

Strengthening Governance of the United Nations Food Systems Summit (UNFSS)

To: António Guterres, United Nations Secretary General; Amina Mohammed, UN Deputy Secretary-General; Agnes Kalibata, Special Envoy for the UNFSS; and Martin Frick, Deputy to the Special Envoy for the UNFSS

CC: UNFSS Action Track Chairs (Lawrence Haddad, Gunhild Stordalen, Joao Campari, Christine Campeau, Sandrine Dixson-Decleve, and Saleemul Huq); Ruth Richardson, UNFSS Chair of the Champions Network

Date: July, 2021

From: The Ad Hoc Committee on UNFSS Governance and signatories (See the full list in Appendix A)

The UN Food Systems Summit was conceived as an opportunity for stakeholders from multiple constituencies to contribute to the aim of equitable, healthy and sustainable food systems for the future. To date a wide range of activities has been held under the auspices of Summit preparation, but the governance and structures of the Summit itself have also received criticism from a number of internal and external organizations and individuals, many of them with extensive experience, involvement and knowledge of UN processes. The aim of this letter is to offer, with respect to the huge amount of work that has been achieved by the Summit leadership, positive suggestions to strengthen the governance of the UNFSS that will help assuage emergent criticisms, and thus also ensure the Summit's impact. Given that the UNFSS is intended to establish a model for the inclusivity of future UN Summits, it is essential that the process by which Summit solutions are derived and decisions are made is seen as legitimate by multiple constituencies and Member States.

Members of the Ad-Hoc Committee on UN Food System Summit (UNFSS) Governance have engaged in UNFSS preparations and have experience in UN and other international decision-making fora. We include UNFSS Action Track members, representatives of academia, non-governmental organizations, and colleagues based in international agencies. Having met several times, reviewed publicly available UNFSS documents, sought expert input, and solicited broader perspectives through an Independent Dialogue and crowdsourcing survey (See more details in Appendix B), we have reached the view that the UNFSS decision-making process has yet to implement adequate transparency and accountability principles in line with best practice followed in other UN processes.

We draw on these well-established principles of engagement to outline key issues and proposed actions.

ISSUE 1: AMBIGUITY AND OMISSIONS IN SUMMIT PRINCIPLES

The UNFSS [Principles of Engagement](#) are presented as advancing the vision of an equitable, sustainable and healthy future and a prerequisite for participation in Summit Dialogues. However, despite the Summit commitment to inclusive processes, the Principles themselves were not subject to comment and agreement from multiple constituencies, even though other international summits have set a positive precedent.¹ In failing to draw on precedent and without having been developed via a transparent and participatory process, the Principles themselves are ambiguous and open to multiple interpretations by different constituencies. For example, the Principles state “We will work to ensure the Summit and associated engagement process will promote trust and increase motivation to participate by being evidence-based, transparent and accessible in governance, decision-making, planning, engagement and implementation.”

¹ For example, the work convened by the Japanese government in preparation for the Nutrition for Growth event https://nutritionforgrowth.org/wp-content/uploads/2021/04/CommitmentGuide_4.27.21.pdf , p10

Yet, no detail is given as to what promoting trust means in practice, how transparency can be assured, and how conflicts of interest can be identified and mitigated. Our contention is that trust and transparency can only be developed through a clear set of rules and procedures derived from international best practice in this area, such as we detail under ‘proposed actions’.

Our crowdsourcing survey reinforced these concerns, based on results from 69 respondents representing diverse stakeholder groups across 17 countries (see Appendix B). Survey respondents provided additional suggestions, concerns and comments that were explored in our Independent Dialogue (77 participants from 17 countries). While these exercises highlighted broad support for the norms embodied in the Principles of Engagement, they also indicated widespread concern about specific Principles and about their collective adequacy as an effective and legitimate basis for Summit governance. A majority (61%) of respondents viewed one or more of the Principles as posing a significant obstacle to the Summit’s work, with concerns focused on 5: *Embrace multi-stakeholder inclusivity* and 7: *Build trust*. Written comments and Dialogue discussions highlighted the operationalization of these particular Principles, reflecting perceived inadequacies in UNFSS governance with respect to managing conflict of interest and to defining terms of engagement with commercial sector actors. These themes are consistent with academic and civil society critiques of the opacity of the UNFSS process. A majority of respondents to the crowdsourcing survey agreed or strongly agreed with claims that:

- The legitimacy of UNFSS is undermined by lack of clarity about the process by which its Principles of Engagement were developed (74%),
- The organizational structure of UNFSS lacks accountability and transparency (81%),
- The process for implementing Summit-generated solutions is unclear (79%), and
- UNFSS governance risks neglecting rights-based approaches (76%).

Importantly, however, this exercise also suggests that such concerns could be effectively addressed by norms and practices that are already familiar in related policy contexts. A substantial majority of respondents (84%) agreed that UNFSS governance would be enhanced by the principles of engagement developed for the Nutrition for Growth process. Similarly, there was near unanimous agreement that the Summit would benefit from utilizing UN Standing Committee on Nutrition (SCN) principles for managing interactions with the private sector, including:

- Identification and management of potential conflict of interest (95%),
- Ensuring independence from commercial interests (95%),
- Differential safeguards to protect policymaking and to identify private sector organizations whose activities best align with nutrition objectives (97%), and
- Promoting and respecting human rights principles, treaties and covenants (100%).

Proposed actions: Recent internal discussions to add a “do no harm” clause to the UNFSS Principles and to establish principles to guide the refinement of proposed “solutions” are a positive step in the right direction. The following actions, based on existing principles used by UN or other recognized international bodies would ensure that the Summit is in line with international and UN best practice:

1. **Incorporate human rights in the Principles** to *require, not just recommend*, that any engagement with the UNFSS promote and respect human rights principles, treaties and covenants; and explicitly refer to key agreements, such as UNDRIP, UNDROP, and the International Covenant on Economic, Social and Cultural Rights. The Committee on World Food Security (CFS) High Level Panel of Experts Global Narrative report represents one guiding framework to help ground food systems work in human rights as do the FAO’s [PANTHER framework](#); and the Office of the High Commissioner on

Human Rights’ [‘Guiding Principles on Business and Human Rights’](#). We further suggest engaging in already existing human rights monitoring and evaluation mechanisms, to hold Member States accountable to the progressive realization of human rights principles in food systems, through the [Universal Periodic Review](#) and monitoring exercises implemented through the UN Human Rights Council and the CFS.

2. Adopt a clear **definition and management of “conflict of interest”**. Of use might be the definition developed by the UN Standing Committee on Nutrition (SCN) [Conflict of Interest Guide](#) (p. 7-8) and the SCN’s Principles of Engagement with the Private Sector (Box 3, page 16 of this SCN [report](#)). The tool recently developed by [WHO to manage conflict of interest in nutrition policy](#) offers another guide that could be adapted to the UNFSS goals.
3. Engage in a “risk and opportunity assessment” (International Union for Conservation of Nature (IUCN) [Operational Guide for Business Engagement](#), p. 2) to **identify business entities that should not be invited to make UNFSS pledges nor be represented at the pre-Summit, Summit and in Coalitions of Action**. Adopting both IUCN and SCN criteria, this assessment should consider “the reputational and management risks linked to the engagement with [a] business entity” based on their impact on: “Environmental concerns; human rights concerns; [public health concerns, including violation of *the International Code of Marketing of Breastmilk Substitutes*], extortion, bribery and corruption; [and] labor concerns” (IUCN, p. 2).

ISSUE 2: GAPS IN TRANSPARENCY AND CLEAR, DOCUMENTED PROCEDURE/PLANNING

Many aspects about the Summit process and its structures have been unclear to internal and external participants alike, apparent in our Ad Hoc Committee and Independent Dialogue discussions. The confusion caused by this has only added to critiques of the Summit process. Despite positive existing efforts to ensure transparency², it has been difficult to track who and how the vast amount of material produced ahead of the Summit by Action Tracks (AT), dialogues and other mechanisms, is being synthesized and analyzed. Furthermore, it is still not clear how and why people were appointed to the Summit’s key governance structures (and we appreciate that this criticism thus applies to signatories of this letter involved in the summit ATs and to this ad hoc group itself) and how they might unnecessarily duplicate other UN bodies such as the CFS, a point that has been made by the Chairperson of the CFS and HLPE members.³ Each of these issues reinforces the point that transparency in all aspects of the Summit is critical for maintaining the buy-in and motivation of anyone involved in day-to-day planning and the legitimacy of the Summit for those observing the outputs from the outside.

Proposed actions: The following actions would begin to improve transparency regarding past, current and future decisions:

1. Explain **who is helping to plan the Summit and why**. This includes offering:
 - a list of all Action Track Leadership Team names along with their affiliations and an explanation of why representatives from these organizations were invited;
 - an explanation of how members of the UNFSS Scientific Group were selected. If similar scientific groups are established for future one-time or ongoing UN summits, we suggest using a similar process to the one used to establish the CFS High Level Panel of Experts (as explained in this [report](#) page 10, point #44);
 - an explanation of how the original Advisory Committee was selected;

² Information about UNFSS Leadership are listed on the Summit [website](#), as are the list of [convenors](#) and [synthesis reports](#) of the Member State Dialogues (with links to individual Member State Dialogue reports), as well as information about the external evaluation group contracted to write the Independent Dialogue [synthesis reports](#).

³ See: <https://www.devex.com/news/opinion-why-reinvent-the-wheel-on-food-security-and-nutrition-99929>

- an explanation of the involvement of various UN bodies in leading the summit and how coordination between their different mandates is taking place, including the FAO Committee for World Food Security and the UN's Human Rights obligations; and
 - an agreement for full transparency on the use of consultants, ensuring that any commissioned outputs are routed first via the appropriate Summit structures, such as the ATs and Scientific Group.
2. Offer a clearer public explanation of the activities leading up to and **why particular inputs have been prioritized** for consideration in the Pre-Summit and Summit events and outcome documents (e.g., how are Action Clusters being formed?). Public UNFSS website explanations of these remain outdated. The Scientific Group Reports, National Dialogues and Independent Dialogues also appear to be working in parallel, rather than feeding into one another.
 3. Allow for appropriately timed (not rushed) opportunity for **public input and scientific review** of final texts relating to action areas/solutions, rather than input only at earlier stages.
 4. **Include author names/affiliations** on each National Dialogue Synthesis Report, Synthesis Reports for the Wave 1 and 2 "Game Changing and Systematic Solutions", and each individual (2-page) Game Changing Solution to further increase transparency, mitigate conflict of interests and recognize the extensive contributions of particular participants.
 5. Post on the website all sources of **funding** and how funds are being allocated and committed. Current information on the [Q&A page](#) about funding is vague.
 6. Describe **what will happen post-Summit**. How will Member States be held accountable for their commitments and what role will private bi- and multi-lateral donors and philanthropy play, such as Rockefeller's "[Food Systems Game Changers Lab](#)"? Moreover, a guarantee in writing is needed to ensure that no entity formed for the UNFSS will supplant the CFS post-Summit, and that the CFS should also be given the opportunity to review, refine and monitor UNFSS "solutions" and commitments.

Ultimately, addressing current weaknesses in the Summit's transparency and Principles of Engagement is not only critical for meeting the UNFSS stated [vision](#) – to advance "bold new actions... [to support] healthier, more sustainable and more equitable food systems" – but also because of the potential conflicts with existing UN level processes and the Summit's precedent setting role.

Thank you for the opportunity to contribute to realizing the Summit's bold vision.

APPENDIX A. SIGNATORIES

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Rethinking the Summit’s Principles of Engagement:
 Managing conflict of interest and promoting
 transparency and accountability
 A UNFSS Independent Dialogue, 16 June 2021



APPENDIX B: SUMMARY OF PRELIMINARY RESULTS FROM A CROWDSOURCING EXERCISE

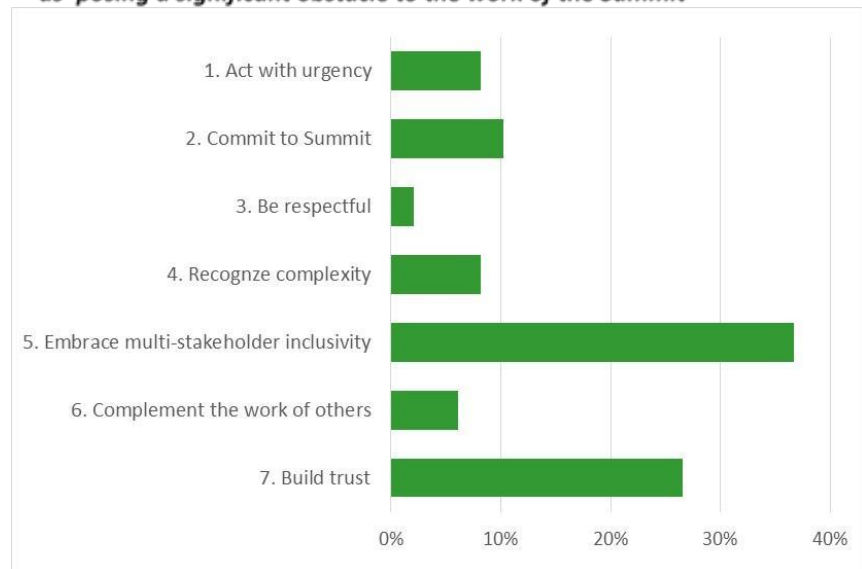
The following offers a high-level summary of an online crowdsourcing exercise undertaken to facilitate critical and constructive engagement with the UN Food Systems Summit (FSS) Principles of Engagement and to inform the virtual Independent Dialogue, “Rethinking the Summit’s Principles of Engagement”. This was co-hosted by the Inter-institutional Network for Food, Agriculture and Sustainability (INFAS), Institute of Development Studies (IDS) and the SPECTRUM Consortium. Data collection was undertaken using a Qualtrics survey circulated via email through networks engaged with the FSS. Questions scrutinized the Summit’s Principles of Engagement, examined critiques that have been raised about the Summit process, and solicited suggestions regarding helpful governance practices in other contexts.

By 22 June the crowdsourcing exercise had been completed by 69 respondents from 17 countries. Respondents came from diverse stakeholder groups; participants from local and international NGOs, academia and UN agencies were most strongly represented, in addition to government staff and farmers. Eight respondents indicated they were members of FSS Action Tracks. Around half of respondents were based in either the USA or the UK, with smaller numbers from other regions (including South America, sub-Saharan Africa and Asia-Pacific).

Principles of Engagement: Respondents were generally very supportive of the norms articulated in the Summit’s principles. Such broad support co-existed, however, with diverse concerns regarding:

- **Ambiguity**
 “Each of these Principles can be read in several ways.”
- **Operationalization:** “While these principles look appropriate at face value, they can be interpreted or operationalized in ways that may undermine the goals of food security, sustainability and social equity.”
- **Omissions and gaps:**
 “Rather than what is in the principles it is what is not said that seems problematic.”

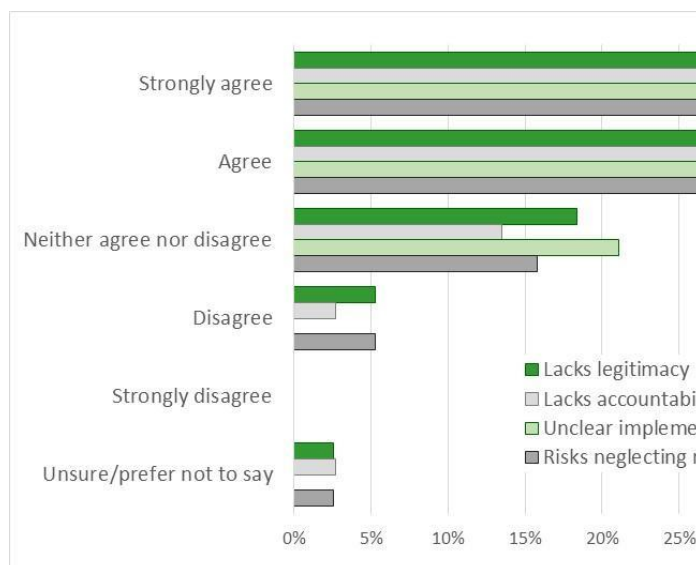
Figure 1. Proportion of respondents who see specific FSS Principles as ‘posing a significant obstacle to the work of the Summit



In this context, respondents highlighted the absence of measures to manage conflict of interest, perceived inattention to addressing inequities in power, and a suggested need for improved transparency and accountability. When asked whether any of the individual Principles posed a significant obstacle to the Summit’s work, a majority (61%) of respondents identified at least one of the seven, with Principles 5 (*Embrace multi-stakeholder inclusivity*) and 7 (*Build trust*) most likely to be viewed as potentially problematic (Figure 1).

Process: There was also widespread agreement with diverse critiques of the Summit process published by civil society organizations, academics, and expert commentators. This notably included concerns regarding legitimacy, transparency and accountability, procedural clarity, and rights-based approaches (Figure 2).

Figure 2. Distribution of respondents who agree/disagree with critiques* of the UNFSS



*Specific critiques (statements):

- “The legitimacy of UNFSS is undermined by lack of clarity about the process by which its Principles of Engagement were developed”
- “The organizational structure of UNFSS lacks accountability and transparency”
- “The process for implementing Summit-generated solutions is unclear”
- “UNFSS governance risks neglecting rights-based approaches”

Practices: Encouragingly, most respondents agreed that the effectiveness of FSS governance could be enhanced by adopting established norms and practices that are already used in related policy contexts. A substantial majority of respondents (84%) agreed that FSS governance would be enhanced by the principles of engagement developed for the Nutrition for Growth process, and that the Summit would benefit from principles such as those used by the UN Standing Committee on Nutrition (SCN) principles for managing interactions with the private sector (Table 1).

Table 1: Proportion of respondents who agree or strongly agree that the work of the UNFSS would be enhanced by adopting principles from the UN Standing Committee on Nutrition

| | |
|---|-------|
| Relevance to Vision & Mandate: Any collaborative activities must have a direct relevance to and be in support of achieving [the Summit’s] vision and mandate | 90.2% |
| Effectiveness and Efficiency: Securing concrete outcomes in line with achieving the goals of the [Summit], as well as the appropriate use of resources as compared to alternative actions | 82.5% |
| Managing conflict of interests: Identification of interests of collaborating individuals and institutional assessment of potential conflicts of interest... and subsequent management of these or exclusion from participation | 95.0% |
| Independence from vested interest: Maintaining the credibility of [the Summit] by ensuring independence from commercial interests | 94.9% |
| Transparency: While respecting individual privacy and institutional confidentiality, as appropriate, the aim must be for all interested persons to easily obtain information on the activities, including through posting on websites | 97.4% |
| Diversity: Diversifying types of PSOs to ensure that no one type (size/origin) dominates engagements, and ensuring that those who have no commercial interests in the issues have preferential participation | 94.7% |
| Differential safeguards: Distinguishing between activities that relate to public policy making and should be particularly safeguarded from corporate influence, and other activities with less relevance to or influence on public policy. Differentiating between PSOs involved in activities that are [aligned] with [Summit goals] and those that are not | 97.4% |
| Human rights based: promoting and respecting human rights principles, treaties and covenants | 100% |