

Civil Society Mechanism Suggestions for the Terms of Reference for the Process of Consultation on responsible agricultural investment July 2012

Purpose and value

The purpose of the CFS-rai negotiations is to produce a normative document, which will provide guidance on agricultural investment and increase positive investments in agriculture. We define positive investments as those which:

- Integrate the human rights framework: investments in agriculture must be human rights compliant and hence respect, protect and fulfil the Right to Food
- Strengthen food sovereignty, food security, local food production systems and local food production capacity (including infrastructure, knowledge, credit, etc.)
- Recognize and prioritize investments by and for small-scale, family based, peasant agriculture, artisanal fisheries, pastoralist and local, small-scale businesses.
- Strengthen rural livelihoods, income, employment, and rural social security beyond food and employment (health, education, etc.)
- Ensure that control over productive resources and decision making processes remains in the hands of producers
- Are gender sensitive, promote gender equality and empowerment, and nurture conditions that will benefit women
- Emphasize the importance of public investment in the rural sector in order to allocate more public resources to help strengthen local food production systems
- Reduce and prevent negative investments, including those which lead to land concentration and land grabbing

The value of the CFS-rai negotiations is based on the fact that the Committee on World Food Security is the legitimate platform to consolidate a single set of standards on agricultural investment.

As a process, the added value of the CFS-rai negotiations lies in:

- Documenting concrete experiences of investments within different political, socio-economic, and ecological contexts
- Accumulating an evidence base on the impacts of different forms of agricultural investments on small-scale agricultural producers, agricultural workers, and women farmers
- Building on already existing standards, human rights frameworks, and regional initiatives as they pertain to agricultural investment

Scope

The CFS-rai negotiations should include within their scope the following aspects:

- Investments by and for small-scale food producers*

- Positive and negative effects of all forms of agricultural investment including i) small-scale, family-based, peasant, artisanal, and pastoralist; ii) state led public (national and sub-national); iii) private small-scale entrepreneurs and businesses; iv) large-scale, private, and corporate led (domestic and foreign)
- Models of production, practices and sustainability in relation to land, water, forests, and fisheries.
- Pre-conditions for allowing small-scale food producers to invest in their own development (e.g. access and control of productive resources including land, regulation on prices, extension services, infrastructure, social services, etc)
- Governance, accountability and decision making processes which affect agricultural investment

* The term small-scale food producers is understood to include farmers, fisherfolk, pastoralists, agricultural workers, indigenous peoples, and landless

Recipients

The CFS-rai process should address all the relevant stakeholders:

- Governments, inter-governmental organizations, and institutions
- Private sector
- Small-scale food producers and producer organizations
- Civil society organizations

Note: The stakeholders have different roles and responsibilities and these should be defined during the CFS-rai negotiation process.

Methodology of the consultation process

The CFS-rai negotiations should follow an inclusive and transparent consultation process, which prioritizes space for small-scale constituencies and marginalised groups, including the participation of women food producers.

The CFS-rai should also allow for national level consultation processes with strong community involved and input to be carried out, drawing on the various platforms, which may already exist.

We would like to see the creation of a Task Team, which includes civil society representation, to draft the terms of reference.

Trade-offs

The CFS-rai negotiations should commit to an inclusive process. It is only through such a high quality consultation process that the CFS can be considered legitimate and ensure positive outcomes for the CFS and all other stakeholders.