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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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India: Urge authorities to take concrete steps to arrest farmer suicides

The Asian Legal Resource Centre (ALRC) draws the attention of the Human Rights Council to the continuing problem of farmer suicides in India. The suicides have seen a spike despite authorities' claims of measures from loan waivers to compensation for crop failures.

According to the National Crime Records Bureau (NCRB), suicides of 'farmers/cultivators' witnessed a steep hike of 42% in 2015. The year witnessed suicides of "(a) total of 12,602 persons involved in farming sector (consisting of 8,007 farmers/cultivators and 4,595 agricultural labourers)", accounting for "9.4% of total suicides victims (1,33,623) in the country." The NCRB also notes that "Bankruptcy or Indebtedness" and "Farming Related Issues", i.e. non-personal reasons, account for 58.2% of these suicides.

The real number of suicides may in fact be considerably higher because of serious discrepancies between data from different states and that of the NCRB. For instance, while the NCRB put the figure of farm suicides in Odisha state at only 23, Odisha's Agricultural Minister put the figure at 139 while replying to a question in the state Assembly. There might be similar discrepancies in data from other states, hinting at the possibility of the NCRB data diluting the real extent of the crisis.

Further, the NCRB data attributing personal reasons to the majority of agricultural labourer suicides raises serious doubts. As mentioned above, the NCRB attributes 59.3% of farmers/cultivators' suicides to agricultural, non-personal reasons like bankruptcy, debt, farming related issues. The reasons change inexplicably for the labourers however, who are dependent on the same farmers/cultivators. The NCRB attributes 40.1% of total suicides for labourers to family problems and another 19% to illness. Together, these two reasons, both unrelated to farming, caused 59.1% of suicides among agricultural labourers.

The NCRB data attributes a mere 2.2% of agricultural labourer suicides to bankruptcy/indebtedness, 3.9% to poverty and none to farming related issues, all considerably lower than for farmers/cultivators. Why are family problems killing around 3-and-a-half times more agricultural labourers than their employers? Can these 'family problems' be related to falling, and at times no, jobs in agriculture, forcing the families into hunger and thus causing serious rifts? Or related to falling income that denies them even emergency health care?

Clearly, these figures are understating the real gravity of the crisis.

Despite that, the data still reveals troubling realities. It shows for instance, that 45.2% of total farmers/cultivators who committed suicide were "Small Farmers/Cultivators" (3,618) and another 27.4% "Marginal Farmers/Cultivators" (2,195). Together, these two groups accounted for 72.6% of total farmers/cultivators' suicides (5,813 out of 8,007). The reason behind this is simple: in India's largely unbanked agricultural sector, it is the small and marginal farmers, who often have nothing other than their meagre land holdings to depend upon, that are pushed into taking this extreme step. Even a single crop failure can be detrimental for them.

The crisis is unique to the farming sector, evidenced by the fact that bankruptcy or indebtedness kills disproportionately more farmers- 38.7% (3,097 out of 8,007) farmers/cultivators than those in other professions- 3.3%. Farming related issues, or occupational hazards, kills another 19.5% (1,562 out of 8,007 suicides), with no corresponding figure in overall data.

Ironically, of a total 3,097 farm suicides attributed to indebtedness, a whopping 2,474 victims, or 80%, had taken loans from "Financial Institutions like Bank/Registered Micro Financial Institutions", and a mere 302 from "Money Lenders" in 2015. The figure hints at the unacceptable callousness of the formal banking system towards farmers, despite being well aware of the aggravating farm crisis. It also debunks the myth of local money sharks being the main culprits behind

pushing the farmers to death, while exposing the banks and other formal finance institutions of equal guilt. In other words, the farmers are in fact falling prey to State hounding, not private individuals!

The figures are yet another wake up call for the State to get its act together before it is too late. Though it does need long-term solutions like land reforms and building an irrigation network capable of tackling monsoon failure, it also needs an immediate, real time response mechanism for the crisis and calamities that trigger suicide spikes. For example, declaring compensation for crop damages is a routine exercise in states, but it is often grossly inadequate and delayed to arrest the distress.

The Asian Legal Resource Centre therefore urges the Council to:

- a) Ask the Government of India to put in place a system that reaches out to individual farmers in distress in real time, for example timely estimation of crop damages and disbursement of compensation.
 - b) Ask the Government of India to ensure that banking/ cooperative networks first reach and cater to farmers' needs, while also sensitizing them not to hound them in cases of crop failures and/or other distress.
 - c) Ask the Government of India to take a detailed and actual account of the enormity of the crisis and devise a nuanced strategy addressing both- the urgent need of saving the lives of the farmers as well as revitalizing agriculture sector to ensure their food and livelihood security.
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