



Wind down the WTO Agreement on Agriculture In Defence of Food Sovereignty

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This dossier is a compilation of articles by SP Shukla* and submissions by Michael Fakhri** to the WTO and UN

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Foreword

The World Trade Organisation (WTO) will host its 12th Ministerial Conference (MC) from 12-15 June 2022 in the looming shadow of the pandemic and the Ukraine war. Key issues at Geneva include the proposed waiver of patents to ensure access to COVID vaccines and therapeutics, agriculture, fisheries and WTO reform.

India finds itself, yet again, on the backfoot at the Agreement on Agriculture (AoA) negotiations. In 2021, as the pandemic raged, India's ranking in the Global Hunger Index plummeted to 101 (it was 63 in 2014). In May 2022, India's ambition to export wheat to the world in the wake of the Ukraine war came to naught with output drops and rising prices. While the pandemic underlined the need to scale up public distribution systems (PDS), India is under fire at the WTO from developed countries to scale down its food programmes and subsidies.

In this dossier, we bring together a series of articles that will inform the reader about agriculture and food policy in India and the AoA's bias towards agribusiness driven agriculture. The first six articles are by SP Shukla, India's former Ambassador to the General Agreement on Tariffs and Trade (GATT). These articles, originally published at <https://www.thecitizen.in/> point to various aspects of agrarian distress in India. Shukla highlights that some seven million agricultural households have permanently left agriculture between 2012 and 2019. The lack of employment opportunities and income have resulted in an unprecedented reduction in per capita availability of food grains for the rural poor, pushing as large as three quarters of the rural population below the poverty line. He further stresses that the syndrome of corporate agriculture continues to govern policymaking and argues that the WTO AoA paradigm is ill suited for India and the developing world. It was crafted in favour of temperate zones, capital intensive, corporate agribusiness driven, export oriented, peasant insensitive and mass livelihood threatening agriculture pathways. Instead of the AoA, Shukla makes the case for a renewed Global System of Trade Preferences (GSTP) treaty among developing countries that is consistent with the vision of south-south cooperation and collective self-reliance. Shukla says that the G-20 group within the WTO has a historic responsibility for restoring this vision and making it operative.

The report of Michael Fakhri (the United Nations Special Rapporteur on the Right to Food) shows that the WTO AoA has been a key barrier to realizing the right to food. The existing rules need to change, but it is unlikely that WTO members can overhaul the AoA

to meet long standing demands of equity. Fakhri argues that the AoA should be wound down. And governments and social movements should be free to then negotiate new international food agreements based on principles of dignity, right to food, self-sufficiency, solidarity, recognition of limits of growth, transformation of the economy and decent work.

While saluting the grit, innovation and national character of the farmers movement in India, the report underlines the need for peasant leaders to also engage at the international sphere and demand for agriculture to be taken out of the WTO.

Reports indicate that in the agricultural negotiations leading up to MC 12, developing countries are facing a dead end. This is the time for the south to come together to protect their joint interests in agriculture and make their voices heard in a decisive and strategic manner. In solidarity,

All India Peoples Science Network and Focus on the Global South

June 2022, New Delhi

1. An Initiative for Agrarian Analysis and Action

S. P. SHUKLA

2007

From all accounts, we are experiencing a deep agrarian crisis. The manifestations are ubiquitous and unmistakable. Agriculture has stopped absorbing additions to rural labour force. The struggles for occupying available land and for securing a living wage for landless labour have become more intense and violent. The phenomenon of reverse tenancy is on the rise. The exodus to urban centres in search of employment has accentuated, resulting in ever-increasing outgrowth of slums around all urban centres. The situation is explosive and threatens to destabilise the social and political fabric. Public investment in agricultural sector has declined sharply leading to deceleration in output growth and even negative growth. The lack of employment opportunities and income have resulted in an unprecedented reduction in the per capita availability of food-grains for the rural poor, pushing as large as three quarters of the rural population below "the poverty line". The condition of even the relatively better off sections of farmers seeking higher returns by raising cash crops/ generating marketable surplus of staple food-grains has deteriorated sharply thanks to their exposure to the volatile world agriculture market, particularly in the period of a deep cyclical downturn, on the one hand, and the policy-induced sharp rise in the cost of inputs, drastic reduction in the availability of credit and declining state procurement at remunerative price, on the other. Widespread phenomenon of farmers' suicides constitutes a cruel testimony to this state of affairs.

Surprisingly, the official policy level response continues to be insensitive to this reality. The recent initiative of rural employment programme has been reduced to a limited gesture totally inadequate to meet the enormity of the crisis. The virtues of the other initiative, namely, the projected enhancement of agricultural credit, are exaggerated. By itself, it offers no solution to the problem of the chronic indebtedness of small and medium peasants and the heavy debt-burden recently incurred by the relatively better off farmers who had to turn to usurious moneylenders. The inadequacy of the initiative is apparent in the context of the policy environment of withdrawal/ reduction of minimum support price programmes. The broad definition of its potential beneficiaries which includes the big agri-businesses further reduces its utility as far as the vast sections of peasantry facing the crisis.



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The syndrome of corporate agriculture continues to govern the policy making. The so-called "agricultural reforms" have long substituted the theme of "land reforms". The opening up of the agriculture sector to the corporate capital is the cornerstone of the policy. It is sought to be done directly, facilitating the corporate ownership by abolishing the ceiling laws and/or indirectly, through contract farming and encouraging dependence of the peasants on the corporate sector for both procurement of inputs and marketing of output. Infusion of capital and modern technology, diversification of cropping pattern, value addition through better storage, processing and marketing constitutes the professed rationale of this policy. Furthermore, the arena of operation of the corporate sector is situated in the context of integration with the world agriculture markets within the framework of the WTO's Agreement on Agriculture (AoA) whose paradigm is biased in favour of temperate -zone, capital -intensive, corporate agribusiness- driven, export-oriented, peasant -insensitive and mass -livelihood- threatening agriculture. The route to this "grand transition" of the Indian agriculture from its present stage where it constitutes the sole means of survival for the two-thirds of the total population, is marked by the predominance of small and marginal peasants and continues to retain its largely rain-fed character, has not been worked out. Nor have the enormous implications been explicated.

The root cause of the agrarian crisis lies in the inability of the present agrarian system to absorb the additions to labour force in the rural sector traditionally and inevitably de-



pendent on agriculture, the resultant involuntary displacement of large masses of labour force out of the rural, agricultural hinterland, and the near absence of alternative means of survival with dignity.

The present agrarian scene is characterised by:

- (a) large masses of marginal and small peasants with holdings not exceeding two hectares (constituting about 80 % of total operational holdings and accounting for 36 % of the total cultivated area as estimated officially in 1995-96) practising virtually subsistence agriculture and the prevalence of large masses of landless workers (the official estimate of agricultural workers being 10.7 crores in 2001);
- (b) relatively much smaller numbers of middle and large landholders with holdings larger than four and ten hectares respectively, (constituting about 7 % of the total operational holdings and accounting for 40 % of the total cultivated area) practising capitalist agriculture;
- (c) intrusion of the agents of the corporate agriculture through the supply of inputs and control of the market system;
- (d) incipient direct entry of the corporate sector into farming in the name of providing capital, technology and access to markets;

(e) large scale migration of agricultural labour from areas characterised by (a) to areas characterised by (b) and (c);

(f) total inadequacy of (b), (c) and (d) to cope with the additions to labour force in the rural areas; stunted growth of the secondary sector for the past decades, and the recent policy -induced tendency in that sector to adopt labour saving/displacing technologies, further reducing the scope for alternative employment ; and the consequent prevalence of low/subsistence wages for agricultural/rural labour everywhere (and also in the so-called "services" sector mushrooming in the urban areas);

(g) increasing integration of the Indian agriculture with the world agriculture markets endangering the livelihood of peasants and landless labour [vide (a)] and adversely affecting even better off farmers [vide (b)], but opening up prospects of definite gains for the corporate sector [vide (c) and (d)].

The agrarian situation is marked by contradictions, old as well as new. There is persisting and deepening contradiction between (a) and (b). The relationship between (b), on the one hand, and (c) and (d), on the other, is marked by collaboration as well as conflict, the contradictory tendency sharpening with the ongoing integration with and the cyclical downturn in the world agriculture market.

The State policy is clearly in favour of (c) and (d), somewhat ambivalent towards (b) and indifferent, if not antagonistic to (a). It is convergent with AoA paradigm. It is leading to sharpening of contradictions.

The priority task is to analyse the nature of these contradictions and come to a strategic understanding about the major contradiction characterising the agrarian scene.

The challenge posed by the agrarian crisis is unprecedented both in terms of scale and the politically explosive implications. Is it possible to meet this challenge except in terms of structural transformation of the agrarian system to ensure primarily the survival and welfare of (a) and a measure of accommodation of (b)? No readymade blueprint is available. The Chinese example of universal right of access to land and collective/ commune level cultivation is the only comparable historical parallel available. What is our contemporary alternative? Measures such as enhanced credit, debt-relief, food -for- work, would surely help but would they amount to a solution of the agrarian crisis?

Approaching the problem from the other end, that is to say, ruling out approaches and policies that are aggravating the crisis, one can perhaps say that the rejection of the AoA paradigm and the State Policy that accepts it is the first step towards the solution of the agrarian question. But only the first step.

Experiments such as self-reliant dry farming; organic, non-capital-intensive farming; rural economy based on bio-mass based energy; movements such as water-shed development; equal access to water to all irrespective of the size of land holdings; and militant struggles for land redistribution and remunerative wages for the landless are perhaps some of the possible elements of the solution, responding to the differentiated agrarian scene. The differentiation is significant for historical, geographical, climatic and demographic reasons. Notwithstanding such differentiation, the inappropriateness of the policy based on the corporate agriculture and AoA paradigm seems unquestionable. On the other hand, there appears an underlying unity of causation calling for an egalitarian structural transformation.

There are two levels at which the task needs to be elaborated, analytical as well as mobilisational.

Taking the analytical aspect first, there appear to be three main lines of reasoning. It is argued that enhanced investment in the agriculture sector (irrigation, R&D, enhanced credit, assured state procurement at remunerative prices) coupled with massive employment generation programmes in rural areas constitute the key element in the solution. The other line of reasoning emphasizes the need to deliberately tilt the terms of trade in favour of the agriculture sector and substantial state subsidisation of inputs of farming. Both these approaches recognise the deleterious effects of the ongoing integration with the world agriculture market, but they do not explicitly argue for de-linking of the Indian agriculture from the AoA paradigm.

The third approach emphasizes the structural transformation of the agrarian system with corresponding transformation in the rest of the economy/polity. One pre-condition for bringing about such transformation, it is believed, is the de-linking of our agriculture from the AoA paradigm.

At the level of mobilisation, the task will get defined by the developing contradictions. Interaction with/among the dispersed and specific movements/struggles may throw light on the dialectical processes at work. Equally it will enrich the perception of the differentiation of the agrarian scene, and lead to better appreciation of the underlying unity of causation.

The two tasks, analytical and mobilisational, are integrally inter-linked. The analytical task should help reinforce mobilisation. Equally the experience of the movements and struggles will anchor the analytical task to the emerging objective reality.



2. Agriculture and WTO

S.P. SHUKLA

03.07.2007

The recent failure of the so-called G-4 process of negotiations (U.S.A., EU., Brazil and India) at Potsdam in Germany once again highlighted the sensitivity of the issue of agriculture. More important, it also bared the real purpose of the North in forcing an international discipline on agricultural production and trade. The message should be resoundingly clear even to the habitual apologists of the Doha Round. There is no hope in the high heaven that US would agree to bind their subsidization anywhere near to the existing levels or average levels of the last few years, leave alone any real reduction. Their

so-called OTDS (Overall Trade Distorting Support, a technical and obfuscating categorization representing only a part of their subsidization) in 2005 was reported to be of the order of 12 billion dollars and in 2006 was 10.6 billion dollars. Their "generous" offer was to "reduce" the OTDS to 17 billion dollars! EU found that acceptable mainly because their offer to reduce their tariffs on agricultural imports by 50% to 51% (as against at least 54% insisted upon by G-20 countries and 60% insisted by USA) and their insistence on carving out exceptions even to this lesser degree of reduction in terms of a large number of "sensitive products" was acceptable to USA! It was a clear case of mutual accommodation. The sting was in the tail: Both of them were unanimous that in return for these "generous concessions" developing countries must substantially reduce their tariffs on both agricultural and industrial products such that not only the livelihood of small and marginal peasantry in the third world gets directly threatened by heavily subsidised imports from USA and EU, but the policy space available to developing countries to protect and promote their manufacture too gets severely restricted and they are virtually forced to a trajectory of de-industrialisation.

The implications were such that even the elite in India (and presumably, Brazil) (and their accredited negotiators) who live and act as if they are already part of "the club of the rich" and wish to erase the whole concept of the poor South and treat India being part of that South as a bad dream, found it difficult to be so "flexible" as to accept the bargain offered to them at Potsdam.

But this is not the end of the story. We have seen such deadlocks and failures too often in the past only to be followed by resumption of negotiations with renewed vigour. We have also seen how willingly same or similar bad deals are swallowed by the negotiators subsequently and sold to the Indian media as a great 'triumph'. The process of pushing slightly modified versions of those very offers is now being pursued at the "multilateral level" in Geneva through what is known as "the chairman driven" negotiations!

It is therefore necessary to put the things in a clearer perspective, to contend the very paradigm of the AoA of WTO, to indicate the elements of the alternative paradigm for the South and to sketch the process, political as well as analytical, which could lead to a way out of the current impasse and false moves.

An attempt was made some time ago to spell out such an approach. I think it appropriate and opportune to draw the attention to it as contained in a paper (originally written in the aftermath of Cancun 2003/9 and revised in 2004 and 2005) reproduced below:

A concept note on Agriculture Trade Initiative from the South.

It is widely recognized that the emergence of G-20 in the context of Cancun ministerial meeting of WTO is a historic development. That it has sustained so far despite the pressures being exercised by the trade majors and consequent desertion by a couple of members, only confirms that judgment. It will, however, be a mistake to conclude that the emerging solidarity would continue in the months and years to come, only on the strength of the Cancun momentum. What are the general and specific initiatives necessary to sustain and strengthen this solidarity?

First and foremost, the emerging solidarity of the core countries of the South on the issue of negotiations on agriculture needs to be recognized as only a part of the wider process of forging the solidarity of the South. Whatever may be diplomatic and tactical considerations obliging the leading countries of G-20 to underplay this aspect in a specific negotiating context (and such considerations need not be underestimated), the objective situation developing in the post-Seattle era is too patent to be overlooked. Indeed, the North seems to be acutely aware of its potential as is evident from the strong, impromptu and petulant reactions of both USA and EU in the immediate aftermath of the Cancun episode. A clear recognition of this imperative on the part of the South has its own immediate as well as medium term implications in terms of moves to be made and measures to be taken on a specific issue under negotiation as well as in regard to the negotiating strategy as a whole.

Let us examine the immediate, specific issue at hand, viz; negotiations on agriculture. It is not unlikely that the unity of G-20 would come under increasing strain as the specifics get negotiated within the framework of the Agreement on Agriculture (AoA). There are, at least, three distinct, diverging tendencies within G-20. First, the predominantly export - oriented countries (who are also members of the Cairns group) whose main concern is the domestic support and export subsidy regimes of the trade majors. Second, countries like India and China, and some other smaller countries, whose overriding concern is the protection of the vast masses of their small and marginal peasantry from the vagaries of the world agriculture market forces. And third, countries like Egypt whose main concern is about the eventual disappearance of the subsidized cheap food imports from the trade majors. Obviously, clever moves on the part of the trade majors to give some satisfaction to the first and third tendencies may leave the second group isolated. And even there, China with its burgeoning trade surplus with USA may well be obliged to adopt overly cautious attitude, taking care not to topple the apple-cart of the negotiations by insisting on strong positions in any one area of negotiations. The prospect of the second tendency



losing its cohesion has serious adverse implications not only for India in that it would push her back to the square one, to the pre-G-20 situation, but also for the South as a whole, as it would mean that G-20 comes unstuck.

In the circumstances, it is incumbent on those who founded the G-20, to engage this coalition in evolving a creative strategy to reconcile the diverging tendencies. It is clear that while the first tendency is not questioning the paradigm of the AoA (and, indeed is harping a lot on the incompatibility of the practices of the trade majors with the theoretical underpinning of that paradigm), the objective functions of the other two tendencies are hardly compatible with that paradigm.

As a first step to resolve this basic contradiction, it is necessary for G-20, as a whole, to appreciate that whatever may be the validity of the theoretical underpinning of AoA and

its rhetorical utility in attacking the practices of the trade majors, in practice, that underpinning is not realizable at least in the foreseeable future. In other words, the regime of domestic support and subsidies prevailing in USA and EU will not undergo any substantial and radical change (as, indeed, it did not over the last eight years of the working of AoA), except to the extent their own internal fiscal constraints would compel them to modify it at the margin. Indeed, Brazil and many other Cairns group countries know this very well but seem to adopt the paradigm of AoA, more as a means of sharpening their rhetoric of criticism of the trade majors, and less as a matter of conviction. While this may be so, one must also recognize the relatively far greater importance to their economies of the question of access to the American and European markets for their agriculture exports. So, it is not so much the loyalty to the paradigm of AoA but the real question of finding expanding markets that is of crucial importance to the first tendency countries. If this reasoning is correct, the apparent contradiction between the first tendency and the other two tendencies in G-20 would appear capable of resolution in terms of evolving a common strategy.

As regards the other two tendencies, the paradigm of integration with the world agriculture market is itself questionable ab initio. Neither the safeguarding of the food security for food- import -dependent countries of the third tendency, nor a viable resolution of the agrarian question of the countries of the second tendency is feasible within the paradigm of AoA. And this should come as no surprise. The paradigm of AoA as conceived in the Uruguay Round is alien to the kind of peasant farming that is typical of the South, barring a few temperate zone, middle- income agricultural exporting countries. AoA was essentially brought into being, on the one hand, to facilitate opening up of the protected markets of EU, Japan, Korea, India, China for the agri-businesses of North America, and on the other, to bring about a semblance of order to the trans-Atlantic rivalry in the world agricultural export markets

This scheme of things, if allowed to succeed will only pauperize the peasantry of the South, undermine its food security and ultimately destabilize the polities in the third world. It is unrealistic to think (as the Government of India seems to do) that India will be allowed to maintain a "comfortable" level of tariffs on agricultural imports. It is even more unrealistic to expect (as the Government of India is indeed hoping) that corporatization of the farming sector and increased opportunities for export will help bring about the long delayed agricultural transformation in India. Enormous displacement of peasantry that this would entail (without providing alternative avenues for employment) is fraught with the danger of destabilization of the democratic polity. In short, there is no solution possible to Indian agrarian question within the paradigm of AoA. And, therefore, it is of

paramount importance for India, and also for a large number of similarly placed other developing countries, to insist on the right to use quantitative restrictions (QRs) to selectively de-link their agrarian economies from the paradigm of AoA. That alone will provide such countries a space for exploring and working out appropriate strategies to solve the agrarian question.

While claiming and justifying the right to use QRs, they can ill-afford to be prisoners of the neo-classical, text- bookish dogma that QRs are inconsistent with the GATT/WTO approach and agreements. A mere look at the Agreement on Textiles and Clothing which is very much an integral part of WTO; recalling the whole exercise of tariffication which preceded the AoA; and last, but not the least, the extant provisions of Article XVIII of GATT - will show how entrenched the QRs are in the system. What is more, the majors have provided for themselves a quota system, a version of QRs, in AoA, in the name of Tariff Rate Quotas (TRQs), where a fixed volume of imports is allowed at a lower tariff rate and beyond that level, imports are allowed only at prohibitive tariffs, an arrangement which gives rise to rentier income and significantly erodes the alleged efficacy of the price -based instrument of tariff.

If the protection of the decrepit textile industry in the developed countries, which admittedly formed a very minor part of their economies, could justify imposition of QRs for six decades; if QRs could be resorted to by agricultural giants almost throughout the life of GATT and beyond; if safeguarding the external financial position of the developing countries could justify resort to QRs; then the paramount need to safeguard the livelihood of billions of peasants in the developing world should certainly provide an even more sound and compelling justification for resort to QRs.

While this move to insist on QRs will not be opposed as such by the first tendency countries in G-20 countries, it does not offer them prospect of expanding markets for their agricultural exports. This requirement could be met by negotiating improved access to such exports under a calibrated regime of inter-developing countries' trade liberalization where the danger of unfair competition is practically non-existing and where proper safeguards could also be built –in more easily to ensure a degree of freedom necessary to allow working out of appropriate national strategies for agrarian transformation. Similarly, in order to take on board the concerns of food -import- dependent countries, multilateral, regional or bilateral food security measures, including direct trade measures such as long -term contracts at affordable prices, could be envisaged as an integral part of the inter developing countries' trade and economic cooperation.

It is clear that this kind of paradigm is not only entirely different to the prevalent paradigm of AoA. but also calls in question its theoretical underpinning. Its objective function is derived from actually existing requirements of the South

For the emerging solidarity of the South to survive and become stronger, it is obvious that countries like Brazil, India, China and South Africa have to band together in evolving common strategies and avoid temptation to cut short-sighted, bilateral deals. It is imperative in this context that a creative strategy accommodating the three apparently non-converging tendencies be developed on the lines indicated above on the issue of agriculture and make it an augury of more extensive trade and economic cooperation among developing countries. To this end, G-20 should be persuaded/pressured to set up an inter-governmental group to work out the details of such a strategy. Even as this is attempted, a non-governmental initiative should be launched forthwith to work out a blueprint of the optimal alternative strategy of the South on agriculture trade.

When the Uruguay Round of negotiations was threatening to shift the paradigm of the multilateral trading system to their detriment, developing countries had taken a political initiative of far-reaching importance to counter the threat. India, Brazil, Yugoslavia and Egypt were in the forefront of this move. Thus, it was that the negotiations on Global System of Trade Preferences among Developing Countries (popularly known as GSTP) were launched by the Group 77 at their ministerial meeting in New Delhi in July 1985. This was followed by the Brasilia ministerial meeting in May 1986 where the initiative was fleshed out further. And finally, at the Belgrade ministerial meeting in April 1988, a full-fledged international legal treaty was concluded, which, for the first time in the history, provided a comprehensive multilateral framework for developing countries to strengthen their mutual trade and economic co-operation. It was a timely, strategic response on the part of developing countries signaling collective resistance to the onslaught of the Uruguay Round. Unfortunately, in a short space of two years that followed, the political will of the leading developing countries floundered in the wake of the pressures exercised by powerful industrialized countries, particularly USA, and the international financial institutions viz. IMF and World Bank. The concept of preferential set up for mutual trade and economic co-operation among developing countries was forgotten. And the GSTP treaty has since been virtually relegated to the archives.

It is worthwhile to recall this recent history in the current context. For one thing, it highlights the dangers that have always stalked the moves to initiate policies of collective self-reliance. But more importantly, it also underlines the fact that a parallel, if not alternative, multilateral framework for mutual co-operation among the developing countries

is already available. Specific measures and modalities as envisaged above as part of the creative strategy accommodating the interests of all the tendencies in G-20 are consistent with the framework of GSTP. When the prevalent paradigm of AoA is threatening the survival of the three billion strong peasantry in the third world, the vision of collective self-reliance becomes all the more relevant. And leading member countries of G-20 have a historic responsibility for restoring this vision and making it operative.

Those who are committed to the alternative vision of collective self-reliance of the South must generate awareness of the issues at stake, elaborate initiatives that are feasible and desirable and mobilize the threatened masses of peasantry so as to put pressure on the governments engaged in the negotiations to adopt strategies and stances that safeguard and further the interests of the peasantry of the South and not those of the giant agri-businesses of the North and their collaborators and agents in the South.



3. A new paradigm for a global regime on trade, investment and technology

S.P.SHUKLA

20.5.2020

The global trade regime as embodied in GATT had faced a serious existential threat in 1980s. Lester Thurow had announced: " GATT is dead in the water".

The threat was averted by the trade-majors simply by incorporating the modest framework of GATT into an ambitious, almost open-ended global regime which extended its jurisdiction far beyond cross-border trade in goods and also loosened some restrictive features of trade in agriculture.

In the name of trade in services, it opened up the important area of financial and other professional services. It brought in several issues relating to investment abroad in the name of a discipline governing trade-related investment issues. Most important, it laid down a demanding regime on protection of intellectual property rights, a matter essentially belonging to a genre little related to trade.

And the event of this resurrection of a dying GATT into a monster of WTO was celebrated as 'a defining moment' in history.

All this was possible because the gains from the proposed arrangement were expected to accrue mainly to MNCs operating from the OECD countries, be they global oligopolies in food grains, fertilizers and genetically modified seeds, big pharma companies or financial behemoths. The costs were largely borne by the developing countries who had to surrender a considerable space of policy autonomy in crucial areas of economic management and development strategy.

That ambitious system was straining under the burdensome weight of its gigantic mandate, but it was jogging along with its succession of ministerial meetings, some ending in a fiasco, some remitting the problems back to its own officialdom and some pushing down new disciplines on reluctant developing countries.

All this continued merrily until the "three body blows" that the system suffered. The global financial crisis of 2008; rapidly escalating US -China trade friction; and Covid 19.

Institutionally, the crisis faced by the system is reflected in the paralysis of its Dispute Settlement System, its crown jewel, so to say, intended to bring coherence, transparency and stability to its operating mechanism. And now the impending premature exit of its chief executive underlines the severity of the crisis.

WTO now appears to be moving towards the fate that Lester Thurow had somewhat hastily predicted for GATT in mid-eighties.

There is no easy and self-serving solution available to the trade majors now to get out of the crisis. The crisis then was caused partly by internecine tensions among the trade majors and partly by the felt limitations of the system to incorporate new areas promising huge economic gains for the operators and agents from OECD countries. It could be resolved simply by extending jurisdiction over the new areas and by tweaking old disciplines.



The current challenge is of a different genre altogether.

Financial crisis of 2008 brought to surface the inherent uncertainty in the apparently sophisticated, non-transparent and non-accountable functioning of global financial markets. It slowed down the global economy and the aftereffects are still visible.

Emergence of China working within the four corners of the global system of trade and finance and technology has altered the global scenario altogether. The supremacy of Western powers originating in colonialism and embodied contemporarily in WTO, stands challenged. The frenzied reaction of USA only compounds the threat to the present "order", such as it is. The Chinese posture to "save" the multilateral system has not yet convinced the global community. A parallel, ingenious move by China, of a totally different kind, the "Road and Belt Initiative" has met with a much better response, but its long-term implications are yet to be discovered, much less mulled over and absorbed by the nation-states, the existing multilateral institutions and economic agents and operators. But of that, a little later.

Enter Covid 19 and the scene is altered fundamentally. Covid has shaken the foundation of international interaction, be it trade, travel or investment.

Seamless and smooth supply chains in manufacture and trade have been disrupted. A perceptible shift away from acceptance of the market-supremacy paradigm as an article of faith, towards recognising or contemplating need for "industrial policy", "strategic autonomy," "self-reliance" and even "economic and strategic independence" has occurred in the thinking of political establishments all over the world, particularly in the larger or more developed economies.

International travel has taken a dive leading to huge losses in tourism and trade and possibly prospects of investment abroad.

While the global financial markets reflect the severity of the crisis to some extent, the medium-term effects on overseas investments have yet to unfold fully, although it is evident that they will be likely moving in the negative direction.

While one would expect that the global public health crisis unleashed by Covid 19 should enhance international cooperation in research laboratories, pharmaceutical industry and public health experts and practitioners, we have witnessed contrarian trend in the response of USA insisting upon exclusive rights to vaccine being developed and, even worse, pirating the shipments of PPEs intended for other nations.

Covid 19 has also indirectly signaled the immediacy of the environmental crisis. Narrow political considerations at present are leading to scapegoating China for its failure in enforcing required measures to discourage and stop anti-environment practices prevalent in "wet markets" of animal products. The real and more generalised issue brought to surface by Covid 19, and indeed by its predecessors like SARS, EBOLA etc is that the planet is fast reaching the endpoint in its pursuit of extractive growth.

The international deliberations on climate warming crisis have not led to perceptible results. Mainly because the solutions are sought within the limitations and biases of the present economic and political order. The longer this dilly-dallying persists, the greater will be the danger of unanticipated outcomes like pandemics, severe droughts and famines, water-based conflicts. Covid 19 is a warning signal of the impending disaster on the environmental front.

The drastic and, by all accounts, long lasting nature of the current challenge to the existing multilateral regimes pertaining to trade, investment and technology calls for fresh thinking and new approaches.

What follows contains some musings in that direction.

To start with, it is evident that no tweaking or simple aggrandizing mutation of the existing system would do. We are facing an unprecedented challenge and we need a novel approach.

The current institutional model of international economic interaction is based on market supremacy, competition amongst economic agents, economies of scale, free flows of goods, services, capital and progressive integration of economic activities across the globe, the MNCs being the agents bringing this about.

Recent history has exposed its inadequacy as well as its ineffectuality. Considering the enormity of the problem and its planetary (as distinct from "global" which is used mainly to signify seamless spread of market across different geo-political entities) character, we need to anchor our approach in a non-market paradigm. What would be the elements of such an approach?

The essential elements would be recognition of

- A. Humanity taking precedence over Nationality;
- B. Planet (geological - ecological entity) taking precedence over Globe (aggregation of markets across political boundaries); and
- C. Cooperation and Co-sharing taking precedence over Market and Competition among agents.

The history of colonisation shaped the model of international trade and invest based on "free access," to "markets" through sea-lanes open to all i.e. to all colonisers and, of course, "freedom " in effect, being defined by respective military power. Decolonisation did not alter the picture basically. Nor did revolution in the means of transport. Domination of ex -colonisers continued, give and take some changes in political connotations and some co-option of the emerging economic agents in the erstwhile colonies, provided they did not question the basics of the prevalent market system and its operation.

That model needs to be junked, once for all.

- A. Survival of the planet and regeneration of its ecology;
- B. Fulfilment of basic needs of the humanity and its progressive enrichment, materially as well as culturally; and
- C. Utilisation of science and technology to further the two goals earlier mentioned.

These should constitute the founding cornerstones of any future model for international interaction, particularly in regard to economic activities coming under the rubric of trade, investment and technology.

Such an approach will cut across the existing taxonomy in terms of developed and developing countries; North and South; Free market economies and Planned economies.

It will also substitute the free-for-all competitive access to all markets for trade and investment by a co-operative and mutually acceptable template which could be negotiated bilaterally between two countries or plurilaterally or multilaterally amongst all the countries.

As regards science and technology, the exchanges will be governed by a template designed mainly on considerations of promoting pursuit of knowledge, and harnessing it to fundamental objectives of the new paradigm.

It follows that recognition of and reward to individual / corporate contributions in this regard will be totally functional, that is to say, they will be limited to the extent they subserve the basic objective of the template.

In such a paradigm, trade exchanges will originate in surpluses and diversity, as was largely the case in the era prior to commercial and industrial capitalism. The complementarity rather than calculus of comparative advantage will determine trade exchanges. Moreover, real social costs, including costs of long-haul transport and its polluting side-effects will get reflected in the determination of trade exchanges.

It follows that there will be no room for artificial imposition of trade paradigm on exchange of services and flow of investments, as is sought to be done under the WTO discipline

With the junking of the colonial model of "free and equal" access on competitive basis to "markets"(divested conceptually of people and their lives and livelihoods and consisting only of consumers), and its replacement by a model based on complementarity and cooperation, the relevance of the Road and Belt Initiative becomes apparent. Such an initiative where geographical linkages are promoted on the basis of mutually beneficial cooperation, trade and other exchanges will take place on the basis of mutual needs and capabilities, many times between pairs of countries involved, sometimes on a regional basis involving a number of countries in the region. It hardly needs a mention that such exchanges will minimise transportation costs, financial and social.

Since such exchanges are rooted in real inter-dependence and/or mutual cooperation, the risk of disruption of supply chains, brought into being artificially by the “global” market will be non-existent. Similarly, there will be no scope for predatory pricing in such exchanges.

Nor will there be any fear of de-industrialisation through the so-called comparative trade advantage or re-introduction of colonial patterns of power relations through an overbearing presence of foreign investment.

The new paradigm for exchanges in Science and Technology dispensing with the preposterous idea of private property in knowledge, will facilitate quick access to new inventions, remedies and vaccines for affected populations all over the planet, thus rendering future pandemics much less catastrophic. Indeed, abandonment of the model of extractive growth along with its promethean arrogance to try ceaselessly to bend the nature to human greed, will itself reduce substantially, if not eliminate altogether, in due course, the spectre of future pandemics.

In short, the human race has received a ringing warning signal in the onset of Corona virus. It has exposed, as never before, the obsolescence of the existing global paradigm on trade, investment and technology. The tragedies of two World Wars and Great Depression had failed to expose the fatal potentialities of the paradigm that has evolved over centuries. The task is being accomplished dramatically by a pandemic caused by an invisible but ever present, unbeatable enemy of the human race.

We will be answerable to history whether we heeded the signal and adapted our institutions to our common survival and welfare or whether we chose to quibble and tweak and mangle and let the woods burn while unsuccessfully seeking to hold on to our little bushes.



4. Supplement to a new paradigm for a global regime on trade, investment and technology

S.P.SHUKLA*

25.4.2022

Humanity, or rather the better off sections of it, are feeling relieved as the pandemic was controlled, although the manner in which the control was secured has been clumsy, lopsided and reflective of the inherent inequity of the present global (dis-) order.

But even that sigh of relief from the beneficiaries of the order, such as it is, has proved short lived. The eruption of the Ukraine crisis within a short space of two years after the outbreak of the pandemic has shaken the foundation of the "global order" much more dramatically than the pandemic.

**This is a supplement to SP Shukla's earlier piece "A new paradigm for a global regime on trade, investment and technology" which was published in The Citizen. In that article he had outlined the elements of a new paradigm of a global regime on trade, investment and technology. The trigger for that piece was the body blow delivered by COVID 19 pandemic to the prevailing "global regime"*

It is quite clear now that the ambitious and rapacious global order whose hallmark has been the supremacy of US \$ and the smooth movement of finance capital across the national borders has been effectively challenged. Its global domain has been fractured through sanctions enforced on Russia and the latter's adroit response to it. The Russian response is as much rooted in its preparedness to absorb short-run setbacks as it is in its relative surplus in energy, food and metals.

China, a late entrant into the challenged global order, has succeeded in dominating international trade, developing cutting edge technologies and providing a novel vehicle for expanding its investments abroad. In regard to US \$, the Chinese yuan has created for itself a novel, symbiotic relationship of mutual interdependence which has enhanced China's degree of policy autonomy in the global financial order. With its avowed "friendship without limits" with Russia, the rupture of the domain of the prevalent global order brought into being in 'nineteen 'nineties has become evident.

Whatever way the Ukraine crisis ends, this rupture is there to stay.

Other non- European members of the order are already sensing the inherent insecurity of such a fractured order and exploring ways of fortifying their position to the extent possible and trying to keep their options open. India's nuanced position is an example. It will not be wrong to expect many other countries of the South including some important oil exporters hedging their bets in a similar fashion. The large number of abstainers on the resolutions sponsored by USA to target Russia is a pointer.

Irrespective of the shenanigans about "democracy and free world" vs " autocracies and oligarchs", national self- interest will compel the nations of the South to be contributors to the demise of the present global order.

In this process, India's role will be of significance, because of its economic weight, its geography and demography as well as its history of following an independent trajectory.

It is not a matter of choice for a given set of rulers of India. The objective situation will dictate India's course of action. Let us elaborate this.

II

The agrarian crisis is the most pressing challenge that India is facing. This crisis has many layers and facets. Its most important feature is the trajectory of globalisation that is being imposed on it by AoA of WTO. The impossibility of the trajectory is illustrated in the quandary that the Gol is facing. It is caught in a cleft stick. It cannot guarantee the MSP, the most important and reasonable demand of the peasantry as a whole, notwithstanding the very small number of peasants producing marketable surplus. It cannot also reject it, much as it would like to. That is why its prevarication and empty sloganeering: "MSP has been there, is there and will be there!"

The trump card that Gol has up its sleeves is AoA of WTO. Gol hopes that pointing a finger to the supra-national authority will enable it to finally say "no", with little political damage.

The inkling of this course of action is already there: PM has announced that India has asked for "WTO's permission" to export food grains from public stockholdings. He knows that no such "permission" is possible under the extant regime of AoA, notwithstanding "the peace clause" negotiated in Bali. He knows that a similar request for "permission" to WTO in regard to MSP will also be emphatically rejected.

What should be the response of the peasantry? Should their representatives enter into a detailed techno-legal argumentation with Gol on the question of securing appropriate amendments to AoA through negotiations in the WTO forum? Will Gol be ready to respond to such argumentation? And even if an agreed position emerges as a result of such discussions, will it by itself be adequate to secure suitable amendments to AoA?

A moment's reflection will lead one to realise the will-o'-wisp character of such an approach.

At every stage, an outside non-government agency like a representative body of agitating peasantry will find itself handicapped both on facts and arguments. Moreover, the result in the WTO forum will be likely determined by relative support Gol will be willing and able to muster in the WTO forum to its stand and not only on the strength of the logic of its arguments. And a non-government agency like the peasants' organisation will have no means of mustering such support. And, above all, there is not a ghost of chance

that the dominating members of WTO on the question of agriculture, namely, USA, EU, Canada, Australia, New Zealand (even if we leave out the two important countries of the South: Argentina and Brazil) will ever "permit" such a breach of AoA which will virtually upset all that they were able to secure through protracted negotiations preceding the genesis of WTO, an important breakthrough in that process being the Blair House agreement between USA and EEC(EU) in 1992.

So, it will be a wild goose chase.

This kind of predicament is always encountered by a non- government agency like the peasants' representative body when the latter chooses to fight the Gol on the latter's exclusive turf of international negotiations.

In the circumstances, the obvious and a far more effective strategy would be to engage Gol on the turf of the choice of the peasants' organisation. Which the peasantry has already been doing for some time when it came to the three "black" laws "and MSP. The "three black laws" on agriculture marketing were repealed because the peasantry fought the long battle on a self- chosen turf, without getting lost in techno- legalities, particularly those which pertained to an international agreement (AoA), and an international forum (WTO). Its thrust was political and it succeeded in its mission because that thrust hit the Gol at its weakest.

And history was made compelling the Gol to repeal "the black laws."

The first requisite of effective pursuit of its continuing struggle for MSP is to realize that the AoA of WTO as it is, will never permit that kind of policy freedom to Gol. It is not a matter of " some clever amendment of a clause here" or "a smart insertion of a footnote there" in AoA. As we have said earlier, it amounts to negation of one of three major achievements of the North which led to the creation of WTO, at the enormous and continuing cost of the South:

A. Opening the "Services" markets which paved the way for the global ascendancy of finance capital, embodying the very essence and the pervasive presence of neo- imperialism.

B. Creating a new and expanding source for aggrandizement for the North through rentier incomes derived from the so- called "intellectual property rights"; and

Creating a new dependency relation through AoA consisting of (i) legal recognition to



a highly subsidised pattern of agriculture in the North; (ii) a rigorous discipline on the South ensuring open markets for the agribusiness of the North; and preventing/rigorously regulating supportive state policies such as subsidies and public stocking in the South; and (c) creating an economic environment whereby the tropical lands of the South are diverted away from foodgrains production and towards fulfilling the tastes and preferences of the North for " exotic " produce and cheap raw materials.

It is well worth remembering that both USA and EEC enjoyed vast autonomy in regard to agricultural production and trade policies for decades. USA had secured the notorious " waiver " from any discipline of GATT, right at the time of the formation of GATT. And EEC established, soon after it came into being, a " Common Agriculture Policy " which secured for its members a generous regime of subsidisation of its agriculture, facilitating expanding exports. A net importer of agricultural products in nineteen fifties, EEC became a major exporter by nineteen eighties threatening USA' s dominance in world markets which, in turn, prompted USA to demand a comprehensive international regime in the Uruguay Round which culminated in AoA. A pact between the two great subsidisers of agriculture to retain their regimes substantially in tact was a precondition of AoA of WTO to be born.

III

In the changed international environment, openings that were not available until recently are likely to be available. Food shortages are likely to develop not only in many poor, third world countries but also in some of those of the rich, first world countries. The main challenger of the present global order is, as noted earlier, a large exporter of wheat. Some countries of the South like Argentina, Brazil, Mexico, Thailand, Malaysia, Myanmar are substantial exporters of agricultural products.

- C. What is needed is a bold initiative in WTO to mobilise support, especially of the countries of the South, for a fresh look at the whole problem of global agrarian economy at the present critical juncture. The guiding principles should be:
 - A. Ensuring food sovereignty of all countries;
 - B. Ensuring a large degree of policy autonomy to developing countries in the matter of agricultural production, pricing, incomes and trade; in particular, to ensure food security to all, and remunerative pricing and decent income to the peasantry and to facilitate orderly transfer of surplus agricultural labour force to non- agricultural activities;
 - C. Promoting equitable and fair opportunities for international trade in agricultural products;
 - D. Promoting direct trade measures such as long-term contracts to facilitate viable trade in foodstuffs, particularly among developing countries to mutual advantage of surplus and deficit countries.
 - E. Promote international cooperation to set up regional/country level food stocks to ensure price stability and as an insurance against shortages due to climatic or speculative reasons;
 - F. To promote agricultural practices that protect and promote the cause of preservation of land, environment and ecology and ensure optimal use and conservation of water;
 - G. To promote cooperative approach at local, regional and international levels, in regard to agricultural production, storage, processing, trade and research.

A considerable degree of policy autonomy is an issue on which it should be possible to muster support of a large majority of the countries of the South. Even some developed countries such as Japan, South Korea, may find it of interest.



Russia and China should not be averse to such a move. Russia has adroitly challenged the global order of US \$ supremacy. China is supporting Russia to the hilt. A call from the South to review and reconsider the present dispensation of AoA which is essentially tailored to suit the requirements of USA and EEC and its agribusiness giants may, in all likelihood, evoke a positive response from both the powers. And for India and its present rulers, it should be a welcome opportunity to restore India's traditional role of prominence among the nations of the South. It will be a win- win situation for Russia, China and India.

And to top it all, Gol will find a graceful and pro- peasantry escape from its present dilemma on MSP. Instead of trying to play a trump in the name of AoA of WTO which will have little political value vis- a- vis peasantry, Gol should convert its dilemma into an opportunity. The suggested bold initiative will enable it to virtually put an embargo on AoA discipline, pending the outcome of the initiative.

Indeed, WTO is at its weakest in its history of long 27 years. It lost its real teeth, that is to say, its role as an arbiter in trade disputes. The Americans in the times of Trump had ensured the paralysis of the Appellate Dispute Settlement Body. And the free trade and RECP agreements have shifted the focus away from the WTO.

China's efforts to assume the role of a restorer and energiser of multilateralism in the Trump times had not met with much success. The covid related issues prompted China to retreat into a kind of isolation. And China now is decidedly moving into the opposite camp.

In such a context, it is pathetic for India to ask for " permission" of WTO, whether for exports of wheat or for guaranteeing MSP.

On the contrary, India should initiate, build and lead the campaign for a new and equitable order on agricultural production and trade. Time is opportune for such an initiative.

And the peasant movement now targeted on MSP should mount massive political pressure in favour of such an initiative, in the same way it did magnificently to get the black laws repealed.

5. Kisans of India, Unite!

S.P.SHUKLA

22.3.2021

Kisans of India, Unite!

To defend

Your Land, Your Livelihood, Your Identity; and

To ensure

Cooperative, Just, Sustainable and Self- reliant Development for all.

The Corporate Capital has launched a final assault in its desperate bid to extricate itself out of the worst crisis it has encountered.

Having swallowed the industry, trade and finance, it has now turned its greedy eyes on land and peasantry, along with the peoples' assets in the public sector including the infrastructure and services in health, education and social welfare.

Most importantly, it has its gaze fixed on fertile tropical and subtropical land and its globally unique productive potential.

Remember, the assault is not entirely new: Indian Peasantry was the first victim of its erstwhile "Awataar" in the colonial phase which started in the 18th century. History is threatening to repeat itself with vengeance.

The Welfare State established after the end of the colonial subjugation provided new opportunities to peasantry. New technology and critically supportive state intervention led to national food sufficiency and a vast change in the material condition of peasantry. The change was not equal for different segments of peasantry. Nor was it universal in terms of geographical coverage. Nevertheless, it held a promise of wellbeing for the peasantry as a whole. It is this promise, this possibility which is now sought to be extinguished.

The immediate threat is embodied in the three new farm laws which seek to destroy the relatively better off pockets of the peasant economy in Punjab Haryana, Western U.P. and



Rajasthan and open the agro- rural economy for unrestrained operations of the corporate capital. More important, the rulers are unwilling to make MSP, the economic linchpin of the agrarian transformation, universally and legally applicable. These only lays bare the concerted strategy underlying the attack on peasantry launched by the rulers in collusion with the Corporate Capital.

The peasant movement started in the areas directly threatened by the attack. It is organised and led by peasantry from within its own ranks. It has attracted ever increasing support of peasantry, irrespective of internal differentiation and geographical distance and differences. It has steered clear of red herrings of caste and communal divisions. It has successfully withstood the concerted efforts by the ruling establishment to malign it with false slogans of nationalism. Above all, it has apparently succeeded in evolving a

new political identity of "Kisan" transcending the traditional baggage of caste, religion and region.

The peasant movement has shown political wisdom in keeping political parties at a safe distance and yet increasingly politicising itself strategically. It has appealed for cooperation to the working class, the youth, the unemployed and petty traditional traders and middlemen who are bound to bear the brunt of the assault launched by the Corporate Capital.

Yet, there are faultlines against which the movement must guard itself carefully.

The internal contradiction between the big farmers, on the one hand, and the small and marginal farmers and the landless labour, on the other, is one such obvious faultline. The movement has maintained its solidarity so far despite the crude and disingenuous attempts by the government to sow seeds of dissension. At present, the existential threat to the collective economic well-being has brought all peasantry together. The resources of the big farmers and the numerical strength of the rest have mutually complemented the strength of the movement. The traditional social institutions of collective endeavour and mutual support such as the Sikh Gurudwaras and Langars in Punjab, Delhi and Haryana; Khap Panchayats in UP, Haryana and Rajasthan; and Kisan Mahapanchayats everywhere; have contributed handsomely to sustain the solidarity and the momentum of the movement.

However, to sustain this solidarity in the long run, other initiatives would be necessary.

Reorganisation of the rural- agricultural economy on cooperative lines will be the most important such initiative. That will make small and marginal farms viable economic entities. Moreover, the cooperatives will have to take on input procurement and output processing activities. Surplus labour released by the cooperative reorganisation of farming and the landless labour would need to be organised in labour collectives who would be engaged in backward and forward linkages of agricultural economy as well as in building social service infrastructure and services like education, health and social security.

All this will need the state support. The political strength of the peasant solidarity should be able to extract such support even from the unwilling state.

The other such faultline is the environmental concerns. The green revolution has brought in its train excessive use of water and intensive application of inorganic fertilizers and chemical pesticides. It has affected soil adversely. It has generated ecologically undesirable monoculture. Peasantry is not unaware of these consequences. However, the situation calls for a long-term collective vision and endeavour yoked to alternative environment-friendly reorganisation of farming and rural economy. An effective initiative will have to come from the government in the shape of a scientific and pro-people land and water use policy; a moratorium on transfer of agricultural land to the Corporates; greater resort to organic agriculture; greater diversification; and greater investment in research and development in innovative technologies which reduce dependence on chemical inputs and excessive use of water and yet make handsome contribution to productivity, ala the example of Cuba.

The third faultline is the international obligations arising from WTO discipline on agricultural production and trade. The government will use these obligations as the final, clinching argument to push its so-called "reform agenda".

The present WTO regime is irrational, unjust and imperialist. It has tied Indian agriculture to global market dominated by big agribusiness. The agriculture in the developed countries is structurally and qualitatively different. There, the contribution of agriculture to the GDP is in a single digit percentage. So is the percentage of the workforce dependent on agriculture. That is in vast contrast to ours where the former is around 15 percent and the latter is as high as over fifty percent.

Moreover, the vast population with poor incomes and low nutrition makes it incumbent on the government not to risk dependence on import of foodgrains and provide food security with adequate indigenous food production and large food stocks in the public sector to ensure supplies at reasonable price to the vast, vulnerable population.

Furthermore, the social and economic stability demands that unplanned displacement of large workforce now dependent on agriculture and related activities be not allowed on account of globalisation of agriculture production and trade and consequent transmission of trade signals emanating from the notoriously volatile global market in agricultural commodities.

The history of GATT and protracted negotiations between USA and EEC (European Economic Community, the predecessor of EU) on the issue of agricultural production and trade that preceded the coming into being of WTO are ample proof of the specificity and

importance of this issue. These powerful entities succeeded in ensuring their respective twin objectives of protecting in perpetuity their regimes of support to agriculture and, at the same time, opening up the markets of the developing countries for exports of their subsidised agricultural products. In sharp contrast, developing countries are still struggling to secure a regime of minimum safeguards against import surges and to maintain minimal food stocks at the cost of public exchequer. These minimal demands have been under negotiations for the last two decades, with no results to show yet.

What is needed is a bold and concerted effort with other similarly placed developing countries to ensure recognition of the unique status of agriculture in economies like ours and to secure a special dispensation allowing a much greater degree of autonomy in national policy-making.

The considerations that led to a permanent waiver to USA and the continuation of CAP (Common Agriculture Policy) in EEC) under the erstwhile GATT regime and the generous exemption guaranteed to both USA and EU in the current regime of WTO under the cover of "Green and Blue boxes" of subsidies, were far less compelling than the critical considerations of food security, and need to prevent unplanned destabilisation of huge agricultural workforce in a country like ours. We have a strong rationale to press our demand for a much larger autonomy in regards to agricultural production and trade.

Now is the time to press this demand in WTO. A WTO ministerial level meeting is scheduled to take place in November 2021. Reportedly, there is considerable support already to the move initiated by India and China to press for favourable decisions on the two modest demands long pending before WTO. India should secure enhancement of the scope of the agenda to claim a much wider degree of autonomy in regard to national policies of developing countries in regard to agricultural production and trade. The time is opportune to make such a move. Recessionary conditions that prevail globally, recent global experience of disruption of supply chains, widespread concern about increasing hunger and malnutrition in the wake of the pandemic and the pronounced tendency to ensure national self-sufficiency in food -- all provide favourable conditions to press such an agenda.

Last but not the least, WTO is currently at its weakest position as an institution in its history of 25 years, thanks to sidetracking of WTO by rampant regional and global initiatives such as free trade areas and economic and trade cooperation arrangements and virtual abandonment by USA of its role as the chief mentor of the multilateral system.

In sum, what is expected of the government today is not supine submission to the dictates of WTO and quoting our obligations in WTO as an argument to push its ulterior agenda of the so-called "farm reforms". On the contrary. Government is expected to assert in WTO the legitimate demand for a greater degree of autonomy to pursue appropriate national policies in regard to agriculture.

In sum, in order to sustain the solidarity of the peasant movement and accelerate the momentum it has generated, a series of innovative initiatives are called for:

It is time to initiate an alternative plan of reorganising agro - rural economy based on a scientific and pro- people land and water use policy; moratorium on transfer of agricultural land to the Corporates; introduction of joint farming cooperatives of small and marginal farmers; forming labour collectives of surplus labour to undertake building rural infrastructure and social services and also to engage in cooperative enterprises meant for organising forward and backward economic linkages of agriculture ; innovative technologies which will internalise environmental concerns and yet maintain increasing productivity; regional planning based on commodity balances to strengthen the operations of the web of the cooperatives expected to run the rural - agricultural economy in expanding, harmonious network; capitalising stocks of wage goods through local labour intensive development projects; local cooperatives taking on procuring, stocking and distribution of foodgrains; linking food grain procurement with universal PDS; larger role of public/ cooperative sector in internal and international trade; obtaining a greater degree of autonomy in WTO discipline on agricultural production and trade.

Peasant movement has proved its grit, its innovativeness and its truly national character. It will be only natural to expect that it launches comprehensive initiatives not only to protect itself from the immediate threat it is facing in regard to its land, its livelihood and its identity but also to lay the foundation of a new economy based on mutual cooperation, peoples' solidarity and sustainable development.

6. Agrarian Crisis: New Initiatives Needed

S.P.SHUKLA

17.12 2021

1. The agrarian economy is in deep-rooted crisis. Land under household operational holdings is fast disappearing, presumably for non- agricultural uses which "market" has encouraged consistently. Household operators have lost 40 million hectares in the last 27 years. Between 1991-92 and 2018-19, the average holding size has declined from 1.34 ha to 0.83 ha. Some 70 lakh agricultural households have left agriculture permanently between 2012-13 and 2018-19.
2. Actual distribution of available land is heavily skewed: 8% of agricultural households have no land, not even homestead land. 32% have only homestead land, no land for cultivation. 31% have extremely small holdings, average size being 0.2 ha ie less than an acre. 14% have holdings of 0.7 ha. 9% have holdings of average size of 1.3 ha. Only 6% have holdings exceeding 2 ha. These 6% households own 41% of agricultural land while the remaining 94% hold 59 % of land.
3. The soil quality of the land possessed, accessibility of water and other farm inputs further exacerbates this inequality.
4. Such small holdings neither provide employment to the available family labour, nor do they fetch sufficient income to fulfil basic needs of the family. Members of land-less households as well as marginal farm households look for wage work in the village and migrate outside. With low wages and insufficient work, they take small loans to meet their daily requirements and pay exorbitant interest on these small loans. In the event of any contingency, they meet the required expenditure by selling off their land either partially or wholly.
5. According to 2018-19 NSSO Survey, our total work force is 467 million. Of which agricultural workforce is 191 million: 143 million are self- employed, 46 million are casual workers and 2 million are regular workers.
6. Given the statistics on availability of land, it is clear that neither the self-employed persons have enough land for viable livelihood, nor the casual workers have enough



employment to meet their daily requirements. Unless the employment space is substantially enhanced and the land relations are radically restructured, the agrarian crisis will become increasingly unmanageable and may repeatedly explode into mayhem like the migrant workers walk.

7. While the agricultural land is shrinking and the average size of holding is becoming smaller, there still exist some surplus land (in excess of ceiling as in case of benami holdings or institutional holdings e.g., " Maths" or lying unused as in case of plantations) which needs to be redistributed to the landless.
8. Unless the unviable holdings are pooled in economic holdings, optimal cropping pattern, optimal use of water and efficient use of machines cannot be achieved.
9. To that end a massive programme of cooperative or joint farming is necessary. That will require massive financing support as also mass mobilisation.
10. Even so, there will be a large employable surplus which will need to be absorbed in rural reconstruction. Also, the backward and forward linkages of agriculture and re-

lated other activities such as dairy, poultry and horticulture will have to be earmarked for absorption of such surplus labour.

11. This is a gigantic task which requires not only sustained and extensive mass mobilisation and handsome financial subvention, but also policy protection from operation of "market forces" both in the domestic sphere as well as at the border. In one-word, corporate capital has to be restrained by appropriate policies internally as well as through clear enunciation of our stand against its adverse intervention through the globalised discipline on agricultural production and trade that AoA of WTO is all about.
12. Admittedly, this is a tall order. But if we fail to take the bull by the horns, it is going to engulf the material and spiritual core of India as we know it.
13. The down to earth reaction of the Farm leaders to the repeal of farm laws is well understood in this context. Nothing has changed as far as the deep-rooted agrarian crisis is concerned. The unmet demand for MSP is an evocative symbol of their determination to plough their way through the threatening siege. It is a symbol of their determination not to surrender to the forces bent on swallowing their land and livelihood.
14. The environmental challenge that our agrarian economy is facing is but a product of "market forces", aided and abetted by government policies, albeit initially driven by good intention of acquiring food self- sufficiency. So, what is needed is a move away from" market forces" and in the direction of pro-people planning and implementation with people's participation through cooperative institutions.
15. Immediate priority should be:
 - A. An appropriate initiative in WTO in collaboration with the countries of the South to secure a reprieve from the tightening discipline of AoA in regard to our assistance to farmers, our public food stocks, our freedom to maintain import restrictions to avoid deleterious effects on the fragile economic equilibrium that our peasant economy is coping with , our regimes of substantial assistance and encouragement to cooperative initiatives in production, processing, marketing and distribution of agricultural and allied produce and our various initiatives to safeguard the environment while reorganising our agricultural production , trade and distribution regimes.
 - B. Initiation of a scientific, pro- people and environment- friendly policy for land and water use. The policy will be delineated for all Agro- climatic regions.

- C. An immediate embargo on transfer of agricultural land for non- agricultural uses to the corporate sector.
- D. Immediate location and distribution of surplus land for redistribution to landless.
- E. Organising a network of cooperatives for joint farming of uneconomic holdings and special assistance, both financial and managerial, to such cooperatives.
- F. Organising labour cooperatives of surplus labour for building, repairing, enhancing and maintaining the rural infrastructure.

NB: I have drawn heavily on Dr Jaya Mehta's comprehensive studies and articles on agrarian crisis in the last few years, particularly,

Agrarian Crisis: Life at Stake in Rural India
Jaya Mehta, Vineet Tiwari, Roshan Nair:
Joshi Adhikari Institute of Social Studies, 2010

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Jaya Mehta
Rosa Luxemburg Stifling South Asia 2019.



7. Letter by the
United Nations-Special
Rapporteur on the Right
to Food on Global Food Crisis
MICHAEL FAKHRI

4 May 2022

Dear Ms. Okonjo-Iweala,

I have the honour to address you in my capacity as Special Rapporteur on the right to food, pursuant to Human Rights Council resolution 49/13.

In this connection, I would like to bring to your attention some of my concerns regarding the underlying challenges in the world's food systems. For over two years, there has been no globally coordinated response to the food crisis despite the rising rate of hunger, famine, and malnutrition and despite the increasing degree of conflict in food systems. However, in the recent weeks, with the Russian wrongful attack against Ukraine, there have been numerous reactions to the newest shock to food systems. Like other UN human rights experts, I condemn the violation of human rights in armed conflicts. The fact, however, that only now has there been a global response to the long-standing global food crisis indicates that what may be also at stake today is the international institutions' legitimacy and national governments' ability to govern.

Ever since the COVID-19 pandemic began, a number of States and many civil society organizations have been calling for coordinated action through institutions such as the Human Rights Council, International Labour Organization, and the Committee on World Food Security. On 13 April 2022, you issued a statement together with the leaders of (the World Bank Group (WBG), the International Monetary Fund (IMF), and the World Food Programme (WFP)) warning that the war in Ukraine was adding to existing pressures from the COVID-19 pandemic and calling for urgent, coordinated action on food security and appealed to countries to avoid banning food or fertilizer exports to face the shocks that recent global crisis have exerted on the food systems.

While I welcome the joint statement and commend you for calling for urgent action and raising the profile of the long-standing global food crisis, I feel compelled to share with you some of my concerns related to it. The statement focuses on the provision of emergency food supplies, financial support, increased agriculture production, and open trade. My concern is that this simply highlights what the respective institutions have been doing over the past years, if not decades, without addressing the core challenges facing the world's food systems.

Ms. Ngozi Okonjo-Iweala Director-General

World Trade Organization



Framing the Problem

Food systems emit approximately one third of the world's greenhouse gases and contribute to the alarming decline in the number animal and plant species. Intensive industrial agriculture and export-oriented food policies have driven much of this damage. Ever since governments started adopting the Green Revolution in the 1950s, the world's food systems have been increasingly designed along industrial models, the idea being that, if people are able to purchase industrial inputs, then they can produce a large amount of food. Productivity was not measured in terms of human and environmental health, but exclusively in terms of commodity output and economic growth. This same system disrupted carbon, nitrogen and phosphorous cycles because it requires farmers to depend on fossil fuel- based machines and chemical inputs, displacing long-standing regenerative and integrated farming practices.

Thus, when you call for increased production without a clear indication of what kind of production methods and types of food you have in mind, you risk reproducing mistakes of the past. Despite a 300 per cent increase in global food production since the mid-1960s, malnutrition is a leading factor contributing to reduced life expectancy. The problem with hunger is not a global lack sufficient production, but inequality and other systemic impediments to access adequate food.

Moreover, the fundamental problem is not that farmers' access to chemical fertilizers has been disrupted by the war in Ukraine, it is that so many farmers rely heavily on chemical fertilizers in the first place. Chemical fertilizers do not ensure food security. Their pervasive use sometimes increases crop production in the short-term, but it creates a longer-term dependency on corporations and trade. Chemical fertilizers also deplete nutrients from the soil and cause environmental harm through runoff violating people's right to a healthy and sustainable environment. In the immediate term, it is important to make sure fertilizers reach farms whose farming system depends on chemical inputs, but the ultimate goal must be to wean them off this dependency as soon as possible.

Global Markets are One Source of the Problem

The solutions you suggest may be contradictory or counterproductive.

For example, the World Bank has recently advised countries to reform existing agricultural support policies to produce better outcomes that can tackle food insecurity and climate change. Yet current WTO rules and negotiation history make those types of changes very difficult especially for developing countries. The WFP has focused its efforts on immediate humanitarian relief but has not done enough to ensure that WFP supply chains transform local and regional food systems and enhance people's dignity and ecological biodiversity. The World Bank and IMF have provided support to the food and agricultural sector but have done so in a way that has emphasized market-led land reforms and financial sector deregulation. This has caused further instability and increased food insecurity, especially amongst small-scale farmers and Indigenous peoples, by enabling land grabbing in developing countries and further speculation over commodity futures.

The war in Ukraine is one of the most recent global shocks to food systems, but it is not the cause. In 2011, the FAO recorded record food prices and in the past year inflation has been on the rise globally. As in 2007 and 2010, the main problem today is not only the price spikes but price volatility. Indeed, for too long food has been treated as a commodity or a financial instrument, often open to speculation. Matters have been made worse with the rise of biofuels, whereby products like soybean and maize are not just food but fuel, directly linking the price of vegetable oil to the price of petrol. There is also a too high degree of market concentration in food markets and agri-food companies continue to grow their profits amidst all this suffering.

International markets are one cause of the breakdown of food systems. The core problem is that current markets do not absorb shocks and instead amplify them. Prices do not provide helpful information about supply and demand and instead reflect market power and investors' fears. The world's international institutions have played a central role in how these markets have been designed and governed. I therefore encourage you to reflect upon the ways in which your respective institutions have contributed towards causing the crisis we face today while you consider ways forward.

New Trade Rules Must be Part of the Solution

One of today's most acute challenges is that the WTO agricultural negotiations have not advanced since 1995. The fact that there remains no permanent solution over national food stockholding programs highlights the fact that what is at stake is not just farm policy but food security.

Moreover, there is a growing consensus amongst different coalitions within the WTO that the Agreement on Agriculture (AoA) is outdated. Some AoA provisions, such as the differential rule on domestic support and the Special Agricultural Safeguard, are mainly for use by developed countries. The AoA does contain exceptional provisions that could theoretically ameliorate the negative effects of trade on particular countries, or on groups of people within countries, from the negative impacts of trade. Countries that are especially vulnerable to international markets have attempted to introduce or enhance mechanisms such as special and differential treatment, special safeguard measures, special products, and the Ministerial Decision on measures concerning the possible negative effects of the reform programme on least-developed and net food-importing developing countries. These provisions could have had clear, implementable outcomes but instead they have been systematically opposed, eroded and marginalized. In sum, the AoA's provisions and its implementation have been inequitable.

The challenge is that food security has been treated as something to be dealt with as an exception to trade policy. There remains, however, no coherent international food policy informing WTO operations, just as trade policy is not adequately addressed in Rome-based agencies. It remains to be seen whether we can have an action-oriented discussion around trade and food policy within the WTO, or whether that conversation should be hosted elsewhere.

I want to highlight that my report to the UN General Assembly outlines a right to food agenda for trade. Considering my next report to the General Assembly in October

addresses the COVID-19 pandemic and food crisis, I remain open for continued dialogue and engagement with you.

I also wish to inform you that I am sending a letter similar to this one to the leaders of IMF, WFP and the World Bank. I address copies of the letters to the leadership of the International Labour Organization, the Committee on World Food Security (CFS) and the UN Food and Agriculture Organization. I also intend to make the views expressed in this letter public via the OHCHR website of my mandate after sending this letter.

Please accept, Ms. Okonjo-Iweala, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'M. Fakhri', with a stylized flourish at the end.

Michael Fakhri

Special Rapporteur on the right to food



8. The right to food in the context of international trade law and policy

MICHAEL FAKHRI*

22.07.2020

**This is the report of the Special Rapporteur on the right to food, Michael Fakhri, submitted to the UN General Assembly in accordance with Assembly resolution 73/171.*



1. Introduction

1. Projected onto walls in Chile¹ and heard in union halls around the world,² people are shouting, “we won’t get back to normal because ‘normal’ was the problem”. At the time of the present report, the world is in the midst of the coronavirus disease (COVID-19) pandemic. No one knows how long the pandemic will last, nor what lies ahead. What is clear, however, is that immense suffering is already being caused by the virus, and the worst is yet to come. People are losing their jobs at unprecedented rate. Schools that are a source of food for most children are closing, and as a result many are missing more meals than usual. Many Governments are scrambling to respond, yet millions of people are still being excluded from essential resources. The virus is novel, but its effects are predictably harshest on marginalized and vulnerable people. The pandemic exacerbates and accelerates the same inequities that have persisted for decades and, in some instances, centuries.

¹ Sara Pantuliano, “Covid-19: ‘we won’t get back to normal because normal was the problem’”, *Overseas Development Institute (ODI)*, 1 April 2020.

² Sue Longley, “We won’t get back to normal because ‘normal’ was the problem”, video, 1 May 2020. *al food crisis*, *International and Comparative Law Quarterly*, vol. 66, No. 3 (July 2017).

2. The dire conditions of the pandemic warranted a call from the Secretary-General and the United Nations High Commissioner for Human Rights asserting that people and their rights are fundamental to the success of all public health responses.³ While all human rights are essential and interconnected, the right to food plays a particularly important role in all short- and long-term solutions.
3. The world was falling behind on fully realizing the right to food even before the pandemic. If statistics are any guide, the number of hungry and undernourished people in the world has been rising since 2015.⁴ Meanwhile, biodiversity in agriculture is decreasing as the global diet becomes increasingly homogenized around a small number of crops, including a marked shift towards heavily processed foods.⁵ Furthermore, COVID-19 is only the most recent virus, and not the last, to strike humanity as a result of our continued disruption of animal habitats, which increases the risk of zoonotic transfer of disease.⁶ Lastly, the world has only recently recovered from the food price volatility which struck during the period 2007–2010.⁷
4. The right to food cuts through oversimplified debates over whether food insecurity is a problem of scarcity (not enough available food) or a problem of distribution (lack of access to food). Instead, it requires us to first understand how power is produced and distributed before answering the question of how food should be produced and distributed.
5. Until now, trade policy has primarily focused on economic frameworks and has either ignored or marginalized people's human rights concerns. At the same time, human rights policy has provided a powerful sociopolitical critique of trade but has not of-

3 Office of the United Nations High Commissioner for Human Rights (OHCHR), "COVID-19 guidance", 13 May 2020; António Guterres, Secretary-General of the United Nations, "We are all in this together: UNSG delivers policy brief on COVID-19 and human rights", statement, 23 April 2020.

4 Food and Agriculture Organization of the United Nations (FAO) and others, *The State of Food Security and Nutrition in the World 2019: Safeguarding against Economic Slowdowns and Downturns* (Rome, 2019).

5 Julie Bélanger and Dafydd Pilling, eds., *The State of the World's Biodiversity for Food and Agriculture* (Rome, FAO Commission on Genetic Resources for Food and Agriculture Assessments, 2019); Colin K. Khoury and others, "Increasing homogeneity in global food supplies and the implications for food security", *Proceedings of the National Academy of Sciences*, vol. 111, No. 11 (March 2014).

6 AHaron Akram-Lodhi, "Covid-19 and the world food system", *Journal of Australian Political Economy*, No. 85 (2020).

7 Anna Chadwick, "Regulating excessive speculation: commodity derivatives and the global food crisis", *International and Comparative Law Quarterly*, vol. 66, No. 3 (July 2017).

ferred an institutional alternative to the existing regime. Neither approach has adequately responded to climate change.

6. The present report of the Special Rapporteur on the right to food, Michael Fakhri, is a first step past this impasse, by framing the right to food within the context of international trade law and policy. International trade is of particular importance and a core element that must be addressed to ensure the full realization of the right to food.⁸ The report blends trade and human rights policy, and provides principles and an institutional map that can guide States and people to understand the right to food anew in political, economic and ecological terms. During his mandate, the Special Rapporteur will work with States and stakeholders to expand on these basic elements in order to generate an effective international food policy geared towards building a new trade regime.
7. In the present report, part II serves as a précis of what the right to food means in everyday terms, which informs the entire report and the Special Rapporteur's mandate.⁹ Part III summarizes how the existing World Trade Organization (WTO) Agreement on Agriculture operates and its inherent inability to provide adequate trade results, much less human rights outcomes. Part IV pushes both human rights and trade policy into a new, common direction and outlines human rights principles for international trade. Part V sketches out how novel international food agreements may implement these principles.
8. From the outset of his mandate in May 2020, the Special Rapporteur reached out to various stakeholders, seeking their general comments on the current challenges and obstacles in the realization of the right to food. Because of COVID-19, he was somewhat hampered in those consultations, yet many discussions successfully took place through virtual means. In response to COVID-19, the Special Rapporteur, with other mandate holders, called for input from States, local and regional governments, national human rights institutions, civil society organizations, academics, United Nations agencies and other stakeholders.¹⁰ Through a questionnaire, he invited everyone to

8. *International Covenant on Economic, Social and Cultural Rights*, art. 11, para. (2) (b); *Human Rights Council resolution 43/11*, para. 20.

9. This distills the definition from the *International Covenant on Economic, Social and Cultural Rights*, art. 11, the *Committee on Economic, Social and Cultural Rights*, general comment No. 12 (1999) on the right to adequate food, the *United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas* and the work of previous Special Rapporteurs.

10. OHCHR, *Issues, Food, "Call for inputs: international trade and the right to food"*. Available at www.ohchr.org/EN/Issues/Food/Pages/Call-covid19.aspx.



provide their comments on questions related to the disruption of international and domestic food supply chains during the pandemic; the measures taken by governments to ensure access to food for all, including individuals in vulnerable situations; and the conditions under which food workers such as agricultural labourers, store workers, transporters, cooks and shopkeepers had to work and measures taken to protect them. The Special Rapporteur is grateful to all stakeholders who found the time and capacity to provide invaluable insight.

II. What the right to food means

A. Food is central to community and sovereignty

9. The right to food is not just the right to be free from hunger. It is the right for everyone to celebrate life through their meals with each other in communion. One of the most important ways that a community defines itself is through what, how, when and with whom they eat. Communities are made through shared holidays, memories, recipes, palates and manners of eating. Through these food practices, people create their social and political institutions
10. Food is also central to how people establish their relationship with the land. It is therefore a key element in how sovereign power is expressed. Food creates a hub that interlaces complex ecologies of certain humans, animals, plants, microbes, spiritual entities and landscapes into long-standing relations of care with each other. Kyle Whyte puts it succinctly: food production, labour, preparation, consumption and disposal are woven tightly with land tenure, a community's way of life, reciprocal gift-giving and life sustenance, connecting people in a community, and respect for non-human life.¹¹

11. Kyle Powys Whyte, "Indigenous food sovereignty, renewal, and US settler colonialism", in *The Routledge Handbook of Food Ethics*, Mary C. Rawlinson and Caleb Ward, eds. (London, Routledge, 2017).

B. Food must be adequate, available and accessible

11. In doctrinal terms, the right to food means that everyone is entitled for their food to always be adequate, available and accessible.¹²

Adequate

12. People have the right to define for themselves what is culturally, nutritionally, socially and ecologically appropriate food, based on their particular conditions. That is to say, people get to decide what “good food” is, including the right to determine which food(s) should be designated as necessary. States are obliged to meet existing demands and must also be generous to future generations.¹³

Available

13. In order for good food to be available, people must always have reliable sources of food. Availability refers to the possibility of feeding oneself directly from working with the land or other natural resources.¹⁴ Therefore, States must ensure that people’s access to land and other natural resources is shared fairly and equitably.¹⁵
14. Food should also be available for sale in markets and shops. Therefore, availability requires well-functioning distribution, processing and market systems that can move food from the site of production to where it is needed, in accordance with demand.¹⁶ In these cases, States must also ensure that markets are fair, stable and competitive. Therefore, national and global market power should not be concentrated in the hands of the few. Food producers must receive a remunerative price for their goods or labour, or public support for their work.
15. Key to ensuring the availability of food, workers in all fields, waterways, factories and kitchens must have healthy and safe working conditions. The COVID-19 pandemic illustrates that one reason people are on the verge of a hunger crisis is because essential food workers are being forced to put their health at risk. Their employers are not providing safe workplaces and States are not providing adequate support during the pandemic. Without healthy workers, the world cannot have a stable and available food supply.

12. Committee on Economic, Social and Cultural Rights, general comment No. 12.

13. *Ibid.*, para. 7.

14. *Ibid.*

15. Lorenzo Cotula, ed., *The Right to Food and Access to Natural Resources Using Human Rights Arguments and Mechanisms to Improve Resource Access for the Rural Poor* (Rome, FAO, 2008).

16. Committee on Economic, Social and Cultural Rights, general comment No. 12.

Accessible

16. States must ensure that food is always economically accessible to everyone. This means people should always be able to get a good meal, which may be accomplished through free school meals, fair markets or a social system ensuring that people have the time and resources necessary to cook at home and feed their communities.
17. Food must also be physically accessible. This means that States must ensure that all food systems and institutions are universally inclusive. Regardless of a person's physical abilities, state of health, legal status or housing condition, States must support everyone's ability to get to a kitchen in order to obtain or make an adequate meal.¹⁷

C. State obligations and universal accountability

18. States are obliged to work collectively, and in solidarity, to ensure that the international system guarantees everyone's human rights.¹⁸ This includes making sure that public institutions (both international and domestic) and private bodies (including corporations) are publicly accountable to the people they serve and depend on.
19. It is important to note that "food security" does not create legal obligations and is a narrower term than the right to food. Food security addresses only availability and accessibility. It places emphasis on maintaining political stability. Food security policies often focus on ensuring that people have the sufficient amount of food they need to live and survive (i.e., subsistence).
20. By including a broad definition of adequacy, the right to food requires States to ensure that people always eat with dignity. The emphasis here is on nourishment and sustenance, not just subsistence. Food should be something that makes people stronger physically, but also politically and culturally. In this respect, the right to food raises fundamentally political questions about the way we produce, distribute and consume food that can neither be subsumed under nor answered by the often-technical language of food security.
21. In sum, all people have the right to define what is adequate food for their community; all national and international institutions – including economic institutions – have the duty to ensure that all people always have access to adequate food.

17. \The term "kitchen" is used in the broadest sense to mean anywhere people prepare food before eating.

18. See A/71/280.

III World Trade Organization Agreement on Agriculture

A. International trade and agriculture today

22. The Agreement on Agriculture, which came into force as part of WTO in 1995, has been a barrier to fully realizing the right to food.¹⁹ Rather than focus on people as rights bearers, the Agreement frames people in terms of their economic potential and activity. In the Agreement, people are referred to as producers (including “low-income or resource-poor producers”) and consumers, but also as “urban and rural poor”, and “sections of the population in need”.
23. The long-term objective for the multilateral trading system “is to establish a fair and market-oriented agricultural trading system” with the assumption that this shall be achieved through “substantial progressive reductions in agriculture support and protection”.²⁰ WTO members, who have a number of other international legal obligations, are only supposed to have “regard to non-trade concerns, including food security and the need to protect the environment” rather than put these issues at the centre of the trade agenda.²¹ In this respect, the current trade system treats food security as an exception and commercial transactions as the rule, and leaves out the broader right-to-food perspective.
24. Since 1982, and continued under the Agreement on Agriculture, agricultural trade negotiations around have been based on three “pillars”:
 - a. Improving market access by banning quantitative restrictions, converting behind-the-border policies into tariffs and gradually reducing all agricultural tariffs;
 - b. Gradually reducing export subsidies to zero;
 - c. Limiting the scope of permissible domestic support.²²
25. The consensus shared by both critics and champions of WTO alike has been that in practice the Agreement on Agriculture has neither created a liberal global market nor has it benefited poorer countries, whose economies depend on the agricultural sector. It has instead protected powerful countries and large corporations.²³

19. See A/HRC/10/5/Add.2.

20. WTO Agreement on Agriculture, preamble.

21. *Ibid.*

22. General Agreement on Tariffs and Trade, press release GATT/1328, 29 November 1982.

23. Michael Fakhri, “A history of food security and agriculture in international trade law, 1945– 2017”, in *New Voices and New Perspectives in International Economic Law*, John D. Haskell and Akbar Rasu-lov, eds. (Cham, Switzerland, Springer International Publishing, 2020); Christian Häberli, “Agricultural trade: how bad is the WTO for development?”, *European Yearbook International Economic Law 2016*, Marc Bungenberg and others, eds. (Cham, Switzerland, Springer International Publishing, 2016).

B. Exceptions to the Agreement on Agriculture

26. The Agreement on Agriculture does contain exceptional provisions that could ameliorate the negative effects of trade on particular countries, or on groups of people within countries, from the negative impacts of trade. Countries that are especially vulnerable to international markets have attempted to increase the number of these measures. These exceptions, and the reasons they did not succeed, are set out below.

- **Special and differential treatment.** Intended to grant developing countries more flexibility in how they implement WTO rules, in recognition of the disadvantages they face in the world trading system. The Agreement on Agriculture, for example, exempts developing countries from domestic support reduction commitments for low-income farmers to encourage rural development. However, special and differential treatment allowances are often weak (such as longer implementation periods and lower reduction rates on agreed commitments) or not much use to the poorest and most vulnerable (such as unlimited spending allowances on agriculture for countries that face unsustainable debt levels and chronic budget shortfalls). Moreover, developing countries that have joined WTO since its creation have been given only limited access to special and differential treatment. Overall, special and differential treatment has been used as a way of instituting baseline policies inimical to developing States, while only allowing for limited, often unhelpful, deviations.
- **Special safeguard.** Available to countries that underwent tariffication. It is meant to provide temporary protection to domestic farmers when there are sudden surges of imports or falls in world prices. This could support local farmers because it provides domestic markets with some protection from dumping, even if it does not protect from chronic dumping. However, the special safeguard's major shortcoming is that it is only available to 21 developing countries; many developing countries did not undergo the tariffication process because they lacked non-tariff barriers to begin with.
- **Special safeguard measure.** Distinct from the special safeguard, for almost two decades a group of developing countries known as the Group of Thirty-Three have introduced multiple proposals for a special safeguard measure to protect against import surges or price falls in global markets, but negotiations have proved futile. Some exporting developing countries such as Paraguay and Uruguay have argued that the mechanism could undermine the livelihoods of their own smallholder producers.

- **Special products.** A mechanism to protect and promote food production, livelihood security and rural development, also proposed by the Group of Thirty-Three. The proposal would allow developing countries to designate a certain number of products as “special” and exempt them from tariff reduction requirements and other disciplines. The question is complicated, both technically (which crops should be eligible?) and politically (how many crops? which countries will be eligible? how much protection will be granted?).²⁴
- **Special attention to food needs of least developed countries and net food-importing developing countries.** The negotiators who crafted the Agreement on Agriculture acknowledged that the Agreement would have negative impacts on least developed countries and net food-importing developing countries. They therefore adopted the 1994 Marrakesh Ministerial Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least- Developed and Net Food-Importing Developing Countries, as part of the Agreement. This decision provided for compensation for least developed countries and net food-importing developing countries, should they be negatively affected by higher food prices or reduced food aid following the implementation of the Agreement. However, WTO members have failed to properly implement the decision.

C. Inherent limitations

27. The past 25 years have shown that these exceptional, ameliorating Agreement on Agriculture provisions do not ensure fair international markets nor do they make domestic markets stable. Moreover, WTO negotiations have not advanced trade policy on agriculture since 1995.²⁵ Over the decades, the details of who grows what food, where and for whom have changed significantly. Nevertheless, existing WTO

disciplines lock in a profoundly unequal set of outcomes.²⁶ They continue centuries of patterns of trade in which formerly colonized States, indigenous peoples, agricultural workers and peasants are denigrated by the trade system.²⁷

24. Institute for Agriculture and Trade Policy, “Agreement on Agriculture glossary” (2005).

25. One notable exception was the Nairobi Package adopted at the Tenth Ministerial Conference of the World Trade Organization in 2015, which addressed topics such as export subsidies and special safeguard mechanisms for developing countries and relaxed rules regarding public stockholding for food security purposes (WT/MIN (15)/DEC).

26. Carin Smaller, “Planting the rights seed: a human rights perspective on agriculture trade and the WTO”, Backgrounder No. 1 in the THREAD series (Minneapolis, Minnesota, Institute for Agriculture and Trade Policy, 2005).

27. Michael Fakhri, *Sugar and the Making of International Trade Law* (Cambridge, United Kingdom, Cambridge University Press, 2014); Fakhri, “A history of food security and agriculture”; John Borrows and Risa Schwartz, eds., *Indigenous Peoples and International Trade: Building Equitable and Inclusive International Trade and Investment* (Cambridge, United Kingdom, Cambridge University Press, 2020).

28. In addition, rather than advance trade policy to promote development and human rights, the Agreement on Agriculture has privileged those States and corporations that already have access to resources, infrastructure, credit and foreign markets. More specifically, trade liberalization and domestic policies in the wealthiest countries increased the market power of transnational commodity traders and processors. The Agreement contributed to the consolidation of corporate power by ignoring the dominant role that a handful of large companies play at all levels of the food system.
29. The degree of market concentration in the global input sector (including seed s, fertilizers, chemicals, machinery and animal feed) has risen significantly in the past few decades. From 1994 to 2009, for example, the largest four firms in the global input sector accounted for at least 50 per cent of global sales. This was most rapid in the seed industry, where the market share of the four largest firms more than doubled from 1994 to 2009.²⁸
30. Mergers and acquisitions further intensify market concentration in the agri-food sector and are transforming the world's food supply. In 2015, Dupont and the Dow Chemical Company agreed to a merger. In 2016, Bayer succeeded in a \$66 billion takeover bid of Monsanto. That same year, ChemChina, one of the largest State-run chemical companies in China, acquired the Swiss agribusiness Syngenta for \$43 billion, and two major Canadian fertilizer companies, Potash and Agrium, agreed to merge.²⁹
31. This situation would not be as acute if governments were able ensure that farmers who buy inputs from market-dominant companies and sell into highly concentrated markets could negotiate a fair price. States could achieve this by changing corporate and competition laws or by sanctioning corporations' behaviour. However, many governments are unwilling or unable to contain corporate power, and WTO rules do not acknowledge the problem.

28. Keith O. Fuglie and others, *Research Investments and Market Structure in the Food Processing, Agricultural Input, and Biofuel Industries Worldwide*, Economic Research Report, No. 130 (Washington D.C., United States Department of Agriculture, Economic Research Service, December 2011).

29. Carin Smaller, "Bayer tightens control over the world's food supply", *International Institute for Sustainable Development*, 23 September 2016.

D. *End the Agreement on Agriculture*

32. The existing rules need to change, but there are disagreements and bitter divisions about what needs to be changed and how. It is unlikely that WTO members can overhaul the Agreement on Agriculture to meet long-standing claims for equity. The Agreement should therefore be wound down. Governments and peoples could then negotiate new international food agreements based on the principles described below.

E. *Human rights principles for international trade*

A. *Dignity*

Dignity and the right to food

33. Dignity is at the core of international human rights and can also be found in numerous national constitutions and legislation. Even when an individual is overcome by formidable forces and cannot exercise their inalienable rights, they retain control over their inherent dignity as the final backstop against oppression. A recent and powerful invocation of dignity arose from the streets of Egypt and Tunisia, where people demanded “bread, freedom and dignity” or “bread, freedom and social justice” from their Governments.³⁰
34. Dignity stems from the “inherent worth of every human being and the respect that is due simply by virtue of being human”.³¹ In the public outcry over living conditions, the call for bread was a response to the increased cost of basic food and the prevalence of hunger. Freedom was a demand for civil and political rights. Dignity was interchangeable with social justice: it was part of a demand for jobs that did not

30. Gilbert Achcar, *The People Want: A Radical Exploration of the Arab Uprising* (Oakland, California, University of California Press, 2013).

31. Susan Marks, “Have you seen dignity?”, 2020 Annual Lecture for the Centre for Critical International Law, Kent Law School, video, 31 March 2020.

denigrate people through low wages and poor working conditions or, more broadly, for a fair economic system. All three demands were inseparable as a call for the basic requirements for a decent life.³²

35. As a matter of political process, focusing on dignity is a way for people to relate to each other, debate over the terms of common values and agree to appropriate minimal international and national obligations. States must provide the necessary conditions for people to express their self-worth to each other as equals.
36. With regard to the right to food, everyone has the right to eat every meal with dignity. The notion of dignity has always played some role in everyday decisions about food-making. People measure their condition against some particular, shared notion of dignity in order to determine what to eat and whether they have enough culturally appropriate food.
37. Importantly, the right to food is not charity; the focus on food with dignity helps illustrate why. Historically, charity has depended on the mercy and dictates of those with power and plenty. Thus, charitable institutions have been a vehicle by which those with power tried to control people, especially in the context of colonial conquest.³³ This dynamic continues today.³⁴
38. The COVID-19 pandemic has highlighted how people's dignity is intrinsically connected to accessible food. How people get their food is just as important as what food they require. Recent reports indicate that as schools close, children are missing meals; as businesses lay off employees, people must turn to food banks; as public food relief programmes are overwhelmed by new demands, people are forced to scrape by – even though food is readily available. The loss of dignity arises from how people experience the loss of control and power over one of the most fundamental aspects of their everyday lives. However, there is no shame in finding oneself unable to eat.

32. Achcar, *The People Want; Noha Aboueldahab, Transitional Justice and the Prosecution of Political Leaders in the Arab Region: A Comparative Study of Egypt, Libya, Tunisia and Yemen, Studies in International and Comparative Criminal Law Series* (London, Hart Publishing, 2017).

33. Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge, United Kingdom, Cambridge University Press, 2005).

34. Canada, *Truth and Reconciliation Commission, Canada's Residential Schools: The Final Report of the Truth and Reconciliation Commission of Canada, vols. 1–6* (Montreal, McGill-Queen's University Press, 2015).

39. What is shameful is that hunger is almost always avoidable.
40. Hunger and famine are caused by political failure, not because of an objective lack of supply or a natural disaster.³⁵ People go hungry for two reasons. Sometimes it is because those with power control the supply of food and are withholding food on purpose as a cynical tactic to maintain or enhance their power. This happens during both war and peace. Alternatively, people go hungry because public and private institutions are undemocratic and unresponsive to people's demands, and are designed instead to control populations by concentrating power and preserving order. Usually, it is a combination of both scenarios. In effect, hunger has been the result of "planned misery", and this analysis still holds true today.³⁶

Trade and the political economy of dignity

41. The trade system is usually measured on a national scale in terms of balance of trade/balance of payment, or on a global scale in terms of volume. The underlying value informing these metrics is that more trade is a good thing. Inherent within this perspective is that the more people trade and the more goods they consume, the more the economy grows; everything becomes a commodity whose value is based on being bought and sold. Trade in foodstuffs is measured no differently than trade in any item. Ultimately, through this system, people and States are valued by how much they can economically produce and exchange on a global scale.
42. If the food and agriculture trade system started, instead, with the premise that food is inherently tied to dignity, and should be judged in such terms, the function and purpose of trade changes. Trade in food and agriculture becomes a way for States and peoples to cooperate in the spirit of asserting, recognizing and preserving human dignity.
43. Under the current trade system, because economic growth is the underlying value, people meet each other primarily as sellers and buyers in their everyday exchanges. However, if dignity replaces the value of economic growth, people's social and

35. Amartya Sen, *Poverty and Famines: An Essay on Entitlement and Deprivation* (Oxford, United Kingdom, Oxford University Press, 1981).

36. Susan Marks, "Human rights and root causes", *Modern Law Review*, vol. 74, No. 1 (January 2011); Anna Chadwick, *Law and the Political Economy of Hunger* (Oxford, United Kingdom, Oxford University Press, 2019).

cultural relationships envelop everyday exchanges and interactions. When people exchange goods and services with dignity, they meet each other in the spirit of exchanging as friends, neighbours or kin.

44. The trade system should no longer only treat people as “buyers” or countries as “importers” in the narrow commercial sense. The right to food means that everyone is entitled to be in a position to receive goods and services in the spirit of equality and grace. Everyone’s particular set of cultures already includes shared, informal rules about how one is supposed to share foods through practices of conviviality and hospitality.
45. If hospitality as a practice is a type of supply management, one needs an abundant stock and readily available reserve of food. This is because the ideal is to be a generous host. In turn, withholding food, hoarding and imposing embargoes are vicious and cruel practices whose legality is suspect.
46. A right-to-food perspective, in these terms, provides a way to analyse, judge and change existing systems of food production, distribution and consumption within a framework of equality and generosity. This includes investigating the political economy of food in terms that ensure everyone can always eat a meal with dignity, and asking questions such as:
 - What constitutes a dignified meal for particular peoples and States? Accordingly, what foodstuffs are necessary or staple goods? (adequacy)
 - What is an ample supply and stock of food? (availability)
 - Who should control food reserves and stock? Where should this reserve and stock be held? (accessibility)
 - In a bountiful season, what are the rules for sharing food? (availability and access in the form of aid)
 - When does securing an abundant reserve of food become hoarding? (availability and access)

47. Sometimes the answers to these questions are clear and stable. But as ecological conditions continue to radically shift as the climate changes, peoples and governments should renegotiate these fundamental questions.

The agronomy of dignity and agroecology

48. One of the most pressing questions today that many are asking is: How can we ensure our food systems are resilient against climate change?³⁷ Furthermore: If agriculture accounts for approximately one third of human greenhouse gas emissions, including more than 40 per cent of methane, then how must we change our agricultural practices to mitigate these emissions?³⁸
49. Those questions are not easily reconciled. Resiliency seeks to maintain stability in the face of change. Therefore, resiliency research addresses questions of how to measure and understand ecological stability and change.³⁹ Climate change mitigation (and adaptation) research, however, emphasizes transforming agricultural practices and technologies.⁴⁰
50. Even so, resiliency, mitigation and adaptation can be brought together under human rights terms. The unifying question becomes: How can we ensure our food systems adapt to profound ecological changes in a way that maintains everyone's dignity?
51. The emphasis on dignity anchors understandings of social and ecological resilience and stability in a people-centred approach to rapid transformation. This approach ensures that climate change adaptation and mitigation plans are inseparable from questions of equitable access to resources and social justice. Climate change cannot be resolved through science and technology alone.

37. Nicolas Urruty, Delphine Tailliez-Lefebvre and Christian Huyghe, "Stability, robustness, vulnerability and resilience of agricultural systems: a review", *Agronomy for Sustainable Development*, vol. 36, No. 1 (February 2016).

38. Pete Smith and others, "Agriculture", in *Climate Change 2007: Mitigation*, Bert Metz and others, eds. (Cambridge, United Kingdom, Cambridge University Press, 2007).

39. Tracy-Lynn Humby, "Law and resilience: mapping the literature", *Seattle Journal of Environmental Law*, vol. 4, No. 1 (2015); Dave Hodgson, Jenni L. McDonald and David J. Hosken, "What do you mean, 'resilient'?", *Trends in Ecology and Evolution*, vol. 30, No. 9 (September 2015).

40. Anne Saab, *Narratives of Hunger in International Law: Feeding the World in Times of Climate Change*, Cambridge Studies in International and Comparative Law Series (Cambridge, United Kingdom, Cambridge University Press, 2019).

52. The emerging consensus in food resiliency is that agroecology and emphasizing diversity are the best ways to live through future transformations. This includes increasing biodiversity, enhancing cultural diversity, varying farmed crops across landscapes and over time, and maintaining redundant sources of food supply.⁴¹ Often missed is the fact that this also includes understanding the legal landscape of agroecology as interpenetrating legal orders or “interlegal” spaces, and identifying opportunities for people to assert their dignity in these spaces.⁴²

B. Self-sufficiency

53. As it relates to the right to food, self-sufficiency is a value that can provide qualitative and principled guidance to governments, people and institutions with regard to their decision-making and strategic planning across the different policy contexts that have an impact on the right to food, including trade policy.
54. In a human rights context, self-sufficiency is a relational principle in which the notion of self is collective and not individualistic, nationalistic or aiming for autarky. With nations, and within nations, self-sufficiency is about food and community and their symbiotic place in relation to world food and ecological systems. Between nations and political systems, it is a principle of horizontal coexistence. In all those different relations, self-sufficiency emphasizes autonomy, harmony, coexistence and respect.
55. Self-sufficiency is centred on communities, requiring policy and planning to be as localized as practicable. Scale matters with regard to how we understand what is working. In theory, the world as a whole has enough food to feed everyone and is “self-sufficient”, but 800 million people are chronically undernourished (and many more if we consider the number of malnourished).⁴³ Centred on and scaled to local communities, self-sufficiency places the locus of decision regarding the major di-

41. See A/70/287; *High-level Panel of Experts on Food Security and Nutrition, Agroecological and Other Innovative Approaches for Sustainable Agriculture and Food Systems that Enhance Food Security and Nutrition* (Rome, Committee on World Food Security, 2019); *International Panel of Experts on Sustainable Food Systems, From Uniformity to Diversity: A Paradigm Shift from Industrial Agriculture to Diversified Agroecological Systems* (June 2016); Ari Paloviita, “Food processing companies, retailers and climate-resilient supply chain management”, in *Climate Change Adaptation and Food Supply Chain Management*, Ari Paloviita and Marja Järvelä, eds., *Routledge Advances in Climate Change Research Series* (Abingdon, United Kingdom, Routledge, 2017).

42. *Boaventura de Sousa Santos, Toward a New Legal Common Sense: Law, Globalization, and Emancipation*, 2nd ed. (Cambridge, United Kingdom, Cambridge University Press, 2002); Irene I. Hadiprayitno, “Who owns the right to food? interlegality and competing interests in agricultural modernisation in Papua, Indonesia”, *Third World Quarterly*, vol. 38, No. 1 (2017); Matthew C. Canfield, “Claiming food sovereignty: legal mobilization in an era of global governance”, in *Studies in Law, Politics, and Society*, vol. 82, Austin Sarat, ed. (Bingley, United Kingdom, Emerald Publishing Limited, 2020).

43. Jennifer Clapp, “Food self-sufficiency: making sense of it, and when it makes sense”, *Food Policy*, vol. 66 (2017).

mensions of food production, distribution and consumption, and the recycling or disposal of food waste, in local communities first, national communities second and international communities third.

56. "Self-sufficiency" as a term is used differently in other contexts. FAO has defined it as "the extent to which a country can satisfy its food needs from its own domestic production".⁴⁴ In this usage, self-sufficiency measures either the domestic food needs met by domestic production or the ratio of food consumed versus food produced, allowing interchangeability between those two things. Other commentators use self-sufficiency to denote a political orientation towards borders completely closed to imported food. A related interpretation implies that self-sufficiency denotes the primacy of political rather than economic concerns in deliberations over questions of food policy. However, none of these distinctions are stable, necessary or realistic: every policy choice is both political and economic; no country relies 100 per cent on homegrown food; and relying on ratio-based indicators reduces self-sufficiency to a quantity. Rather than treating self-sufficiency as either an indicator or as a tendency towards autarky, one should approach self-sufficiency as a normative ideal with which to navigate the distinct risks and holistic objectives that frame the fulfilment of the right to food.
57. Fulfilling the right to food today is often presented as a set of opposing choices for people and policymakers. Some assert that making laws to favour domestic production and consumption distort the (global) market to the point of a raising a "systemic risk" of market collapse; this perspective, however, stems from an unrealistic image of markets. One policy concern is that relying solely on domestic or local food production to meet national or localized needs for adequate food leaves a country vulnerable to acute events such as crop failure, drought and political conflict. A different concern is the risk of relying too heavily on global markets for a stable food supply: the danger here is the dependency on trade and exposure to volatile food prices.
58. Reality is more complicated. The risks operate not only on a continuum, but also in tandem, and differently for different countries depending on their histories and endowments. Self-sufficiency as a principle offers guidance in navigating these risks. It builds on the premise that local markets are always understood in relation to global

44. Anne Thomson and Manfred Metz, *Implications of Economic Policy for Food Security: A Training Manual, Training Materials for Agricultural Planning, No. 40/Rev.1 (Rome, FAO, 1999)*.

markets (and vice versa) and invites governments to develop policies that eschew an entirely domestic or international dependence. Self-sufficiency emphasizes localized decision-making in order to ensure that policies are calibrated on a political scale at which people can effectively organize themselves and influence political outcomes.

59. Having set out what self-sufficiency is, what it is not and why it is useful, it is important to outline four elements: autonomy, harmony, coexistence and respect. Each of these elements operates within and between States.
60. Self-sufficiency prioritizes local autonomy. Far from a caricatured idea of autarky, autonomy is about the authority of each community to decide for itself how it wishes to engage with the complex ecology of humans, animals, plants, microbes, spiritual entities and landscapes that surrounds a particular food (or set of foods) in a particular place.⁴⁵ The relevant question is: Who decides? This element of the principle operates on two levels. At the local level, the principle recognizes that there is a plurality of cultural understandings, even cosmologies, which are distilled and find expression in food practices. This plurality exists within States. The recognition of diversity in itself carries little meaning if it is not accompanied by a meaningful sphere in which to determine one's own rules and laws, follow one's own customs and practice one's own traditions. Self-sufficiency as a normative principle demands co-determination between local and national communities in the elaboration of trade policies which relate to food and agriculture. At the national level, the normative principle of self-sufficiency and its emphasis on autonomy allows all States to decide for themselves which policies to adopt, and to find the appropriate policy that lies between producing food for export or for domestic consumption, and the levels and parameters of food importation. There is no meaningful consensus on such questions, nor could there be. In the absence of consensus, unless trade rules protect policy autonomy for States (along with process rights), the most powerful actors will decide by default.
61. Self-sufficiency involves seeking regulatory harmony, rather than harmonization, between indigenous, local, national, regional and international laws. Respecting the right to food means respecting the rights of peoples to follow plural food laws, customs and practices. Policies that prioritize efficiency treat the diversity of food laws as secondary (or even antagonistic) to the overweening goal of lower prices. Harmonization is justified by the promise of cheaper food – but respecting the right to food is more than ensuring that food is as cheap as possible. It means creating the conditions for people to be able to access, cultivate, rear and prepare culturally ap-

45. Whyte, "Indigenous food sovereignty, renewal, and US settler colonialism".

appropriate food at a reasonable social and environmental cost. Against the backdrop of prioritizing autonomy, a respect for plurality means that trade policies should seek first to protect existing food ecologies and should not, a priori, promote the standardization of food practices and rituals, through laws and customs which support them.

62. To be self-sufficient is to also coexist with others. From a right-to-food perspective, prioritizing self-sufficiency for one's own community, whether local or national, does not mean "begging thy neighbour", or enacting tactical aggression in trade policy. The fulfilment of the right to food for one cannot come at the expense of another. This means self-sufficiency must encourage coexistence, not competition, with other people and their food systems. Treating the collective goal of trade in food as coexistence also has the potential to discourage waste, overproduction and overconcentration. Coexistence as a principle extends to being attentive to the diversity of food producers, from large corporations to millions of smallholder farmers and farm workers around the world. Here, self-sufficiency can be used to refocus institutions and rules on protecting and supporting small-scale producers, as well as on other mechanisms to support both food security and rural livelihoods. Coexistence recognizes that the right to food is held by the whole person: producer, consumer, citizen, migrant and farmer, not just by a consumer. Coexistence also implies seeking relations within nature and with the more-than-human world. The right to food cannot be expressed through the degradation of or extraction from the biosphere.
63. Finally, from a right-to-food perspective, self-sufficiency emphasizes respect. Respect is owed to the community members for whom each government is responsible; it is paid through listening, whether formally described as representation, voice or democratic engagement. Respect cleaves close to the element of autonomy, and it underpins the need for policymakers to listen to local communities first, to discover and understand existing food ecologies, before proposing changes that may disrupt these systems. Respect across borders reinforces the value of coexistence, inviting policymakers to take seriously differences between States. These differences exist in more than just levels of wealth, but also in terms of culture and constituency, and the different imperatives shaping each national elaboration of the right to food.

Solidarity

64. An economy built on solidarity relies on organizations governed by principles of horizontal cooperation and coordination, not profit and ceaseless growth. The idea



of solidarity economics draws directly from the practices of millions across different States, who have organized their power through entities such as mutual benefit societies, trusts and cooperatives.⁴⁶ The underlying purpose is to create markets that operate to meet human needs instead of pursuing profit for its own sake, organize commerce through democratically governed enterprises and soften the boundaries between the economic sphere and the realms of care, leisure or culture. In this respect, the solidarity economy differs both from private enterprise, which prioritizes profit, and from State intervention, which is often bureaucratic, remote and exclusionary. Importantly, these ideas and practices are already vividly present in the realm of food production.

Limits of economic growth

65. Since the establishment of the United Nations, the pursuit of development – with a focus on economic growth – has been a central goal for international law and institutions.⁴⁷ Questions of food and hunger have also followed this trend. On the one hand, it has been argued that economic growth will eradicate hunger and generate higher standards of nutrition. On the other, the eradication of hunger is sometimes considered a precondition for economic growth. Linking hunger with economic

46. Peter Utting, *Public Policies for Social and Solidarity Economy: Assessing Progress in Seven Countries* (Geneva, International Labour Organization (ILO), 2017); Yvon Poirier, Françoise Wautiez and Béatrice Alain, "Legislation and public policies in support of Social Solidarity Economy (SSE): first steps and elements of a practical guide" (January 2018).

47. Sundhya Pahuja, *Decolonising International Law: Development, Economic Growth, and the Politics of Universality* (Cambridge, United Kingdom, Cambridge University Press, 2011)

growth in any way sees the eradication of hunger as being almost synonymous with the eradication of extreme poverty.

66. This emphasis on growth is limited on a number of grounds.
67. First, it takes the notion of markets for granted. Studies have convincingly shown that in recent years, within States, there has been a correlation between the rise of hunger and the slowing of economic growth (measured as real gross domestic product per capita). These same studies note that the direct relationship between economic growth and hunger/malnutrition remains unclear. Further complicating matters, increases in economic growth are not always shared equally, and reducing extreme poverty does not necessarily translate into improved food security and nutrition. In fact, food-insecure and malnourished people are not always members of the poorest households.⁴⁸ Thus, from an economic growth perspective, the question regarding hunger and nutrition is not only about determining how to increase economic growth, but more specifically about how economic inequalities make it harder for food-insecure and malnourished people to both benefit from that growth and protect themselves from economic downturns.⁴⁹
68. The question of how to make economic growth work for people is important, and there are, of course, long-standing debates over how both growth and hunger are measured.⁵⁰ Nevertheless, a right-to-food perspective questions why there is a correlation between hunger/nutrition and the market in the first place.
69. There is no inherent reason why income and prices should determine whether people have access to adequate food. The task is to investigate when and why people's access to food is linked to markets, and to better understand how those markets are constructed.
70. A right-to-food perspective also understands the economy more broadly, in the sense that it is not just commercial market transactions. It also includes work conducted in households and informal markets – work that is not captured by economic

48. *FAO and others, The State of Food Security and Nutrition in the World 2019*, p. 51.

49. *Ibid.*, p. 79.

50. *Frances Moore Lappé and others, "How we count hunger matters", Ethics and International Affairs*, vol. 27, No. 3 (2013).

growth metrics and is usually done by women. People also regularly obtain food through institutions other than markets, including gifting, schools, care facilities, food banks/pantries and prisons.

71. Furthermore, climate change is urgently challenging even the short-term viability of growth as a means to fully realize the right to food. The exacerbation of droughts, the increased frequency of extreme weather phenomena and the alteration of long-observed weather patterns will and already do affect every step of the production, distribution and consumption of food.
72. Climate change demands that States rethink the growth-centred paradigm in relation to food. Under the Paris Agreement on climate change, States have committed to keeping temperature increases below 2 degrees Celsius in reference to pre-industrial levels, and aim to limit temperature increases even further, to 1.5 degrees.⁵¹ Food production, notably industrialized agriculture and meat production, is a major source of greenhouse gas emissions. A recent study by the Intergovernmental Panel on Climate Change estimates that agriculture, forestry and other land use account for approximately 23 per cent of total anthropogenic greenhouse gas emissions.⁵² The sheer size and rising trend of food-related emissions mean that reforming the way we produce, trade and consume food should be an indispensable part of our collective efforts regarding climate change.
73. The Intergovernmental Panel on Climate Change has listed more than 100 mitigation scenarios, most of which assume continuing economic growth. However, combining economic growth with the Paris climate commitments is only possible using extremely optimistic projections and heavy reliance on carbon capture and storage technologies. These technologies have not been designed for widespread use, and their efficacy and broader consequences are largely understudied.⁵³ Other “green growth” plans rely heavily on the intensive mining, processing and usage of rare earth minerals.⁵⁴ Often located on the lands of racialized and indigenous peoples, these materials contain radioactive elements that make their extraction and processing an energy-intensive and extremely dangerous process for both humans and the environment.⁵⁵

51. See FCCC/CP/2015/10/Add.1, decision 1/CP.21, annex, art. 2.

52. Priyadarshi R. Shukla and others, “Summary for Policymakers”, in *Climate Change and Land: An IPCC Special Report on Climate Change, Desertification, Land Degradation, Sustainable Land Management, Food Security, and Greenhouse Gas Fluxes in Terrestrial Ecosystems*, Priyadarshi R. Shukla and others, eds. (Intergovernmental Panel on Climate Change, 2020), p. 7.

53. Jeremy Baskin, *Geoengineering, the Anthropocene and the End of Nature* (Palgrave MacMillan, 2020).

54. Julie Michelle Klinger, *Rare Earth Frontiers: From Terrestrial Subsoils to Lunar Landscapes* (Ithaca, New York, Cornell University Press, 2016).

55. A/HRC/41/54.

74. Similarly, so-called “green grabs” are particularly worrying when it comes to the realization of the right to food. The phenomenon involves the appropriation of resources, notably in developing States, for environmental purposes, and carbon emissions in developed States are supposedly offset through the financing of carbon-saving projects in developing States.⁵⁶ In addition to the ineffectiveness of these market-based mechanisms in actually delivering fewer emissions, green grabs also undermine the right to food by disrupting local food-making practices and shifting the usage of land away from agriculture, hunting or gathering. Often, land is appropriated without meeting the following human rights requirements: obtaining free, prior, and informed consent from indigenous peoples; cooperating and collaborating in good faith with peasants and other people working in rural areas; and holding corporations accountable to their human rights obligations.⁵⁷
75. All in all, optimistic reliance on potential technological “fixes” to deliver green growth only postpones the necessary transformations of economies, including our food systems. These systems must transform from growth-centric goals in order to limit the effects of climate change, to build truly sustainable relationships with our ecosystems and to empower those with fewer resources to assume control over their lives. Any delays will acutely limit everyone’s ability to fully realize their right to food. Persons with disabilities, women, youth, children, indigenous peoples, racialized people and people living in poverty are – and will continue to be – disproportionately affected by these climate-induced disruptions.

Transformation of the economy

76. If the challenge to our food systems is fundamental, so should be our rethinking of the political economy of food and hunger. Prioritizing growth, even when social safety nets are included, has not delivered on its promise, even as it exacerbates climate change. Rather, the realization of the right to food for everyone demands

56. Ntina Tzouvala, “A false promise? regulating land-grabbing and the post-colonial state”, *Leiden Journal of International Law*, vol. 32, No. 2 (June 2019).

57. *United Nations Declaration on the Rights of Indigenous Peoples; United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas; Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (A/HRC/17/31, annex).*

a fundamentally different approach centred on cooperation among producers and solidarity between all participants in the cultivation, hunting, gathering, transportation, preparation and consumption of food.

77. Solidarity economy practices have emerged and spread when both States and private actors have failed. The emergence of mutual aid groups and increased reliance on social networks during the COVID-19 pandemic illustrates this phenomenon, and the social and political conditions that give rise to such practices. Looking back, deindustrialization and the retreat of the welfare state in developed States after the 1980s led to the emergence of cooperatives as well as community-run services, notably childcare. In developing States, the exclusion of large parts of society from the “formal” economy as well as from “official” politics similarly led to the development of cooperatives, which offer not only livelihoods, but also a sense of belonging and agency.⁵⁸
78. Frustrated with international trade regimes, which were seen as fundamentally detrimental to the interests of developing States and their citizens, some people created “fair trade” practices. These bring together cooperatives from both developed and developing States to secure fair terms of exchange and employment, minimizing or eliminating the role of intermediaries, and giving consumers a sense of the history, social relations and cultural significance embedded in the purchased goods. Labelling has emerged as an important policy tool for promoting such cooperative experiments. However, important as it may be, labelling relies on Coexistence also implies seeking relations within nature and with the more than human world “consumer choice” and does not alter the fundamentals of international trade law. Therefore, if such practices are to expand and alter the core of our food systems, they require domestic and international infrastructures to increase the scale of these initiatives and to facilitate regional and international relationships.
79. Food production, distribution and preparation have already been central to localized cases of solidarity economy. This is partly because unfettered (domestic and international) food markets and the global concentration of market power in the hands of a

58. Ana Margarida Esteves, “Decolonizing livelihoods, decolonizing the will: solidarity economy as a social justice paradigm in Latin America”, in *Routledge International Handbook of Social Justice*, Michael Reisch, ed., (Abingdon, United Kingdom, Routledge, 2014).

few corporations have led to wildly fluctuating prices; in addition, an overblown role of intermediaries creates overly long supply chains. But a Iso, food by its very nature transcends and challenges the assumption that the economy of goods is distinct from the economy of care.

80. A shift to a solidarity economy would also be necessary for the realization of the right to food to fulfil its broadest meaning, beyond just an elimination of hunger. For example, the 10 Elements of Agroecology of FAO emphasize the importance of circular and solidarity economies as well as of co-creation and the sharing of knowledge.⁵⁹ The triptych of availability, adequacy and accessibility that is at the heart of the right to food demands that people control the production, distribution and consumption of their food. It also requires that all these steps remain open to democratic dialogue and re-creation as circumstances evolve.
81. Experience has shown that a solidarity economy works towards the satisfaction of immediate needs but also teaches its participants how to build new relationships. The core idea is that a solidarity economy operates as a form of “prefiguring”, or building the foundations, for a radically transformed society by enacting different ways of coexisting right here and right now.⁶⁰ By definition, solidarity economics emerges from the trials, errors and successes of social movements and supportive governments and cannot be directed by international laws or institutions. Forty years of experimentation in both developed and developing States shows that international policies can nevertheless assist (or hinder) such initiatives.
82. Government initiatives in Ghana and Brazil provide examples of how States may introduce solidarity economic projects and successfully battle hunger. In both cases, national Governments did not focus exclusively on “safety nets”. Rather, food-related initiatives in Ghana in the early 2000s shaped markets in a way that empowered small farmers as the Government encouraged participatory programmes such as farmer field schools and cooperatives. One result was an increase in agricultural cooperatives by 251 per cent over the course of only six years.⁶¹ Similarly, Brazil assisted agricultural collectives by mandating State schools to purchase a substantial percentage of the food for school meals from the solidarity economy sector.⁶²

59. Ana Margarida Esteves, “Decolonizing livelihoods, decolonizing the will: solidarity economy as a social justice paradigm in Latin America”, in *Routledge International Handbook of Social Justice*, Michael Reisch, ed., (Abingdon, United Kingdom, Routledge, 2014).

60. Hilary Charlesworth, “Prefiguring feminist judgment in international law”, in *Feminist Judgments in International Law*, Loveday Hodson and Troy Lavers, eds. (Oxford, United Kingdom, Hart Publishing, 2019).

61. Frances Moore Lappé and others, “Framing hunger: a response to food insecurity in the world 2012” (Cambridge, Massachusetts, Small Planet Institute, 2013), p. 14.

62. Esteves, “Decolonizing livelihoods, decolonizing the will”.

83. Overall, the centring of the solidarity economy enables a transformative vision of human rights that does not only focus on sufficiency and minimum levels of welfare. Rather, the approach put forward in the present report prioritizes democratic control over food – including production, circulation and consumption – as a way to build equitable and sustainable relationships among humans, non-human animals and the ecosystem as a whole.

V. *International food agreements*

84. Building new food and agriculture agreements on the foundation of human rights principles will not only ensure that the trade regime responds to people's needs, it will also change the nature of international markets. The General Agreement on Tariffs and 59 FAO, *The 10 Elements of Agroecology: Guiding the Transition to Sustainable Food and Agricultural Systems* (Rome, 2018). Trade (GATT) imagined the world as interconnected domestic markets, and WTO set out to construct a global market. International food agreements will still be anchored by GATT, as well as by the International Covenant on Economic, Social and Cultural Rights. International food agreements will reflect different socioecological food contexts in order to generate regional or plurilateral food hubs.

A. *A new legal geography for international trade*

85. Winding down the Agreement on Agriculture leaves us with GATT as the anchoring piece of trade law. GATT on its own differs from WTO.⁶³ GATT is an “interface” system that recognizes different types of economies and ameliorates the international tensions caused by those differences, without having to resolve anything through regulatory harmonization.⁶⁴ This creates the flexible framework necessary to create new types of trade agreements: ones that generally draw from human rights and specifically prioritize the right to food.

86. GATT provides two legal forms through which international food agreements could be developed: regional trade agreements and international commodity agreements. International food agreements could be created by redirecting the function of these types of agreements towards prioritizing the right to food.

63. *WTO is not just one agreement, but a suite of agreements held together by the Marrakesh Agreement Establishing the World Trade Organization.*

64. *John H. Jackson, Restructuring the GATT System* (New York, Council on Foreign Relations Press, 1990), pp. 82–84.

87. Regional trade agreements are more familiar, as their numbers abound and countries continue to negotiate new ones. GATT allows countries to derogate from the guiding principles of non-discrimination⁶⁵ and grant more favourable conditions to the trade of goods with regional partners than to other WTO members.⁶⁶
88. Regional trade agreements are limited, however, because they primarily focus on increasing the flow of trade between Member States. Countries integrate their economies through regional trade agreements for a host of geopolitical and economic reasons, therefore their purpose varies.⁶⁷ Most importantly, regional trade agreements have not proven to be an effective way to improve life in developing countries and often re-entrench unequal relations between countries.⁶⁸
89. International commodity agreements offer more promise. GATT was originally negotiated as part of the larger International Trade Organization. Under the International Trade Organization plan (the Havana Charter), international trade in agriculture was intended to be governed by international commodity agreements (chapter VI), not by GATT (chapter IV). This structure is still valid today, and any new international commodity agreements would still need to conform to certain principles: such agreements could only be adopted to deal with severe market disruption; their aim would be limited to price stabilization and not price increases; and importing and exporting countries would have equal voting power.⁶⁹
90. Thus, article XX (h) of GATT exempts international commodity agreements from the rules of GATT and provides the flexibility needed for future international food agreements. Moreover, article 11 (2) (b) of the International Covenant on Economic, Social and Cultural Rights calls for equitable trade in food. Combining these two provisions, and building on the principles of dignity, self-sufficiency and solidarity, international commodity agreements could be repurposed to become international food agreements. Nothing stops States from updating their interpretation of these two provisions to secure a legal foothold for international food agreements.

65. *General Agreement on Tariffs and Trade, art. I.*

66. *General Agreement on Tariffs and Trade, art. XXIV; Decision on Differential and More Favourable Treatment, Reciprocity and Fuller Participation of Developing Countries (Enabling Clause).*

67. Michael Fakhri, "Images of the Arab World and Middle East: debates about development and regional integration", *Wisconsin International Law Journal*, vol. 28, No. 3 (2011).

68. Clair Gammage, *North-South Regional Trade Agreements as Legal Regimes: A Critical Assessment of the EU-SADC Economic Partnership Agreement (Northampton, Massachusetts, Edward Elgar Publishing, 2017).*

69. *Interim Coordinating Committee for International Commodity Arrangements, Economic and*

B. Form and function of international food agreements

91. The new type of human rights-oriented food agreements would be cooperative spaces of regional self-sufficiency and solidarity, held together by shared understandings of dignity.
92. Part of the task would then involve developing an interface for the different regional food hubs; this would require creating mechanisms that allowed for different types of food systems to coexist. The political question would be over which single intergovernmental institution would host the interface process among the different international food agreements, much like the United Nations Conference on Trade and Development provided a base for several autonomous international commodity agreements.
93. To ensure a people-centred approach, this base institution would have to ensure that all relevant parties have a seat at the table, building on inclusive institutions such as the Committee on World Food Security, ILO and the Arctic Council. These institutions have established different forms of participation for not only States but also peasants, employers, organized labour and indigenous peoples. The Committee on World Food Security is best suited to the task – albeit with some improvements. It is a unique international space where Governments, international agencies, the private sector and civil society coordinate their efforts to tackle hunger and malnutrition. Through the Civil Society and Indigenous Peoples' Mechanism, rights holders have an effective seat at the Committee's table. The Mechanism is an autonomous space that allows different social movements, indigenous peoples, labour unions and advocacy organizations to work together and shape Committee policies. Regardless of which institution acts as the base, it would have to ensure this degree of participation as a minimum.
94. A human rights approach must also inform the substantive focus of an international food agreement. As such, international food agreements should focus on three elements: land, labour and migration.

Land: being in good relation with the land

95. A general principle of law among indigenous peoples and peasants is that communities are entitled to have the authority and resources necessary to be in good relation with the land and, thus, with each other.⁷⁰ A lot can be learned here from the work of Kim Tallbear and her experience of the “everyday Dakota understanding of existence that focuses on ‘being in good relation’”.⁷¹ Generally, to “be in good relation”, like the idea of “good food”, is a matter for each community to determine for itself, through its unique conception of dignity. Importantly, though, being in good relation requires food practices that work in harmony with the land, not through controlling or extractive relationships.
96. Through policy tools and agroecological practices, the right to food is well suited to universalize the caretaking principle of being in good relation.⁷² In terms of trade, this would mean that international food agreements need to ensure that people’s local tenure is never disrupted, and that they always have the ability to be in good relation with the land and each other.

Labour: ensuring effective labour laws

97. International food agreements can build on ILO treaties and tools and establish minimum standards that guarantee that all food workers are protected. The food agreements would mandate States to enact clear, consistent and effective rules that protect workers’ health, safety and lives. Unlike trade agreements that ensured that all like goods were treated equally, international food agreements would draw from the universality of human dignity and ensure that all workers are treated equally.

70. *United Nations Declaration on the Rights of Indigenous Peoples; United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas; Declaration of Nyéléni, adopted at the World Forum on Food Sovereignty, held in March 2007 in Nyéléni, Mali (2007); Circumpolar Inuit Declaration on Sovereignty in the Arctic (April 2009); Northern Tribes Buffalo Treaty (2014), see Sheryl R. Lightfoot and David MacDonald, “Treaty relations between Indigenous Peoples: advancing global understandings of self-determination”, *New Diversities*, vol. 19, No. 2 (2017); Uluru Statement from the Heart (2017).*

71. Kim Tallbear, “Caretaking relations, not American dreaming”, *Kalfou*, vol. 6, No. 1 (May 2019).

72. See A/HRC/16/49; FAO, *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (Rome, 2012)*; International Planning Committee on Food Sovereignty, *People’s Manual on the Guidelines on Governance of Land, Fisheries and Forests: A Guide for Promotion, Implementation, Monitoring and Evaluation (2016)*.

Migration: movement of people and goods

98. The scope of the agreement will be determined by what Member States determine are staple foodstuffs, whether they only want to focus on staples or whether they want to include a wide range of foodstuffs. International food agreements will ensure the availability of food by constructing a stable food market and providing governments with the necessary tools to ensure people have access to diversified (redundant) supplies of food.
99. International food agreements could address issues such as:
 - a. Developing different types of price mechanisms that ensure food security (and not just stable prices);
 - b. Governing national and intergovernmental stockholding schemes;
 - c. Providing ways to ensure that food aid is not commodity dumping;
 - d. Ensuring that food reaches those in need in times of crisis, with an emphasis on removing all barriers to trade between regional food hubs in those moments.
100. In addition, in order to preserve and promote dignity, trade will reflect how people actually eat. Most people rely significantly on informal markets and economies of sharing at the local level.⁷³ Rather than trying to undo these existing practices, international food agreements should be designed to ensure those local markets realize people's right to food. Only 10 to 12 per cent of all agricultural products are traded on the international market.⁷⁴ Thus, local markets will be treated as the norm, and trade as the exception.
101. A key element of international food agreements would be to develop a system of seasonal tariff and migration rules that create a fair market. Many countries already have seasonal rules that regulate the movement of goods and people, but these emphasize protecting domestic producers or undervaluing migrant labour. International food agreements will make borders work in a way that follows the pattern of the seasons and ecological conditions to ensure that those who have an abundance of food can share and sell it to those who need it.
102. In sum, international food agreements would harness the market as servant, not master, in the fulfilment of the right to food.

73. James Thuo Gathii, *Scoping Study – Designing the Continental Free Trade Area (CFTA): An African Human Rights Perspective* (Geneva, OHCHR, Economic Commission for Africa and Friedrich-Ebert-Stiftung, 2016); Sylvia Kay and others, "Connecting smallholders to markets: an analytical guide" (Civil Society Mechanism, 2016).

74. Kay and others, "Connecting smallholders to markets".

VI. Conclusion

103. In his first report to the General Assembly, the Special Rapporteur concludes that the existing WTO Agreement on Agriculture has been unable to provide adequate trade results, much less food security outcomes. He invites States to advance trade policy from a right-to-food perspective, based on the following recommendations:
- a. Wind down the WTO Agreement on Agriculture;
 - b. Update their interpretation of article XX (h) (commodity agreements) of the General Agreement on Tariffs and Trade along with article 11 (2) (b) (equitable trade in food) of the International Covenant on Economic, Social and Cultural Rights, based on the human rights principles of dignity, self-sufficiency and solidarity;
 - c. Negotiate new international food agreements based on the provisions and principles described in the present report.
104. The ultimate goal is to ensure that everyone eats with dignity and is free from hunger. This should include responding to climate change by moving away from growth-centric goals towards truly sustainable relationships with our ecosystems, and empowering those with fewer resources to assume command over their lives.
105. The Special Rapporteur will devote his mandate to sparking new dialogues on international trade that focus on ensuring that all people are empowered to access ample and diverse supplies of adequate food.





FOCUS ON THE GLOBAL SOUTH

Focus on the Global South is an Asia-based regional think tank that conducts research and policy analysis on the political economy of trade and development, democracy and people's alternatives. It works in national, regional and international coalitions with peoples' movements and civil society organisations and has offices in New Delhi, Manila, Phnom Penh and Bangkok



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The Rosa Luxemburg Stiftung (RLS) is a Germany-based foundation working in South Asia as in other parts of the world on the subjects of critical social analysis and civic education. It promotes a sovereign, socialist, secular and democratic social order, and aims to present alternative approaches to society and decision-makers. Research organisations, groups for self- emancipation and socialactivists are supported in their initiatives to develop models which have the potential to deliver greater social and economic justice



All India People's Science Network (AIPSN)

The All India Peoples Science Network (AIPSN) is a network of over 40 peoples science organisations from across India. The AIPSN works at the interface of science with society on issues such as science and technology policy, self reliance, education, health and pharmaceuticals, rural technology, scientific temper or science and reason, and environment, with special emphasis on issues related to gender and social justice. It uses diverse communication strategies in its work such as publications, briefing notes, slide shows, video films, public meetings, songs and street theatre