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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 Sikh Human Rights Group, a non-governmental organization in special consultative status

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

[7 February 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Seeds, Right To Life And Farmers' Rights

The Sikh Human Rights Group feels that food security has become quite a complex issue with several agencies, international organisations, corporates, States, small farmers and the average person pulling in different directions without any system of coordinated policy development. It is also an area in which policies appear to lack some basic human rights principles even though the right to food is one of the most fundamental of norm. We feel the United Nations appears to be a spectator in the dynamics that are shaping food security.

Hence, we welcome and commend Michael Fakhri, the Special Rapporteur on the Right to Food for a forthright and crisp report, A/HRC/49/43, on 'Seeds, right to life and farmers' rights. Mr. Fakhri's report is not only factual and poignant but also connects with people and farmers around the world. For instance, it states, 'during times of celebration and ceremony, when people mark moments of meaning, many communities share, or sprout seeds' immediately puts in context the long association of human beings with seeds and farming.'

We add that many communities have many of their cultural celebrations rooted in the seed cycle. They celebrate the seed cycles in both summer and winter harvests. A degradation of the seed cycle would relate to the loss of centuries of heritages.

The report asserts that "People also have the right to an adequate standard of living, which includes the right to food. The right to food is inherently tied to farmers' seed systems." We would like to add that to ensure that a farmer's right to an adequate standard of living is upheld, it is essential that his produce is not sold for below production cost.

As mentioned in para 12 that 'when a plant and its genetic material are turned into a commodity, it becomes easier for a small number of people to control seeds by restricting access against the majority of humanity.' we fully share that concern. Farming as an autonomous way of life and a proud profession is increasingly being destroyed by corporates and a few companies that control seeds.

Small rural farmers are often pushed further into poverty resulting from as suggested in para 18 'industrial intensification also made farmers dependent on the expensive inputs provided by agrochemical companies... such market concentration means that a small number of companies will unfairly control the price of seeds.' Further, we agree with para 30 and note that this threat is made worse by 'there have been ... attempts by corporations and some states from the global North to use international law to expand the legal and geographic scope of intellectual property rights ... [which] has unfortunately enabled coercion and exploitation.'

In fact, we agree with the report in its entirety including concerns about pesticides and reinforce that large industrial farming and commodification of land has contributed to climate change, the decline in biodiversity and farming as an enjoyable way of life running in families. A powerful statement in the report needs more attention. Para 21 points out. 'farmers rights are inalienable human rights' and that "rural people [have the right to] maintain, control, protect and develop their own seeds and traditional knowledge."

We, therefore, think that the United Nations Declaration on the Rights of Peasants has to be given a binding treaty status so that farmers can be certain of where they stand as well as obligations put on countries to ensure those rights are enshrined in their domestic law.

The Sikh Human Rights Group concurs with the statement made in section 33 that 'if imperial conquest was underwritten by an open system of plant exchange, today's ever-expanding political and commercial interest have been buttressed by the extension of the intellectual property rights through World Trade Organization (WTO).'

The WTO is an outdated institution developed at a time when the interests of powerful industrialised countries determined international institutional structures and policies were made without reference to an ecosystem of human rights and sustainable development goals. It is important that while Transnational Corporations are finally being brought into a binding regime of human rights, institutions such as WTO also need to integrate human rights norms in their policies.

The Sikh Human Rights Group strongly agrees with the statement made in para 36 that without clear and robust systems of farmers' rights and international law, there is a serious

concern that international commerce will continue long-standing patterns of imperial exploitation’

The WTO has a powerful role in the farming sector through a number of agreements that promote a free market in international trade in agriculture produce. They empower the corporate sector to influence prices while restricting countries from subsidizing farming to ensure a decent living for small farmers. WTO rules favour large agribusiness and show little if any empathy with the human rights, culture, pride and lives of small farmers as communities that have survived for centuries.

This disassociation of agri-commerce in WTO from human rights and decent living standards make redundant in sustainable development goals to eradicate poverty, ensure human rights, gender equality, and enhance biodiversity in this sector.

The decisions made in the framework of the (WTO) have a direct impact on the realization of human rights, including the right to development for millions of people across the globe. However, while the WTO has cooperative arrangements and practices with the United Nations (UN), it is not a UN specialized agency and it is not part of the UN system. We are of the strong opinion that the integration of the WTO into the UN Common System will make the global multilateral system to work more consistently and deliver results through synergies with the Human Rights Council/OHCHR, UNCTAD, ILO, UNEP, UNHCR and other relevant UN entities, ensuring that trade serves development goals not only in words but also in practice. This will also improve the involvement of civil society in decision-shaping in the areas of the trade rules thanks to the access to the UN experience and funding as well as increase the legitimacy of the WTO. As it stands now, the WTO stringent rules, including those on intellectual property rights or agricultural subsidies fail to contribute the implementation of the SDGs.

We suggest that the Human Rights Council should seek to redress this and ensure that not only in WTO but other autonomous international institutions that affect lives of ordinary people, the climate and biodiversity, are also be subjected to make human rights inclusive in their policies.

The Sikh Human Rights Group agrees with all points made in sections a,b,c,d, and e (50 - 64). We believe that indigenous and traditional knowledge systems must be protected and that the indigenous and farming communities from which such knowledge systems come from must also benefit from their use.

In conclusion, the Sikh Human Rights Group is highly impressed with the Special Rapporteur’s exhaustive and well-researched report on ‘Seeds, Right to Life and Farmers Right’. We hope that the Human Rights Council takes note of it and that all international governing bodies implement a Human Rights agenda when drafting instruments related to agriculture, seed patents, and peasants.