



**SUBMISSION BY UBINIG TO HUMAN RIGHTS COUNCIL'S
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UBINIG (Policy Research for Develop Alternative), a policy research and advocacy organization in Bangladesh working with and advocating for the farming communities to achieve food sovereignty submits this information on Bangladesh under the General Guidelines for submission of information for Universal Periodic Review. The report has been prepared with consultation with the representatives of Nayakrishi Andolon (New Agricultural Movement), a farmers' movement to produce safe and nutritious food and protect environment, ecology, biodiversity and the genetic resources in order to enable international community and Bangladesh to facilitate the implementation of the human rights of the citizens of Bangladesh.

1. INTRODUCTION

Human Rights to adequate food and nutrition and the right to produce food are rights derived from international obligations and commitments. UBINIG has been raising concerns about the increasingly alarming situation with regard to the failure of the government to ensure adequate food and nutrition as the 'rights' of the citizens. The report is based on the observation, documentation and research for the last three years and experience gained through working directly with the farming communities.

2. HUMAN RIGHTS CONCERN ON FOOD & FOOD PRODUCTION

I. General Concerns

Destruction of the capacity to produce by destroying farming communities coupled with soaring food prices due to macroeconomic policy of forcibly making agriculture and food production to be dictated by the market, Bangladesh has created an alarming human rights situation regarding the right to adequate food and nutrition. Disastrous consequences are imminent since Bangladesh does not have any legal regime, policy, mechanism or institution to address human rights to adequate food and nutrition.

There is no mechanism to ensure food for the needy and the disadvantaged. In the face of the higher price of the food, government has engaged Army to sell rice and other necessities during the military backed regime. It was more to enhance profile of the military-backed regime, rather than meeting the obligation.

II. Corporate Domination

Promotion of corporations and companies and destruction of the farming communities is a grave concern. To increase food production Bangladesh's policy increasingly allows corporations and commercial sectors to freely import and sell seeds, chemicals, pesticides and other agricultural inputs and create their domination in the agricultural sectors. This

is done without appropriately and adequately assessing and testing new technologies that are often serious threat to food production, environment, ecology and biodiversity. Bangladesh is a signatory to and ratified the Convention of Biological Diversity and also Cartagena Protocol. But there is no law to adequately protect biodiversity and genetic resources. By undermining the ability, knowledge and successful practices of the farming communities to ensure food and nutrition for themselves, Bangladesh is destroying farming communities' right to produce their own food without external dependence.

Uncritical policy of commercialization of agricultural sector and promotion of harmful technologies disregards government's obligations to protect environment, ecology, biodiversity and genetic resources. Bangladesh is alarmingly destroying its own ability to produce and making the country more dependent on international market. Bangladesh's policy of quick technological fix will inevitably cause serious & irreversible environmental and ecological disaster and will render large areas of land unproductive. Given that Bangladesh is prone to natural disaster and calamities and vulnerable to climate change the present policies and practice of the government will aggravate the situation.

III. Food production has not increased

Government has given priority for cereals, particularly rice and wheat, using unsustainable technology at the cost of pulse, oilseeds, vegetables, spices and condiments and aquatic resources including fish. Although cereal production has increased in some cases, over all food production and the source of nutrition from fish available for the poor from the aquatic commons declined.

Rural people, particularly women collect food from their surroundings. But the use of chemicals and pesticide in the agricultural production has destroyed the sources of food which provided 40% of the food in the rural areas that are naturally available. Present technology policy of the government that does not assess the environmental, ecological and biodiversity impact is destroying already available 40 percent of food that is normally available from uncultivated sources. It affects the poor and the vulnerable people directly and severely.

IV. Bacterial Leaf Blight

It was observed in the field in recent years that the yield of BR-29, a HYV and the introduced hybrids were at par in most cases. Despite the lack of evidence about the better yield performance of imported hybrid rice seeds government promoted them mainly to support companies against the farmers and public research institutions. . In many cases the yield of indigenous varieties or BR-29 was better than those of the hybrids. The stability of the hybrids was much less than that of the BR-29 and the other HYVs and indigenous seeds. In 2008 there have been several reports from different parts of Bangladesh that the hybrid rice was infected by Bacterial Leaf Blight (BLB) and leaf streak diseases.

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

Promotion of commercial seeds by the Government that were not adequately tested and violated even the existing seed rule and international standards is destroying indigenous

seed systems, environment, ecology and biodiversity making food production difficult now and highly critical for the future. Government supports are available to farmers only to use commercial seeds which need chemical fertilizers, pesticides and ground water irrigation and deny support to farmers for biodiversity-based ecological farming despite the demonstration and evidence that it has immense capacity to enhance food production and make food available for the poor despite the fact that the dominant agricultural system that is feeding the peoples of Bangladesh is still based on farmers' traditional seed system. Women have been saving seeds for thousands of years. But the introduction of company seeds has made women redundant in the farming families and denies the role as food providers for the family and the community.

VI. Farmers Deceived by Companies and NGOs

Farmers were deceived by the advertisement of the company as well as by some NGOs. No legal action has been taken by the government when companies and some NGOs claimed without any experimental and scientific basis that their brand is going to perform better than the farmer's seed

VII. Public Agricultural Research Institution

The public agricultural research institution is also in the shamble and overemphasis on the imported commercial seeds that has so far failed to perform better than the seeds available from farmer seed system as well as from National Agricultural Research Systems has been ignored.

VIII. Biodiversity & genetic resources is not protected

Government has failed to protect traditional knowledge relevant to plant genetic resources for food and agriculture. There is no legal regime to ensure the right to equitably participate in sharing benefits arising from the utilization of seed and genetic resources despite the fact that National Committee on Plant Genetic Resources has drafted and submitted a bill for the government to take action. There is no mechanism to ensure the right to participate in making decisions on matters related to the conservation and sustainable use of plant genetic resources for food and agriculture.

IX. Land Degradation & Stagnant Productivity

The total cropped area accounts for 13.16 million hectares, about 74% of the useable land and the cropping intensity is about 171%. The crop sector alone provides 78% of the value added by agricultural sources. The major crops include rice, wheat, jute, potato, sugarcane, oil seeds, pulses, vegetables, fruits, spices and condiments.

Natural system of the maintenance of soil fertility has been destroyed. Organic matter content of the soil has been reduced below the critical level. The major nutrients including N.P.K.S.Zn have become limiting. The soil fertility has been the base of our emergence as a community. These are also depleted rapidly. This system impoverishes the peasants and damages their life and livelihood. The organic matter content of arable land in Bangladesh has gone down below 1% in some part of the country compared with the minimum of 3 % required. In 70% of the arable area, soil fertility deterioration has been observed during the last decade, attributable in part to the removal of nutrient and there is uneven replenishment from fertilizers applied without taking soil characteristics

in to account. Since these developments are associated with increasing cropping and input use intensities. There is a great risk that some of the efforts to enhance yields will be negated by loss of productivity due to the degradation of the soil and water resources.

X. Poverty & Food

There are about 150 million people in Bangladesh. More than 40 percent of the population are absolute caloric poor (2122 Kcal per capita per day) and more than 25 per cent are hardcore poor (1805 Kcal per capita per day). The real income of all Bangladeshi citizens has been reduced due to increase of price of rice. However, the income of the poor people has been reduced the most. As per the estimate of the Trading Corporation of Bangladesh, there has been 70 per cent increase of the price of coarse rice last year. On the contrary the price of fine rice has increased 57 per cent. The poor people are the customers of coarse rice in the market. When there is high price of rice, the next option for the poor is wheat flour. The price of wheat also has increased 75.51 per cent in the same period.

Poor are the worst affected, in case there is high price of rice. This is because only 12 percent of the population in Bangladesh is food sellers. The rest of the populations have to buy rice from the market. The poor have to spend major share of their income for buying food. They have been highly under employed. As a result they have been suffering from under as well as malnourishment. Employments in the rural areas have become limited. Many of the agricultural Laborers migrated to the cities in search of employment and food. Many of their sad plights have made headlines in the dailies and in the electronic media.

3. STATE'S OBLIGATIONS & VOLUNTARY PLEDGES

I. National obligations: The Government of Bangladesh is yet to address the question of ensuring adequate food and nutrition in the light of her international obligation and duty. Adequate law and necessary institutional measures are necessary in order to express determined intention of the government in this regard before it is too late, since the implementation of social, economic and cultural rights take time to bear positive outcomes.

II. Voluntary Pledges: Bangladesh voluntarily made 17 different pledges at the time of election to Human Rights Council in 2006 in the letter of 12 April 2006. The pledge XV says that she will 'continue to endeavour, through its national development policies, to ensure provision of the basic necessities of her people including food, clothing, shelter, education and primary health care.' UBINIG observed that as a member of the Commission of Human Rights the pledge made by Bangladesh has not been met and there is no evidence that Bangladesh reviewed her existing development policies in the light of the pledge or kept in mind in formulating new policies.

The rights to food and nutrition are intricately linked with other international covenants related to environment, ecology, biodiversity and genetic resources. If lack in understanding the link between food and nutrition with environment, ecology, biodiversity and genetic resource persists and government systematically fails to address these gaps and forgets her pledge in reviewing and formulating agricultural and food policy, it is impossible to implement right to food and adequate nutrition.

III. International obligations:

Bangladesh government must meet her obligation to ensure human rights to adequate food as a signatory to the various covenants, mainly, Universal Declaration of Human Rights (Article 25), International Covenant on Economic, Social and Cultural Rights (Article 11): The Convention on the Rights of the Children (Article 24 and Article 27) as well as commitment.

4. COOPERATION WITH HRC, TREATY BODIES

I. Submission of periodic reports: The government of Bangladesh does not take seriously its obligation to send periodic reports to treaty bodies. No report has been submitted to CAT in its first to third rounds, ICCPR, ICESCR. The third report of ICERD is still pending.

II. Implementation of recommendations: Bangladesh has very poor record of following through recommendations of UN Committees. In 2004 CEDAW Committee number of recommendations including withdrawal of reservation, defining discrimination of women, uniform family law etc that remained unfulfilled. Similarly, recommendations CERD and CRC Committees were ignored.

III: Cooperation with Commission's Special Procedures: Bangladesh is not forthright about Special Rapporteur's visits and seems reluctant to cooperate with this mechanism. Several standing invitations have yet to be agreed, namely, 2000 request of SR on Freedom of Religion, 2002 request on Right to Food, 2003 on Freedom of Opinion and Expression, 2005 request on Adequate Housing, 2006 on Minority Issues, 2006 on Summery Executions and 2007 request of SR on Independence of Judges and Lawyers.

5. RECOMMENDATIONS

Human Rights Council should urge Bangladesh as follows:

1. Enact the necessary specific legal provision to ensure the rights of the people to adequate food and nutrition and put in place relevant structures and institutions to ensure them.
2. Ensure that policy related to agriculture and food production must reflect the international obligations related to adequate food and nutrition, rather than serving corporate interests.
3. Stop immediately destruction of farming communities in order to promote corporate interest and commercial profiteering in food and agriculture.
4. Not to deprive and discriminate against biodiversity-based ecological food producers, organic and traditional farmers in distributing agricultural support and subsidies and unjustly favor farming based on corporate technology and profit.
5. Ensure appropriate environment, ecology and bio-diverse ecosystem for sustained increase in food production Bangladesh must implement all her international obligation related to these areas.
6. Ensure rights of women as seed savers and food providers
7. Cooperate with the Special Rapporteur on Right to Food.