**Introduction**

The European Union would like to thank the UN Special Rapporteur on human rights and the environment, Mr David Boyd, for his call for contributions to his upcoming report on the environmental impacts of the global food system on human rights. The contribution from the European Union is comprised of both EU internal and EU external actions and policies (with thanks to EEAS, DG ENV, DG CLIMA, DG SANTE, DG AGRI and INTPA). As recommended, the questionnaire was used to structure the input.

**EU’s contribution to each question**

1. **Please provide examples of ways in which the environmental impacts of the global food system are having adverse impacts on human rights?**

The environmental impact of the global food system are having adverse impacts on human rights and a transformation to sustainable food system is needed because:

* Food Systems are globally responsible for around 21-37% of total greenhouse gas (GHG) emissions, as well as being a key driver behind the ongoing biodiversity crisis,
* We are confronted to overwhelming paradoxes in the food systems: While, in the EU, 33 million people cannot afford a quality meal every second day, 20% of the food produced is wasted, half of the adult population is overweight and obesity is rising.
* The COVID-19 pandemic has stressed the importance of robust and resillient food systems.

The **Farm to Fork Strategy** is a new comprehensive approach to how Europeans value food sustainability. It is an opportunity to improve lifestyles, health, and the environment. The creation of a favourable food environment that makes it easier to choose healthy and sustainable diets will benefit consumers’ health and quality of life, and reduce health-related costs for society.

European food is already a global standard for food that is safe, plentiful, nutritious and of high quality. This is the result of years of EU policymaking to protect human, animal and plant health, and of the efforts of farmers, fishers and aquaculture producers. Now European food should also become the global standard for sustainability.

The Farm to Fork Strategy aims to reward those farmers, fishers and other operators in the food chain who have already undergone the transition to sustainable practices, enable the transition for the others, and create additional opportunities for their businesses[[1]](#footnote-1).

Food systems are dependent on healthy natural capital. Environmental damage reduces the productivity and resilience of food system and has a negative impact on human rights. Furthermore, the environmental damage provoked by unsustainable food systems (eg water, soil and air pollution) directly affect citizens health and their human rights, in particular those already living in a vulnerable situation.

1. **How has climate change affected the global food system**?

Climate change affects agricultural production and food systems in various ways through increasing instability in precipitation, adverse weather effects, more pests and food-borne diseases caused by higher temperatures and humidity.

Forests and agricultural lands currently cover more than three-quarters of the EU's territory and naturally hold large stocks of carbon, preventing its escape into the atmosphere. While the draining of peat land, felling of forest or ploughing up grassland generates emissions, actions such as afforestation or conversion of arable land into grassland can protect carbon stocks or result in carbon sequestration. EU forests, for example, absorb the equivalent of nearly 10% of total EU greenhouse gas emissions each year. Sustainable land use and forestry – which include the appropriate use of our soils, trees, plants, biomass and timber – can thus contribute to a robust climate policy.

1. **What are the specific obligations of States and responsibilities of businesses in terms of preventing, reducing, or eliminating environmental impacts caused by the unsustainable production or consumption of food? How can we shift the food system that restore and regenerate nature rather than degrading ecosystems, while providing healthy diets for global population that will exceed nine billion by 2050?**

There is no simple solution to transforming the food system, which requires the concerted and complementary efforts of public and private actors across a range of policy areas and across the value chain.

EU Farmers and Fishermen, and all other actors along the food chain, must comply with EU environmental and food safety standards under the Common Agricultural and Fishery Policies, and other policy sectors including environment and health. Public authorities at all levels have tools which can help to transform the food system, while ensuring productivity and resilience. The Farm to Fork Strategy mentioned above is the European Union’s response to the need to transform our food systems, and outlines a large number of actions towards that goal.

The **Code of Conduct** for Responsible Business and Marketing Practices is one of the first deliverables of the Farm to Fork Strategy and an integral part of its action plan. It will set out the actions that the actors ‘between the farm and the fork’, such as food processors, food service operators and retailers, can voluntarily commit to undertake to tangibly improve and communicate their sustainability performance. These actions can be directly relevant and implementable within their own operations or may encourage collaboration with industry peers and other food system stakeholders (such as farmers and consumers) to make similar changes. The aim of the EU is to have the Code of Conduct ready for signature and endorsement by interested parties in June 2021[[2]](#footnote-2).

Other actions under the Farm to Fork Strategy relate to procurement rules, food labels, marketing standards, as well as reduction of food waste.

1. **Provide specific examples of constitutional provisions, legislations, institutions, regulations, standards, jurisprudence, policies and programmes that apply a rights based approached to ensuring healthy and sustainably produced food. Please include any instruments that refer directly to the right to a healthy environment**.

The Farm to Fork Strategy mentioned above is the European Union’s response to the need to transform our food systems. It builds on earlier policy instruments, laws and regulations such as the General Food Law[[3]](#footnote-3), the Common Agricultural Policy[[4]](#footnote-4) , the Common Fisheries Policy[[5]](#footnote-5) and all of the EU environment acquis.

1. Not applicable.
2. **Provide examples of good practices in preventing, reducing or eliminating environmental impacts caused by the unstainable production or consumption of food?**

The Farm to Fork Strategy contains a number of concrete targets that the EU aims to reach by 2030:

* Pesticides in agriculture contributes to pollution of soil, water and air. The Commission will take action to reduce the use and risk of chemical and more hazardous pesticides by 50%.
* The excess of nutrients in the environment is a major source of air, soil and water pollution, negatively impacting biodiversity and climate. The Commission will act to reduce nutrient losses by at least 50%, while ensuring no deterioration on soil fertility reduce fertilizer use by at least 20%.
* Antimicrobial resistance linked to the use of antimicrobials in animal and human health leads to an estimated 33,000 human deaths in the EU each year. The Commission will reduce the sale of antimicrobials for farmed animals and in aquaculture by 50%.
* Organic farming is an environmentally-friendly practice that needs to be further developed. The Commission will help the EU’s organic farming sector to grow, with the goal of 25 % of total farmland being used for organic farming by 2030.

Next steps include:

Creating a food environment that makes the healthy and sustainable choice the easy choice:

* Over 950,000 deaths (one out of five) were attributable to unhealthy diets in the EU in 2017. A healthy, plant-based diet reduces the risk of life-threatening diseases and the environmental impact of our food system.
* Add food labels that allow consumers to choose healthy and sustainable diets: The Commission will propose mandatory, front-of-pack nutritional information and develop a sustainable food-labelling framework that also covers the environmental and social aspects of food products.
* Stepping up the fight against food waste: The Commission aims to cut food waste by half by proposing legally binding targets across the EU by 2023.

Research and innovation:

* €9 billion under Horizon Europe to be invested in R&I related to food, bioeconomy, natural resources, agriculture, fisheries, aquaculture and the environment. Knowledge transfer will be essential. The Common Agricultural Policy (CAP)’s farm advisory services and farm sustainability data network will be instrumental in assisting farmers in the transition.

Promoting the global transition:

* Making European food famous for its sustainability can give us a competitive advantage and open new business opportunities for European farmers. The EU will collaborate with third countries and international actors to support a global move towards sustainable food systems. A sustainable food labelling framework will facilitate consumer choice.

Established in 2016, the EU Platform on Food Losses and Food Waste[[6]](#footnote-6) has supported the Commission in its work to adopt EU guidelines to facilitate food donation[[7]](#footnote-7) and the feed use of food no longer intended for consumption[[8]](#footnote-8), and develop a food waste measurement methodology[[9]](#footnote-9) as well as work to improve understanding and use of date marking[[10]](#footnote-10).

The EU LIFE financial programme has supported numerous projects to demonstrate effective methods and techniques to reduce the environmental impact of food production.

The Business and Biodiversity Platform develops, exchanges and diffuses best practice in integrating environmental considerations into business operations, including in the food sector[[11]](#footnote-11).

1. **Please identify challenges that the EU has faced in attempting to employ a rights based approach to address the environmental impacts of food systems and the consequences of these problems for human rights?**

Ensuring a transition towards sustainable food systems implies structural changes in the way we produce, process, distribute, sell and consume food.

EU agriculture is the only major system in the world that reduced greenhouse gas (GHG) emissions (by 20% since 1990). However, even within the EU, this path has been neither linear nor homogenous across Member States. In addition, the manufacturing, processing, retailing, packaging and transportation of food make a major contribution to air, soil and water pollution and GHG emissions, and has a profound impact on biodiversity. As such, even though the EU’s transition to sustainable food systems has started in many areas, food systems remain one of the key drivers of climate change and environmental degradation. There is therefore an urgent need to reduce dependency on pesticides and antimicrobials, reduce excess fertilisation, increase organic farming, improve animal welfare, and reverse biodiversity loss[[12]](#footnote-12).

Different starting points, needs and differences in improvement potential in the Member States will have to be considered. For the example, the new CAP has shifted the emphasis from rules and compliance towards results and performance. The new framework will be based on nine specific objectives, focusing on the social, economic, and environmental goals of the CAP. In order to achieve these objectives, EU Member States will have at their disposal a toolbox of broad policy measures, which can shape around their own needs and capabilities. The Commission will also provide a common set of result indicators as part of a new performance, monitoring and evaluation framework, which will be used to assess the progress of EU countries in reaching the CAP objectives. Each EU country will draw up their own CAP strategic plan, that will be assessed and approved by the Commission, setting out how they will direct CAP funding towards specific targets and how these targets will contribute to the overall EU objectives.

1. **Please specify in which way additional protection is provided (or should be provided) for small-holders and populations who may be particularly vulnerable to unhealthy and unsustainably produced food. How can these populations be empowered to produce and consume healthy and sustainably produce food?**

All citizens and operators across value chains, in the EU and elsewhere, should benefit from a just transition, especially in the aftermath of the COVID-19 pandemic and the economic downturn.

New legislative initiatives that will presented under the EU’s Farm to Fork Strategy will be underpinned by Commission’s better regulation tools. Based on public consultations, on the identification of the environmental, social and economic impacts, and on analyses of how small and medium size enterprises (SMEs) are affected and innovation fostered or hindered, impact assessments will contribute to making efficient policy choices at minimum costs, in line with the objectives of the Green Deal.

As far as primary producers are concerned, the new CAP prioritises a number of actions to support small and medium-sized farms and encourage young farmers to join the profession. Targeted support is provided to agro-ecological methods and other practices tackling climate change, loss of biodiversity and natural landscape, improvement in the status of natural resources, while preserving and enhancing forest and areas with natural constraints, with the final aim, among others, to prevent land abandonment and keep farmers on land. Special attention is also dedicated to encourage young farmers to join the profession, acquiring the necessary knowledge and improving access to land.

To empower consumers to make informed, healthy and sustainable food choices, the Commission will propose harmonised mandatory front-of-pack nutrition labelling and will consider to propose the extension of mandatory origin or provenance indications to certain products, while fully taking into account impacts on the single market. The Commission will also examine ways to harmonise voluntary green claims and to create a sustainable labelling framework that covers, in synergy with other relevant initiatives, the nutritional, climate, environmental and social aspects of food products. The Commission will also explore new ways to provide information to consumers through other means including digital, to improve the accessibility of food information in particular for visually impaired persons.

1. **How can we ensure that the rights of environmentalists working on food issues (environmental human rights defenders) are protected? What efforts has EU made to create a safe and enabling environment for them to freely exercise their rights without fear of violence, intimidation or reprisal?**

Environmental human rights defenders are on the frontline to protect their rights and the rights of their communities affected by environmental degradation and climate change. The EU provides protection to environmental and land human rights defenders and indigenous peoples who are facing unprecedented level of threats and attacks. The EU is aware that land and environmental defenders are the most threatened and killed HRDs. The situation, particularly worrying in Latin America and Asia, is unacceptable.

Since its launch in 2015, a mechanism fully financed by the EU, ProtectDefenders.eu has supported almost 12,000 land and environmental rights and indigenous rights' defenders (6,370 of them women) representing the main group the mechanism. The support was delivered through emergency grants, financial organisational support, and funding of capacity-strengthening trainings. Through the emergency grants, environmental human rights defenders and their family members can inter-alia, when necessary, be urgently relocated and have their legal costs, medical care or security measures covered.

Thanks to this projects the situation on hundreds of environmental human rights defenders have improved around the world. In addition, EU delegations across the world make full use of their political tools to protect HRDs at risk. EU Delegations regularly organise meetings with land and environmental defenders, monitor their trials or visit them in detention. When at risk, EU Delegation can issue public statements or carry out silent diplomacy raising concern for the situation of HRDs. The EU regularly calls 3rd countries to carry out independent investigations on the killings of human rights defenders. The EU also calls States to duly consult (prior consultation) of human rights defenders before carrying out projects that have an impact on the environment.

EU actions are guided by the EU Human Rights Guidelines for Human Rights Defenders[[13]](#footnote-13). EU considers it fundamental to protect them, as they are key actors in ensuring sustainable development and fighting climate change.

Human rights defenders in the agri-food sector traditionally address issues related to the inequalities in terms of access to resources, in particular land rights.

Secure access and use of land for men and women is crucial for sustainable development and food security. The pressure on land is increasing often to the detriment of male and female smallholders, who are dependent upon land for their livelihoods. The multiple demands on land, combined with the risk in causing conflict and unrest if not administered correctly, turns land governance into a very challenging and politically sensitive undertaking.

The EU land policy guidelines addressed such challenges already in 2004. Many principles of the EU land policy guidelines have been retained by the "Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)", adopted in the context of the FAO/CFS work. The international community considers the VGGTs as the reference for land governance improvements. The EU did not only support the preparation of the VGGTs; it is also applying and promoting its application in many countries through land governance interventions, notably with the FAO, but also through the integration of these principles into wider actions.

The EU is also among the main donors supporting the International Land Coalition, a wide network of over 200 local and national organisations involved in promoting and defending transparent land tenure and land governance.

The Aarhus Convention supports the work of environmental activists by guaranteeing their rights to access to information, public participation in environmental decision making and access to justice.

1. **There are substantial evidence that actions of high-income states (e.g high levels of meat consumption, excessive calories, and food waste) are linked to adverse effects on food availability, food quality and ecosystem health in low- and middle income states. What are the ways in which high-income states (or EU) can assist low-income states to in reducing the environment impacts of food systems while promoting healthy and sustainably produced food?**

The Farm to Fork Strategy also aims to promote a global transition to sustainable food systems in a partnership approach – in line with the objectives of the strategy and the SDGs. Through trade and international cooperation, bilaterally and multilaterally, the EU will promote sustainable farming practices, reduce deforestation, enhance biodiversity, the adoption of global standards ensuring a high level of protection of human, animal and plant health and improve food security and nutrition outcomes. The EU is in the process of programming international cooperation with partner countries for the period 2021-27, including on sustainable food systems to respond to distinct challenges in different parts of the world

1. **For businesses, what policies and practices are in place to ensure that activities, products, and services across the entire food system (production, processing, distribution, marketing, retail, food loss and waste) achieve healthy and sustainably produced food and meet human rights standards, especially those articulated in the Guiding Principles of Business and Human Rights?**

The EU is a frontrunner in implementing the UN Guiding Principles on Business and Human and actively supports governments and companies with concrete action to foster sustainable and responsible business practices in supply chains within and outside Europe, including by means of dedicated projects.

In the area of food, in order to accelerate and facilitate the transition towards sustainable food consumption and ensure that all foods placed on the EU market become increasingly sustainable, the Commission intends to adopt a legislative proposal for an EU framework for a sustainable food system before the end of 2023. This action will promote policy coherence at EU and national level, mainstream sustainability in all food-related policies and strengthen the resilience of food systems. Following broad consultation and impact assessment, the Commission will work on common definitions and general principles and requirements for sustainable food systems and foods. The framework will also clarify the responsibilities of all actors in the food system. Combined with certification and labelling on the sustainability performance of food products and with targeted incentives, the framework will allow operators implement sustainable practices and progressively raise their sustainability standards so that sustainability becomes the norm for all food products placed on the EU market. See also description above of the upcoming Code of Conduct for businesses in the food sector.

More generally, the Commission is preparing a legislative initiative on sustainable corporate governance that would introduce mandatory human rights and environmental due diligence across supply chains. The public consultation of the initiative was finalised in February 2021 and its adoption is expected before the end of the year.

1. https://ec.europa.eu/food/sites/food/files/safety/docs/f2f\_action-plan\_2020\_strategy-info\_en.pdf [↑](#footnote-ref-1)
2. [Code of Conduct for Responsible Business and Marketing Practices | Food Safety (europa.eu)](https://ec.europa.eu/food/farm2fork/sustainable-food-processing-wholesale-retail-hospitality-and-food-services/code-conduct_en) [↑](#footnote-ref-2)
3. [General Food Law | Food Safety (europa.eu)](https://ec.europa.eu/food/safety/general_food_law_en) [↑](#footnote-ref-3)
4. [The common agricultural policy at a glance | European Commission (europa.eu)](https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy/cap-glance_en) [↑](#footnote-ref-4)
5. [Common fisheries policy (CFP) (europa.eu)](https://ec.europa.eu/oceans-and-fisheries/policy/common-fisheries-policy-cfp_en) [↑](#footnote-ref-5)
6. https://ec.europa.eu/food/safety/food\_waste/eu\_actions/eu-platform\_en [↑](#footnote-ref-6)
7. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.C\_.2017.361.01.0001.01.ENG&toc=OJ%3AC%3A2017%3A361%3ATOC [↑](#footnote-ref-7)
8. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018XC0416(01) [↑](#footnote-ref-8)
9. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018XC0416(01) [↑](#footnote-ref-9)
10. https://ec.europa.eu/food/safety/food\_waste/eu\_actions/date\_marking\_en [↑](#footnote-ref-10)
11. see https://ec.europa.eu/environment/biodiversity/business/index\_en.htm [↑](#footnote-ref-11)
12. <https://ec.europa.eu/food/sites/food/files/safety/docs/f2f_action-plan_2020_strategy-info_en.pdf> [↑](#footnote-ref-12)
13. https://eeas.europa.eu/sites/default/files/eu\_guidelines\_hrd\_en.pdf [↑](#footnote-ref-13)