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The Corporate Capture of Food and Nutrition Governance Revisited: A Threat to Human Rights and People's Sovereignty

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The Corporate Capture of Food and Nutrition Governance Revisited: A Threat to Human Rights and People's Sovereignty¹

Flavio Luiz Schieck Valente

Social movements, civil society organizations and some governments are increasingly becoming aware of the 'corporate capture' of the international and national food and nutrition policy spaces, particularly since the food price volatility crisis of 2007/08.² This crisis, in association with other crises (stock market, financial, energy, climate change) clearly demonstrated the inability of the present hegemonic international 'free' trade economic model to guarantee the conditions necessary for national governments to fulfill their territorial and extra-territorial human rights obligations, including the right to adequate food and nutrition (HRtAFN).³ This even remained true for the richest countries in the world. Yet the establishment led by the United States (US), United Kingdom (UK), Canada and other like-minded governments, and supported by high level United Nations (UN) officials, reacted by becoming increasingly aggressive in proposing more of the same policies that had led to the crises.

In 2008 the UN Secretary General established a High-Level Task Force on the Global Food Security Crisis (HLTF)⁴ to tackle the crisis. The World Bank (WB) and the World Trade Organization (WTO), which were clearly part of the problem, were included in this Task Force. Initially excluded, the Office of the High Commissioner for Human Rights (OHCHR) could have helped elaborate a more coherent document than the Comprehensive Framework for Action (CFA).⁵ Two months later the G8 launched a parallel public-private partnership (PPP) initiative called Global Partnership for Agriculture and Food Security,⁶ with a strong participation of the corporate sector – despite that being part of the problem.

Prior to the above mentioned food crisis there were several attempts by members of the Organization for Economic Cooperation and Development (OECD) to: 1) reduce the political mandate of the UN Food and Agriculture Organization (FAO) to just providing agricultural technical assistance; 2) dismantle the Committee on World Food Security (CFS); and 3) close the UN Standing Committee on Nutrition (SCN),⁷ the UN harmonizing body of global nutrition. The push to close the latter was particularly due to its resistance to creating a private sector constituency. The OECD members

¹ This paper is a revised and updated version of Valente, Flavio Luiz Schieck Valente "The Corporate Capture of Food and Nutrition Governance: A Threat to Human Rights and People's Sovereignty" *Right to Food and Nutrition Watch* (2015): 15-22. Available at: http://www.rtfn-watch.org/fileadmin/media/rtfn-watch.org/ENGLISH/pdf/Watch_2015/RtFNWatch_EN_web.pdf

² For more information on the food crisis, please see the first edition of the *Right to Food and Nutrition Watch*, "The World Food Crisis and the Human Right to Food", from 2008. Available at: www.rtfn-watch.org/en/home/watch-2008/the-right-to-food-and-nutrition-watch-2008/.

³ Valente, Flavio Luiz Schieck and Ana María Suárez Franco. "Human Rights and the Struggle against Hunger: Laws, Institutions, and Instruments in the Fight to Realize the Right to Adequate Food." *Yale Human Rights & Development Law Journal* 13:2 (2010): 37-64.

⁴ For more information on the HLTF, please see: www.un-foodsecurity.org/structure. For a critical view, please see: FIAN International. *Time for a Human Right to Food Framework of Action*. Heidelberg: FIAN, 2008. Available at: www.fian.org/fileadmin/media/publications/Time-for-a-Human-Right-to-Food-Framework-of-Action-2008.pdf.

⁵ FIAN International. "FIAN challenges Comprehensive Framework of Action (CFA) adopted by the High Level Task Force on Global Food Crisis." *FIAN*, September 23, 2008. Available at: www.fian.org/en/news/article/detail/fian_challenges_comprehensive_framework_of_action_cfa_adopted_by_the_high_level_task_force_on_glob/.

⁶ *G8 Efforts Towards Global Food Security: G8 Experts Group on Global Food Security*. L'Aquila, Italy: 2009. Available at: www.g8italia2009.it/static/G8_Allegato/G8_Report_Global_Food_Security,2.pdf.

⁷ The UNSCN was created in 1977 as the ACC Subcommittee on Nutrition, which was then accountable to the Administrative Committee on Coordination of the UN (ACC). As a result of the UN Reform of the ACC (renamed the United Nations System Chief Executives Board, CEB), the Subcommittee continued its functions as the United Nations System Standing Committee on Nutrition (UNSCN). It reported to the CEB. More information is available at: www.unscn.org/en/mandate/.

believed that only the liberalization of international trade would guarantee food and nutrition security (FNS) with no need for global governance.⁸ The food crisis derailed some of these initiatives and reaffirmed the need for these inter-governmental bodies led FNS policy spaces. The CFS, for instance, was reformed and its mandate strengthened.⁹ The FAO's reform highlighted the need to strengthen the links between agriculture, food and nutrition.¹⁰

However, the SCN's functioning as the UN harmonizing body of global nutrition programming, reporting to ECOSOC, was severely constrained from 2006 onwards under the chairpersonship of Ann Veneman. She was also Executive Director of UNICEF at the time.¹¹ In FIAN's view, this appointment was part of a broader strategy to replace the normative, transparent, and broadly representative institutions with those easily controlled by the private sector. Veneman was at the right place and at the right time to move things in this direction. Prior to being selected by George W. Bush to lead UNICEF as its Executive Director, Veneman was one of the negotiators of the North American Free Trade Agreement (NAFTA).¹² She also worked for Calgene, the first company to register a genetically modified seed, and was secretary of the US's Department of Agriculture (USDA) under George W. Bush. Veneman presently is a member of Nestlé's Board of Directors.¹³ She also had the full support of the World Bank and the World Food Programme (WFP) – both of which have their governance, as UNICEF, defined by the US – to severely curtail SCN's working methods.

From 2008 onwards the inclusive annual SCN sessions were cancelled and the technical working groups have been dormant. In 2010 the Steering Committee, in which civil society representatives were active, was eradicated. Instead the only 'members' of the SCN are now high-level staff from four UN organizations who were to meet quarterly. However, such meetings ended after taking place only twice. In the meantime the Secretariat serves only the needs of the Scaling Up Nutrition (SUN) initiative (see below).

In 2009 the corporate capture process gained impetus from the World Economic Forum's (WEF) decision to invest in the Global Redesign Initiative (GRI).¹⁴ This built on the Global Compact¹⁵ and the experience with PPPs since 1997.¹⁶ The 600-page GRI report, launched in 2010, clearly establishes

⁸ *Supra* note 2.

⁹ CFS. *Reform of the Committee on World Food Security: Final Version*. Rome: CFS, 2009. Available at: www.fao.org/fileadmin/templates/cfs/Docs0910/ReformDoc/CFS_2009_2_Rev_2_E_K7197.pdf.

¹⁰ The FAO reform process ran from 2005 to 2012. For more details, see: FAO. *Final Management Report on Immediate Plan of Action Implementation and the FAO Reform Process*. Rome: FAO, 2013. Available at: www.fao.org/docrep/meeting/027/mg067e.pdf.

¹¹ For excellent critical pieces on the discrediting of the SCN, see: World Public Health Nutrition Association (WPHNA). *United Nations Standing Committee on Nutrition: No flowers please*. WPHNA, 2011. Available at: www.wphna.org/htdocs/2011_july_hp5_sun.htm; "Billanthropy. He's Got the Whole World in his Hands: The Gates Foundation and World Food and Health Governance." *World Nutrition* 6:6 (2015). Available at: wphna.org/worldnutrition/past-issues/.

¹² The first of a series of bilateral free trade agreements which negatively impacted the capacity of national governments to promote and protect the food and nutritional security of those inhabiting their territories. See "Tortilla Wars — Cargill and the (not so free) market." *The Mex Files*, April 15, 2007. Available at: mexfiles.net/2007/04/15/tortilla-wars-cargill-and-the-not-so-free-market/.

¹³ WPHNA. *Ann Veneman. USDA. UNICEF. SCN. Nestlé Public-private partnerships personified*. WPHNA, 2011. Available at: wphna.org/wp-content/uploads/2013/08/2011_March_Ann_Veneman_joins_Nestle.pdf.

¹⁴ WEF. *Everybody's Business: Strengthening International Cooperation in a More Interdependent World: Report of the Global Redesign Initiative*. Davos: WEF, 2010. Available at: www3.weforum.org/docs/WEF_GRI_EverybodysBusiness_Report_2010.pdf.

¹⁵ The Global Compact (GC) was an initiative created in 1999 during the WEF to strength cooperation between the UN and business enterprises. It is not a binding instrument, relying instead on voluntary engagement of the business sector, and has been vehemently criticized by social movements and civil society organizations at local and international levels. The GC in no way holds transnational corporations (TNCs) accountable for their activities' impact on human rights worldwide. For a critical approach, see the activities of Corporate Europe Observatory (corporateeurope.org/) and CorpWatch (www.corpwatch.org/), two international NGOs involved in monitoring and denouncing TNCs' threats to human rights.

¹⁶ Richter, Judith. "Public-private Partnerships and Health for All: How can WHO Safeguard Public Interests?" *GASPP Policy Brief* 5 (2004). Available at: www.ibfan.org/art/538-5.pdf.

guidelines for the corporate takeover of numerous policy areas at international and national levels. This takeover is justified by the alleged lack of capacity and competence of national states and the UN to govern and solve the existing challenges facing humankind. Nothing is mentioned in the report about the impact of structural adjustment, the totally unfair international trade conditions imposed by the US and the European Union (EU), and the active campaign by the US to reduce or avoid its core contributions to the UN.

Undoubtedly, the most advanced pilot experiment in implementing the GRI principles can be found in the area of food and nutrition with the establishment of the Global Food, Agriculture and Nutrition Redesign Initiative (GFANRI).¹⁷ According to the GRI report “the goal of the GFANRI is to guide the development of food and agriculture policy and supportive multi-stakeholder institutional arrangements that will address current and future food and nutrition requirements within the realm of environmentally sustainable development.”¹⁸ The initiative appears to combine several initiatives including the Global Alliance for Improved Nutrition (GAIN),¹⁹ the African Green Revolution Association (AGRA),²⁰ the G7 New Alliance for Food Security and Nutrition for Africa, the aforementioned UN HLTF, and the SUN initiative.²¹ The latter is the most developed of these, having 123 businesses as members.²² It emerged from a World Bank idea,²³ which was based on several initiatives by the Bill & Melinda Gates Foundation, and intensely promoted by staff of the office of the UN Secretary General. SUN argues that donors will not support nutrition as long as different ideas are publicly debated, and suggests that only issues with global consensus should be focused on. This implies technical issues and not those concerned with political (non-neoliberal) content.

SUN occupied the vacuum created by the ‘reforming’ and subsequent curtailing of SCN activities. Curiously the international organizations and funds that withdrew support, such as the WB, UNICEF and WFP, were the ones that later launched SUN. Apparently, the approval of very strict rules governing SCN’s engagement with the private sector in 2006 to prevent private sector corruption or takeover of the SCN was the last straw and the organizations withdrew support.²⁴ During the early 2000’s these actors proposed to include private sector representatives in the SCN civil society constituency; this was rejected.²⁵ Their proposal to create a fourth constituency (private sector) was also rejected by the civil society and bilateral constituencies.

¹⁷ The GRI also established the Global Agenda Councils on Food Security and on Nutrition that are mainly composed of members directly or indirectly connected to TNCs or international institutions like the WB or WTO. The Councils have for instance, representatives of Bunge, Coca-Cola, Nestlé, PepsiCo, and Unilever as their members. This illustrates the corporate capture of the food and nutrition agenda setting and governance. *Supra* note 14, p. 374.

¹⁸ *Supra* note 14, p. 367.

¹⁹ International Baby Food Action Network (IBFAN). *GAIN, a wolf in sheep’s clothing, will try once again to enter WHO’s policy setting process*. Geneva: IBFAN, 2014. Available at: ibfan.org/pr/Wolf-GAIN-PR.21.1.14.pdf.

²⁰ African Centre for Biosafety. “The True Beneficiaries of AGRA’s ‘Soil Health Program.’” *Right to Food and Nutrition Watch* (2013): 20-21. Available at: www.fian.org/fileadmin/media/publications/Watch_2013_eng_WEB_final.pdf.

²¹ For more information, see: www.unscn.org/en/sun-scaling-up/. See also article XXXX in this issue of the *Right to Food and Nutrition Watch*. See also Schuftan, Claudio and Ted Greiner. “The Scaling Up Nutrition (SUN) Initiative.” *Right to Food and Nutrition Watch* (2013): 22-23. Available at: www.rtfn-watch.org/fileadmin/media/rtfn-watch.org/ENGLISH/pdf/Watch_2013/Watch_2013_PDFs/Watch_2013_eng_WEB_final.pdf#page=22.

²² For detailed information on the business members of SUN, see: 2fe0ur3bixolclgx344dzbo3f.wpengine.netdna-cdn.com/wp-content/uploads/sites/2/2015/01/SBN-Company-Commitments1.pdf.

²³ World Bank. *Repositioning Nutrition as Central to Development. A Strategy for Large Scale Action*. Washington: World Bank, 2006. Available at: www.unhcr.org/45f6c4432.pdf.

²⁴ For more information on SCN Private Sector engagement policy, please see: www.unscn.org/en/mandate/private_sector/.

²⁵ Especially during the 31st Session that took place in New York in March, 2004. To access the Session Report, see: www.unscn.org/files/Annual_Sessions/31st_SCN_Session/31st_session_REPORT.pdf.

In 2007 the SCN Chair alleged that the ‘nutrition community’ was unable to reach consensus on the causes of malnutrition and resulting policies, and that the SCN was ineffective and needed to be reformed. The Chair proceeded to request – without a discussion with the full Steering Committee – an external evaluation of the SCN. The results of this evaluation, funded by the Gates Foundation, were briefly presented to the 2008 SCN annual plenary under protest.²⁶ These results were coincidentally in line with the recommendations of the renowned 2008 Nutrition Lancet series, also funded by Gates, which basically delinked malnutrition from its social, economic, political and cultural causes, including questions such as who produces the food, how, and for what reason.²⁷ Academics having public health or political economic perspectives were excluded from the evaluation as well as from the Lancet series. These developments helped the further ‘medicalization’ of nutrition, which presented donor agencies with simplistic, ‘magic bullet’ product-based solutions to malnutrition.

These ‘medicalization’ and product-based approaches were boosted at the 2008 SCN annual session by Doctors without Borders (MSF) demanding that the SCN stop ‘blocking’ the use of ready-to-use therapeutic foods (RUTF) to treat acute malnutrition. The SCN Technical Working Group on Human Rights, Nutrition and Ethics, and other participants opined that the SCN should propose guidelines regulating the use and particularly advertising and marketing of RUTF. The plenary debate was heated and allegations were made by MSF representatives that the SCN civil society constituency did not want to save children’s lives. Interestingly, under Veneman, UNICEF²⁸ began wholesale use of RUTF, in both the field and fundraising, and has become by far the largest purchaser.

No one, particularly conscientious social movement leaders or health professionals, would deny the enormous relevance of adequately handling acute malnutrition cases, as well as cases of moderate and mild malnutrition. The issue is how to do it in a way that provides the best treatment possible for the child, while simultaneously promoting the support needed by the family and the community to recover their capacity to adequately feed all their members. Excessive attention to food supplements (like in the case of food aid when food surpluses were ‘dumped’ on developing countries) has been shown to negatively impact on healthy eating practices and local small-scale producers.²⁹

The criticisms of the SCN civil society constituency to the multi-partner Global Action Plan for Scaling Up Nutrition (GAP),³⁰ proposed by the World Bank, went along the same lines. While SCN’s constituencies had nothing against prioritizing the first 1000 days of life of a baby, as proposed by GAP and later SUN, they simply questioned the lack of a human rights orientation of both initiatives, and their heavy emphasis on using products such as RUTF and food supplements. The companies providing these are usually based in Western Europe and Northern America.

The prioritization of the 1000 days was originally described in SCN’s 2020 Commission Report,³¹ and was clearly contextualized within a person’s life cycle and with consideration to the social, economic, political and cultural determinants of malnutrition. In the 1000 days initiative, as proposed by the World Bank,³² and later by SUN,³³ however, this perspective has been surgically removed, and it now only targets part of the problem. It does not address issues such as power relations, social exclusion, exploitation, poverty, discrimination, low pay, land grabbing, genetically modified organisms

²⁶ At the time, only a document of one a half page was submitted to members of the SCN, informing about the implementation of an internal reform of the committee. The document stressed the necessity to “bring private sector representatives into all levels of the structure of new SCN.” (Virtual document).

²⁷ For more information, please see: Schuftan, Claudio and Radha Holla. “Two Contemporary Challenges: Corporate Control over Food and Nutrition and the Absence of a Focus on the Social Determinants of Nutrition.” *Right to Food and Nutrition Watch* (2012): 24-30. Available at: www.rtfn-watch.org/fileadmin/media/rtfn-watch.org/ENGLISH/pdf/Watch_2012/R_t_F_a_N_Watch_2012_eng_web_rz.pdf#page=24.

²⁸ *Supra* note 13.

²⁹ Kripke, Gawain. *Food aid or hidden dumping? Separating wheat from chaff*. Oxford: Oxfam, 2005. Available at: www.oxfam.org/sites/www.oxfam.org/files/bp71_food_aid.pdf.

³⁰ Susan Horton *et al.*, *Scaling up Nutrition: What Will It Cost?* Washington: The World Bank, 2010.

³¹ Report available at: www.unscn.org/en/publications/2020_commission_report/.

³² *Supra* note 23.

³³ For more information, see: www.thousanddays.org/partnerships/scaling-up-nutrition-info/.

(GMOs), the agro-industrial model as a whole, child marriage, rape and other forms of violence against women, abusive marketing of food products, and child labor, all of which can cause all forms of malnutrition and hunger.³⁴

The destruction of SCN's original functioning,³⁵ and the establishment of SUN, did not change the fact that the social, economic, political and cultural causes of malnutrition remain unaddressed. It also fails to address the differences within the nutrition community regarding, *inter alia*, the definition of priorities and the planning of policies and programs to address malnutrition. In reality, this development has masked the differences existing between conceptual frameworks, world views, and policy proposals by suppressing debate and devaluing the views of a significant proportion of the nutrition community. It presents governments with an imaginary consensus on the way to solve malnutrition that emphasizes the role of the private sector and the need to include it in policy formulation. Effective and efficient policy options cannot be made, much less put in place, when an untested neoliberal approach is the only one allowed to be aired in public.

In response to criticism from the human rights community, SUN Business Network uses human rights language, like in the UN Global Compact. For example, Principle 1 stipulates that “businesses should support and respect the protection of internationally proclaimed human rights”; similarly, Principle 2 requires business to “make sure that they are not complicit in human rights abuses.”³⁶ In essence, however, the corporations are trying to capture the human rights agenda to make it serve their interests, i.e., ‘privatizing’ them. In this regard it is worth noting that the members of the SUN Business Network include large food and beverage corporations that have been accused of human rights abuses, in clear violation of these principles.³⁷

Historically, people's struggle against abuses of power by the ‘sovereign’³⁸ led to the creation of human rights principles and standards for all and not just the elite. Examples include the signing of the *Magna Carta*, and the American and French Revolutions. They are part and parcel of the shift to people's sovereignty that legitimizes the governing role of national states, and indirectly the UN, as an expression of peoples' will. People's sovereignty is the source of states' obligations to respect, protect, and fulfill (promote, facilitate, and provide) all human rights, and to recognize their indivisibility and interdependence. This clearly includes the obligation of states to prevent human rights abuses through regulation and to hold those responsible accountable at national and international level – be they petty criminals or large corporations.

³⁴ Valente Schieck, Flavio Luiz, Ana María Suarez Franco and Rita Denisse Córdova Montes. “Closing Protection Gaps Through a More Comprehensive Conceptual Framework for the Human Right to Adequate Food and Nutrition.” In *Gender, Nutrition and the Human Right to Adequate Food: Towards an Inclusive Framework*, edited by Anne C. Bellows, Flavio L. Valente Schieck, Stefanie Lemke and Daniela Núñez. New York: Taylor & Francis/Routledge, forthcoming.

³⁵ The SCN was reformed in the late 1990's. In its reformed format, which lasted until 2008, the SCN effectively had three constituencies: UN agencies, governmental representatives (bilateral donors and recipients) and civil society. The steering committee, the technical working groups and the plenary meetings in the annual sessions reflected this composition. In 2008, UNICEF announced that it would no longer support the SCN secretariat, and the annual sessions were cancelled and working groups deactivated. For information about the last broadly participative SCN annual session, in 2008, please see:

www.unscn.org/files/Annual_Sessions/35th_SCN_Session/Report_35th_session.pdf.

³⁶ The principles of the Global Compact are available at:

www.unglobalcompact.org/AboutTheGC/TheTenPrinciples/index.html.

³⁷ “Blood sugar: Made in Cambodia.” *The Phnom Penh Post*, April 2, 2014. Available at:

www.phnompenhpost.com/analysis-and-op-ed/blood-sugar-made-cambodia. See also: Saage-Maaß, Miriam. *Holding Companies Accountable – Lessons from Transnational Human Rights Litigation*. Aachen/Berlin: ECCHR, MISEREOR, Brot für die Welt, 2014. Available at:

www.ecchr.eu/en/documents/publications.html?file=tl_files/Dokumente/Publikationen/Booklet_HoldingCompaniesAccountable.pdf.

³⁸ The refers here to the sovereign of the middle ages as in: “Bodin argued that for a government to be strong, it must be perceived as legitimate, and to be legitimate it must follow certain rules of ‘justice and reason’ comprehensible through the divine law. Essentially however, **the power of a sovereign is for him the ability to create laws and break them according to one's will**” in: J. Bodin, *Six Books of the Commonwealth* (Oxford, 1955)

The ongoing corporate capture of nutrition threatens the achievement of food sovereignty and the full emancipation of women. The corporate capture of nutrition brings with it industrialized food supplements, nutrient pills and powders, and other means of food fortification that do not serve public health goals. While GMO crops like Golden Rice claim to solve global malnutrition problems, they are actually a stunt to silence critics. Meanwhile, the efforts of the food sovereignty movement to treat food and nutrition as inseparable entities, and link food, health and nutrition with the health of the planet have no place in SUN or other corporate captured agendas. This takes us further away from the establishment of collectively managed, socially, economically and environmentally sustainable local and regional food systems based on agro-ecological principles that are capable of producing and offering a diversified, safe and healthy diet to all in line with their cultural and religious practices. This would help guarantee that all human beings can reach their full human potential.³⁹

The corporate capture of nutrition strengthens the instrumentalization of women's role as mothers and providers of food and nutrition to their families in the name of 'empowering' women.⁴⁰ In reality this pushes women further away from real emancipation. To prevent this, emphasis must be placed on the complete fulfillment of human rights throughout the life cycle of women on an equal footing with men and independent of their role as mothers. They must be guaranteed the right to make their own decisions, gender equality, study, work, receive equal pay, have access and control over land, choose their partners and decide whether and when they want to become mothers and breastfeed.

This form of corporate capture, therefore, represents a 'life grab'.

Clear further signs of this threat were observed during the preparatory and follow-up processes to the Second International Conference on Nutrition (ICN2), held in Rome in November 2014, including the leaking of an internal UN memo in which UN agency heads request the formal closing of the SCN, without a formal consultation to the ECOSOC, in anticipation of the launch of a UN Nutrition SUN Network Secretariat to be hosted by WFP⁴¹. Civil society, in its declaration clearly proposed that the CFS should be the overarching intergovernmental policy space to harmonize and coordinate food and nutrition policies. They also suggested that the WHO and FAO intergovernmental governing bodies should coordinate the normalization, regulatory and standards setting initiatives for food and nutrition. Civil society further stipulated that an SCN-like body should facilitate the global and national harmonization of food and nutrition policies and programs; discuss, analyze and propose normalization of new initiatives and report to the intergovernmental bodies of WHO, FAO, CFS and UN General Assembly (UNGA). These bodies must all act in accordance with the human rights framework, and follow strict procedures to prevent and redress conflicts of interest.

In early 2015, different close allies of SUN attempted to increase the visibility and role of SUN in the CFS, and in the overall structure of the UN, including through the confirmation of the Secretariat of the UN SUN Nutrition network in WFP. Gates Foundation also made incursions in the CFS process.⁴²

³⁹ For more articles on food sovereignty, please see: Claeys, Priscilla. "From Food Sovereignty to Peasants' Rights: An Overview of Via Campesina's Struggle for New Human Rights." In *La Via Campesina's Open Book: Celebrating 20 Years of Struggle and Hope*. Jakarta: La Via Campesina, 2013; Fairbairn, Madeleine. "Framing Resistance: International Food Regimes and the Roots of Food Sovereignty." In *Food Sovereignty: Reconnecting Food, Nature & Community*, edited by Hannah Wittman, Annette Desmarais, and Nettie Wiebe, 15-32. Halifax: Fernwood Publishing, 2010; Windfuhr, Michael and Jennie Jonsén. *Food Sovereignty: Towards Democracy in Localized Food Systems*. Warwickshire: ITDG Publishing and FIAN, 2005.

⁴⁰ For a detailed description of the instrumentalization of women by traditional food security policies and the food sovereignty framework for the human right to adequate food and nutrition, please see: Anne C. Bellows et al., *Gender, Nutrition and the Human Right to Adequate Food: Towards an Inclusive Framework*. New York: Taylor & Francis/Routledge, 2015. See also Córdova Montes, Denisse and Flavio Luiz Schieck Valente. "Interdependent and Indivisible: The Right to Adequate Food and Nutrition and Women's Sexual and Reproductive Rights." *Right to Food and Nutrition Watch* (2014): 32-33. Available at: www.rtfn-watch.org/fileadmin/media/rtfn-watch.org/ENGLISH/pdf/Watch_2014/Watch_2014_PDFs/R_t_F_a_N_Watch_2014_eng.pdf#page=32.

⁴¹ More information in: <https://www.devex.com/news/a-new-un-body-to-combat-global-malnutrition-84545>

⁴² In 2014, Bill & Melinda Gates Foundation provided a grant of USD 745,473 to the Secretariat of the CFS to support the discussion of Food and Nutrition Governance. For more information, see: www.gatesfoundation.org/How-We-Work/Quick-Links/Grants-Database/Grants/2014/06/OPP1103948. The

At the time of revision of this piece, a few months down the road, the outcome was still unclear, but new moves in the same direction were clear.

Just citing a few, there were several unsuccessful attempts by the Private Sector Mechanism of the CFS⁴³, in 2015 to increase their representation in the advisory group to the CFS bureau from 1 to four members. The outgoing chair of the CFS openly acknowledged and thanked, in her farewell speech, in CFS 2015, the financial support of the Bill Gates Foundation to her personal secretariat, raising a new source of concern about conflict of interest in the CFS. Civil society organizations raised concern about the profile of some of the new members of the High Level Panel of Experts for the CFS steering committee, in particular in the field of nutrition⁴⁴. Civil society reaffirmed the need for rigorous conflict of interest procedures to be established to guarantee coherence with CFS public interest vision and mission. Finally, meanwhile the SCN secretariat has, from January 2015 been transferred from WHO to FAO headquarters, and runs the risk of losing even further autonomy and standing.⁴⁵ In parallel, the UN Secretary General announced that he, in January 2015 would nominate a new coordinator of the SUN Movement, who will hold a UN Assistant Secretary General post⁴⁶.

All of this confirms the trend proposed by the WEF of progressively transferring governance of “conflicted policy areas” from multilateral intergovernmental UN spaces to multistakeholder spaces, strongly influenced, when not led by private corporate sector agenda and interests. This is done with the exclusion of those who do not agree, and bypassing legitimately existing one country one vote intergovernmental food and nutrition policy spaces, such as the CFS, WHO and FAO. Previously, the entry point was clearly to establish the G8 Global Partnership for Food Security⁴⁷, supported by the UN HLTF as the multistakeholder governance instance for food security. This was preempted by the successful reform of the CFS. Now the entry point seems to be Nutrition, based on the apparent success of SUN to gather support from the private sector and sectors of civil society, strongly associated with the predatory G7 New Alliance for Food Security and Nutrition for Africa⁴⁸, and with a strategy of either transforming the CFS in a multistakeholder governance forum – therefore losing its intergovernmental nature- or reducing its mandate to a niche, such as of food systems. These assumptions are fully confirmed by the final decisions of the G7 2015, which set its priorities for the world’s food security and nutrition: more multistakeholder governance and more security for private investors⁴⁹.

For all these reasons and taking into account the need to face this corporate capture of the food and nutrition policy space, and of the right to food, FIAN International, the social movements and civil society organizations that constitute the Global Network for the Right to Food and Nutrition

draft document *CFS and its role advancing Nutrition* (CFS, BurAG2015/02/02/03), presented in February 2015 to the CFS Bureau focuses, to a large extent, on how the CFS could strengthen SUN, a PPP supported by the same foundation. Available at:

[www.csm4cfs.org/files/News/216/cfs_bur_ag_2015_03_02_03_cfs_and_its_role_advancing_nutrition_\(1\).pdf](http://www.csm4cfs.org/files/News/216/cfs_bur_ag_2015_03_02_03_cfs_and_its_role_advancing_nutrition_(1).pdf).

⁴³ The PSM for the CFS is the mechanism, recognized by the CFS, that facilitates the participation of private sector representatives in CFS proceedings. They have one representative in the Advisory Group to the CFS Bureau. For more info, see: <http://www.agrifood.net/private-sector-mechanism>

⁴⁴ To learn more about the profile of the HLPE for the CFS read: <http://www.fao.org/cfs/cfs-hlpe/hlpe-steering-committee/en/>

⁴⁵ Formerly, the SCN secretariat was coordinated by a senior Technical Secretary, allotted with a D1 position, i.e., post equivalent to that of the heads of nutrition divisions of all UN agencies, programs and funds. The former secretary, despite being a WHO employee, reported exclusively to the Chair of SCN. The new secretary has a P5 position and will have to report to the FAO Nutrition Division Head, substantially reducing her autonomy and inter agency standing. This fact also reduces significantly her summoning capacity in face of the nutrition heads of other agencies.

⁴⁶ See: <http://scalingupnutrition.org/news/recruitment-of-a-new-sun-movement-coordinator-begins#.VpFrFfnhDGg>

⁴⁷ See: http://www.g8italia2009.it/static/G8_Allegato/G8_Report_Global_Food_Security.2.pdf

⁴⁸ For more information see:

http://www.fian.org/fileadmin/media/publications/2014_G8NewAlliance_screen.pdf

⁴⁹ See: http://www.bmz.de/g7/includes/Downloadarchiv/G7_Annex_Food_Security1.pdf

(GNRFN)⁵⁰ have interpreted the right to adequate food and nutrition as embedding the full realization of women's human rights and the indivisibility of all human rights, within the framework of food sovereignty. This revised conceptual framework of the right to adequate food reaffirms the ownership of human rights by the peoples. It is in full accordance with the Universal Declaration of Human Rights and includes all the present demands of the food sovereignty movement. It is also a useful analytical tool to bring together national, regional and global social struggles capable of creating another world based on gender equality, equity, justice, non-discrimination, human dignity, and participatory democracy to put an end to all forms of exploitation.

The peoples of the world must call on states to reject corporate capture and reaffirm peoples' sovereignty and human rights as a fundamental step to addressing all forms of inequity, oppression and discrimination, and to democratize national and global societies. Peoples must hold their governments, and through them the inter-governmental spaces, accountable for the implementation of their national and extra-territorial human rights obligations. Given this we emphasize that states must:

1. Recognize people's sovereignty and food sovereignty as the source of the legitimacy of the mandate given to the state.
2. Recognize that ensuring human rights is part and parcel of the mandate given by the people to the state, and that they must hold themselves accountable for the implementation of their obligations to respect, protect and fulfill human rights, and recognize their indivisibility, interrelatedness and universality.
3. Recognize that the global and national governance of food and nutrition policy spaces must be under the exclusive responsibility of national states, and regulated by stringent conflict of interests procedures, in line with states' human rights obligations.
4. Recognize that human families, communities and peoples are diverse and complex entities, and that they must therefore, respect, protect and fulfill the human rights of each individual member, while respecting and promoting diversity.
5. Recognize that food and nutrition, and the realization of the right to adequate food and nutrition, are intimately intertwined with all human rights, human activities and policy areas, and that they must be dealt with by taking a holistic, multi-sectorial and participatory approach.
6. Recognize that private corporate entities are neither rights holders nor duty bearers. They must be considered in global and national processes as powerful third parties with strong private interests.
7. Regulate at national and international level all corporate sector initiatives that hamper or abuse the enjoyment of human rights, ensure the timely accountability of and punishment of those responsible, ensure redress for damages and prevent repetition.

⁵⁰ See the *Global Network for the Right to food and Nutrition Charter*. Geneva/Vienna: GNRtFN, 2013. Available at: www.fian.org/fileadmin/media/publications/GNRtFN_-_Formatted_Charter.pdf.

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