



Bureau Advisory Group Meeting 31 March CFS Approach to Policy Convergence

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Date: 31 March, 9.30 – 12.30 and 13.30 – 15.30

Room: German Room

1. The purpose of this note is to respond to feedback received from CFS stakeholders following the conclusion of the negotiations of the *Framework for Action for Food Security and Nutrition in Protracted Crises*, and feedback received during the finalization of the MYPoW 2016-2017. While stakeholders were generally proud of the outcome, there has also been feedback expressing reservations about the current style and process of reaching consensus on policy convergence products, perceived as time consuming and expensive. There was an expressed desire to explore whether there were ways that CFS could continue to meet the objective of contributing to policy convergence more efficiently and effectively, while maintaining the high quality and inclusiveness achieved thus far.
2. The CFS Secretariat¹ has reflected on how negotiations have been conducted in the past and has identified some key points and possible suggestions for 1) conducting negotiations in the future, and 2) potential alternatives to negotiations which still contribute to achieving CFS objectives. The aim is for these reflections and potential alternatives to facilitate a discussion.
3. The Bureau and Advisory Group is invited to discuss the paper, reflect on experience, and propose ideas for how CFS could continue to improve its approaches to contributing to policy convergence.

CFS negotiation of policy convergence products

4. Since its reform in 2009, CFS has produced four 'major policy convergence products':
 - *The Global Strategic Framework for Food Security and Nutrition (GSF)*, included in the Reform document (2009) and process launched at CFS 36 (2010) with the first version endorsed at CFS 39 (2012);
 - *The Voluntary Guidelines on the Governance of Land, Fisheries, and Forests in the Context of National Food Security (VGGT)*, first discussed as part of policy roundtable at CFS 36 (2010), endorsed at CFS 38 (2012);
 - *The Principles for Responsible Investment in Agriculture and Food Systems (RAI)*, first discussed at policy roundtable at CFS 36 (2010), endorsed at CFS 41 (2014); and
 - *The Framework for Action for Food Security and Nutrition in Protracted Crises (FFA)*, first discussed at policy roundtable at CFS 36 (2010), endorsed at CFS 42 (2015).

¹ The information presented herein is based on documentation (e.g. Bureau and Advisory Group Outcomes, OEWG Chairs' summaries, consultation summaries, etc.) and the perspective of the CFS Secretariat and RBA colleagues involved in the negotiation processes.

Table 1. Major policy convergence products

Policy product	Overall timeframe	Timeframe within CFS	Impetus	Agreed ToRs	Consultation	Areas of contention	Negotiation
Global Strategic Framework	2009 - 2012	2009-2012	-CFS reform document	Yes, agreed by Bureau CFS:2011/Inf. 14	-Six week online consultation to prepare Draft 1	-Rights focus	2 weeks
Voluntary Guidelines on the Governance of Tenure of Land, Fisheries, and Forests	2004 - 2012	2010-2012	-FAO preliminary work (VGGT draft) -HLPE report	No, already in draft form when came to CFS	-Regional and stakeholder specific consultations held <i>prior</i> to drafting (prior to CFS) -CFS 2 month online consultation on Zero Draft	-Rights focus -FPIC -Occupation -Investment size -Directional language	3 full weeks Individual countries and stakeholders
Principles for Responsible Investment in Agriculture and Food Systems	2008 - 2014	2010-2014	-FAO, World Bank, UNCTAD, IFAD preliminary work (PRAI) -HLPE report	Yes, endorsed at CFS39 (CFS2012/39/6)	-Regional consultations and global online consultation <i>after</i> Zero Draft, to prepare First Draft	-Rights focus -FPIC -Occupation -Smallholder focus -Culturally appropriate -Genetic resources -Directional language	2 full weeks Individual countries and stakeholders
Framework for Action for Food Security and Nutrition in Protracted Crises	2010 - 2015	2010-2015	-SOFI 2010, High Level Expert Forum 2012	No	-Regional consultations and global online consultation <i>after</i> Zero Draft, to prepare First Draft	-Rights focus -Occupation -Culturally appropriate -Roles of different actors -Directional language	2 full weeks Some regional group representation and individual countries and stakeholders

Key Points

5. *Timeframe*: All four of the major policy convergence products developed to date have undergone somewhat different development paths, where some of the products evolved out of significant consultation and technical work carried out by the RBAs over multiple years prior to coming to CFS. Across all four products, CFS spent between 1 and 5 years. In some cases, the timeframe has meant that other institutions have developed similar or related guidance at the same time and/or that the relevance of the subject or prior technical work has changed.
6. *Impetus*: Each of the four major policy convergence products have begun in different ways and have come to CFS in different forms. Important factors have been the level of technical analysis and background work that has gone into analyzing the topic; the evidence of a need for global policy guidance based on a multistakeholder approach; and the clarification of CFS value-add, before beginning an associated CFS process.
7. *Resourcing*: Many of the policy convergence products and associated processes had a fair amount of resource uncertainty at the outset, and needed fund-raising in parallel with undertaking the workstream. This impacted the capacity to plan and prepare the associated activities necessary to deliver the products, including whether and when regional consultations could be held. This in turn had implications for hiring of additional resources to support the process, and on participation and outcomes. Where funding was secured in advance of the processes time and resources did not need to be diverted to fund mobilization activities.
8. *Agreed 'terms of reference'*: Identifying the key objectives, scope, and intended users of major policy convergence products has proved useful particularly as the processes have stretched over multi-year timeframes and people involved in the processes have changed. Agreeing on this at the outset has also helped to facilitate the negotiation process of the final document in that all stakeholders are negotiating along the same core elements or expected output.
9. *Consultation processes*: All of the four products were developed based on some sort of consultation process, however the processes widely varied in their timing, level of participation, and scope. Consulting widely prior to developing any draft could be a good way to get a better idea of all of the relevant issues and expectations related to a final output; with more targeted consultations once a zero draft exists. There are pros and cons, including resource-related, between physical consultations versus online consultations, and decisions on the best approach should probably be case and context specific.
10. *Areas of contention*: While there were differences among stakeholders along specific areas of each policy convergence product, the most contentious areas were often along the same points in each of the documents (See Table 1). Agreeing on these contentious areas has taken a large share of the time spent negotiating in each of the policy convergence products, with little change in the text agreed from one to the other. In many cases, while there may be agreement on the importance of a topic or issue, the style of language used (e.g. prescriptive text) has consistently presented an issue for many stakeholders.

11. *Negotiations:* All of the four products have required at least 2 full weeks of negotiation, often including inter-sessional Friends of the Chair sessions and night or weekend sessions. While regional groups have been encouraged to negotiate on behalf of their groups, this has not suited all regions. Stakeholders have not been supportive of negotiating in parallel sessions in most cases, given the challenges this poses for small delegations.

Secretariat Reflections on Lessons Learned

12. Key lessons identified by the Secretariat which would benefit from debate and discussion by the Bureau and Advisory Group, and the MYPoW OEWG, in order to plan well in the future, include:
13. *Identification of issues necessitating negotiation of global guidance*
 - Not all topics will be conducive to developing policy guidance over the course of 5 years and more urgent or time-sensitive processes could be explored;
 - Policy convergence products should be based on up to date technical analysis and evidence indicating a *need* for additional global guidance for a policy shift;
 - Before embarking on any major policy convergence product, there should be broad buy-in by *all* stakeholders on the relevance of CFS action and the added value CFS could bring;
 - Undertaking multiple policy convergence processes requiring negotiation at the same time should be avoided in order not to overload CFS participants;
14. *Design of policy convergence processes and products*
 - Stakeholders may have very different levels of understanding of the various perspectives and issues at stake, or the use of language around certain topics at the outset of a process, and may benefit from workshops at the start of any policy convergence process in order to develop a shared understanding of a particular issue;
 - The start of any policy convergence product development should be to agree on the objective, scope, intended users, and overall output expected, as well as the process, timing and resourcing;
15. *Consultation*
 - Consultation should occur prior to drafting any version in order to gain an understanding of all of the issues, and occur again following the development of a draft;
 - Stakeholders should be encouraged to develop position papers at the beginning of each policy convergence process (after any workshops to build shared understanding) and encouraged to share them on the working space;

16. Negotiation

- The types of negotiations conducted to date may not suit all issues or timeframes. Time sensitive or technical issues could consider different processes;
- Smaller group discussions, or parallel discussions during negotiations, could help foster consensus as participants have a greater ability to engage directly with one another, provided the objective of reaching consensus is clear;
- Greater space or emphasis could be placed on pre-negotiation discussions aimed at building and arriving at consensus, so that negotiating sessions are focused on finding a compromise on a small number of remaining contentious issues.

Examples of Consensus Building in Other Fora

17. In an effort to identify potential alternatives or improvements on the way that CFS has been building consensus in the past, the Secretariat reviewed negotiation processes and styles conducted in other fora in order to provide some ideas for brainstorming on what might work in a CFS context.

Box 1. Example of Informal Negotiations

Sendai Framework for Disaster Risk Reduction 2015-2030,
<http://www.iisd.ca/vol26/enb2615e.html>

Negotiations began in 2014 and progressed during the 3rd World Conference on Disaster Risk Reduction, largely in informal consultations on the sidelines of the main meetings. In order to arrive at a final consensus, the Co-Chairs of the process circulated two ‘non-papers’ for discussion, capturing discussions of key unresolved issues. Following the circulation of identified unresolved issues, the Committee reconvened and decided to continue “informal” negotiations once more but with two small working groups of twelve countries each to focus on the main unresolved issues: one group on climate change and international cooperation, and the other on technology transfer and other issues. While some countries indicated they did not feel represented by the newly formed drafting groups, the majority seemed willing to fall in line with some delegations’ calls for a greater level of trust and goodwill in the process. The result of informal negotiations on the sidelines of the main Committee meetings, was that consensus was reached in a shorter time period, demanding lower resources, but with broad support for the final outcome.

Box 2. Example of Informal and Smaller Group Negotiation

21st Conference of the Parties on Climate Change, Paris, France,
<http://www.theguardian.com/environment/2015/dec/02/cop21-the-back-channel-climate-meetings-that-could-decide-the-fate-of-the-world>

Negotiations at COP21 in Paris in December 2015 included small group ‘informal’ negotiations to identify remaining issues and resolve differences. The informal small group negotiations were hailed as key to arriving at consensus in Paris largely due to the ability for small groups to focus on specific sections of the text or particular issues such as financial assistance or accountability mechanisms. The style of negotiating was also facilitated by following an ‘indaba’ format, designed to allow each party to voice their opinion without repeating positions. Negotiating in a smaller informal group helped to facilitate the ability for all present to speak and find consensus more quickly.

Box 3. Example of Smaller Group Negotiations

Busan Global Partnership for Effective Development Cooperation,
<http://www.brookings.edu/~media/research/files/papers/2012/6/06%20global%20partnership%20kharas/06%20global%20partnership%20kharas.pdf>

In an effort to guarantee agile management of the development of the Global Partnership for Effective Development Cooperation, it was agreed that the negotiation would rely on a Steering Committee made of up constituency representatives or ‘sherpas’ representing countries that are i) recipients, ii) recipients and providers, and iii) providers of development cooperation; the private sector; parliamentarians; local governments; civil society; foundations; multilateral development banks; the UN; and the OECD. Governance and monitoring proposals were negotiated and approved in June 2012 as a result of the steering committee negotiations. While there was some debate regarding the allotment of seats on the Steering Committee, the outcomes reached were strongly endorsed by all parties.

Box 4. Example of Change in Language and Style of Negotiated Outcome

UN Habitat Best Practices Database,
<http://unpan1.un.org/intradoc/groups/public/documents/un/unpan030516.pdf>

The Best Practice and Local Leadership Programme (BLP) of UN HABITAT was established as a means of improving public policy based on what works and converging action on achieving the twin goals of shelter for all and sustainable urbanization. The best practices go through a process of validation and technical appraisal before included in UN-HABITAT’s database. The technical appraisal includes an independent Technical Advisory Committee including 15 regional representative and gender sensitive experts and comes to a consensus on which practices to include based on negotiated criteria. The practices are then fed into the overall knowledge management framework of UN HABITAT to inform the development of normative guidelines, map policy trends and responses, among other initiatives. In this case, the negotiation is related to the criteria rather than the practices themselves, allowing the practices to speak for themselves without a value judgment or use of directional language.

Alternatives to Negotiating

18. In addition to exploring different ways of negotiating, some stakeholders also expressed a desire to ‘take a break’ from negotiating after an intense period. Along this line, the Secretariat has outlined potential activities which would still contribute to the CFS objectives of:
 - **Objective 1:** contributing to advancing coordination and partnerships;
 - **Objective 2:** contributing to policy convergence on food security and nutrition; and
 - **Objective 3:** strengthening national and regional food security actions.

19. Activities which could contribute to the three objectives of CFS, without embarking on negotiations could include, among others:
 - **Mapping of initiatives and stakeholder views** – this could include a desk review of existing initiatives/research on a topic, or could be combined with a survey of CFS stakeholders on what they are currently doing on a

topic. It could serve as a resource for stakeholders for identifying potential partners or areas of collaboration in a specific country or region;

- **Web-based knowledge sharing platforms** – this could function similar to a working space where users have the ability to upload content, share positions, and participate in webinars or online discussions;
- **Case studies on lessons learned through partnerships and coordination** – sharing could be via a live event or through written cases which could be shared on the web-based platform or CFS website; and
- **Awareness raising and capacity development at country and regional level** – this could include national and/or regional workshops on specific CFS related topics, either addressing the use of existing CFS products or to discuss input and initiatives related to current CFS workstreams.

Example of a workstream with alternative activities

Activity	Contribution to objective
Compilation of case studies of initiatives aimed at addressing the issue and identification of lessons learned	<p>Objective 1: Stakeholders are made aware of initiatives in their region/country and other stakeholders with whom to partner</p> <p>Objective 2 and 3: Stakeholders can build on lessons learned in policymaking and initiatives at country/regional level</p>
Organization of events aimed at discussing policy implications of lessons learned, and policy changes needed	<p>Objective 2: Stakeholders discuss issues and can converge around central themes of importance</p> <p>Objective 1: Networking potential with other interested stakeholders to coordinate and identify partnership opportunities</p>
Follow-up survey of stakeholders on changes or actions taken on the areas identified as important at event	<p>Objective 3: Stakeholders at the country and regional level can report back on actions which were supported by global policy convergence discussions</p>

Conclusion

20. There are a variety of ways of building policy convergence and a variety of ways of meeting CFS objectives, not all of them involve negotiating. This paper has sought to provide some reflection on the ‘learning by doing’ CFS has been undertaking and some ideas on ways of approaching negotiation and policy convergence. Ideally this paper will serve to provoke discussion and suggestions of ideas for how CFS could continue to improve. If there is an interest in pursuing some of the options identified or proposing others, the Secretariat could provide more detailed information on how these alternatives could be applied to existing and/or future workstreams.