centre for Nutrition in Daycare Centres and Schools** (NQZ) is an institution that coordinates and develops measures and initiatives around the topic of good food in daycare centres and schools in Germany. Improving, assuring and monitoring the quality of the catering services is of key importance here. It works to support relevant target authorities in achieving good nutrition and nutritional knowledge. The services provided by the NQZ also include events for school authorities on procurement management for school catering. The NQZ was set up at the federal level to act as a central, national point of contact and partner for the networks and it is part of the legally independent Federal Office for Agriculture and Food (BLE), which supports the BMEL.

*6.* ***National food pathways****. How, if at all, does this national food pathway of your country meet right to food obligations? This includes issues such as the following:*

***a. International cooperation*** *and solidarity;*

***b. Improving food production and*** *conservation by enhancing* ***cultural and biological diversity*** *in food systems;*

***c.*** *Supporting a holistic connection between traditional and indigenous local knowledge and scientific knowledge focused on agroecology*

***d.******Reforming food systems*** *to ensure that food is available and accessible in equitable terms and that labour rights are enforced;*

***e.*** *Ensuring that* ***trade is equitable*** *as a matter of food sovereignty and* ***labour rights****, thereby establishing* ***fair and stable markets****.*

Germany actively contributed to the 2021 UN Food Systems Summit (UN FSS) process. With a three-day kick-off event in June 2021, the Federal Ministry of Food and Agriculture initiated a longer-term national dialogue process in Germany with in-depth discussions until summer 2022. Through this process, we aimed to ensure broad participation of all relevant stakeholders, to develop concrete and scalable proposals and to compile best practices for resilient and sustainable food systems. The dialogue process focused on topics along the entire value chain: from farmers as agents of change, true-cost-accounting and cooperative food systems to strategies for plant-based nutrition in the future. Germany has also developed a National Pathway that was presented at the UN FSS.[[1]](#footnote-1) With this document, we aimed to combine existing and current policies and strategies to establish a basis for future processes. Our key principles are established in the German Sustainable Development Strategy, which Germany has been using to pursue its goals since 2002 and which has also been oriented towards the Agenda 2030 since 2016.

The German Sustainable Development Strategy highlights the fact that in order to transform food systems, the complex interrelations and interdependencies between the way agricultural commodities are produced, processed, transported and traded, and the way food is consumed and handled, must be addressed at the same time.

Bringing our food systems into line with sustainable development goals requires multilateral, cooperative, focused and swift action, based on an approach involving society at large. In practice, this means jointly taking into account national, European and international agricultural, food, health, trade, environmental and climate policies and also implementing this approach when drawing up strategies and measures. The aim here is to safeguard a sufficient supply of a wide variety of high-quality, safe and affordable foods as well as balanced, health-promoting and adequate nutrition for all people around the globe. At the same time, we seek to guarantee the protection of natural resources and biodiversity, to ensure climate change mitigation and adaptation, to improve livestock husbandry, to promote rule-based trade taking into account sustainability aspects, to respect the rights of producers, to improve producers’ working and living conditions, to comprehensively strengthen the position of consumers, to achieve a significant reduction in food waste, and to ensure that rural areas remain attractive places for people to live and work in. In this context, strategies for the evaluation of food systems, such as the approach of considering the true costs and the true value of food, are essential.

Sustainable food systems must be equitable and inclusive and, without exception, based on a human rights approach. Safeguarding all human rights, particularly the right to adequate food, is an integral and indispensable element of sustainable development worldwide and consequently one of Germany’s key concerns.

*7. Has your Government taken or plans to take any steps towards a* ***just transition to agroecology****?*

The German government recognizes that the basic principle of agroecology has been shown to have high potential to transform agricultural and food systems worldwide. Strengthening the role of agroecology in farming practice is a central guiding principle as it represents a potential solution to the closely intertwined challenges relating to global food security, the preservation of ecosystems as a basis for life and the economy, the reduction of climate risks and GHG emissions, and the need to protect biodiversity. Correspondingly, Germany is taking a leading role in the forthcoming 10-year European research and innovation partnership entitled ‘Accelerating farming systems transition: agroecology living labs and research infrastructures’, which will seek to provide pathways to ease the implementation of agroecological farming practices at regional and local level.

The German government has been strengthening the role of organic agriculture as a very sustainable form of agriculture for many years now. In their coalition agreement for the 20th legislative term, the ruling parties agreed on the target of expanding the proportion of organically farmed land to 30% of the entire agricultural area in Germany by 2030.

To achieve this aim, the introduction and maintenance of organic farming are supported under the states’ (Länder) programmes for rural development (RDPs) with public funds from the European Union, the federal government and the Länder.

The Federal Programme for Organic Agriculture (BÖL) aims to improve the general conditions for organic farming and food production, as targeted in the National Sustainability Strategy. It supports research on production, processing and marketing, the development of new technologies and the transfer of these technologies into practice. BÖL also promotes information campaigns and advisory services on conversion to organic farming, provides training and supports competitions on organic farming and other forms of sustainable agriculture. Practical advice is provided to different target groups on demonstration farms across all regions of Germany. The research projects funded by BÖL focus on agroecology, addressing the impact of management measures on soil, biodiversity, climate, resource protection and animal health. Many projects take place in close cooperation between scientists and farmers to ensure that knowledge and results are transferred directly to agricultural practice.

BÖL has initiated various measures to support the ecological food system from farm to fork. In addition to funding research, this includes the preparation of information for different target audiences, the facilitation of networking for the various actors in the biological supply chain, and provision of support to farmers interested in practising organic agriculture.

For this reason, the federal government is presenting a concept for the post-2027 CAP on how direct payments can be appropriately replaced by rewarding climate and environmental services.

The government coalition's agricultural mission statement is formulated in the coalition agreement: "Sustainable agriculture serves the interests of farms, animal welfare and nature at the same time and is the basis of a healthy diet". This guiding principle also applies to the necessary restructuring of animal husbandry. The goal pursued in this area can be summarised well with the expression "Keeping fewer animals better" and is intended to support the animal- and environmentally-friendly transformation of animal husbandry. The transformation will be particularly successful if several independent elements are meaningfully interlinked, including support for farmers who want to make their livestock farms fit for the future.

Due to the acute problems in pig farming, this support will initially focus on this sector (sows, rearing piglets, fattening pigs). Two budget headings are envisaged, which will provide funding for investments in barn construction measures to meet higher animal welfare standards and ongoing additional costs incurred by livestock farmers as a result of meeting higher animal welfare standards. The funding is to be implemented within the framework of a federal programme by the Federal Agency for Agriculture and Food.

*8. Please provide information on any recent agrarian reforms or other policies which your Government has initiated with the aim of* ***protecting tenure rights and access to land for peasants, farmers and agricultural workers***. This also includes programs that ensure Indigenous peoples‘ free, prior and informed consent is sought for any action that would affect their lands, territories or rights.

The topic of tenure rights as well as access to land for peasants and farmers is very much in the governmental focus. Land losses, non-agricultural investors and regional land concentration characterize the market for agricultural land. This leads to a shortage of land as a resource and thus to massive price increases. It is becoming more difficult for young farmers to enter the agricultural sector. Average rental prices have increased by 61 % since 2010 to 329 euros/ha, and purchase prices have increased by over 200 % since 2005 to 29,545 euros/ha. Non-farmers own 60 % of the land. Land is the key factor for farming; however, small scale farms are increasingly losing land due to the activities of international investors on the land market or speculators on the agricultural markets. The Ministry is committed to giving priority to farmers in the land market. It also intends to improve access to agricultural land for young farmers.

The German federal states – the “Länder” - have the legislative competence for the regulation regarding the purchase and ownership of agricultural land. Some of them are working to adopt new regulations in order to guarantee active farmer’s rights to take precedence over non-farmers / non-agricultural investors, even if land owning companies acquire land by share deals. They might also add stricter anti-speculation regulations.

The BMEL supports the Länder with land market research and workshops, and coordinates the cooperation of the Länder on adopting new land market laws.

9. *Please share any other* ***general challenges and lessons learnt******from the pandemic*** *that can inform long-term solutions for tackling national and international food insecurity.*

As a lesson from the pandemic, the temporary closure of the borders had a negative impact on supply chains and food security in several ways. Both the flow of goods was affected and the free access of seasonal workers for agriculture was severely hampered by the border closure. Finally, the right to free movement of workers, which applies to citizens of EU Member States, grants access to the labour markets of other EU Member States. Agriculture and food systems need to be transformed to become more resilient to external shocks, to prevent and mitigate the consequences of pandemics and the ensuing economic downturn. This can include increasing local production and strengthening regional and local markets, diversifying supply chains, and bolstering the social safety nets so that adequate nutritious food remains accessible. Furthermore, investing in the WASH sector (water, sanitation, hygiene) has beneficial effects for the safe consumption of food and water and is relevant to the appropriate uptake of nutrients contained therein, as well as serving to prevent the spread of communicable diseases.

With the start of the Russian war of aggression against Ukraine, the food and nutrition situation, already strained by the Covid 19 pandemic, the climate and bio-diversity crises and other conflicts, deteriorated further. The issue of food security thus once again became virulent as one of the most pressing issues facing the international community. The **Global Alliance for Food Security (GAFS)** that was conjointly convened by the German G7 presidency and the World Bank proved to be an agile and effective mechanism to coordinate global efforts towards the fight against the crisis. The initiative not only succeeded in attracting substantial additional funding for food security, but also in finding quick, agile, coordinated and effective responses to the crisis situations in the most affected countries. Besides finding solutions for the immediate response to the crisis, GAFS is meanwhile also aiming to support countries most affected by the crisis in the medium and long-term transformation of agriculture and food systems towards more sustainability and resilience in order to prevent future crises.

1. https://www.unfoodsystemshub.org/docs/unfoodsystemslibraries/national-pathways/germany/2021-09-23-en-2021-09-23-draft-working-paper-national-pathway-germany.pdf?sfvrsn=e0011ab2\_1 [↑](#footnote-ref-1)