# Response to the Calls for Inputs on Healthy and Sustainable Food: Reducing the Environmental Impacts of the Global Food System on Human Rights

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Swedwatch is an independent, non-profit research organisation based in Stockholm, Sweden. It examines companies, investors, and state actors’ obligations to protect and respect the human and environmental rights of workers and communities. Over the last two decades, Swedwatch has examined how globalised agro-food industry contributes to deterioration of local ecosystem through forest clearance and biodiversity loss; intensive use of agrochemicals that lead to pollution of waters and soil; land grabs and displacement of local communities; loss of access to basic food and livelihoods and labour conditions of agricultural wage labours and factory workers in food processing factories (See Appendix 1). States and companies have obligations to not only control and minimise environmental and social risks incurred by agro-food industries, but also respect and protect human rights of local communities and workers involved in the business operations.

1. **Please provide examples of ways in which the environmental impacts of the global food system are having adverse impacts on human rights. Adversely affected rights could include, among others, the rights to life, health, water and sanitation, food, culture, livelihoods, non-discrimination, a safe, clean, healthy, and sustainable environment, and Indigenous peoples’ rights.**

Swedwatch research in 2018 examined human rights impacts of agro-food exports from Ica valley in southern Peru. Research findings highlighted that growing demand for global tropical fruits and vegetables are pushing agricultural frontiers in the Global South to water scarce regions and further threatening local communities’ access to clean and safe water.[[1]](#footnote-2) In the case of Ica valley, promotion of high-value horticultural products (i.e. asparagus, grapes, mangoes, avocadoes, citrus, and onions) since the 1990s has led to excessive extraction of groundwater in an arid region and the depletion of aquifers.[[2]](#footnote-3) Industrial agricultural activities together with an increased population in the Ica valley is rapidly depleting the already scarce freshwater base and threatening local people’s access to clean water for drinking and household use. It has also led to displacement of indigenous communities and threatens their livelihood basis based on small-scale agriculture and livestock production.

Furthermore, Swedwatch research in 2017 illustrated that despite industry efforts such as the Roundtable on Sustainable Palm Oil (RSPO) to improve the governance of palm oil production, indigenous communities continue to be adversely affected by the expansion of oil palm plantations in Sarawak, Malaysia.[[3]](#footnote-4) According to Swedwatch interviews with members of local communities, their access to traditional forest and land were not fully recognised and respected by the companies, and they were offered only partial compensation for their loss of livelihood and access to traditional land.

1. **Please identify specific challenges that your Government, business, or organization has faced in attempting to employ a rights-based approach to address the environmental impacts of food systems and the consequences of these problems for human rights.**

Both cases highlighted above and other examples demonstrate that local communities and particularly indigenous people are often not well informed about the potential widespread social and environmental impacts of business operations according to the principles of Free-Prior Information and Consent (FPIC). Business affected communities are not well represented, and often have limited access to information, and their concerns are not formally heard nor addressed by states and business entities that have due diligence obligations. There are generally few dialogues, and individuals and communities defending environmental and human rights of local communities, otherwise known as “environmental human rights defenders” or defenders including indigenous populations that are subjected to verbal threats, smear campaigns, criminalisation, and physical attacks.[[4]](#footnote-5) Furthermore, business affected communities have little or no access to adequate remedy and justice.

1. **How do you ensure that the rights of environmentalists working on food issues (environmental human rights defenders) are protected? What efforts has your Government, business, or organization made to create a safe and enabling environment for them to freely exercise their rights without fear of violence, intimidation, or reprisal?**

Agro-food industries need to incorporate and clarify their corporate responsibilities to human rights including communities’ rights to a healthy environment including land, forest and water by adhering to the UN Guiding Principles of Business and Human Rights (UNGPs) and the OECD Guidelines on Environment for Multinational Enterprises. Agro-food business operations furthermore should respect the participatory and procedural rights of business affected communities, such as the right to public access to information as well as public participation in decision making, as outlined by the Aarhus Convention.

The UNGPs clearly outline the responsibilities of businesses to respect human rights across their value chains and enact their obligations towards due diligence. It also requires them to be particularly vigilant of human rights of individuals and groups that are vulnerable to environmental and economic changes and are subject to verbal and physical attacks. In addition, business entities should proactively provide opportunities to hold dialogues with defenders to remediate adverse impacts. In particular, business entities should identify and address risks to defenders as part of their human rights due diligence processes and to implement a zero-tolerance policy towards attacks on defenders including through contracts with business partners. Finally, business entities should be transparent about disclosing identified risks and actions taken to mitigate them.

Furthermore, governments and local authorities should ensure a safe and enabling environment where human rights and environmental impacts can be investigated and reported without fear of retaliation. This should include the adoption of legislation on mandatory human rights due diligence for businesses, highlighting their responsibility to conduct meaningful consultation with defenders in the value chains to address risks; developing clear guidance on how businesses should integrate measures to respect defenders throughout their business operations and ensure that state-owned companies lead by example; and establishing effective judicial and non-judicial grievance mechanisms for defenders and victims affected by business conducts to seek remedy.[[5]](#footnote-6)

References

Arounsavath, Frida. “Silent Approval.” Stockholm, 2017. <https://swedwatch.org/wp-content/uploads/2017/03/Silent-Approval-Borneo-full-report.pdf>.

Salmoral, Gloria, Araceli Viñarta Carbó, Eduardo Zegarra, Jerry W. Knox, and Dolores Rey. “Reconciling Irrigation Demands for Agricultural Expansion with Environmental Sustainability - A Preliminary Assessment for the Ica Valley, Peru.” Journal of Cleaner Production 276 (2020). https://doi.org/10.1016/j.jclepro.2020.123544.

Wåhlin, Malena. “Defenders at Risk: Attacks on Human Rights and Environmental Defenders and the Responsibility of Business.” Stockholm, 2019. <https://swedwatch.org/wp-content/uploads/2021/01/95mr-forsvarareengelskauppslagwebb201202.pdf>.

Wåhlin, Malena. “To the Last Drop: Water and Human Rights Impacts of the Agro Export Industry in Ica, Peru, the Responsibility of Buyers.” Stockholm, 2018. <https://swedwatch.org/wp-content/uploads/2018/11/92_To-the-last-drop_Full-report.pdf>.

Appendix 1: Swedwatch Case Studies with a Focus on Global Food System

| **Location** | **Issue** | **Who is affected** | **Human and environmental rights** | **Obligations of businesses** | **Links to Swedwatch report** |
| --- | --- | --- | --- | --- | --- |
| Peru, Ica valley | Intensive use of water for commercial agriculture | Local communities near agricultural fields | Access to safe and clean water; access to healthy and sustainable environment | Ensure sustainable and responsible use of water and land. | https://swedwatch.org/wp-content/uploads/2018/11/92\_To-the-last-drop\_Full-report.pdf |
| Sarawak and Kalimantan | Deforestation and displacement of local communities | Indigenous communities in areas of palm oil plantation and mining. | Access to traditional land and forest; rights to livelihood; rights to information and participation | Due diligence obligation of mines and palm oil industries to inform and provide access to information and ensuring sustainable use of land and forest. | https://swedwatch.org/wp-content/uploads/2017/03/Silent-Approval-Borneo-full-report.pdf |
| Costa Rica | Intensive use of agro-chemicals for export fruit production | Local communities near agricultural fields and agricultural workers | Access to healthy and sustainable environment | Ensure sustainable and responsible use of water and land. | https://globalarkivet.se/sites/default/files/documents/2015-05/swedwatch\_report\_65.pdf |
| Brazil | Large-scale commercial farming for biofuel and intensive use of agro-chemicals | Local communities near agricultural fields | Access to safe and clean water; access to healthy and sustainable environment | Ensure sustainable and responsible use of water and land; regulating land speculation. | https://swedwatch.org/wp-content/uploads/2016/12/swedwatch\_-\_investering\_utan\_insyn.pdf |
| Brazil | Intensive use of agro-chemicals for coffee production | Local communities near agricultural fields and agricultural workers | Access to healthy and sustainable environment | Ensure sustainable and responsible use of water and land. | https://swedwatch.org/wp-content/uploads/2010/08/swedwatch\_-\_etik\_for\_dyrt\_for\_svenska\_kaffebolag.pdf |
| Peru, Thailand | Intensive fish farming using antibiotics | Local fisheries and  communities depending on aquatic resources | Access to safe and clean water; access to healthy and sustainable environment; access to food | Ensure sustainable and responsible use of water and aquatic resources. | https://swedwatch.org/wp-content/uploads/2016/12/swedwatch\_-\_vet\_du\_vad\_din\_middag\_at\_till\_frukost.pdf |

1. Wåhlin, Malena. “To the Last Drop: Water and Human Rights Impacts of the Agro Export Industry in Ica, Peru, the Responsibility of Buyers.” Stockholm, 2018. <https://swedwatch.org/wp-content/uploads/2018/11/92_To-the-last-drop_Full-report.pdf>. [↑](#footnote-ref-2)
2. See adverse impacts of large-scale agricultural operations on groundwater aquifers, Salmoral, Gloria, Araceli Viñarta Carbó, Eduardo Zegarra, Jerry W. Knox, and Dolores Rey. “Reconciling Irrigation Demands for Agricultural Expansion with Environmental Sustainability - A Preliminary Assessment for the Ica Valley, Peru.” Journal of Cleaner Production 276 (2020). [↑](#footnote-ref-3)
3. Arounsavath, Frida. “Silent Approval.” Stockholm, 2017. <https://swedwatch.org/wp-content/uploads/2017/03/Silent-Approval-Borneo-full-report.pdf>. [↑](#footnote-ref-4)
4. See also Wåhlin, Malena. “Defenders at Risk: Attacks on Human Rights and Environmental Defenders and the Responsibility of Business.” Stockholm, 2019. <https://swedwatch.org/wp-content/uploads/2021/01/95mr-forsvarareengelskauppslagwebb201202.pdf>. [↑](#footnote-ref-5)
5. Wåhlin, Malena. “Defenders at Risk: Attacks on Human Rights and Environmental Defenders and the Responsibility of Business.” Stockholm, 2019. <https://swedwatch.org/wp-content/uploads/2021/01/95mr-forsvarareengelskauppslagwebb201202.pdf>. [↑](#footnote-ref-6)