

Agrarian Reforms and Farmers Suicide in India: Human Rights Issues and Concerns

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Abstract:

The issue of suicidal deaths has been recorded in agrarian India with varied cultural practices and farming patterns. High personal indebtedness of farmers stemming from changes in cropping patterns plant resistance to pesticides and hence increased spending on pesticides, a shift from low-cost food crops to high-cost cash crops, lack of access to institutional credit, and a shift of government policy focus away from agriculture have been identified to contribute to the epidemic of farmers suicide. Farmers' suicide rising rate throughout India brought many adverse changes in India's farming community including increasing poverty and limited livelihood opportunity. This agrarian distress also draws a negative impact on the farmers in entertaining fundamental human rights. Against this context, the article seeks to explore the human rights perspective of suicide crisis in rural area of India. It also analyses the role of state and non state actors in response with the problem of farmer suicide. In fine the article will adduce, though not as a necessary focus, Bangladesh's new trial for Genetically Modified (GM) crops and suggest some recommendations for Bangladesh.

1.0 Introduction:

Farmer suicide in India is the most catastrophic and disastrous expression of human rights crisis faced by peasants. The spate of farmers' suicides accompanies India's embrace of the brave new world of neo-liberalism where the number of farmers, having committed suicide in India between 1997 and 2010 stands up to more than 250,000.¹ Apart from the suicides, there have been growing reports of hunger deaths in many parts of India, some of which have been documented, and there is also evidence of very large-scale mass migrations in search of work in rural India.² The Indian government has failed to address

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¹ P. Sainath, Of Luxury Cars and Lowly Tractors, The Hindu, Accessed 27 December, 2010<<http://www.thehindu.com/opinion/columns/sainath/-article995828.ece>>

² Jayati Ghosh, The Political Economy of Farmer Suicides in India, Freedom from Hunger Lecture Series, 2005, New Delhi.

the crisis, assess farmer suicide statistics, and properly estimate the problem as well as to provide immediate or long-term relief to the victims.

A number of studies reveal that the suicide rates are highest where cotton (one of the dominant cash crops of India) production is highest and it is noteworthy to mention that the cotton industry has been dominated mostly by foreign multinationals. Cotton also stands as a prime example of India's general move away from food production towards cash crop cultivation, a shift that has contributed significantly to farmer vulnerability as evidenced by the fact that the majority of suicides are committed by farmers in the cash crop sector.³ Multinational agribusiness corporations took advantage of India's new market liberalization and structural adjustment policies by aggressively promoting the introduction of genetically modified seeds into Indian agriculture.

Initially the article explores human rights concerns of cotton farmers' suicide crisis in India. It will also investigate the human rights obligations of India, multinational companies, and role of non state actors to address the human rights tensions in context of suicide economy of Indian farmers.

2.0 General Background: Reasons of Farmers' Suicide

Farmers' suicides have been recorded from all over the country, but it has been mainly associated with Maharashtra, Andhra Pradesh and Karnataka. In 1998, the structural adjustment policies pushed India to open up its seed sector to international corporations like Monsanto.⁴ Which in turn has sublicensed its Bt cotton gene to other companies and collects huge amounts of money as a royalty from these companies. The farmers need more pesticides, fertilizers, electricity, water and labour continue to rise, while the price of cotton has been declining coupled with decreased productivity. When crop failed in as a result of unpredictable weather conditions, farmers become unable to pay back his loans and took his own life by committing suicide.

According to a study conducted by the Indira Gandhi Institute of Development Research, Mumbai, the major reasons for farmers' suicides are debt, crop failure and low return, illness of family members, failure to arrange marriage of

³ Center for Human Rights and Global Justice, Every Thirty Minutes Farmer Suicides, Human Rights and Agrarian Crisis in India , New York University School of Law, 2011, p.4.

⁴ Monsanto, a U.S.-based multinational agricultural biotechnology corporation, is the leading producer of genetically engineered seeds worldwide. See details at: <http://www.monsanto.com/Pages/default.aspx>.

daughters and a lack of alternative sources of income.⁵ 'Life histories and case studies conducted for this study reveal that there has been sharp increase in the dependence on loans to enable cultivation. The tendency to take loans increased in the nineties. The farmers took their first loan from banks The later loans were from private parties ... over 75% of the farmers had loan commitments to non- formal sources. Those farmers who faced repeated crop failures accumulated loans beyond their capacity to repay. Thus, most of victims had turned defaulters over the last four years'.⁶

In a nutshell, genetically-modified seeds have been claimed as the root cause for suicide crisis. Commercialization of agriculture has led to the indiscriminate use of fertilizers and pesticides, deteriorating soil quality and fertility, reducing ground water levels that afterwards making it difficult to sustain regular agricultural output from land as well as with the cost of agricultural inputs increasing with each passing year and farmers have been forced to take credit from institutional and non-institutional sources.⁷ Therefore high agricultural cost of production, less local prices for agricultural crops and the policies of the government have rendered the farmers more vulnerable than before and contributed to the tragic incident in the history of India. Regardless of many warnings of experts about the depressing predicament of agriculture, India has not responded with the same urgency, even the state governments have treated the issue as deserving nothing more than the routine development intervention based on stereotypes about rural life.⁸

3.0 Obligations of Indian Government and Multinational Corporations in India to Protect Human Rights:

Indian government is obliged to prevent farmer suicides at the outset; because of that it cannot escape legal obligation under national statutes and international human rights law to protect the right to life and security of its citizens.

⁵ Srijit Mishra, *Suicide of Farmers in Maharashtra*, Indira Gandhi Institute of Development Research, Mumbai, 2006, pp. 10-12.

⁶ Tata Institute of Social Sciences (TISS), *Causes of Farmer Suicide in Maharashtra: An Enquiry*, Final Report Submitted to the Mumbai High Court, Osmanabad, 2005, p. v.

⁷ Ritambhara Hebbar, *Human Security and the Case of Farmers' Suicides in India: An Exploration*, a panel on Rethinking Development in a Conference on 'Mainstreaming Human Security-an Asian Perspective', October 3-4, 2007, organized by Chulalongkorn University, Bangkok.

⁸ B.B. Mohanty, *We are Like the Living Dead: Farmer Suicides in Maharashtra, Western India*, *The Journal of Peasant Studies*, 2005, Vol 3, No 2, pp. 243-276, at p. 267.

As discussed in previous section, insufficient economic resources, unstable economic flows and asset losses have ultimately led as central in the analysis of farmers' suicides. Because of the acute indebtedness, farmers are unable to live a life of dignity, exercise vital freedoms towards greater enhancement of life chances and leading a fulfilling life. India however by its Constitution of 1949 is duty bound to protect its citizen from hunger and guard the right to an adequate means of livelihood with references to economic, social and cultural values laid down in the Constitution towards securing justice in all respects, including social security for the agricultural sector.⁹ The fundamental rights guaranteed in the supreme law of India like, right to life in article 21 of Indian Constitution and equal protection of law have been violated that consequently impose hindrances upon human life and to preserve human dignity. The fundamental state policy of India again requires the State to promote the welfare of the people by promoting a social order in which social, economic and political justice is informed in all institutions of life.

In addition, India is a State Party to multiple international human rights treaties and has consistently been put on notice by United Nations bodies (e.g. Human Rights Council) that the human rights of farmers are at stake.¹⁰ India is a state party of The International Covenant on Civil and Political Rights (ICCPR), The International Covenant on Economic, Social and Cultural Rights (ICESCR), The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), The Convention on the Rights of the Child (CRC), The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and ILO Conventions. It is correspondingly duty bound to protect, promote, and respect human rights of all human beings including vulnerable populations under above said conventions.

International law is virtually silent with respect to corporate liability for violations of human rights and has neither articulated the human rights obligations of corporations nor provided mechanisms to enforce such obligations.¹¹ The above statements however have been the subject of severe strictures by a section of the scholarly community who view them as a

⁹ Shareen Hertel, Economic Rights Working Paper Series, Working Paper 17, University of Connecticut, Storrs:USA,2011, p 20.

¹⁰ *Supra* note 3, p.13.

¹¹ Developments in the Law-Corporate Liability for Violations of International Human Rights Law, Harvard Law Review, 2001, Issue 114, pp. 2030-31.

misstatement of the law.¹² Some of these scholars, supported by human rights activists, have proceeded to argue that international human rights law and norms impose direct duties on corporations and other private actors. The terms 'international legal person' or 'legal personality' are usually employed in reference to entities that are 'capable of possessing international rights and duties and endowed with the capacity to take certain types of action on the international plane.'¹³ Such entities like multinational corporations are also known as subjects of international law and as well bear some responsibility.

Apart from the state, therefore the transnational corporations working in India, also have the obligation to comply with the human rights treaties. OECD Guidelines for TNCs requires the multi-national enterprises to 'respect the human rights of those affected by their activities consistent with the host government's [international] obligations and commitments'.¹⁴ 'Under the 'Protect, Respect, Remedy' framework originally proposed by the U.N. Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie in 2008, says, 'corporations and other business enterprises must, as a baseline expectation, respect human rights.... This responsibility to respect means that businesses should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved.... Businesses should also seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.... To meet these requirements, businesses must also exercise due diligence to become aware of, prevent and address adverse human rights impacts'.¹⁵ Thus TNC in India also has immediate obligation after state to comply with the international human rights standard to protect and realize the human rights of the people with and for whom they are associated.

¹² Jordan J. Paust, Human Rights Responsibilities of Private Corporations, *Journal of Transitional Law*, 2002, Vol 34, No 2, pp. 801-802.

¹³ Lori Damosch et al, *International Law: Cases and Materials*, 2001, West Group, 4th Edition, p. 249

¹⁴ OECD Guidelines for Multinational Enterprises, Accessed 12 January 2012<<http://www.oecd.org/daf/internationalinvestment/guidelinesformultinationalesterprises/ocdguidelinesformultinationalesterprises.htm>>

¹⁵ *Supra* note 3 , p. 16.

4.0 Economic Reforms and Human Rights Crisis of Farmers:

Economic reforms and neo liberal policy adopted by the government have contributed to less investment in Indian agrarian sector. 'The growth rate of agriculture by gross product (GDP from agriculture) fell from 3.08% during 1980-81 to 1990-91, to 2.57% during 1992-93 to 2005-06'.¹⁶ Due to the neo liberal policy of 'crop diversifications' adopted in India, it prescribed concentration of land through purchase or leasing in by big landowners in the name of private firms.¹⁷ The post reform period consequently has increased the inequality of distribution of land owned and the poor farmers became more marginalized. 'The rate of farmers' suicides has worsened particularly after 2001, by which time India was well down the WTO garden path in agriculture'.¹⁸

Malone described the tragedy of farmers' suicide after using genetically modified crops as, 'The children were inconsolable.... Mute with shock and fighting back tears, they huddled beside their mother as friends and neighbours prepared their father's body for cremation on a blazing bonfire built on the cracked, barren fields near their home'.¹⁹ The cost of this tragedy largely affects the basic rights of farmers and their families as a whole.

The deterioration of conditions of security for foods at the first instance, heading to an overall economic insecurity creates an unreliable and uncertain future life that brings extreme despair and hopelessness. In many cases, this condition compels the farmers sometimes to sell a kidney. Right to food considered as a human right under article 2(2) of ICESCR, and in compliance with ICESCR India needs to act to improve methods of production, conservation and

¹⁶ Balamuralidhar Posani, Crisis in the Countryside: Farmers' Suicide and the Political Economy of the Agrarian Distress in India, Working Paper Series, No.09-95, Development Studies Institute, London,2009, p. 22.

¹⁷ V. K. Ramachandran, and R. Ramakumar, Agrarian Reforms and Rural Development Policies in India: A Note. Paper presented at the International Conference on Agrarian Reform and Rural Development, December 5-8, Tagaytay: Philippines Development Academy and Department of Agrarian Reform, Government of Philippines, 2000.

¹⁸ P. Sainath, Counterpunch, Accessed 9 January 2009 <<http://www.counterpunch.org/-sainath02122009.html>>

¹⁹ Andrew Malone, The GM genocide: Thousands of Indian farmers are committing suicide after using genetically modified crops, Mail Online, 3 November 2008, Accessed 12 July 2012<<http://www.dailymail.co.uk/news/article-1082559/The-GM-genocide-Thousands-Indian-farmers-committing-suicide-using-genetically-modified-crops.html>>

distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources....By encouraging farmers to switch toward cash crop cultivation, the Indian government promotes a move away from domestic food cultivation.²⁰ As evidenced above, India's economic reforms have led to the development of an agrarian system that devalues food-related farming and undermines food security, in violation of the right to food. Next to food insecurity, job insecurity was huge in the Indian agrarian society. 'For permanent or secure jobs, the rate of increase was close to zero because of the growing mechanization of agriculture and the cropping pattern shifts, like in rural areas, the decline in all employment growth was even sharper, from 2.4 per cent in the previous period to less than 0.6 per cent over 1994-2000'.²¹ Clearly right to work and right to just and favourable conditions of work under article 7 and 8, ICESCR are also hampered in this case.

Similarly, privatization of education and the health sector have had adverse consequences for farmers which increased financial pressure on them and their families to fulfil the basic utilities of day to day life. The shocking scale of farmer suicides points to the existence of systemic problems-both in the agricultural sector and beyond-that are adversely affecting the mental health of farmers on an epidemic scale.²² More specifically, the mental and physical health of children is severely compromised when a family member commits suicide and children are forced to work. This violates article 6(2) of CRC that requires states to ensure survival and development of the children. Women also bear the ultimate burden of farm suicides, since they are left to look after the family members. Girls are mostly seen to become a subject of exploitation and abuse in consequence of absence of earning parents and separation from families.

Research moreover indicates that the farmer suicide crisis has caste-based dimensions in that lower caste farmers, who often lacks the necessary technical knowledge to cultivate commercial crops due to socio-economic barriers. Lower caste farmers who are in backward position and their families also suffer from discriminatory laws; farmers who do not have title to the land they farm are not officially considered farmers by the government and, thus, surviving family

²⁰ Supra note 3, p.18.

²¹ Supra note 2, p. 22.

²² Supra note 3, p.19.

members are deprived of compensation when the head of the household commits suicide. This is violation of the universal principles of human rights, equality and non discrimination, and the Convention on the Elimination of All Forms of Racial Discrimination as well.

The right to an effective remedy is of particular significance for Indian cotton farmers whose rights are increasingly affected by multinational corporations. The Indian government as well as MNCs are obligated to provide Indian farmers and their families with access to legal redress for such harms. However this was not the case in the ground. Therefore, it is clear that many of the problems in the agrarian economy of India in consequence of the reduction of the government's positive role and the collapse of a wide range of public institutions providing public welfare have not been redressed to ensure human rights of the cotton farmers and their families that ultimately lead massive contradiction of international human rights provisions.

5.0 Role of Non-state actors in Farmers' Suicide case in India:

Organizations and persons working on the issue in the grassroots have been highly detracting of the governments' response to farmers' suicides. 'The farmer movement represented the changing aspirations of farmers and their expectations from the government in attending to the same and brought to light the disregard of farmers' interests' vis-à-vis industrial production'.²³

The Shetkari Sanghata, a farmers organization in Maharashtra, strives to attack the faulty government policies for the situation as well as urge for the agricultural lobbies that came in the way of any meaningful agricultural policy initiatives and later on, directly target the government for purposely keeping cotton prices low to fulfil the interests of the cotton textile mills in the state.²⁴ Another glaring example of remonstrance by the Karnataka Rajya Raitha Sangha (KRRS) which has initiated a campaign for encouraging the natural farming traditionally practiced in India. 'The KRRS has been encouraging farmers to the seed or *bija* which has been played up as a symbol of life, growth, self-reliance and dignity, while it simultaneously suggests a shift from commercial agriculture to production for self-consumption'.²⁵ Nonetheless, the KRRS has asked the government for a scientific price for the crops of farmers,

²³ Supra note 7, p. 9.

²⁴ Ronald J.Herring, *Miracle Seeds, Suicide Seeds, and the Poor*, in R.Ray and Fainsod. Katzenstein(eds), *Social movements in India: Poverty, Power, and Politics*, Oxford: Rowman and Littlefield Publishers, 2005 pp.203-229.

²⁵ Supra note 7, p. 11.

which accounts for the input costs of cultivation and in default of a scientific price, then the farmers should at least be given a respectable rate for their crops. Likewise, Kisan Sabha or peasants' front of the Communist Party in India connoted this agrarian crisis and human rights violation as a direct outcome of proletarian exploitation and they called for a united movement of the peasantry to fight the neo-liberal imperialist offensive looming large all over the country. Together with, the Bija Yatra 2006-2007 by Navdanya²⁶ is being launched for freedom by building a movement to stop the genocide of farmers and food sovereignty where many farmers' organizations have participated. The Yatra creates awareness among farmers on genetically modified organism (GMO), corporate farming and seed monopolies.²⁷

NGOs and pressure groups in India did play a significant role in the farmers' suicide case to highlight the issue nationally and internationally. In India, it was incessant pressure and media advocacy undertaken by many non government forums and civil societies brought this issue into light. The role of civil society in India is very relevant to dispatch the widespread consequences of farmers' suicide. Vandana Shiva, an environmental activist in India, runs Navdanya who attempted to lead the national and international movement for bio safety and against the dangers of genetically engineered organisms in agriculture. According to her, MNCs dominates the Indian seed market by licensing seed varieties to numerous domestic Indian companies; Monsanto, for example, has a 26% equity stake in Mahyco, the first Indian company to commercially grow and market Bt cotton in 2002²⁸ and by this way Monsanto controls over the seeds through patent with genetic engineering cotton seeds and controls over the rest of the food through contamination of fields that becomes a treat to realisation of right to food and livelihood.²⁹ She advocates organic agriculture is an answer to rural poverty and it can save the earth and farmers' lives.

²⁶ Navdanya is a network of seed keeper and organic producers spread across 16 states in India. See details at: <http://www.navdanya.org/>

²⁷ Vandana Shiva, Farmer Genocide due to Deliberate Policy Imposed by WTO & Implemented by Government, *The Hindu*, 9 May,2006, Accessed 9 January 2011 <<http://www.global-sisterhood-network.org/content/view/941/76/>>

²⁸ *ibid.*

²⁹ Vandana Shiva, *The Future of Food Part 1* (2009) You tube, Accessed 9 January 2011 <<http://www.youtube.com/watch?v=vi1FTCzDSck&feature=related>>

6.0 What does Monsanto say?

Monsanto's marketing director for India responded that the farmers suicides had nothing to do with Monsanto at all, but ironically might have been prevented by its technology. He would argue that with transgenic cotton farmers would have had less debt from pesticides purchase and less loss of yields, less poverty-fewer suicide'.³⁰ Monsanto has also extended by saying that farmers' suicide has numerous causes and it believes that the economic benefits from Bt cotton such as attaining better yields, earning bigger returns on their investment and using less pesticide] may be the key to reversing the tragic statistics.³¹ But the reality in the ground shows that increased costs of cotton production with seeds, fertilizers and pesticides being bought in the market, decreasing soil fertility with increasing exposure of land to chemical fertilizers for increasing production have made farmers more vulnerable and unsecured than ever to market fluctuations and desertification of land which are the explicit reasons to force the farmers for the option of suicide.

The responsibilities of the corporations today are defined by the norms of international law, accountability and transparency of corporate entities, free trade and inseparability of corporate global undertakings. The development of legal obligations and corporate criminal responsibility are good examples of the progressive development of social concerns. As the notion of 'human rights and wellbeing' is built on broader idea of fairness and justice -guaranteeing its benefit to everyone, balancing all competing claims etc - it can prove immensely beneficial in the otherwise partisan discourse on corporate social responsibility. The international legal instruments also require 'any State, group (including corporation, etc.) or person may not engage in any activity or perform any act aimed at the destruction of any of the rights or freedoms recognized herein the present Covenant'.³² In excess of this, some TNCs like Shell, have expressly value this standard in the definitions of good practice in its organization. According to Kolk, et.al., Oxfam believes that even if there is no clear obligation, the corporations have an ethical and moral duty to respect human betterment in the countries in which they operate. Therefore Monsanto must not

³⁰ *Supra* note 23, p. 206.

³¹ Monsanto: Beyond the Rows, Indian Farmer Suicide - The Bottom Line, March 26, 2009, Accessed April 14, 2011, <<http://www.monsantoblog.com/2009/03/26/indian-farmer-suicide-the-bottom-line/>>

³² Article 5, International Covenant on Economic, Social and Cultural Rights, Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966.

deviate from its liability in conformity with the international normative and ethical standard and how they advance the suicide economy in India, they would not go unpunished.³³

7.0 Role of the Indian Government:

The Government of India has appointed many committees to investigate farmer suicides and to suggest immediate initiatives. These have recommended that all the programmes and institutions that have been set up in the past to help farmers should work properly. Unfortunately, the failure of these schemes is intimately tied to the corruption and bureaucracy which pervades most government programmes.³⁴

The government as mentioned on its part has not instated checks and balances to protect the interests of the farmers. In Maharashtra and Karnataka the state governments declare special relief packages to arrange for fresh capital from banks to improve farm productivity, bring desirable changes in cropping pattern, and to provide financial assistance. 'The governments' approach however in both states has been reformist and welfare oriented, in that they fail to recognize the need for major review of agriculture and policy shifts to accommodate farmers' interest as they compete internationally for remunerative prices and price stability'.³⁵ Nonetheless the study shows that in Andhra Pradesh there are a number of positive measures instituted by state government, including the relief package for families of farmers who have committed suicide; Help Lines for farmers in distress; the moratorium on loans to give farmers some breathing space; the effort to increase institutional credit; a new seed bill to improve regulation of private seed supply, and so on those have certainly alleviated the worst effects of the crisis for the farmers.³⁶ The agrarian crisis is so abysmal and extensive in nature, that in spite these positive measures, the conditions of farmers remain precarious.

³³ A. R. Kolk, Van Tulder and C. Welters, *International Codes of Conduct and Corporate Social Responsibility: Can Transnational Corporations Regulate Themselves?*, *Transnational Corporations*, Vol. 8, No 1, pp. 143-180, at p. 154.

³⁴ M. Harper, *Enterprise Development and Microfinance*, *Enterprise Development and Microfinance*, Vol 22, No 1, March 2011, pp. 11-16, at p.14.

³⁵ *Supra* note 7, p. 9.

³⁶ *Supra* note 2, p. 5.

The role of state is one of double stand while local state joined hands to the big landlords and MNCs, Cargill, Monsanto, and Syngenta. Local level relationship between state and society becomes exploitative before and after the crisis. The Karnataka government introduced an amendment to the land reforms that would allow anybody to purchase any amount of land in the name of public interest (even though this has gone against the farmers, who have lost thousands of acres to the big companies) and corridor projects including multinationals importing new bio-technology.³⁷ Not surprisingly the government conjointly used to underplay the cases of farmer deaths. The Indian mainstream national media also tended to ignore the massive suicide vicious cycle owing to the corporate exploitation by multinational agribusinesses. In the state of Maharashtra, of which Mumbai is the administrative capital, there has been 40,666 farmers' suicide since 1995 with very little media attention.³⁸

8.0 Bangladesh's Position in GM Crops:

In regard to Bangladesh, scientists at the Bangladesh Agricultural Research Institute (BARI) and Bangladesh Rice Research Institute (BRRI) are conducting glasshouse and field trials of genetically modified (GM) varieties of eggplants, potatoes and vitamin-A enriched Golden Rice developed in collaboration with foreign universities and research institutes. The government of Bangladesh is also in favor of GM adoption to combat the chronic food deficit problem. Agriculture Minister Ms Matia Chowdhury has been quoted as saying the government will not be conservative regarding GM crops, rather it will be adopted as soon as it is found useful for meeting food security and proven not to be hazardous to the environment and health.³⁹

On the other hand many scientists agree that these foods or crops should not be classified as food at all, as they are liable to cause various health problems affecting the liver and kidney and hence unfit for human consumption.⁴⁰ Environmental activists oppose the move, however, arguing that genetically modified crops would not be safe for human consumption or the environment.⁴¹

³⁷ Muzaffar Assadi, *Farmers' Suicides: Signs of Distress in the Rural Economy*, Economic and Political Weekly, 1998, Vol 33, No 14, pp.1562-1571, at p. 1566.

³⁸ *Supra* note 18.

³⁹ International Service for the Acquisition of Agri-biotech Applications, *Bangladesh Sets Sights on GM Crops*, Accessed 30 December 2012 <<http://www.isaaa.org/kc/cropbiotechupdate/article/default.asp?ID=5345>>

⁴⁰ *Ibid.*

⁴¹ Check Biotech, *Bangladesh trials GM crops*, Accessed 30 December 2012 <http://greenbio.checkbiotech.org/news/bangladesh_trials_gm_crops>

The government has taken some initiatives in support of GM organism research, which includes the formation of a Biotechnology Department in all institutes and the formation of the apex body, the National Task Force Committee on Biotechnology of Bangladesh under the chairpersonship of the Prime Minister. Besides, Government should be proactive sooner or later to enact bio-safety policy guidelines⁴² and laws on related aspects of biotechnology issues such as agriculture, medicine, food, import, trade, environment, etc to preclude any nature of human crisis that took place in India.

8.0 Concluding Remarks:

The supra-national regimes and neo-liberal paradigm have seriously intervened national policy formulation that was traditionally efficient to the developing countries to undertake their development objectives in the best interest of their own people. This combination of corporate feudalism, local capitalism, and the bureaucratic and technocratic systems of the state are the primary indicators to make the poor farmers subordinate and indigent to the corporate entities. For example third world agricultural economies have been slotted into the slots of world economy controlled and managed primarily for the benefit of developed countries after the innovation of trade liberalization policies. Corporations and government officials motivated the farmers to apply hybrid cotton seed that these were 'magic seeds' - with better crops that would be free from parasites and insects. But inevitably the liberal rules trade in agriculture are essentially rules for dumping and they have allowed an increase in agribusiness subsidies while preventing countries from protecting their farmers from the dumping of artificially cheap production. The consequences of such modified crop system bring human rights violation and social insecurity among the population living on agriculture.

As stated earlier, when India started to articulate the discursive agenda of neo-classical reforms, it generates diminishing production of food grains because of reduction of input subsidies, low capital formation in agriculture, and less public investment in agricultural research and extension and irrigation, along with declining growth rate of agriculture which would ultimately lead to actual erosion in the real incomes of farmers.

The commercialization of agriculture in India and human rights crisis of the farmers and their suicide economy trends are serious human rights issues that seek high attention nationally and globally. Indian government should uphold its human rights obligations by implementing effective preventive and compensation

⁴² KM Nasiruddin, Development of Agribiotechnology and Biosafety Regulations used to Assess Safety of Genetically Modified Crops in Bangladesh, journal Of AOAC International, 2007, Vol 90, No 5, pp.1508-1512.

programs, undertaking necessary structural reforms, gathering more information on the suicide crisis and agrarian disaster, and regulating the activity of agribusiness firms. Agribusinesses must also, as a baseline, respect human rights by ensuring that their products and services do not infringe on the human rights of Indian farmers. The state courts have directed the government to investigate the circumstances to the farmers committing suicide and come up with a comprehensive action plan to create insurance safety net for the cultivators and their families. But these would not be enough to protect the marginal peasants' human rights from the potential violence of the multinational corporations. 'The essential condition is the need for policy shift from the mindless neo-liberal market centred reforms to building of economic and social support systems to make small-marginal farming viable and to ensure these farmers against exposure to distress due to vagaries of domestic and global market forces'.⁴³

An expansive strategic mechanism for the transformation of agriculture in the rural areas, by prioritizing natural farming that necessitates state intervention in public investment on agriculture, can enhance a sustainable market led agricultural growth in the economically dependent countries on agriculture including India. However Government of India claims that farmer suicides in result of agrarian reasons in Maharashtra and Andhra Pradesh have come down drastically in 2012.⁴⁴ Minister of State for Agriculture Tariq Anwar said in a written reply to the Rajya Sabha that the number of farmers' suicides due to agricultural reasons stood at 668 in 2011 and 785 in 2010 in these two states.⁴⁵ But media and civil society reject this claim and admit that serious agrarian crisis needs a long term solution for decreasing burden on farmers. The Government has to promote sustainable agriculture that will reduce costs of cultivation for farmers and reduce risks through diversity-based, agro-ecological approaches.⁴⁶ Last but not the least, the government needs to intervene directly wherever human rights violations of the farmers occur and it must be ardent in putting their rights at the center of its agricultural policies. The government also should focus on increasing investment in agriculture as well as raising minimum support price of crops to increase farmers' income.

⁴³ D. Narsimha Reddy, Economic Reforms, Agrarian Crisis and Rural Distress, Prof. B. Janaradhan Rao Memorial Lecture, Department of Public Administration and Human Resource Management Kakatiya University, Andhra Pradesh, 27 February 2006, p. 29.

⁴⁴ Leah Boromeo, New Statesman, 27 November, 2012, Accessed 1 December 2012<<http://www.newstatesman.com/world-affairs/2012/11/why-are-indian-farmers-committing-suicide-over-their-debts>>

⁴⁵ ZeeNews, Farmers' suicide cases down sharply in AP, Maharashtra in 2012, 29 December, 2012, Accessed 30 December, 2012< http://zeenews.india.com/news/nation/farmers-suicide-cases-down-sharply-in-ap-maha-in-2012_812395.html>

⁴⁶ GM Watch, Indian government fixing farm suicide figures, Accessed 30 December, 2012< <http://www.gmwatch.org/component/content/article/13522>>