

Parallel report to the second state report of Brazil on the implementation of the International Pact on economic, social and cultural rights

Social Human Rights in Brazil

Violations of Human Rights - the right to food – at the brazil farmers

Presented by Dr. Antonio Andrioli, Via Campesina Brazil

Contact:

Dr. Antonio Andrioli
Rua São Francisco 600 Apto. 402
CEP 98700-000 Ijuí – RS (Brazil)
Phone: +55 55 9618 4832

Via Campesina Brazil
SDS, Qd 6, Bl A, Edifício Carioca, sala 311
CEP 70325-900 - Brasilia – DF (Brazil)
Phone: +55 61 33225424

Christiane Lüst, Aktion GEN-Klage
Berengariastr. 5, 82131 Gauting, W-Germany
Phone: 0049 89 893 11 054

March 20, 2009

The information given in this report focuses on the consequences of a highly perturbing global development, the use of genetically modified organisms (GMOs) in the area of agriculture, which in Brazil has now brought the effect that 25 % of the people are suffering from hunger and since introduction there is a dramatic increase of landlessness and damages of health. Also the contamination of natural resources like water and soil is increasing so that the small farmers can not use these anymore. This development seriously violates the economic, social and cultural rights of brazil farmers.

Brazil in particular is one of the most affected countries worldwide by this development.

It is the world's largest producer of soya, and approximately 60 % from this is just now GM soya.


Brazil is a country which has made great strides in economic growth in the last years. However, the rural economy has undergone a serious decline. The introduction of GMOs - especially GM soya - has also brought a dramatic increase of many negative consequences, particularly for the poor and the people in agriculture. Increasing rates of export and a great increase of big business investing in Brazil has also brought an increase of poverty and dependency of farmers on corporate seed supply.

We are very concerned about this pervasive crisis caused by further planned steps of the government to enlarge GMOs on a large scale and increase the profit. As one consequence of this development of GMOs, the rights of the people to self determination, the right to food, the right to health, are already being massively infringed in Brazil.

That's why we are urging the government of Brazil

- to forbid GMOs in the area of agriculture in Brazil by law
- to stop immediately further deforesting the primeval forests for planting GM soya
- to secure the access to food, clean water and health also for the poorest people with immediate measures
- to secure the access to the old seeds – GM free und reusable every year without further costs
- to secure the ownership of land for the little farmers and Indian people
- to secure the possibility for the poor people to farm without GM contamination from neighborhood and without chemical contamination from air and water as a consequence of the herbicide sprayers of the GMO plantations.

We are requesting the committee on economic, social and cultural rights to present its concerns about the violations of economic, social and cultural rights caused by the use of GM soya in Brazil and to formulate recommendations to the Government of Brazil on how to end these violations.



Dr. Antonio Andrioli
FIDENE/Unijuí



Justina Cima

Marina dos Santos, Justina Cima, Gilberto Cervinski, Maria José da Costa
Via Campesina Brazil

List of contents:

1. Introduction
2. Situation in Brazil – reasons for the violations of human right
3. Violation of the Right to Food (Art. 11)
4. Violations of the Right to Health (Art. 12)
5. Violations of the Right of people to Self-determination (Art. 1)
6. Steps in order to ensure the rights of farmers and consumers

Introduction

Brazil is the largest producer of Soya in the world and the country with the most expansion of GM seeds worldwide.

Brazil – with a part of 21 % of agricultural land - and Paraguay are now – after smuggled-in GM seeds from Argentine - the countries with the most expansion of GM soya. Brazil has since 2005 not only allowed the GM soya, but also the legal cultivation of insect resistant BT-cotton Bollgard, which now stands for 20 % of the whole cotton production in the country.

In 2003, Soya with 51 millions tons export has been the largest export product of Brazil, and the first time the country produces more Soya than USA. Brazil reached an increase of yearly 27.5 %; Brazils export profits increased 2,9 % every year. The export of soya brought the country 8 billions US Dollar in 2003.

„About 55 % of agricultural land with GM plants are in the USA, further 30 % takes Argentine and Brazil. For that reason GM soya is with 60 % of the worldwide GM plants the most important GM plant in the world. In USA until now 89 % of all soya cultivation is planted with GM soya, in Argentine we have already 98 %! But in Brazil the situation is another one: GM soya became legal just since 2005, but exhibits highly increasing rates.” (Top-Agrar 9 / 2006).

In 2004 the Brazil agro-industry increased with 5.3 % - this is the highest increasing rate since the rate of growth starting in 1992. According to the former minister of agriculture, R. Rodrigues, Soya exports now constitute 26 % of Brazil's exports and 32 % of the agricultural national product. The soya crop took 49.2 million tons – planted on 21.5 million hectares for this year a complete crop of more than 63 million tons on 22,9 million hectares is aimed at the part of GM soya will be 12 million tons in 2005 – so the prognoses. This is three times as much as last year and represents 20 % of the whole awaited crop.

In Rio Grande do Sul, the most south state of Brazil, 95 % of the land is used for planting GM soya.

Monsanto owns 90% of the patent rights of all GM Seeds existing on the market. According to Monsanto, the complete sale of this GM company in Brazil brings 750 million US Dollar every year.

The use of GM in agriculture speeds up the ruin of little farmers, increasing the dependency of inputs and damages the natural resources as a consequence of this development. The farmers produce more and more for the market and the export and reduce with this development the production for their own livelihood. Intensifying the exports in agriculture brings with great probability an increasing damage of nature and destroys the livelihoods of the farmers.

The use of GMO reduces the chances of little farmers, because they have only very little capacities for investments hindering them to participate in technical progress.

Today, the soya production contributes 21 % to the financing of the Brazil budget. The export of Soya brought Brazil important foreign exchanges reducing their foreign debts.

Deforesting, increase of use of herbicides, destruction of livelihoods of Indian people and little farmers, concentration of farming-land, slave-work, rural exodus and the increase of poor people in agriculture are only some of the negative consequences which are showing another side of the soya-monoculture.

This tendency resulted just in many thousand of human right violations in the areas of food, health and self-determination in Brazil leading to the destruction of farmer's livelihoods.

We sincerely hope that the committee for economic, social and cultural rights is able and willing to stop immediately further landlessness and hunger and help out in order to support people's rights which are written down in the International Pact of economic, social and cultural rights.

2.) Situation in Brazil – reasons for the violations of human right:

How many people are concerned in Brazil?

Brazil is the fifth largest country on Earth and takes 47 % of the South American continent.

In Brazil about 83 % of the 186 million inhabitants are living in the cities. In the cities the rate of growth takes every year 3 % of people going to city and leaving their land.

2.8 % of the farmers have together 57 % of the agriculture land and over 90 % have to share 22 % of the usable land. 5 million people are without any land.

10.4 % of the economy takes part by agriculture, exports bring 109 billions US dollar and have grown every year by about 100 %, imports bring 80 billions. The poverty rate has been 22 % in year 2004, the rate of people without work 9.5 %.

The economy grows annually 4.2 % (2007 Brazil Wikipedia). The Brazil economy is the most powerful in South America, the most important export products are coffee, tropical fruits, soya beans and sugar.

In the Brazil agriculture most of the people are working on the great plantations under conditions similar to slavery. ([www.Brazil wikipedia.de](http://www.Brazil.wikipedia.de)) - 25 % of the people are hungry ("We feed the world"), corresponding to 40 million people.

55 % of the little farmers are working in the production of soya beans.

Reasons for human right violations in Brazil:

Brazil in particular is one of the most affected countries worldwide by human right violations. It is one of the world's largest producer of genetically modified agricultural products, the large-scale cultivation of GM soya.

The "agriculture is experiencing corporate take-over. This means: farmers are losing their millennia-old knowledge and their skills in dealing with the earth and the biological diversity. Here we are witnessing one of the worst human tragedies ... (*Deutsche Welle* „Grüne Gentechnik – Fluch oder Segen? Jan. 2005).

„Total phasing of global agriculture is the goal of the two giants in the business, Pioneer and Monsanto. After taking over the main competitors, the two now represent the only Global Players in the business. The two corporations have divided up the market among themselves. ... Today 90% of GM seeds marketed worldwide are produced and sold by Monsanto. Monsanto's second important pillar is patenting, especially of staple foods that have been cultivated on earth for millennia. This sort of activity is called bio-piracy.”

(*We feed the world* S. 39)

“The market leaders in the seed industry, Pioneer Hi-Bred and Monsanto, have in the last years deprived many people of their material as well as of their physical existence.”

(*We feed the world* S.- 52)

3.) Violations of the right to an adequate standard of living, including food, and the right to be free from hunger (Article 11)

This right is no longer ensured for most farmers in Brazil. The poverty rate is increasing, 25 % of the people are hungry, and this number is growing every year.

A reason endangering these rights is the threat of dependency of farmers on big agribusiness, which is acting quite unreasonably using false promises: "Monsanto told the farmers at that time that there would be larger harvests, that everything would be more nutritious and that we would need fewer chemicals!" (P. Schmeiser, Canadian farmer, in "Danger Genetic Engineering" ed. M. Grössler, p. 194)

Now we have the following situation:

Dependency from GM companies

Hoping to make weed killing easier and more cheaper with the use of herbicides and to reduce work with a concomitant increase of the profit, more and more herbicide-resistant soya is used.

Because the GM seeds are patented as property of GM companies and the subsequent contamination is hindering a normal production, the dependency of farmers is complete. The legality of patent rights for growers opened the way for controlling the seed-chemical-market for the great chemical companies.

The companies aim is to industrialize the agriculture for intensify the dependency of farmers from chemicals. With the help of GMO they try to develop plants raising the profits by selling chemical products. The new seeds shall be introduced mainly for farmers in developing countries by means of attractive offers they could not refuse and for prizes they could not pay.

To implement GMOs without any way back in Latin-American agriculture they started with the tactic contaminating more and more fields with smuggled-in seeds. The livelihood of little farmers as individual producers will be more complicated about the use of GM in agriculture enforcing them to follow the strategy of the agrarian companies. This intensifies the dependency, indebtedness and impoverishment of little farmers, increases the concentration of land by excluding them more and more from the process of production, accelerating the rural exodus and raising the number of people without land and work – a tendency strongly contributing to the growing dissimilarity in Brazil.

Farmers, which produce in Brazil on little agriculture lands, are heavily affected by this development of expansion of GM plants. Adapting to this new technology – making them more dependent from GM companies, offering resistance they have the risk of being contaminated from their neighbors making it impossible for them to produce further normal sorts of plants. Once contaminated – always contaminated – there is no way back, never. The privatization of natural resources and knowledge in favor of multi-national agriculture corporations and big landowner intensifies the social dissimilarity.

Regarding the working capital, credits will be monopolized more and more and the self-working farmers experience more and more pressure to compete about their survival. The agriculture of little family-farms has the tendency of adaption, because of the said facilitation and save of work and will be destroyed by it.

The production of soya displaces more and more the little farmers, and this is now the reality which is most dramatic in the whole Latin-American continent. The Agro GM enforces the extinction of the little farmers caused by the increasing dependency from inputs and as a consequence of the destruction of natural resources

Higher costs, more poison and less outputs

The use of GM soya is threatened by increasing costs caused of adding patent fees, and just now one is about to find out that GM soya is less productive by 5 to 10 % than conventional sorts.

The costs of GM seeds are average 40 % higher than for conventional seeds. The prize fluctuates between 30 and 60 dollars per 40 kg, while the prize for conventional seed varies by 12 dollar per 40 kg.

In Brazil are used 25 % of the agrarian poisons in soya production worldwide. This means in the year 2002 an equivalent of 50000 tons of pesticides, a yearly increase of the pesticide use of 22 % in connection with the increase of the soya-cultivated land.

The use of pesticides increased by 47.6 % in Rio Grande do Sul since 1999. Has the use of herbicides 1996 been smaller is it now since 2001 even higher than by use of conventional soya-beans ... will be sprayed on average 11 % more than at conventional soya-beans, and sometimes that increased to more than 30 %.

Furthermore, the conventional soya beans bring in Brazil in average 4 % higher prizes, sometimes even until 10 %.

Studies and the experience now show that the productivity of GM soya is in average 2 to 8 % lower than with conventional soya. Conventional soya brought higher profits by 5 – 22 %. Also in Brazil the profit of conventional soya is higher.

There are conventional sorts being much more productive than genetically changed ones. This experience is the same all over the world: The sorts are not adaptable to changing soil and climate conditions. The genetically changed plants showed a lower ability of germination, a premature blossom and a lower growth leading to a reduced yield compared with conventional sorts.

The promises of industry – more profit and more income for the farmers – has not been verified - on the contrary. Farmers - having been enforced to change by contamination or having believed the promises – have even lost their land in many cases, because they could not pay back their debts for the expensive seed and the multiplied pesticides.

Exports instead of self supply

The exports have quintupled in five years. Brazil is greatest exporter of soya and one of the richest agrarian countries of the world.

The farmers are producing more and more for the market. This is why they reduce their self-supply. The production for their own supply will be more and more replaced by production for the market, the intensifying of the export-orientated agriculture brings with great probability an increasing destruction of nature and an extermination of little farms. The land for the own cultivation will be reduced. Jungle will be deforested in great amount for winning new land for cultivation. Jungle inhabitants and little farmers often will be driven off with violence from their land or murdered by the guerrilla of the great landowners for winning further land for cultivation.

In most cases there is no compensation, return etc., because only in some cases and often only with international help of human right organizations like FIAN and other legal steps can be taken to get it back – but also most of them will be won from the great landowners, often are the same people working in the justice the great landowner - for example the Governor of Mato Grosso is the biggest soya producer there. (We feed the world)

GM plants make own-cultivation impossible and poison the drinking water

Caused by contamination from the GM cultivation the neighbor fields of whole regions will be useless for own-cultivation. Per example Canada has been after implementation of GM rape after 10 years completely contaminated. Just like in honey production, a cultivation of GM free rape and different sorts of vegetables is not possible any more. A contamination of genetic resources is irrevocable for all times.

The herbicide sprayings – in most cases from planes – contaminate also the near fields and –illages, leading to serious damages of health for humans and animals (look also page 13 / 14) and destroy all other plants.

„In the countryside the consequences of soya beans monoculture have been much more disastrous. The traditional agricultural communities near the large soya beans plantations are heavily affected ... the farmers – after long-term cultivation of different vegetables for their own use - found the whole yield destroyed after the neighboring fields have been sprayed ... a pesticide which damages all plants out of the special GM Monsanto plant, which are “pesticide-resistant”. A study from 2003 shows that the spraying has not only destroyed their fields. Their chicken died and other animals like horses have been damaged.“(ZEIT-Fragen Nr. 43 v. 31.10.05 „Kann es in einer Welt mit „Gen-Food“ Frieden geben?“ v. F. W. Engdahl)

This is why the own-cultivation of vegetables etc. is no more possible in the vicinity of GM soya fields, also domestic and farm animals are violated. Another point is the poisoning of the water. But the people are dependent on drinking water, have to drink this contaminated dirty water – because there is no other – and suffer from fever etc. (We feed the world).

This proves that the future of agriculture is clearly to be found in organic farming and not in the cultivation of genetically engineered plants. The Brazil Government should therefore immediately stop the use of GM seeds in order to ensure the livelihoods of its farmers and to prevent a further spread of the cultivation of GMOs.

Article 11 (2):

a) *“in order to increase the methods for the production, durability and distribution of food with the full aid of technical and scientific knowledge ... as well as by the development or reform of agricultural systems... with the aim of maximum production and use of natural sources”*

Since 1999 the strategy of implementation of RR Soya in Brazil has been intensified. The corporation Monsanto tried to get accepted. Under the Brazil constitution GM plants can be made only redundant if studies and reports about the consequences for the environment are existing, which shows exactly that damages of nature are out of any question. A proof of environmental compatibility, however, has not been presented until now, and from the legal point of view the cultivation of RR-Soya is further controversial. The release of GM soya violates “the constitution and three principles of the environmental right namely provision, sustainability and liability for damages.

In addition to this since many years the jungle is deforested for new soya-cultivation-fields – just until now an area like France and Portugal together. But the soil is unusable for soya-cultivation, nutrients etc. must be added by man. This withdraws the livelihoods of the Indian forest-people, they have only the possibility to go as landless people in the slums of the large cities. The World Bank finances the road constructions for further deforesting of jungle and for soya production. („We feed the world“). This destroys the use of natural resources and the livelihood for the inhabitants in favor of profits for some big agrarian corporations.

In summary, GMOs are not the right method to increase the situation of agriculture and food security in the world, and they destroy natural sources and minimize the harvests. “A lie in the propaganda of the GMO industry was unmasked: it is not true that GMOs need less pesticides but the truth is that GMOs need more pesticides year by year”. (*“More pesticides are sprayed over GMO”, scientific study by Benbrook in Ökologo 1/2004, p.2*). *An increase of 50-60 % is found (“Uneconomical in the long run” by Klaus Faissner in “Danger Genetic Engineering”, p.234).*

b) *„in order to ensure a corresponding fair distribution of food in the world considering the problems of the exporting and importing countries”.*

As already stated, the Brazilian government forces more and more the export damaging more and more the possibility of Brazil people for own-supply (see last chapter). Brazil is one of the richest agro-countries in the world – nevertheless 25 % of the people are hungry - 40 millions of people – with further increasing rates.

The huge and strongly increasing profits will be used for covering the foreign debts or go to Monsanto and GM corporations or the big landowners and not to the people. On the contrary: More export, more income – more hunger and landless people. International organizations like the World Bank are supporting this policy.

Europe is importing 90 % of his soya from overseas, 40 % from this comes from Brazil. We use Soya more and more for feeding our animals – and in Brazil the people are suffering hunger more and more – more soya exports – more hunger.

Our own maize and wheat is not used for our own food or feeding our animals, but more and more will be burned for geothermal energy – and our areas lies fallow subsidized by the EU. Our own agricultural farms became dramatically less and less every year - own cultivation becomes unprofitable when faced with the strongly increasing quantities of cheaper imports. The taxpayer has to pay the consequential costs – for increasing unemployment, etc.

This system of distribution damages the livelihoods of farmers worldwide. The only winners are also here in Europe the big GM corporations. If in every country the people could produce for their own use and for the supply of their country – all people would be the winner.

Moreover, in Brazil the failed policy of GM soya is a further theme, because with the advantage of GM free soya Brazil has conquered the market, which Argentine and USA loosed by the use of GM. From 1995 to 1999 Brazil raised his soya exports to Europe from 3 million tons to 5.6 million tons. Brazil is the only soya producing country being still able to offer GM free soya. Brazil is the most important player in this game, because we are the biggest producer of GM free soya seeds. If we also are starting the cultivation of GM soya Europe, China and Japan has no more the possibility to buy GM free soya.

As the brazil soya exports increase, the share of exports in Argentine and USA will decrease. The majority of consumers refuses GM soya. In Europe 70 % of consumers do not accept GM food, and also in Brazil the public opinion is the same.

For this reason the brazil government can only win forbidding GM soya and enforcing GM free soya – this secures a long-term income.

„Genetic engineering fighting against the hunger in the world”

Jean Ziegler says:

Our world produces so much food that we could feed the double of people living on it – twelve billions. The problem is not that we have not enough for feeding all people, the problem is the right distribution of it, so that all would have enough.

“It is grotesque to identify agro industries which apply GMOs with all the mentioned problems as being able “to solve the problem of hunger”, when they are creating hunger, destroying soils, polluting ecosystems and monopolizing power.” („GM plants do not fulfill expectations“, Andreas Bauer, *Umweltnachrichten* 100 / 2004, p. 24)

The world's population could be fed quite well without hunger if the distribution of food was carried out together with efforts to maintain or enhance fertility of soils and to maintain biodiversity. Thus, GMOs in food production and agriculture do not contribute towards solving the problem of hunger, they are intensifying it.

Developing countries have found out that "GMOs are destroying biodiversity that has been developed during the last thousands of years. Therefore GMOs also destroy the ability of the people to feed themselves. Development policy organizations like "Christian Aid" or "Brot für die Welt" consider GMOs and the so called "green GM technology" as being contra-productive and responsible for increasing hunger and poverty. ...

The first experiences in Argentina, Brazil, India, Canada, Panama and other countries show exactly this development. GMOs do produce hunger.

In summary: in order to ensure food security in the world, we must improve the eco-social conditions based on common eco-social standards in connection with the "eco-social market economy". Any short term increase of yields using purely technical means at the expense of the environment and humans is seen as the wrong way. Economy is based on nature, a destroyed ecosystem will not feed future generations. Sustainable ensuring the food supply therefore needs an agriculture which maintains nature in its carrying capacity: fertile soil, clean water and air and a great regional biodiversity."

(*HYPERLINK "<http://www.greenpeace.de/themen/gentechnik/>"www.greenpeace.de/themen/gentechnik/
„GMO – no hope for the hungry“ from October 1st, 2004).*

In order to improve methods of productions, distribution of food and better use of natural resources, we are demanding that the brazil government forbids the use of GMOs and becomes active to disseminate the fact that GMOs in food production and agriculture are not solving the problem of hunger, as only a fair distribution of food together with efforts to enhance fertility of soil and biodiversity will contribute towards solving this global problem.

4.) Violations of the Right to Health (Art. 12)

For soya-cultivation mainly the herbicide Glyphosat is used.

More chemicals meant more costs for farmers, much more profits for chemical companies and significantly higher damages for the environment and the farmers' health. Müller demonstrates toxicity with an example: "In 38% of cases where sprayings have been applied farmers suffer from symptoms such as muscle cramps or nausea. In 6% of cases, sprayings lead to severe poisonings, and in 10% of cases, poisonings emerge with neurotoxic symptoms." (Gourmet report 11.12.2007)

Since the beginning of the nineties Roundup is used as herbicide in Brazil. The rural population in the areas of GM cultivation suffers from severe damages of health. The herbicide is sprayed by plane and is spreading also over some hundred of meters outside of the cultivation areas. The US environmental-care bureau EPA quoted the following damages of health: as short-time effects pulmonary accumulations and acceleration of breathing, as long-time effects "damages of kidneys and consequences for reproduction. Doctor J. Kaczewer evaluates since some years the health-damaging consequences of Glyphosat: itching of skin and eyes, nausea and dizzy spells, lung edema, decreasing blood pressure, allergic reactions, abdominal pains, highly loss of liquidity in the area of stomach-bowel, vomiting, faint, damage of red blood particles, damages of kidneys and fail of kidneys.

In the meantime the herbicides more and more will be sprayed by ground-machines, but the poor farm hands, which have no money for shoes and gloves, are further exposed to this poison without protection.

A Study of 2003 shows that the spraying not only damaged their fields.

"Their chicken died and other animals like horses suffered losses. The people suffered under heavy nausea, diarrhea, vomiting and injuries of skin, caused by the sprayed herbicides. It is reported that animals living in the near of the GM soya fields, have been born with deformities. It was reported about deformed bananas and sweet-potatoes, and lakes which suddenly were full of dead fishes. Farmer families reported having discovered strange spots on the body of their children after the spraying of the near soya fields". (ZEIT-Fragen Nr. 43 v. 31.10.05 „Kann es in einer Welt mit „Gen-Food“ Frieden geben?“ v. F. W. Engdahl)

In Brazil scientists found in 74 % of specimens up to 14 mg herbicide residues in one kilogram of GM soya, lying far about the limited value, prescribed in the brazil plant-protection-legislation. This herbicide became the most important perpetrator of intoxications in Brazil with alone 11,2 % of the whole cases of poisoning between 1996 and 2002. The brazil Institute for environment and renewable resources IBAMA published, that the sale of the active substance Glyphosat is increased in Rio Grande do Sul between 1998 and 2001 (the time of implementation of GM soya) from 3,85 tons to 9,13 tons. The officially registered cases of poisoning increased between 1999 and 2002 from 31 to 119, published by the toxicological centre for information (IBAMA 2003).

A new French study of the university Caen shows now that residues of Glyphosat, which can be found at the most GM food and GM animal-food being on the market, are harmful for human cells and can even be mortal – also in very low quantities. “Despite a 100.000fold dilution the insert resulted in a complete death of cells in 24 hours, blocked the vesicular breathing and caused DNA-damages.” (Global 2000, 14.01.09)

These facts further show that the use of GMO plants like genetically modified soya brings about violations of the human right to health - and should be immediately stopped by government.

5.) Violation of people's right to self-determination (Art. 1)

Section 1: "All People have the right to self-determination"

"With the introduction of genetic engineering farmers have lost any form of self-determination. Their land has been ... contaminated – with all the negative consequences: destroyed harvests, destroyed lives." ([HYPERLINK "http://www.thiele-und-thiele-consult.de/press"](http://www.thiele-und-thiele-consult.de/press) www.thiele-und-thiele-consult.de/press Fakten der Agro Gentechnik 15.11.2006)

Experts speak about „economic imperialism by multinational corporations“ (*bio.-scope.org v. 16.04.02*) "These are signs of a food dictatorship" (V. Shiva in "Gefahr Gentechnik" p. 231)

"To be free of GMOs is an expression of our fundamental right to free food choice" (Vandana Shiva in „Gefahr Gentechnik“ p. 231).

To get GMO accepted as a practical constraint in agriculture they started the tactic to contaminate fields with smuggled-in seed. The most effective tactic is the worldwide slow pollution with GMO.

An example about this practice of the biotech industry:

2005 soya plants have been tested throughout Romania: it was found that 90 % of the plants were genetically manipulated without the authorities being informed and without the knowledge of the majority of the farmers. Based on the lack of control the biotech industry has created an irreversible situation. Once contaminated – always contaminated!

In this sense the strategy of Monsanto will be specifically accepted, and it takes the following steps: to choose an area and awaiting contamination (in this case Argentina as the starting point in Latin America).

Also in Mexico they did so ... specific contamination from a neighbor countryside, giving GM seed as a present to the uninformed farmers etc. ... and now they have GM maize everywhere, and their own old and adapted maize sorts – the richness of Mexico: the great variety of maize-sorts – are - without knowledge and consent – just damaged to the greatest extent. This to the tactic from Monsanto making facts worldwide – also in Europe about contamination in outside-research.

Conclusion: The only way to ensure the right of self-determination of the Brazilian people is to fully ban the use of GMO agriculture in Brazil.

Section 2: „All people can freely dispose of their natural wealth - in no case may the basis for people's livelihoods be taken away from them.“

Over thousands of years, farmers have been developing crop varieties based on millennia-old traditions and on cultivation methods practiced over many generations. These crop varieties are perfectly adapted to the regional conditions.

"Industrial agriculture has already eliminated 75% of our food crops. In India there once were 30.000 cultivated rice varieties, today there are only 10 varieties left that have

some significance". („GMO: No hope for the hungry“ Greenpeace 1.10.2004)

Farmer will become dependent from one industry: Monsanto. This is a modern example for a new form of slavery or colonialism.

„The development of **terminator technology** is especially scandalous. In more than 87 countries sterile seed has been registered for patenting. These are seeds which can be used just once. Next year new seeds must be bought again from agribusiness.

This is big business for industry, as they expect a jump in sales and growth. What is being neglected is that small scale farmers are unable to buy new seeds every year. Thus, they become dependent and at the same time they are forced to take on debts without having a guarantee of getting a good yield. This development endangers the livelihoods of millions of – at least small scale – farmers” (*“Patent expropriation“, Marlies Olberz, Food First, p. 13)*

The livelihood of farming is being taken away by this praxis and by the **patenting of plants**.

But farmers are also **becoming dependent** on GM industries **via patents**: Big agribusiness is going to apply for patents of more and more plants, e.g. rice. This means that if farmers cultivate rice in the future, they must buy the seeds from Monsanto every year (terminator seeds) and must pay license fees. Farmers in India created 200 sorts of original seeds in order to be independent. However, this would become illegal after patenting, leading to severe punishments.

Vandana Shiva, the alternative Nobel prize winner from India, known for her engagement against GMOs and for the independence of the Indian population, expresses her opinion clearly: “ This is a case of the enslaving of farmers” (Biopiraterie mit Reis-Saatgut”, HYPERLINK "http://www.dradio.de/"www.dradio.de, 8.7.04)

6.) Steps for ensuring Rights of farmers and their families:

Brazil is part of the International Convention on Economic, Social and Cultural Rights, the main international instrument protecting the right to food. The Government of Brazil is obliged to ensure the right to food for all Brazil people.

The right to food is the right to be able to feed oneself, having physical and economic access to food. Participation, accountability, and access must be ensured at all levels of the implementation of the right to food. The Government of Brazil has the obligation to respect, protect and fulfill the right to food.

- The obligation to respect means that the Government should not take actions that arbitrarily deprive people of their right to food.
- The obligation to protect means that the Government should enforce appropriate laws to prevent third parties, including powerful people and corporations, from violating the right to food of others.
- Finally, the obligation to fulfill (facilitate and provide) means that the Government should take positive steps to identify vulnerable groups ... to ensure their access to adequate food and water by facilitating their ability to feed themselves.”

(J. Ziegler in his report of the right to food, Summer 2005, p. 9)

The active spreading of GM soya violates the constitution and three principles of environmental right namely precaution, sustainability and liability for damages. So Brazil must be forced to fulfill his duties of his own constitution !

So all these obligations can be guaranteed by taking the following measures:

- Prohibition of GMOs in the area of agriculture in Brazil
- Full responsibility of the GM industry for all consequences
- Full compensation of the GM industry for all losses of farmers as a direct consequence of seeding GM plants or contamination.
- Implementation of liability through agro-industries for all damages.
- A prohibition of any use of GMO for food and feed until the potential risks are proven to not exist for eco-social consequences using long term research
- prove that member of commissions and decision groups are independent from GM industry and include NGOs into commissions
- guarantee the transparency of decisions
- ensuring and protecting the interests of farmers and consumers in direction of sustainable agriculture and food production against the interests of lobbies from GMO-industries
- Implementation of existing laws and constitution for the protection of farmers
- to stop immediately deforesting of jungle for further mono-cultures of great landowners to keep the base of life of Indians and little farmers
- the priority of securing the cultivation of the farmers for their own supply over cultivation for export – and in case of cultivation for export to give the farmers compensation areas for establishing the possibility to feed themselves and their families on an independent basis.

- protection of natural resources like ground, drinking water and soils from contamination and poisoning from herbicides, etc.

In summary it can be seen that the government of Brazil has not fulfilled its duties to follow national laws and constitution as well as the corresponding duties on the international level. For the Brazil population this means an existential and irreversible threat of its health and food security. Life of many individuals is endangered because of the inactivity of the government leading potentially to total loss, damages of health, poverty, rural exodus and increasing hunger - by increasing export-rates, increasing profits in one of the richest agro countries in the world!

We are demanding the Brazil government to guarantee the fulfilling of the rights of international pact for all Brazil people and to stop all steps working against the people and for industry.

We are therefore asking the committee to clearly express its concerns and to urgently act in such a way that the violations of human rights for farmers in Brazil can be stopped immediately for protecting Brazilian families from further damages and hunger.