



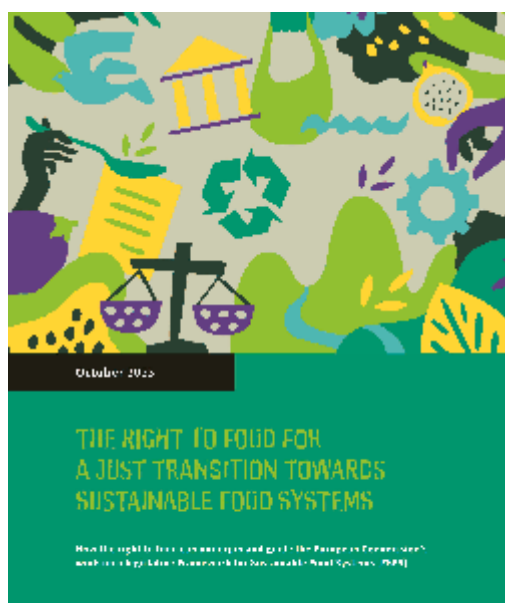
Publication

# The Right to Food for a Just Transition Towards Sustainable Food Systems

How the right to food can underpin and guide the European Commission's work on a legislative Framework for Sustainable Food Systems (FSFS)

dimanche 15 octobre 2023

**Octobre 2023 - Placing the right to food at the centre of the European legislative framework for sustainable food systems (FSFS) would establish new foundations for European law related to food systems and enable the necessary systemic and structural changes for their sustainability. This report, commissioned by FIAN Belgium and prepared by a collective of European legal experts, provides scientific expertise to ongoing discussions on the FSFS.**



[Cette étude est également disponible en français](#)

As a legislative framework, the FSFS offers an opportunity to adopt an ambitious Euro-pean instrument. This report demonstrates that the right to food provides a solid foundation for guiding the transition of food systems and presents concrete recommendations for integrating the normative content of the right to food into the FSFS.

The right to food offers a solid and clear framework for the transition to sustainable food systems because it :

- is based on a binding legal framework that requires subordinating all branches of law and sectoral policies related to food systems to the requirements of its content and implementation ;
- calls for a just transition towards sustainable food systems by placing the requirements of food availability, accessibility, sustainability and adequacy at the centre of the approach ;
- pays particular attention to addressing inequalities or exclusions within all aspects of food systems ;
- provides a cross-cutting, comprehensive and coherent perspective on all policies related to food systems at all territorial levels, based on a clearly identified objective ;
- establishes clear accountability mechanisms for public and private actors in all sectors of food systems, relying on the obligations of states derived from international human rights treaties ;
- is built upon principles rooted in human rights (participation, accountability, non-discrimination, transparency, human dignity, empowerment, rule of law, solidarity) that can guide modes of governance, policy strategies, and monitoring and evaluation mechanisms, and are applicable at all territorial levels.

Therefore, the report calls on the Commission to base its work on this fundamental right and recommends that the following aspects be considered for the drafting of the FSFS :

- **Initial considerations of the legislation** : clearly and forcefully position the right to food to ensure its normative content is recognised as the guiding foundation for all provisions of the FSFS.
- **Objectives, definitions and principles** : base the drafting of these sections on the content of the right to food and on human rights principles to translate the requirements for structural transformations that they entail.
- **Governance mechanisms** : include mechanisms that meet the requirements of a rights-based approach, both in substance and form, prevent power asymmetries in multi-stakeholder processes, and implement measures to avoid conflicts of interest. The Commission could establish a European Food Policy Council to strengthen cooperation and dialogue among various stakeholders transparently, drawing on the recommendations of iPES Food to develop innovative governance processes.
- **Implementation provisions of the FSFS** : include accountability mechanisms and monitoring and control mechanisms that align with the requirements of the right to food framework. Set up specific institutions responsible for assessing progress and independent recourse mechanisms. Pay careful attention to formulating indicators of expected impact and change to reflect all the requirements of the right to food and human rights principles (beyond technical indicators primarily based on environmental considerations).
- **Provisions relating to favourable food environments** : ensure that their drafting clarifies the scope of the FSFS and justifies the importance of adopting mandatory and binding measures for states. Highlight the extent of public action domains falling under the FSFS's scope and address the structural causes of inequalities in access to sustainable food.
- **Policy measures to strengthen the sustainability of European food systems** : do not limit the content of the FSFS to the measures previously considered by the Commission (minimum sustainability criteria, consumer information labels, and public procurement with regard to sustainability issues). Provide for a review of all legislations and sectoral policies

that impact food systems based on the requirements set forth in the horizontal elements of the FSFS. For the three policy measures considered thus far, arbitrate between the different options regarding their content and scope, considering the requirements of the right to food and principles of a rights-based approach. Apply the same decision-making process to all other policy measures falling within the scope of the FSFS.

While the European Union and its member states recognise the essential role they can play in setting standards and a framework for a necessary, just transition towards sustainable food systems, they also have an essential role to play in defending the need for an approach based on the right to food to ensure this transition takes place.

**Citation** : RAMEL, Magalí, coord. in collaboration with Luc BODIGUEL, Pierre-Etienne BOUILLLOT, Priscilla CLAEYS, Tomaso FERRANDO, Christophe GOLAY, Elisabeth LAMBERT and Fabrice RIEM. *The Right to Food for a Just Transition Towards Sustainable Food Systems : How the right to food can underpin and guide the European Commission's work on a legislative Framework for Sustainable Food Systems (FSFS)*. Brussels, Belgium. FIAN, 2023.