Bern, 12.05.2021

**Swiss answer - Call for Inputs Healthy and Sustainable Food: Reducing the Environmental Impacts of the Global Food System on Human Rights**

**1. Please provide examples of ways in which the environmental impacts of the global food system are having adverse impacts on human rights. Adversely affected rights could include, among others, the rights to life, health, water and sanitation, food, culture, livelihoods, non-discrimination, a safe, clean, healthy and sustainable environment, and Indigenous peoples’ rights.**

Examples of environmental impacts that adversely impact human rights such as the right to food, right to water or the right to health are:

* environmental degradation with loss of biodiversity, soil erosion and desertification or contamination of water basins due to extensive agriculture
* natural resources – particularly related to land, water and seeds
* adverse climate effects
* extensive use of pesticides and herbicides impacting food safety

The health and environmental consequences of unbalanced and unhealthy diets translate into actual costs for individuals and society as a whole, such as increased medical costs and the costs of climate damage, among other environmental costs. ([State of Food Security and Nutrition in the World](http://www.fao.org/3/ca9692en/online/ca9692en.html#chapter-executive_summary), 2020)

Today’s food and agricultural systems have succeeded in supplying large volumes of food to global markets. However, high-external input, resource-intensive agricultural systems have caused massive deforestation, water scarcities, biodiversity loss, soil depletion and high levels of greenhouse gas emissions. Despite significant progress in recent times, hunger and extreme poverty persist as critical global challenges. Even where poverty has been reduced, pervasive inequalities remain, hindering poverty eradication. ([The 10 Elements of Agroecology](http://www.fao.org/3/i9037en/i9037en.pdf), 2020)

Although a major share of the world’s forests are found in Indigenous Peoples’ lands, they are increasingly threatened by encroachment, fires and drought driven by food production as well as the erosion of cultural norms and traditional knowledge.

Current top-down policy, program and finance decision-making, undermine local visions and coordinated action for thriving landscapes. Stronger landscape-scale local governance and coordination are needed to link territorial development to local needs and human rights. (UN Food Systems Summit, [Summary Table of First wave of game-changing propositions](https://knowledge4policy.ec.europa.eu/sites/default/files/2021-04-02%20AT_Summary_Table.pdf), 2021)

**3. To protect a wide range of human rights, 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 to food systems that restore and regenerate nature rather than degrading ecosystems, while providing healthy diets for a global population that will exceed nine billion by 2050?**

Switzerland supports the following calls:

* [HLPF Ministerial Declaration 2019](https://www.un.org/ga/search/view_doc.asp?symbol=E/HLS/2018/1&Lang=E) "to adopt a sustainable food systems approach and to develop effective strategies and innovations to reduce food losses and waste. Resilient, sustainable and inclusive food systems that protect, enhance and restore natural resources, sustain rural and urban livelihoods and provide access to nutritious foods from smallholder producers must be at the heart of efforts to promote sustainable consumption and production."
* [UNEA-4 Ministerial Declaration](https://wedocs.unep.org/bitstream/handle/20.500.11822/28463/K1901029.pdf?sequence=6&isAllowed=y), 2019, "to promote sustainable food systems by encouraging the implementation of sustainable and resilient agricultural practices, improving value generation, and significantly reducing waste and energy use along the food supply chain to help ensure food security and ecosystem functions and services."
* [UNGA73 Resolution Global health and foreign policy](https://undocs.org/en/A/RES/73/132), 2019, urging "Member States to promote food security and food safety, adequate nutrition and sustainable, resilient and diverse nutrition-sensitive food systems as central elements for healthier populations and as a fundamental tool to achieve the Sustainable Development Goals and targets, aiming at a world free from malnutrition in all its forms, where all people throughout their life course and at all times have access to adequate food and enjoy diversified, balanced and healthy diets for an active and healthy life."
* [CFS Voluntary Guidelines on Food Systems and Nutrition](http://www.fao.org/3/ne982en/ne982en.pdf), 2020: "The process towards achieving sustainable food systems that meet the dietary needs of populations, recalling that transformation of food systems should be encouraged in a coherent manner, as appropriate and in accordance with and dependent on national contexts and capacities, require policy, institutional and behavioural changes which are context-specific among food system actors. Food system-related policies should focus on their direct and indirect economic, social, environmental, cultural, nutritional, and health impacts, paying special attention to the poorest and most vulnerable to all forms of malnutrition and addressing barriers they face in accessing food for healthy diets through sustainable food systems."
* [CFS Voluntary Guidelines on Food Systems and Nutrition](http://www.fao.org/3/ne982en/ne982en.pdf), 2020: "To achieve the 2030 Agenda for Sustainable Development, and its Sustainable Development Goals, taking into account other international commitments and obligations, relevant agreed World Health Assembly (WHA) resolutions and decisions, as well as to fulfill national commitments to end malnutrition in all its forms, in accordance with the three dimensions of sustainable development while safeguarding natural resources, economic growth and social wellbeing, a food systems approach is needed that recognizes that the various parts that make up food systems are interconnected. Any action or decision to address one aspect of a food system will likely impact other aspects, and food systems respond and are impacted by other systems, situations, and contexts. Thinking systematically and interdisciplinarily about the process towards achieving sustainable food systems, recalling that transformation of food systems should be encouraged in a coherent manner, as appropriate and in accordance with and dependent on national contexts and capacities, can foster that challenges are tackled from multiple perspectives. Thus, the VGFSyN provide guidance on a range of science and evidence-based policy actions spanning the diversity of food supply chains, food environment and responsible consumption, as well as the drivers and people that shape those actions."
* [The 10 Elements of Agroecology](http://www.fao.org/3/i9037en/i9037en.pdf), 2020: Diversity; synergies; efficiency; resilience; recycling; co-creation and sharing of knowledge (describing common characteristics of agroecological systems, foundational practices and innovation approaches); human and social values; culture and food traditions (context features); responsible governance; circular and solidarity economy (enabling environment).
* UN Food Systems Summit, [Summary Table of First wave of game-changing propositions](https://knowledge4policy.ec.europa.eu/sites/default/files/2021-04-02%20AT_Summary_Table.pdf), 2021: "A just transition to sustainable agriculture through policy reform and public support. Redirect support (incl. subsidies) to incentivise a just transition to sustainable agriculture, addressing food and nutrition security as well the climate and nature emergencies."   
  "Develop a “Codex Planetarius” to determine a set of minimum environmental standards to govern global food trade. Develop a “Codex Planetarius”, i.e., a globally recognised standards framework for the environment, requiring minimum performance levels for products to enter the global market. This would allow countries to reach agreement on a baseline set of criteria on sustainable production, across a range of factors such as biodiversity, soil health, water and air quality and agrochemical toxicity." "Scaling-out Agroecological Production Systems. Scale-out agrocecological production systems, systemically considering different elements of food systems from production to consumption and involving all stakeholders (women, men, youth, marginalized and indigenous communities) and sectors. The scaling up of agroecological/ regenerative approaches represents the systemic solution that underpins transformative change and supports socio-ecological transitions towards sustainable agriculture and food systems."

**4. Please provide specific examples of constitutional provisions, legislation, institutions, regulations, standards, jurisprudence, policies and programmes that apply a rights-based approach to ensuring healthy and sustainably produced food. Please include, inter alia, any instruments that refer directly to the right to a healthy environment.**

The [Federal Constitution of the Swiss Confederation](https://www.fedlex.admin.ch/eli/cc/1999/404/en) contains a number of articles that aim to contribute to the promotion of sustainability in food systems:

Art. 2

2 It shall promote the common welfare, sustainable development, internal cohesion and cultural diversity of the country.

4 It is committed to the long term preservation of natural resources and to a just and peaceful international order.

Art. 73

The Confederation and the Cantons shall endeavour to achieve a balanced and sustainable relationship between nature and its capacity to renew itself and the demands placed on it by the population.

Art. 104

1 The Confederation shall ensure that agricultural sector, by means of a sustainable and market oriented production policy, makes an essential contribution towards:

1. the reliable provision of the population with foodstuffs;
2. the conservation of natural resources and the upkeep of the countryside;
3. decentralised population settlement of the country.

2 In addition to the self-help measures that can reasonably be expected in the agriculture sector and if necessary in derogation from the principle of economic freedom, the Confederation shall support farms that cultivate the land.

3 The Confederation shall organise measures in such a manner that the agricultural sector fulfils its multi-functional duties. It has in particular the following powers and duties:

1. supplementing revenues from agriculture by means of direct subsidies in order to achieve of fair and adequate remuneration for the services provided, subject to proof of compliance with ecological requirements;
2. encouraging by means of economically advantageous incentives methods of production that are specifically near-natural and respectful of both the environment and livestock;
3. legislating on declarations of origin, quality, production methods and processing procedures for foodstuffs;
4. protecting the environment against the detrimental effects of the excessive use of fertilisers, chemicals and other auxiliary agents;
5. at its discretion, encouraging agricultural research, counselling and education and subsidise investments;
6. at its discretion, legislating on the consolidation of agricultural property holdings.

4 For these purposes, the Confederation shall provide both funds earmarked for the agricultural sector and general federal funds.

Art. 104a

In order to guarantee the supply of food to the population, the Confederation shall create the conditions required for:

1. safeguarding the basis for agricultural production, and agricultural land in particular;
2. food production that is adapted to local conditions and which uses natural resources efficiently;
3. an agriculture and food sector that responds to market requirements;
4. cross-border trade relations that contribute to the sustainable development of the agriculture and food sector;
5. using food in a way that conserves natural resources.

**5. If your State is one of the 156 UN Member States that recognizes the right to a safe, clean, healthy and sustainable environment, has this right contributed to preventing, reducing, or eliminating environmental impacts caused by the unstainable production or consumption of food? If so, how? If not, why not?**

Switzerland has ratified the Aarhus Convention. However, a specific right to a safe, clean, healthy and sustainable environment as such has not (yet) been included in the Swiss Constitution. Parliamentary proposals in this regard are pending, see [21.436](https://www.parlament.ch/en/ratsbetrieb/suche-curia-vista/geschaeft?AffairId=20210436), [21.437](https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaeft?AffairId=20210437), [21.438](https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaeft?AffairId=20210438), [21.439](https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaeft?AffairId=20210439) and [21.440](https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaeft?AffairId=20210440).

The Swiss Centre of Expertise in Human Rights has recently published a study on a potential UN Resolution recognizing a right to a safe, clean, healthy and sustainable environment and its implications for Switzerland: <https://www.skmr.ch/frz/domaines/questions-institutionnelles/publications/etude-droit-environnement-sain.html>

**6. Please provide specific examples of good practices in preventing, reducing, or eliminating environmental impacts caused by the unstainable production or consumption of food. These examples may occur at the international, regional, national, sub-national, or local level. Examples may involve monitoring food quality; guaranteeing procedural rights (e.g. public access to food information, public participation in decision-making about the environmental impacts of producing or consuming food, access to remedies); new technologies; legislation, regulations, standards, jurisprudence and policies that address the environmental impacts of the food system; and initiatives to achieve healthy and sustainably produced food (e.g. halting land conversion for agriculture, reducing greenhouse gas emissions, reducing air and water pollution, supporting agroecology, agroforestry, organic farming and closed-loop aquaculture, increasing efficiencies, promoting healthy and sustainable diets such as plant-based, and avoiding food waste). Where possible, please provide evidence related to the implementation, enforcement, and effectiveness of the good practices.**

See: [The SFS Programme Case Studies - Food Systems Transformation | One Planet Network](https://www.oneplanetnetwork.org/sfs-programme-case-studies-food-systems-transformation)

**7. Please identify specific challenges that your Government, business, or organization 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.**

**8. Please specify ways in which additional protection is provided (or should be provided) for small-holders and populations who may be particularly vulnerable to unhealthy and unsustainably produced food (e.g. women, children, persons living in poverty, members of Indigenous peoples and traditional communities, older persons, persons with disabilities, ethnic, racial, religious or other minorities, migrants and displaced persons). How can these populations be empowered to produce and consume healthy and sustainably produced food?**

We refer to the [CFS Voluntary Guidelines on Food Systems and Nutrition](http://www.fao.org/3/ne982en/ne982en.pdf), 2020, the [State of Food Security and Nutrition in the World](http://www.fao.org/3/ca9692en/online/ca9692en.html#chapter-executive_summary), 2020, and the [Outcome Document of the 3rd Global Conference of the One Planet Network’s Sustainable Food Systems Programme](https://www.oneplanetnetwork.org/sites/default/files/outcome_document_3rd_global_sfsp_conference_sfsp_final_3dec2020.pdf), 2020.

In addition, Switzerland supports right holders through development cooperation programs to raise their awareness about their rights and to empower them in order to voice their needs and requests. They need to have a seat at the table during national policy processes and have access to justice to claim their rights.

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

Switzerland supports the work of environmental and other human rights defenders and aims to improve their protection on the ground from arbitrary treatment, threats and violence.  The FDFA's guidelines on the protection of human rights defenders serve as a framework for the Swiss representations abroad: <https://www.eda.admin.ch/eda/en/home/foreign-policy/human-rights/human-rights-policy/swiss-commitment/human-rights-defenders.html>

**10. There is substantial evidence that the 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 ways in which high-income States should assist low-income States in reducing the environmental impacts of food systems while promoting healthy and sustainably produced food?**

High-income States can assist low-income states in reducing the environmental impacts of food systems through knowledge- and technology transfer, but more importantly by applying fair trading rules.In implementing the [constitutional article 104a §d](https://www.fedlex.admin.ch/eli/cc/1999/404/en#art_104_a) mentioned above, Switzerland seeks to reduce adverse effects of its food imports abroad by including sustainability clauses in trade agreements.

**11. For businesses, what policies or 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 on Business and Human Rights?**

Switzerland is currently developing a food waste reduction action plan with a focus on public private partnerships. Voluntary industry agreements will be a central element of that action plan, which is expected to be adopted in the fourth quarter of 2021.

Other voluntary initiatives focused on businesses include the [Global Compact Network Switzerland & Liechtenstein](https://www.globalcompact.ch/about-us) and the [Swiss Food and Nutrition Valley](https://swissfoodnutritionvalley.ch/).

More generally, the Swiss government expects business enterprises based and/or operating in Switzerland to fulfil their human rights responsibilities wherever they operate and to carry out human rights due diligence, as set out in its National action plan on business and human rights.