

Recognizing Farmers' Rights as Human Rights to Achieve Seed and Food Sovereignty

1. Introduction

With the unstable and volatile Ukraine war and the post-COVID economic instability, agriculture and food sectors have been severely affected, leaving millions of poor people malnourished and in food scarcity. The rise in the price of daily essentials has left the majority of the people on the verge of a humanitarian crisis. Access to food is severely affected, hunger and malnutrition are increasing. The uncritical adoption of industrial agriculture has made farmers dependent on agricultural loans, subsidies, hybrid seeds, chemical fertilizers, pesticides, underground water extraction for irrigation etc. The effects of pursuing faulty agricultural policy have been reflected in depleting soil fertility, loss of biodiversity, decreasing underground water level, water pollution, and violation of farmers' rights.

In Bangladesh, activities related to civil and political rights are more focused compared to economic, social, and cultural rights as well as rights related to farming and rural communities. There are several human rights issues in Bangladesh related to food, nutrition, agriculture, and farmers' rights. The report addresses the following:

2. Right to Food: The right to food recognised as fundamental human right implies that every person has the right to access safe, nutritious, and sufficient food. However, food insecurity, hunger and malnutrition remain significant in Bangladesh. According to the World Bank Survey, around 30 percent of people are facing food scarcity, out of which 13% go to sleep hungry in 2022. (DS, October 7, 2022). Other surveys of 500 households (UBINIG 2022), the common food items are rice+pulse+egg (27%) and rice+vegetables (22%). Being relatively cheap than other protein sources, poultry eggs are a common food item for poor people. Potato is among the cheap vegetables. Fish consumption is 12%, meat consumption is found only once in a while.

According to a recent analysis of the market price of the daily essentials by Center for Policy Dialogue (CPD), rice, sugar and soybean oil are more expensive in Bangladesh than in other developing or industrialized countries. The beef which is not imported is much higher than the international market.

The South Asian Network on Economic Modelling (SANEM) has found that amid high inflation, the number of people going hungry for an entire day has nearly doubled among lower-income groups in the past six months. According to SANEM, 17.94 percent had to put off meals despite hunger. The number rose to 32.38 percent in the March 2023 study. Over seven out of 10 (71.19 percent) were eating less than they needed, up from 42 percent six months ago. The number of people at risk of severe hunger more than doubled from 12.25 percent six months

ago to 25.44 percent. Compared to rural areas, the poor in urban areas are facing severe food crisis, with 20 percent in rural areas, and 30 percent in urban areas.

The Al-Jazeera reports the latest data in February by the state-run Trading Corporation of Bangladesh, the prices of almost all essential items have increased by 1 percent to 151 percent year-on-year on average in the country. The price of meat has risen by an average of 39 percent, while rice has risen by 30 per cent, [Prothom Alo, English Desk report, 2023]. Al-Jazeera also referred to research published on 29 March by the South Asian Network of Economic Modelling (SANEM), some 96 percent and 89 percent of poor people in the country have reduced their meat and fish consumption respectively in the last six months due to high inflation and rising food prices. A newspaper reporter Shamsuzzaman Shams was detained under Digital Security Act for quoting a day labour demanding “independence of having fish and meat”.

3. Nutrition: According to Global Hunger Index (GHI) 2022, WHO Bangladesh scores 19.6 which is considered moderate, but just on the borderline of 20 being “serious”. [DS, October 13, 2022] Malnutrition, including undernutrition, and micronutrient deficiencies are still a major concern in Bangladesh. The right to adequate nutrition includes access to a diverse and balanced diet that meets nutritional needs, as well as access to safe drinking water and sanitation. However, the solutions offered for solving malnutrition by the government are corporate-based.

About 5.5 million children under 5 years (36 percent) are suffering from chronic malnutrition (stunting or low height-for-age), and 14 percent are acutely malnourished (wasting or low weight-for-height), according to the National Institute of Population Research and Training (NIPORT) 2016. Another NIPORT report (2013) shows about 35 percent of the population remains food insecure, and 10 percent of ever-married women are moderately or severely food insecure.

Non-communicable diseases (NCD) have been increasingly prevalent and cause least 67% of all the diseases. These are mostly the consequences of the chemical and pesticide-based industrial agriculture that has been implemented for decades. The Green Revolution was premised on the assumption quantity of food needed to be increased rather than ensuring nutritional quality and safety to feed a growing population.

In its efforts to eradicate malnutrition, the government has passed a law in 2013 to mandatory fortification of edible oil with vitamin A. Ninety-five percent of packaged edible oil and 41 percent of drummed edible oil is brought under the vitamin A fortification program. Wheat and corn flour are also fortified with Vitamin A. The Agriculture Ministry is engaged in the bio-fortification of rice with zinc, in genetic modifications of eggplant, rice, potato, etc. The food sectors are being taken over by private companies and commercial importers with infinite profit motives that hardly care for the health of the people [TBS, 22 September, 2021].

4. Agriculture and Farmers' Rights: Modernization of agriculture and shifting to industrial production of food have been destroying the biological foundation of agriculture and making it impossible to produce safe and nutritious food. The destruction of small farming households

who are able to produce food without pesticide and chemicals are not supported. The small-scale farmers, particularly women, often face significant challenges in accessing land, water, and other resources, as well as accessing markets and finance.

4.a. Small-scale farmers are further marginalised

Bangladesh agriculture is dominated by small farm holdings (less than a hectare) constituting 84.38 per cent of total farming households and only over 15.61% are medium and large farms (over 7.50 acres) [BBS, 2022]. Small-scale farmers are the backbone of agriculture and the key driving force in ensuring food security, combating hunger, etc. Yet, small-scale food producers are among the most vulnerable groups in the rural areas. Women farmers, are further disadvantaged.

Sustainable agricultural practices that protect biodiversity and genetic resources are essential for future food security. SDG 2 aims to end hunger and undernourishment and ensure access to enough safe and nutritious food. This has to be attained by increasing agricultural productivity and incomes of the small-scale food producers. Sustainable food production systems and resilient agricultural practices are key factors in achieving this goal.

4.b. Prioritising industrial agriculture over small-scale farming has proved to be bane

Since the Bangladesh government has adopted an agricultural policy that is more in favour of industrial agriculture by large corporate firms, it has directly impacted small-scale farming and denied the rights of the farming community enshrined in international covenants. The government has given a free rein to the private sector dealing in hybrid seeds, chemical fertilizers, pesticides, herbicides, combine harvester machines, etc. It is done without appropriately and adequately assessing and testing new technologies that are often a serious threat to food production and overall environment, ecology and biodiversity. As a result of this faulty initiative, overall productivity has declined, biodiversity has been severely damaged, water-soil-air has been polluted, and ecological balance has been disturbed.

4.c. Combine harvester machines are replacing agricultural labourers

Big corporate agro firms are rapidly mechanizing the agricultural sector with support from the government. During the COVID pandemic, the government declared input subsidy of 2 billion BDT to serve the interests of large agricultural companies like ACI motors, Chinese and Japanese companies to sell combine harvester machines that have replaced the agricultural labours. Amid the crisis of Lockdown, the agricultural labours could not move. Without arranging transports for the agricultural labours who were starving without income, the sale of these harvester machines has risen to a staggering 400 percent. According to Agriculture Minister, every year 90 billion taka is kept aside to meet any urgent need of the agricultural sector, out of which 60 billion taka is needed for fertilizers and the remaining 30 billion taka is now going to be used to buy the harvester machines [UBINIG, 2020]. Each harvester requires three times less labours. Government and large agro firms are working hand in hand in the mechanisation of the agricultural sector by subsidizing the machines and offering loans and instalments to local people for purchasing these machines. Environmentalists and agro-ecologists are concerned

that mechanised harvesters are going to replace over eight million agricultural labourers who find seasonal work in the *Haor* region, and it will further damage already precarious environmental and agro-ecological conditions, affecting the livelihood of the rural population.

4.d. Farmers are susceptible to cancer due to the pesticides usage

The farmers practicing modern agriculture are using pesticides in agricultural production. They are unprotected and have little information on the hazards. The Department of Agricultural Extension promotes use of these chemical inputs without ensuring protection measures although Integrated Pest Management (IPM) is also being promoted. The hybrid seeds are promoted by the private companies, and pesticides are promoted along with the seeds. According to the Cancer Registry Report 2015-17 of the Epidemiology division of National Institute for Cancer Research and Hospital (NICRH), one-third of those diagnosed as cancer patients each year belong to the ordinary farmers' category. The proportion of farmers is continuously rising every year.

At present, about 50 thousand tons of pesticides are imported annually in the country. As a consequence, excessive quantities of pesticides are applied, and the residuals are found in crops and vegetables. A study by the National Food Safety Laboratory of Public Health Institute (2016) found that the amount of pesticide in cauliflowers was 36-times higher than the permissible limit for the human body. According to UBINIG documentation, there are 629 government-registered insecticide, miticide, fungicide, herbicide, rodenticides, and biopesticide selling companies in Bangladesh hardly with any regulation. Various kinds of herbicides such as Glyphosate, RoundUp, Paraquat, Clopyralid, etc. are also used indiscriminately.

4.e. Inadequate measures against the market volatilities to protect farmers' rights

In the neoliberal market economy, farmers are left unguarded to economic shocks and market volatility. Due to the dependence on mechanical and chemical agricultural inputs, production costs have risen manifold in recent years. While the cost of production is rising, farmers fail to get a fair price for their agri-products in the market. In 2022, many farmers could not even manage to secure the production cost of their rice production. Hundreds of thousands of rice growers in the 16 northern districts could not cope with a 25 percent rise in the cost of farming. For Boro paddy, the cost of fuel for the tiller machines and water pumps, fertiliser, pesticide, seed, farm workers estimated to be Tk 19,900 for each Bigha (0.111 hectare) of land, up from the previous year's Tk 14,900.

The production cost per maund of coarse paddy, including the labour cost, is Tk 900 while its selling price is only Tk 650 to Tk 750, while plain paddy is being sold at Tk 750 to Tk 850 against the production cost near Tk 1000. As a result, paddy farmers have been counting Tk 150-250 loss per maund of paddy.

Government measures to protect them are often proved to be inadequate since it fails to fathom the effect of the erroneous agricultural policy. As a result, the government measures to alleviate the condition of the farmers hardly go beyond the subsidy and agricultural loans which in turn keeps the vicious circle running.

A recent newspaper report has revealed that farmers and mill owners in Rajshahi division are shying away from providing paddy and rice to the government warehouses due to their low prices. The government has set the price of Aman paddy at Tk 28 per kilogramme and boiled rice at Tk 42 a kg (January, 2023).

Farmers are getting relatively higher prices in the local market than those set by the government. Besides, it takes two to three more days to get money if the farmers sell the rice to the government warehouses. Farmers say that they would incur a loss if they provide paddy and rice to the government warehouses at the price set by the government.

5. Undermining International Laws

Bangladesh is a signatory to and ratified the Convention of Biological Diversity and Cartagena Protocol. The legal and regulatory measures are inadequate and there is no representation of farmers' organizations to express concerns related to pesticides, and agro-ecologically destructive practices and grievances on government policies that affect their life and livelihood. By undermining the ability, knowledge, and successful practices of the farming communities to ensure food and nutrition for themselves, farming communities' rights are violated to produce their own food without external dependence.

In the light of opportunity provided by the recognition of Farmers' Rights as human rights International Treaty on Plant Genetic Resources for Food and Agriculture (IPTGRFA) and United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP), Bangladesh desperately needs the counterbalancing measures to protect the human rights of farmers to safeguard farming and indigenous communities from the obligatory protection of breeders and commercial varieties under the Agreement on Trade-Related Aspects of Intellectual Property Rights.

6. Imposing genetically modified (GM) crops and vegetables arbitrarily infringes farmers' right

Despite concerns of biosafety, Bangladesh approved field cultivation of Bt brinjal in October 2013. Bt brinjal Seeds were distributed farmers since 2014. In January 2019, UBINIG studied the experience of 45% of the farmers who adopted Bt brinjal in 2014-15 receiving seeds in the second round of seed distribution by the Bangladesh Agricultural Research Institute (BARI) without the knowledge of the farmers that these were GMOs. The farmers were imposed with the seeds by the Department of Agricultural Extension (DAE), so only 27% of the farmers continued to harvest the crop in 2015-16, declining to 4% in 2018-19. The farmers incurred losses and cultivation failed.

Despite the failure of BT Brinjal, Bangladesh Rice Research Institute (BRRI) has been trying to introduce genetically engineered Golden Rice and Bt Cotton. Bt cotton has been found to be a cause of farmer suicides in cotton growing areas in India. Evidence also shows that Bt cotton has also induced new pests that can greatly disrupt the ecological balance.

7. Tobacco cultivation in agricultural land posing threat to the soil and creating food insecurity

Farmers producing food crops are persuaded by the Tobacco companies to grow tobacco with offers of “support” of inputs, cash money and seeds. In terms of seasons and land areas covered, tobacco contributes to replacing food and other important agricultural crops such as pulses, vegetables, Jute. Tobacco companies such as British American Tobacco company, Japan Tobacco International and conglomerates of national and international companies are trapping the farmers with false hopes of profits. Tobacco companies through company cards trap the farmers into tobacco production.

Tobacco was cultivated on 1.15 lakh acres of land in 2015-16, according to Bangladesh Bureau of Statistics. The land and the farmers are not ‘free’ in tobacco farming. There are proven evidence of soil degradation, deforestation, water and air pollution causing health hazards to the people mostly women and children.

Because of soil degradation, tobacco companies move from one area to the other, creating more and more food deficits in the country. Despite being a signatory of the Framework Convention on Tobacco Control (FCTC) of WHO, and with Articles 17 and 18 requiring governments to take actions for shifting to alternative crops and protect environment, the government is yet to take initiative to control tobacco cultivation. Bangladesh also has a national law against tobacco usage and production.

8. Commercialization of seed sector destroying Farmer's Seed System

The promotion of commercial hybrid seeds without being adequately tested and violating the existing seed rule is destroying farmers’ seed systems. The hybrid seeds of rice and vegetables are not performing as claimed. According to newspaper reports, hybrid boro rice seeds did not germinate in 42 hectares of land in Bagerhat district [banglanewstwentysfour.com, November 27, 2020]. Micro credits and Government supports are available to farmers only to use these commercial seeds which need chemical fertilizers, pesticides and ground water irrigation.

9. Recommendations

1. Recognise farmers’ rights as human rights in national laws and rules.
2. Right to food must be reflected and must incorporate small-scale farmers’ access to land, water, seeds and other resources.
3. Strong regulatory control over pesticides, herbicides and harmful chemicals.
4. Practicing agroecological principles in agriculture.
5. Review of implementation of CBD, ITPGRFA, UNDROP, FCTC, SDG and other relevant international instruments.

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