

ASEAN FOOD & WATER CHARTER

by



**Southeast Asian Council for Food Security and
Fair Trade (SEACON)**

A regional research & advocacy network of 7 countries that works on issues related to food security, agriculture & fair trade in general and specifically monitors the effects of trade liberalization policies on small scale food producers in ASEAN.

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AN URGENT CALL FOR AN ASEAN FOOD and WATER CHARTER

(Food and Water - A Matter of Rights)

SEACON is a regional network of national based people centered councils integrating local initiatives of agrarian reform and agricultural development with trade concerns at the Southeast Asian level. The establishment of the national based people centered councils is to ensure that whatever analysis/positions taken on at the regional level would have the secure backing from the grassroots and vice versa.

ASEAN has been in existence since 1967. However, it was only over the last 12 years that Southeast Asian (SEA) markets have been increasingly integrated with the dismantling of trade barriers through regional (e.g. ASEAN Free Trade Area), multilateral (General Agreement on Trade and Tariffs – World Trade Organization) and bilateral trade agreements.

The centerpiece of ASEAN economic cooperation and integration is ASEAN Free Trade Area, which calls for reduction and elimination of trade and non-trade barriers among Southeast Asian countries. While the ASEAN Free Trade Area (AFTA) and other trade liberalization measures may have brought more trade and investments in the region but the majority of small producers in Southeast Asia have remained poor and uncompetitive and their access to food and water is in jeopardy.

Food and water are fundamental elements that all human beings must have access to in order to live. *Access to safe and nutritious food and water is our human right.*¹ Peoples and governments acknowledged this human right through various international laws, treaties and instruments. As such, it is the obligation of states

1 The United Nations General Comment 12 clarifies the rights related to food in the International Covenant on Economic Social and Cultural Rights (ICESCRs):
“The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement.” (paragraph 6)

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to ensure that there is enough food and water for all, regardless of ethnicity/race, gender or religion.

The adoption of the Universal Declaration of Human Rights in 1948 obligated nation-states to recognize the unassailable right of everyone to a standard of living adequate for health and well-being, including food (Article 25.1). The rights expressed in Article 25 were developed further in subsequent international covenants and declarations. Both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) declare that “*in no case may a people be deprived of its own means of subsistence*” (Article 2). The ICESCR further states the “*right of everyone to an adequate standard of living for himself [herself] and his [her] family, including adequate food, clothing and housing and to the continuous improvement of living conditions*” (Article 11.1). In Article 11.2, the covenant directs signatory states/governments to “*recognize the fundamental right of everyone to be free from hunger*” and that they should “*take, individually and through international cooperation, the measures, including specific programmes, which are needed to improve methods of production, conservation and distribution of food ... tak[e] into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.*”

In spite the international affirmation of the right to food and water, the poor in the

The right to adequate food imposes three types or levels of obligations on States parties: the obligations to respect, to protect and to fulfill (paragraph 15):

Respect: The state must recognize that all human beings have the right to adequate food, and therefore are entitled to have access to it. In respecting this right the ruling body of the state will not in any way prevent a person from obtaining the food he/she needs.

Protect: The ruling body of the state has to not only make sure that they themselves do not interfere with or prohibit a person's access to adequate food, but must also protect their population from access prohibition implemented by another party.

Fulfill: In order to fulfill the food needs of the population the state must both *facilitate* and *provide* for the people. Facilitation and provision are the long and short-term solutions to food shortages and malnutrition. To *facilitate*, the government must begin to implement programs that will lead to food security. To establish food security, the state must ensure that people have the means to be self-sufficient. This can include educating people on the most efficient use of resources, reform and/or redistribution of arable land (land fit to be cultivated), or employment to give people the monetary means to purchase food. Through facilitation the state is making sure that food is accessible through a variety of avenues that still allow independence and choice in food selection and procurement. The obligation to *provide* should be reserved for emergency situations when all other options have been exhausted. In this case the government will give people food directly. Similar obligations are stated in General Comment 15 in relation to the right to water.

least developed and developing countries, especially those in agricultural and fisheries sectors, constantly face the paradox of hunger in the midst of bounty.

Economic Reality: Poverty Still Abound in Southeast Asia

Economic cooperation and integration of ASEAN economies have lead to modest growth rates during the past two decades (except in 1997-1998). In comparison to other ASEAN countries, Malaysia, Singapore, Thailand and Vietnam posted better rates of economic growth from 1990-1995 but some new ASEAN members, notably Vietnam, Myanmar and Laos had better economic performance in 1996-2002 period (ASEAN economic indicators).

Rate of Economic (GDP at Constant Price) Growth, 1996-2002

<i>Country</i>	<i>1996-2002</i>	<i>1980-1990</i>	<i>1990-1995</i>
Brunei Darussalam	1.8	-	-
Cambodia	-	-	5.8
Indonesia	0.5	5.4	7.8
Lao PDR	5.9	5.6	6.4
Malaysia	3.0	6.0	9.5
Myanmar (Burma)	9.2	1.3	5.7
Philippines	3.5	1.7	2.2
Singapore	3.8	7.3	9.1
Thailand	0.6	7.9	8.6
Vietnam	6.6	5.9	8.2
ASEAN	-	5.1	7.4

Source: ASEAN Statistical Yearbook, 2003

Economic development, however, has remained unequal within and across ASEAN countries having variable levels of capacities to respond to globalization and changes. Poverty, hunger and inequality brought about by industrial policies, dominance of agribusiness and disasters is prevalent in Southeast Asia, particularly affecting the population in the rural areas where there livelihood is derived from subsistence agriculture.

Latest poverty figures show that 40 percent (1999) of population in rural areas in Cambodia is below the poverty line, 54 percent in the Philippines and 45 percent in

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Vietnam. The magnitude of poverty among SEA Countries especially in Lao PDR, Indonesia, Philippines, and Vietnam is high. Many are subsisting on less than \$2 a day. The 1997 financial crisis had adversely affected the economies of most ASEAN countries. As a result, there had been an increase in poverty incidence in the Philippines, Indonesia and Thailand, which had declined over the last ten years (*ASEAN Statistical Yearbook, 2003*).

In Malaysia, a highly developing country, the percentage of the rural population below the national poverty more than doubled from only 6.1 percent in 1997 to 13.2 percent in 1999. In Thailand, the ratio of the rural population below the national poverty also increased from 13.1 percent in 1993 to 17.2 percent in 2000. Although the rural poverty incidence in Vietnam is still high, it has made a great headway in reducing the number of population below the poverty line from 57% (1993) to 45% (1998).

Latest statistics show that the poverty incidence is high among families dependent on farming, fishery and forestry. The results of a SEACON-Food Security and Fair Trade survey (2004) of small scale producers in Indonesia, Malaysia, Philippines, Indonesia, Thailand and Vietnam affirm that low incomes abound among small ASEAN producers and their households, with majority reporting just earning \$50 and below per month except in Malaysia. National poverty statistics in Cambodia, Laos and Myanmar show the same trend.

ASEAN Farmers: Respondents' Net Income per Month (in %) – (2004)

Category	Indonesia	Malaysia	Philippines	Thailand	Vietnam
Less than USD 25	18.0		51.0	28.4	43.8
USD 26 - 50	44.6	4.8	21.7	22.0	21.7
USD 51 - 100	21.9	36.7	17.4	20.8	20.9
USD 101 - 150	8.6	27.2	6.7	10.4	9.8
USD 151 - 200	5.2	10.9	2.4	6.0	1.7
> USD 200	1.7	20.4	0.8	12.4	2.1
TOTAL	100.00	100.0	100.0	100.0	100.00

Some of the key factors causing and perpetuating rural poverty In Southeast Asia are:

- Lack of/limited access and control to productive assets/resources especially land, water, seeds and capital
- Lack of employment opportunities

- High production expenses, especially inputs
- Inadequate social and physical agricultural infrastructure
- Adverse impact of economic and agricultural globalization, resulting in falling commodity prices
- Inadequate and unequal provisioning of social/public services; and
- Lack of participation of the poor in decision-making processes

Southeast Asian small-scale producers² are trying to survive in a very harsh environment where government support is lacking. In Indonesia, 86.3 percent of respondents said that government support for small-scale farmers had been inadequate, 89.3 percent in the Philippines and 95.6 percent in Thailand. Farmers in Malaysia and Vietnam believe that their governments' support have been largely adequate (61.9 percent of respondents in Malaysia and 83.8 percent in Vietnam). Much-needed support for agriculture and small producers are not put in place due to biases against traditional agriculture and small-scale producers, budgetary constraints, inefficiencies in governance, among others.

This situation is aggravated by the fact that small-scale producers in the region generally have weak political and economic influence in decision-making processes. While the small-scale producers (farmers, fisher folks) comprise the majority of the population in Southeast Asian countries, they are not an influential sector in the SEA society. This is because they are largely unorganized and under-represented in economic and policy-making processes in their respective countries.

Already reeling from the negative impact of domestic policies, ASEAN small-scale producers have to contend with stiffer competition even in their home markets because of trade liberalization and dumping. Furthermore water is becoming commodified, the increased use of biotechnology and the dominance of the transnational companies are increasing in the region.

Trade liberalization has changed and continues to change the dynamics of the economic market (at the local, national, regional or global level). It is imposing new demands and pressures on producers, big and small, but more so on the small-scale producers. Today, agricultural production is getting more concentrated on a few big producers, processors and distributors of food of one other agricultural

2 Small-scale producers refer to owner-cultivators with small landholdings, landless tenants, subsistence and artisanal fisherfolks, indigenous peoples, agricultural workers, home-based and informal workers and producers.

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products. The prospects of small-scale producers in Southeast Asia taking advantage of export opportunities is nil given the fact that their production is small, high production costs, limited capital to improve their productivity and market their products.

Therefore the benefits of increased trade in the region are captured not by small-scale producers who have largely remained poor but the few processors and traders-middlemen.

Therefore, we assert that the globalization of the market brought about by trade liberalization (through AFTA, WTO and other mechanisms of globalization), national neo-liberal policies are destroying food security and sovereignty, local food production, local livelihoods and culture in the region. Most affected in Southeast Asia are the small-scale men and women producers.

SEACON's Demand: Food and Water – are Human Rights

Food and water are fundamental to life. It is more than a commodity. Food and water are basic human rights. Economic cooperation and integration must be pursued based on principles of sustainable development, equity, inclusion and empowerment. The pursuit of ASEAN economic development shall not be at the expense of labor, environment and human rights standards.

ASEAN governments should ensure the food and water rights of the ASEAN peoples be incorporated and embodied in an ASEAN Food and Water Charter.

The ASEAN Food and Water Charter must adhere to the following principles.

- *Economic regionalism is founded on citizens' rights:* food, access to livelihood and water are basic human rights.
- *Economic regionalism promotes economic justice:* every citizen in Southeast Asia should have access to an adequate supply of nutritious, safe, affordable and culturally acceptable food/water.
- *Economic regionalism promotes solidarity:* people to people exchange must be prioritized in economic integration.

Based on these principles, we urge that ASEAN governments thoroughly review, develop and put in place through participatory processes, a people-centered, pro-

poor development plan. Towards this end, ASEAN governments must integrate a strong social protection element in economic development that is founded on redistribution justice, poverty eradication and growth based on equity and non-discrimination.

ASEAN governments should:

- a. Respect, protect and defend the rights of our citizens to adequate amounts of affordable, safe, nutritious and culturally acceptable food;
- b. Respect, protect and defend the rights of our citizens to adequate amounts of affordable and safe water
- c. Develop appropriate policies and programs for sustainable livelihoods and employment that enable people to have access to food and water.
- d. Ensure values of food sovereignty and land reform in protecting the rights of farmers and fisher folks over productive resources in agriculture and fishery such as land, boats, water, seeds, technology and capital.
- e. Adopt and implement a sustainable food, water and agriculture system at the local and national levels. (i) This system should provide sufficient, safe and nutritious food at a reasonable cost to the whole population while respectful of cultural preferences; (ii) provides sufficient income to small-scale producers and their families so that they could have a decent and healthy lives; (iii) provides sufficient quantities to ensure national self-sufficiency as a guarantee against outside pressures or manipulation, and (iv) a system which is ecologically sustainable and environment-enhancing.
- f. Institutionalize democratic participation of both men and women small-scale producers and consumers in key policy and decision-making processes that affect them.
- g. Effectively regulate the market to ensure equitable ownership and access to resources are not concentrated on the hands a few.
- h. Provide sufficient and well-functioning public support services, safety nets and social protection measures to small-scale producers.
- i. Institutionalize disaster management and rehabilitation mechanisms.

What Can We As Civil Society Do?

- a. We will regularly document, analyze and publicize the impact of AFTA, WTO and other trade liberalization measures on food security and sovereignty and the lives of people, especially the small-scale food producers.
- b. We will actively dialogue and lobby our governments so that they are aware of the conditions of the poor
- c. We will strive to show that alternatives to a free market economy and corporate agriculture can work and actively fight for their acceptance and implementation.
- d. We will continue supporting efforts of vulnerable groups to assert their rights, especially their rights to food and water.
- e. We will help strengthen small-scale producers-consumers' links to ensure producers obtain fair value and sustainable income from agriculture production.
- f. We will actively promote and support ecological agriculture and sustainably produced food
- g. We will actively promote sustainable consumption by encouraging more consumers to eat locally-grown food
- h. We will continue studying and promoting fair and equitable trade for small-scale producers especially at local, national and regional level.
- i. Broaden civil society cooperation with ASEAN governments to ensure the delivery of infrastructure and other public support services that reach actual target group.
- j. Ensure that we are accountable and transparent to our key constituents.

In particular, we continue to advocate for the following:

- a) Small-scale producers' (men and women) effective participation in policy-making processes particularly in those issues affecting them
- b) Enactment of policies that strengthen the role of people and community's access in agriculture and trade and ownership to markets and productive resources

- c) Ensuring transparency and accountability of key agencies involved in agriculture and trade
- d) Assert and strengthen the rights of marginalized and vulnerable groups and sectors
- e) Advocating for adequate social insurance schemes and other safety nets that mitigate economic vulnerability of marginalized groups
- f) Advocating the donor community to attune their support based on national strategy and plans devised through participatory processes that include key stakeholders especially in agricultural trade concerns
- g) Advocate for responsive institutions that promote social and human capital.

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Southeast Asian Council for Food Security and Fair Trade (SEACON)

No. 24, Jalan SS1/22A, 47300 Petaling Jaya, Selangor, Malaysia.

Tel : (6) 03-7876 0520 Fax : (6) 03-7873 0636

Email : seacon@tm.net.my / seaconfood@yahoo.com

Website : www.seacouncil.org