



EXECUTIVE SUMMARY

PESTICIDES IN LATIN AMERICA:

VIOLATIONS AGAINST THE
RIGHT TO ADEQUATE FOOD
AND NUTRITION

REGIONAL REPORT 2020



Pesticides in Latin America: Violations against the right to adequate food and nutrition. The 2020 Regional Report.

Executive Summary

Prepared by
FIAN Brasil

Pesticides in Latin America: Violations against the right to adequate food and nutrition. The 2020 Regional Report has been carried out by FIAN Brasil in partnership with FIAN Colombia and in collaboration with the other FIAN sections and groups in Paraguay, Ecuador, Honduras, Guatemala, Mexico and Haiti.

See the full report here: <https://fianbrasil.org.br/wp-content/uploads/2021/04/Pesticides-in-Latin-America-English.pdf>

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CHAPTER I WHAT IS THE HUMAN RIGHT TO FOOD AND ADEQUATE NUTRITION (THE RTFN) AND HOW THE USE OF AGROCHEMICALS VIOLATES THIS RIGHT

The human right to adequate food and nutrition (RtFN) must be considered in its two dimensions: the right to be free from hunger and the right to adequate food and nutrition. This right is not restricted to a biological condition. Therefore, it is necessary to talk about the whole food relationships (the whole set of social, economic, and cultural relationships in which food is involved), so that it is aimed at promoting human dignity and ensuring the social and environmental sustainability of this process.

Thus, the effective guarantee of the RtFN is related to the guarantee, for the entire population, of the consumption, by their own means and in an emancipatory way, of adequate, healthy, nutritious, and culturally acceptable food, without discrimination of race, ethnicity, gender, generation, or economic and social issues. Based on these assumptions, we highlight **the fundamental elements of the RtFN, relating them to examples of rights violations through the use of pesticides:**

a. **Availability** refers to the need for adequate and healthy food, as well as the resources and common goods necessary to obtain it, to be available to the population in a stable and permanent manner. The process of accumulating land by agribusiness and the impact of pesticides on water for consumption and for production affect the availability of food, since the resources necessary for small farmers' production become unviable.

b. **Accessibility**. Access to food must be physically and economically feasible for the population. Contrary to what industries and agribusiness argue, the increase in agricultural production promoted by them does not translate into greater access, as is demonstrated in chapter 2 of the report. The green revolution, which promoted the use of agrotoxics, excludes those who don't have economic resources from agriculture, leading to the predominance of large-scale monoculture production of commodities, which do not serve as food for the people. On the other hand, the pressure to use pesticides, together with the lack of support for organic production, causes them to also be used in the cultivation of food for human consumption, which affects their suitability.

c. **Adequacy**. The concept of adequacy is composed of the following elements: dietary needs of the individual (respecting nutritional, physiological and metabolic needs), absence of adverse substances, cultural acceptability, and the right to

information. The use of pesticides, in practice, implies food contamination and causes the disappearance of foods traditionally produced by indigenous peoples, traditional peoples and communities, and peasants. Furthermore, information about the number and type of pesticides used in food is almost always denied.

d. **Sustainability.** The agrifood system (that is, the way food is produced, distributed and consumed) must be economically and environmentally sustainable. Pesticides contaminate the entire environment, which includes not only soil and water, but also animals. In the countries analyzed in the report, the prioritization of profit and their position as producers of commodities for export add to the toxic nature of pesticides, making the violation of environmental sustainability especially present. Economic unsustainability is created by the hegemonic production model that expels family farming groups, indigenous peoples, and traditional peoples and communities from their territories, undermining their livelihoods and traditional ways of life. It also highlights the tax and financial exemptions given to agrotoxic companies, whose damages have to be paid by society as a whole.

e. **Food sovereignty** is related to the right of populations to control their own food relationships, including their productive resources. It is affected by the dependency that agrottoxics create in the productive system, taking away the power and autonomy of peasant families and traditional peoples and communities to control their own means of guaranteeing the production of quality food. Over the 20th century, about 75% of the world's plant genetic diversity was lost as peasant farmers were forced to abandon their local varieties and breeds, which were replaced by genetically uniform and supposedly high-yielding varieties.

f. **Nutritional aspect/skills** refers not only to the nutrients we need to ingest every day, but to everything that adequate nutrition makes possible for human being, such as growing, learning, socializing, working, etc. The use of agrottoxics prevents the realization of these life possibilities, for example, by causing the sickness of the workers who apply poison, as well as, ultimately, the people who consume the food grown with these poisons.

g. **Structural elements of gender and race/ethnicity.** The chain of use and consumption of pesticides also highlights gender and race inequalities. In areas of intense pesticide application, women are usually affected by the diseases common to all people, which are in themselves the cause of great suffering, in addition to gender-specific health problems such as miscarriages, generation of malformed fetuses and contamination of breast milk (STOPPELLI and MAGALHÃES, 2005; PALMA, 2011). The groups most affected by the use of pesticides are the non-white working populations of rural areas, traditional peoples and communities and indigenous peoples. Besides direct and indirect contamination, they are also affected by the lack of guarantee to their territories, of conditions to produce and consume their food while respecting their traditional ways.



CHAPTER II AGROTOXICS AND HUMAN RIGHTS

The data and reports brought by the sections of FIAN in Latin America and the Caribbean show that there is a capture of the State by large corporations, which leads to tolerance, acquiescence, and even protagonism of our States in the face of different forms of violence that allow pesticides to be used without control. Thus, there is a systematic and deliberate violation of their obligations to the RfFN and related rights, prioritizing profit over respect for human rights, environmental sustainability, and democracy itself. The cases analyzed also suggest a transformation in the social contract in our countries: the legislative agenda and various regulatory changes have been made to favor this status-quo and corporate interests.

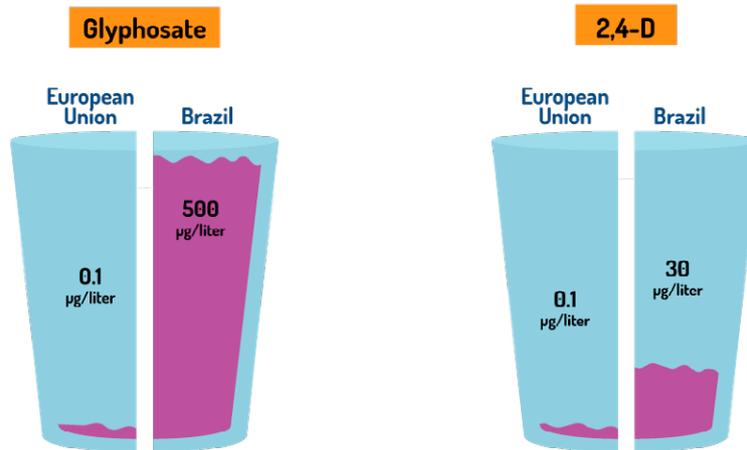
There has been an increase in the use and commercialization of agrochemicals in the last decade, with few exceptions according to available data. The most widely used product is the herbicide glyphosate, classified as a carcinogen by the International Agency for Research on Cancer (IARC). This increase is associated with the increase in Genetically Modified (GM) crops, which imply greater use of poisons, and corresponding damage to health, the environment, water quality, and soil productivity without associated gains in productivity, which contradicts the discourse used to sell these technological packages. This model of production is accompanied by the simplification of eating habits, the destruction of cultural practices and knowledge, and impacts on health and the environment are concentrated in the commodity-exporting countries (basically soy, corn, cotton, and rapeseed) dominated by these transnationals.

The flexibilization of legislation is aggravated by the persecution and assassination of activists, the criminalization of social movements, legalization of crimes, and stifling of reactions. Additionally, the conflicts of interests of the scientific and political community are seen both in the omission of, and actions of agencies responsible for controlling the quality of food, inputs, and the protection of health and the environment, establishing a vicious cycle in which the aggravation of problems is worsened by decisions that increase their causes.

The use of pesticides banned by the European Community is growing in our region, where currently, at least one-third of the most sold products are highly dangerous pesticides prohibited in their countries of origin. They are transferred to countries where the concern for human rights is subordinated to economic interests. Approximately 25 to 30% of the most used pesticides in Brazil are not sold in their countries of

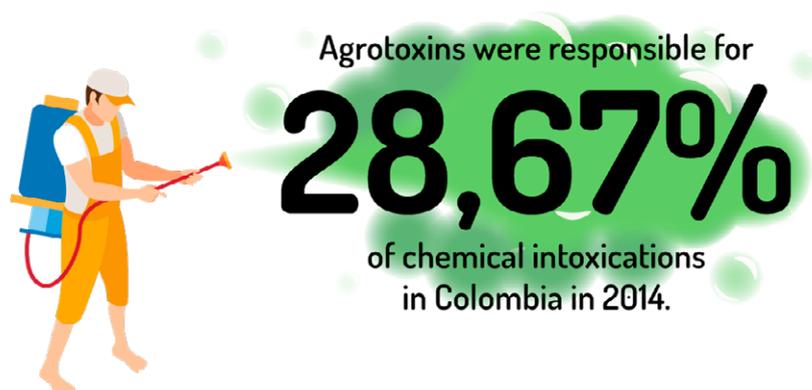
origin (BOMBARDI, 2017, p. 39; CARNEIRO et al., 2015) . In addition, the maximum residue limits (MRLs) in water considered drinkable for human consumption differ alarmingly. With regard to glyphosate and 2,4-D, herbicides most commonly used in Brazilian crops, both associated with GM crops, the difference is, respectively, 5,000 times and 300 times that allowed in the European Union (BOMBARDI, 2017).

Residue limits in water for human consumption



Source: Bombardi, 2017.

There has also been an increase in the number of poisonings, an issue that remains underreported. Despite little reporting on the topic, information on intoxication and high rates of illness related to the use of agrochemicals is easily accessible in almost all the countries participating in this report. In Guatemala, for example, residues of the pesticide DDT were recorded in breast milk at a level 185 times greater than the limit considered tolerable by the WHO, while in Colombia pesticides accounted for 28.67% of poisonings from chemical substances in 2014. These data are aggravated by the absence of public policies for the analysis and monitoring of pesticide residues.



Environmental impacts resulting from the same process compromise the biodiversity, culture and way of life of rural populations and their original peoples and occur in parallel with the use of pesticides as weapons. In Brazil, in May 2019, pesticides dumped near the Guyraroka village's indigenous school in Mato Grosso do Sul led to the hospitalization of children and adolescents and the death of animals.



CHAPTER III IMPACTS OF THE PROMOTION AND USE OF PESTICIDES ON THE RTFN

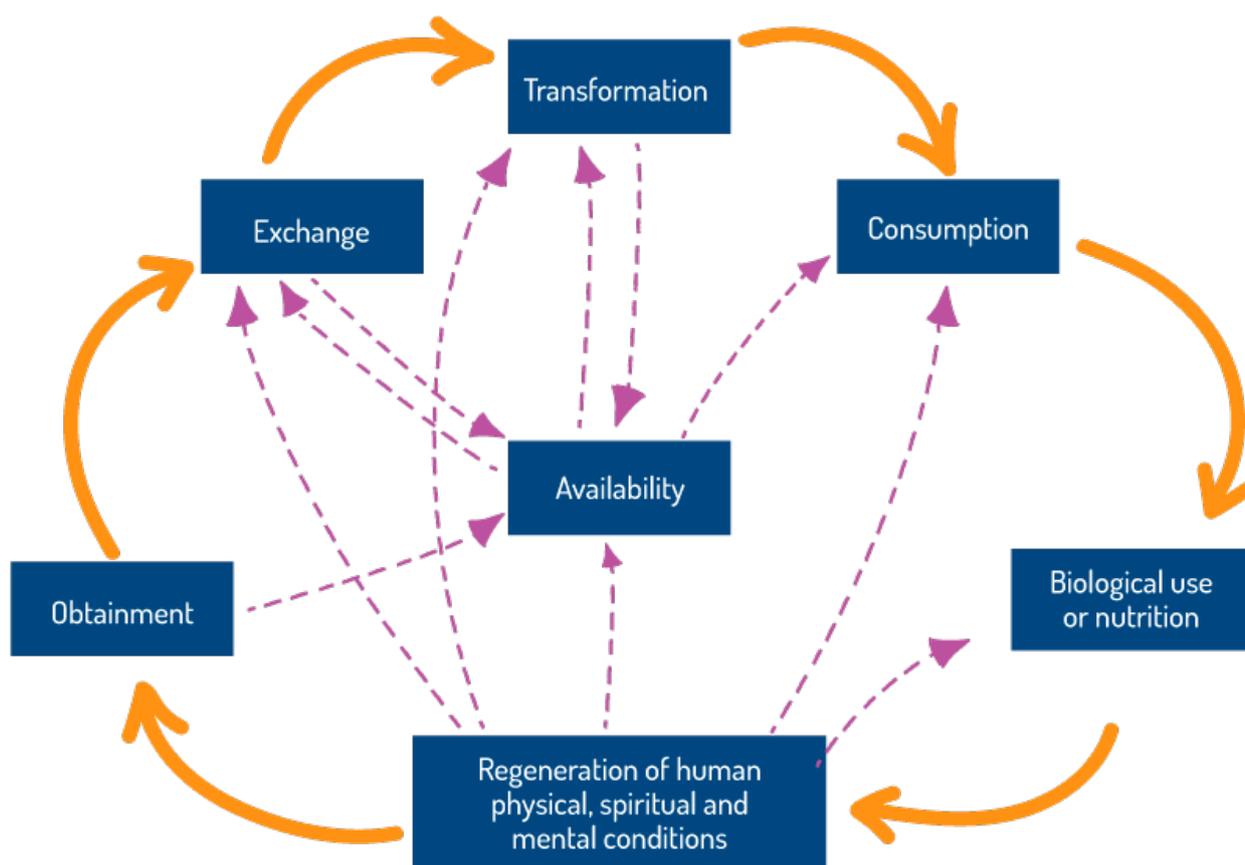
The violation of the RTFN as a consequence of the increase in the use of pesticides and the permissiveness of the State, is complex, multiform and occurs at various moments in the diet, seen as a holistic fact. That is, it is not reduced to a problem that affects only human beings and/or a single link in the entire food relationships and processes.

These violations are related to the State's weakness in addressing them, the State's inability to think of a different agri-food model, its complicity with economic actors that promote the use and expansion of pesticides and with the State's failure to fulfill its obligations to the RTFN. These violations are closely linked to the neoliberal model, extractionism and the growing power of transnational corporations.

This model that justifies the expansion of pesticides in the name of scientific advances, progress and development does not meet the objectives postulated in the various international treaties and agreements on human rights and the environment. The productive system proposed by the neoliberal model, focused on agro-export and the intensive use of pesticides, places at risk the planet's resilience in the face of climate collapse and the possibilities of sustaining food production. It removes the conditions for peasant, traditional and indigenous communities to produce their food in an appropriate and healthy way. At the same time, it encourages a diet increasingly based on the consumption of ultra-processed foods or even with the incentive to the "technologicalization" of food, replacing the holistic component of the food process with a purely nutritional point of view. In this way, the provisions of the most diverse documents protecting human rights and aimed at sustainable development are in contradiction.

Understanding the right to food through a holistic perspective of all the relationships around food is essential in order to guarantee respect for human rights and environmental preservation. The food process is cyclical, composed of the following links and dimensions: (1) obtaining food, derived not only from production, but also through hunting, fishing and gathering; (2) the "food exchange", which is also expressed in many ways and goes far beyond the "market" or market mechanisms; (3) food processing, which generally occurs both in homes and in industrial or semi-industrial processes; (4) the disposition of food, which includes the spaces and ways in which food is organized, transported and stored; (5) consumption; (6) the

biological use of food or nutrition; and (7), as a consequence of the previous link, the regeneration of the physical, spiritual and mental conditions of the human being that allow him or her, individually or collectively, through their work and knowledge, to restart the process for obtaining food.



There are many negative impacts from pesticides in the food process. Table 1 shows how these impacts are caused in each of the links of this processes and its relationships.

Table 1: Examples of impacts and damage caused by agrottoxins according to the effected step of the food process

Step in Food Process	Damages/Impacts
Procurement (production, hunting, collecting, fishing)	<ul style="list-style-type: none"> ● Deforestation; ● Dislocation, loss of land and control of food process; ● Destruction of food chains and forms of non-human life; ● Annihilation of pollinating animals; ● Damage and impoverishment of soil; ● Eutrophication of water sources; ● Appearance of pests and illnesses; ● Contamination of potable water sources for human or animal consumption or of irrigation sources; ● Damage or destruction of cultures and domestic animals ● Reduction of surplus food production; ● Damage to the landscape.
Exchange (market, trade and other forms of exchange including those associated with rights of passage and acts of solidarity in times of crisis)	<ul style="list-style-type: none"> ● Hampering exchange mechanisms as a result of the certainty that the available food is contaminated.
Transformation (domicile, industrial or semi-industrial)	<ul style="list-style-type: none"> ● Loss of knowledge and practices associated with the domestic transformation of food; ● Incorporation of food contaminated with agrottoxins.
Distribution (storage, conservation, transport)	<ul style="list-style-type: none"> ● Contamination of food originally free of agrottoxins through contact or storage with contaminated products; ● Inadequate creation, disposal and managing of toxic residues (leftover agrottoxins, contaminated labels.)
Consumption	<ul style="list-style-type: none"> ● Contamination of food before its consumption (ingestion); ● Loss of confidence and low consumption of local and national food production due to fear of contamination.
Biological use or Nutrition	<ul style="list-style-type: none"> ● Intoxication through food contaminated by agrottoxins or directly through contact with these chemical products; ● Contamination of maternal milk and impacts on lactation; ● Impacts on nutrition of animals raised for human consumption.
Regeneration of physical, spiritual and cognitive conditions and of human potential	<ul style="list-style-type: none"> ● Chronic illnesses and/or death caused by consuming contaminated foods or through direct contact with the toxins; ● Genetic alterations due to exposure to agrottoxins; ● Permanent disabilities that affect the regeneration of the work ● force and family stability; ● Loss of animals (traction, soil preparation or transport) that reduces agricultural work performance and affects food production.



CONCLUSIONS AND RECOMMENDATIONS OF THE REPORT

Among the most important conclusions and recommendations of the report are the following:

Governments are complicit in the expansion of the use of agrochemicals and in the violations of the RtFN and associated human rights. This happens basically due to their systematic non-compliance with their obligations to guarantee these rights, their allegiance to an agri-food, economic and political model that plunders and destroys lives, and their suspicious complicity with the corporate and business interests that hide behind the promotion of agrochemicals.

The increasing promotion and use of agrochemicals, and the violations of the RtFN and associated rights, is essential to the corporate agrifood and nutrition model, which relies on monocultures, especially of GMOs, and agroexports as an obsession. At the same time that it generates hunger and destroys food diversity, it destroys the sovereignty of our peoples, life on the planet, and the possibilities to respond to climate collapse.

Regulatory changes and transformations in the institutional architecture of our States, which are being adopted in order to favor an increase in the demand for and use of agrochemicals, go against the principles of human rights. The lack of political will to reverse these changes and of mechanisms of justiciability amplify violations of these rights while increasing corporate influence and the capture of transnational corporations and other political and economic actors that profit from agrochemicals.

Violations of the RtFN associated with the expansion of pesticide use and the model that underpins it occur over territories, people, communities, and natural environments in the form of: deforestation and destruction of natural assets essential for food; displacement of communities; loss of land and means of food production; damage to health, crops and animals due to fumigation or daily use of pesticides; reduction of peasant-based surplus production destined for urban consumption; increased food dependency and importation; stigmatization and criminalization of people, movements or organizations that oppose pesticide use; destruction of water sources.

The States where the headquarters of pesticide manufacturers are located, especially the most dangerous ones, are largely responsible for the damages, impacts, and violations of human rights, including the RtFN.

There are serious deficiencies in universal and regional human rights mechanisms to propose binding mechanisms to reverse and punish the increasing use of agrochemicals as well as the associated harms and human rights violations.

States in the region must refrain from further regulatory actions that promote increased demand for agrochemicals. This should include moratoria on genetically modified crops or other highly pesticide-dependent production models. The precautionary principle should guide any decision on the subject.

In addition, states must structure mechanisms of justiciability, reparations, compensation and non-repetition when the use of pesticides leads to violations and vulnerability of human rights of populations, communities and individuals. Similarly, the States of the region must refrain from criminalizing, persecuting or stigmatizing social organizations, processes and leaders who denounce the impacts and violations arising from the use of agrochemicals and the productive and economic model that underlies it.

The Inter-American System of Human Rights must incorporate and apply the approach of extraterritorial obligations when analyzing the situation in our countries or resolving hearings, complaints or cases related to violations of the RtFN or other rights as a result of the promotion and use of agrochemicals.

The organizations, social processes and leaderships that struggle against the expansion of agrotoxics, denounce their impacts on the RtFN or other rights, and that condemn the productive model that sustains it, must broaden the range of influence of their claims to incorporate, even more, other social processes in defense of human rights. These include urban organizations focused on food, animal rights, and organizations defending the rights of girls, boys, and young people, among others.



FIAN Guatemala

FIAN Haiti



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Pesticides are still widely used in Latin America, despite their **harmful effects on the environment and on humans**. The market for these products is growing dramatically in the region, and this is associated with the advance of **monoculture** and **transgenics**. Due to economic power and representatives in legislative political groups and governments, the sector's **large corporations** pressure the **State to legislate** against - and **not to oversee** - the needs of the population and the country.

In this regional report, we show how pesticides impact the **HRtAFN**. We also show how the government, rather than guaranteeing this, often acts in favour of ruralist agenda, prioritising **“technological packages” of the agribusiness** to the detriment of environmental sustainability, the safety of indigenous populations, traditional communities and real food promoted among urban populations - thus neglecting the **right to health and a balanced environment**.

The report, drawn up with **FIAN Colombia** and with the collaboration of other FIAN coordinations and groups in **Latin America and the Caribbean**, specifies the situation of **eight countries** in relation to the topic, with data on production, trade and imports, alongside conclusions of health studies and the main complaints brought to court or reported on in the press.

While the cases have national specificities, they also demonstrate a **shared scenario**, in which Brazil is often a laboratory and gateway for the strategies of the agrochemical giants on the continent. Based on the analysis, the entities propose **recommendations** for States to fulfill their **obligation** to protect and guarantee adequate food and related rights in our country and in our region.

Denunciation publications like this represent one of the axes of the actions of FIAN Brazil, which has just celebrated its 20th anniversary. The phrase chosen to celebrate these two decades of activity summarises two central ideas for us. The first is that a rights is not asked for, it is demanded, and information plays a central role in this. The other is that eating and the people around us goes far beyond the immediate need to satisfy hunger: it represents, from an organic and social point of view, the act of **constituting people**. It generates health, identity, acceptance, feelings of communion and belonging to a group.

Check out more publications and get to know our trajectory and performance!

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