

FINAL POLITICAL STATEMENT FOR THE TRANSFORMATION TOWARDS SUSTAINABLE FOOD SYSTEMS

ECVC / FIAN / Your organisation welcomes the European Commission's commitment to propose an horizontal framework law aiming at transforming food systems into a sustainable path. Such a level of EU intervention is critical and urgently needed in the context of a third world food crisis. As we were still recovering from the impacts of COVID, the Russian invasion of Ukraine has revealed more evidence on the vulnerabilities of the current food production and distribution model. The war outbreak added another layer to a long-standing structural crisis¹ explained by rigidities in food production patterns, import dependencies and commodity speculation. The Ukrainian war has widened the crack in the wall and made more evident the unsustainability of current food systems this law must address.

1) FIRST STATEMENT. How do we frame the problem? A political economy analysis enabling a just and fair SFS transition

We applaud the initiative of the Commission to elevate food systems reform at the level of the European Union framed under the Farm to Fork Strategy. Nevertheless we regret that sufficient attention has not been paid to structural political economic challenges² facing food systems today and to the set of coordinated interventions that are needed in order to address them³. We consider that overcoming these challenges must set the level of ambition of the law defining the objectives and scope of the upcoming regulatory framework.

The public consultation over-emphasizes the “consumer choice” approach with the idea that awareness rising based on information availability will boost behavioural change and contribute to improve the food system. At the time we believe that this may risk creating a false illusion of transformation without addressing real causes of unsustainable, unhealthy and unfair food systems that result from the globalized, corporate-controlled food production and distribution model.

A consumers-based theory of change reduces the problem framing of unsustainability to market failures and trade-offs while unchecking how world food systems reproduce inequalities and reinforce economic and political power

¹ IPES-Food (2022). Another perfect storm? How the failure to reform food systems has allowed the war in Ukraine to spark a third global food price crisis in 15 years, and what can be done to prevent the next one.

² McMichael, Philip (1994). “Global Restructuring: Some Lines of Inquiry.” In *The Global Restructuring of Agro-Food Systems*, edited by Philip McMichael, 277–300. Cornell University Press,

³ Springmann, Marco, Keith Wiebe, Daniel Mason-D'Croz, Timothy B. Sulser, Mike Rayner, and Peter Scarborough. "Health and nutritional aspects of sustainable diet strategies and their association with environmental impacts: a global modelling analysis with country-level detail." *The Lancet Planetary Health* 2, no. 10 (2018): e451-e461.

that constrain the transition towards the sustainability path. In the consultation, consumption of food as a commodity becomes part of the solution and not part of the problem.

Understanding food as part of a socio-ecological system provides a snapshot on what works and what does not work in the process of producing, processing, transporting and consuming. But also on the shortcomings of social policies and public interventions.

For the new EU legislation to achieve the needed change it must put at its core the interconnections between natural resource extraction and ecological destruction, commodification, financialisation, social inequalities, exclusion and exploitation hampering real change⁴. In this respect, it is crucial this framework law promotes the realisation of a land tenure directive in Europe relying on their commitments to the VGGT implementation⁵. It is a key aspect of the sustainability of small scale food production across generations, which has proved to be the most resilient and effective to provide good quality food in a coherent territory⁶.

In order to clearly define the scope and objectives of the coming legislation to effectively reach the targets it is set for, it is crucial to address questions of who produces what? Who consumes what? How food is produced/processed/retailed/distributed/consumed and under what conditions? Who is benefitting from what? And how do they relate to each other?

2) SECOND STATEMENT. SFS law must distinguish public from private interest of actors involved and set obligations and responsibilities accordingly

A second concern that stems from the SFS Public consultation is the interchangeably treatment it offers to different public and private actors involved in the food systems. We want to underscore the need that the SFS legislation clearly distinguishes roles and objectives within food systems. And accordingly it should ensure appropriate obligations and responsibilities⁷.

Public interest in achieving food security, the right to food and ecologically regenerative food systems should be clearly discerned from private interest. Shareholder-driven actors must focus primarily on productivity and economic

⁴ See FIAN (2022). War in Ukraine: Recurring Food Crises expose systemic Fragility. Available at [https://www.fian.org/files/files/Ukraine_Report_fin\(1\).pdf](https://www.fian.org/files/files/Ukraine_Report_fin(1).pdf)

⁵ see European Economic and Social Committee's opinion on Land grabbing in Europe/family farming. Available at <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/land-grabbing-europefamily-farming>

⁶ van der Ploeg, Jan Douwe. Family farming in Europe and Central Asia: history, characteristics, threats and potentials. No. 153. Working paper, 2016.

⁷ see FIAN (2021). The UN Food Systems Summit: obstructing the transformation of corporate food systems. Available at https://www.fian.org/files/files/Policy_Brief-FINALo.pdf

growth. And by doing so, they inevitably disregard the multi-functionality of food, which is largely related to public purpose objectives and obligations.

The future legislation should recognize that social and environmental sustainability is closely linked to social and economic justices of current food systems. Large financial benefits from food production, processing and (mis) distribution have been obtained as a result of ecosystem destruction, greenhouse emissions, natural resources grabbing, precarious livelihoods, exploitative working conditions, unfair prices for farmers and health problems.

The SFS law must ensure Member States, as duty bearers, in protecting, fulfilling and respecting public interest and adopting corporate accountability frameworks that regulate business activities and hold them liable for wrong-doing, guaranteeing remedy for victims. It should provide provisions for implementing safeguards and protect against conflict of interest resulting from undue influence of the corporate sector. The upcoming regulatory framework should also consider transparency mechanisms through which Member States can be held accountable by right-holders for decisions they take in relation to food systems.

3) THIRD STATEMENT. The EU should build food systems based on the notion of food as a human right and put at the core of them the rights of peasants and rural workers.

The EU is failing in this consultation to address the public dimension of food systems and recognise the multiple objectives they serve within all the domains of sustainable development, climate change adaptation and mitigation. Food systems should be steered to link well-being of the planet with well-being of the people through the recognition and fulfilment of the human right to adequate food and nutrition⁸.

Food systems approach that considers food as a human right instead of a commodity is based on an understanding of food as a human life enabler, connected to local ecological conditions, cultures and knowledge and governed relying on multiple perspectives and values. And its transformation into the sustainable path must contribute to the realisation of human rights overall, provided their indivisibility and interrelatedness.

This requires systemic rather than sectoral shifts, and policy coherence across the system from access to seeds to finished products that are healthy for consumers and respectful for ecological processes. In that sense, the right to food enshrined in food systems need to be read together with the Rights of Peasants and other People Working in Rural Areas (UNDROP), womens' rights, the ILO conventions and the broad framework of legal obligations enshrined in international conventions ratified by the European Union.

⁸ See CSM vision document on food systems and nutrition (2021) . Available at <https://www.csm4cfs.org/wp-content/uploads/2021/04/EN-vision-VGFSyN.pdf>

The interdependence and mandatory nature of human rights require the EU and Member States to holistically consider the fulfillment of their obligations via the holistic definition and regulation of regional and national economies, trade, finance and investment policies. Moreover, given that agriculture and fishing are the starting point of most food chains, the key objectives of the SFS law need to be embedded in the agricultural and fishery policy for a meaningful delivery on the ground. In that regard, the CAP should be aligned with the SFS law as well as other policy domains such as health, climate and environment, finance, development, trade, investment, international development, social protection and research.

Therefore, the right-based approach provides a prescriptive framework through State obligations in protecting public interest that brings together various public policy sectors in a harmonized way. It provides a set of indicators that facilitate monitoring of success in public policy-making and introduce an accountability dimension. As a result, EU and Member States resources mobilized to food systems reform will have lasting impacts if they come from commitments that beneficiaries can claim for.

4) FOURTH STATEMENT. How should the sustainable transformation be triggered? A people-centred approach for an effective transition

While we agree with the Commission that a *“shift to a sustainable food system can bring environmental, health and social benefits, offer economic gains and ensure that the recovery from the crisis puts us onto a sustainable path⁹”*, we remain critical of the means proposed by this public consultation to achieve that common objective.

The questions have been formulated in a way that rather than focusing on people as right-bearers, it frames actors in terms of their economic potential and activity. Multiple-choice options provided in the questionnaire search solutions for food system reform in market-led mechanisms without recognizing the limits that this theory of change has already demonstrated so far. This approach may perpetuate current injustices and health problems, where access to adequate food depends on purchasing power. At the same time, it seems incapable of delivering change at the pace and speed that the SDGs and the Paris Agreement require.

The consultation treats people as consumers or producers, without accounting for people’s agency and opportunities to act in the political terrain to improve social and ecological well-being. On the contrary, the idea of agency gives the opportunity to capture the multi-dimensional and dynamic interpretations of sustainable food systems across different socio-ecological contexts in Europe. It

⁹ See the Inception IAA of the current SFS initiative. Available at https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13174-Sustainable-EU-food-system-new-initiative_en

avoids adopting a single framing to advance in the solution and recognize plurality of visions of democratic societies. It also acknowledges the people's right to organize themselves in order to meaningfully participate in the decision affecting their own food systems. In turn, the EU and its Member States have to respect, protect and fulfil everyone's rights.

We encourage the EU to move towards an integrated perspective that addresses the democratic deficit in food systems. EU must put EU citizens¹⁰, and particularly those most affected, at the center of their proposed transformation. The EU must listen to their rightful demands by ensuring public and participatory governance mechanisms and connect them at multiple levels, from local to national and European level. This will bring together all segments of food systems and overcome the dichotomy consumer/producer understanding. It will allow advancing in a critical reflection of the multiplicity objectives the food systems serve to and ensure cross-sectoral collaboration.

We endorse the creation of Food Policy Councils¹¹ at different scales that involve food systems actors from initial design of policy-making up to implementation and monitoring. New mechanisms for coordination and practice sharing in a cross-scale should inform policy-makers at European level of local and territorial initiatives fostering food system innovation. For that purpose, the EU should guarantee funding modalities that prioritize bottom-up approaches and place the locus of decision for policy planning and strategy centred on and scaled to local level.

5) FIFTH STATEMENT. Strong social and environmental sustainability for Sustainable Food Systems

If the future SFS framework will guide food systems change towards sustainability, a consensus around its definition and its indicators need to be agreed upon. This agreement should be built together with the actors involved in food systems, with particular attention to those most affected by its current functioning.

The formulation of the SFS law necessitates creating the space and conditions for political dialogue among actors to reach a compromise on what sustainable food systems means and how to assess them. It should rely on a strong understanding that sustainability has both a social and environmental component and that the two pillars cannot be detached from each other. Furthermore, sustainability

¹⁰ Here the concept of food citizenship is of particular interest to the political agency of consumers in food systems governance. See Reid, Ysaline, François Denis, Xhesila Hatia, and Farave Tizhe (2021). "Right to Food Assessment of the Main EU Food Laws and Policies." Available at SSRN 4058466 .

¹¹ De Schutter, Olivier, Nick Jacobs, and Chantal Clément (2020). "A 'Common Food Policy' for Europe: How governance reforms can spark a shift to healthy diets and sustainable food systems." Food Policy 96 : 101849.

cannot be dissociated from SDG 11 on not leaving anyone behind and to the principles contained in the European Fundamental Charter.

Yet, SFS Public consultation draws throughout the questionnaire from weak interpretation¹² of the term “sustainability” in environmental economics. Weak sustainability means that development can be achieved by substituting environmental assets by infrastructure, labour or knowledge according to utility patterns. Or internalizing externalities by means of carbon capture and biodiversity offsetting, rather than committing to reducing the overall footprint.

This interpretation promotes sustainability standards or eco-labels that are centred on ethical buying of agricultural products and certification. Instead, we support a version of strong sustainability that considers ecosystems and natural resources as irreplaceable and closely intertwined with socio-cultural patterns, because they provide unique and essential life-support for present and future generations. And in doing so, recognizing the role of agroecology and farmers practising it in ensuring the conditions for the regeneration of biological and other natural cycles according to ecosystem carrying capacities.

To promote social and environmental regeneration, the SFS law should provide ground for upholding the 13 agroecological principles¹³ defined by the High Level Panel of Experts on Food Security and Nutrition to guide the transformation of our food systems. It must therefore guarantee Just Transition funds for territorial markets, short supply chains, fair/ethical trade and capacity building to transition to agroecology. Accordingly the technological paradigm should be guided by social, organizational, process-based innovation and driven by participatory action-research.

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¹² Dietz, Simon, and Eric Neumayer (2007). Weak and strong sustainability in the SEEA: Concepts and measurement. *Ecological economics* 61, no. 4 617-626.

¹³ HLPE (2019). Agroecological and other innovative approaches for sustainable agriculture and food systems that enhance food security and nutrition. A report by the High Level Panel of Experts on Food Security and Nutrition of the Committee on World Food Security, Rome.