

27 November 2020

Distinguished Representatives,

Our organizations are writing to your government to express our concern over FAO's recently [announced](#) "letter of intent" to formalize a partnership agreement with CropLife International. This has caused much consternation among a wide range of groups. Last week over 350 civil society organizations from more than 60 countries [submitted a letter](#) to FAO opposing the agreement (attached). A separate letter from some 300 concerned [scientists and academics](#) followed soon after. The International Planning Committee for Food Sovereignty (IPC), a global platform of organizations representing millions of small-scale food producers, also sent a [letter to the FAO Director General](#) expressing their concerns about the partnership.

**We consider that the partnership agreement is incompatible with FAO's mandate.**

Firstly, as a specialized agency of the United Nations, **FAO is bound by the UN Charter and therefore to the international human rights framework** (Arts. 57 and 103 of the UN Charter). CropLife is a trade association representing the interests of corporations which produce and promote dangerous pesticides, which harm the rights of peasants, pastoralists, small-scale fishers, indigenous peoples, agricultural workers, food consumers and others. A formal partnership between the FAO and CropLife increases the probabilities of nullifying and undermining the enjoyment of several human rights, especially the human rights to the highest attainable standard of health, adequate food, healthy environment, water, the rights of women, children, indigenous peoples and peasants and other people working in rural areas, including agricultural workers, inter alia.

Secondly, **the partnership undermines the centrality that the FAO shall give to small-scale food producers and to workers throughout food systems**, and puts the institution on the side of powerful corporations. This contradicts the FAO basic documents. According to its [constitution](#), FAO is mandated to "bettering the condition of rural populations", "raising levels of nutrition and standards of living of the peoples" as well as to conserve natural resources, among other aspects. Small-scale food producers are the ones who are feeding the world, while at the same time being among those most affected by hunger and malnutrition. Therefore their protection should be at the core of any action or agreement of FAO.

The UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) clearly lays out that Peasants and other people working in rural areas have the right not to use or to be exposed to hazardous substances or toxic chemicals, including agrochemicals or agricultural or industrial pollutants (Article 14.2). It also establishes that States shall take all measures necessary to ensure an appropriate national system or any other system approved by the competent authority establishing specific criteria for the importation, classification, packaging, distribution, labelling and use of chemicals used in agriculture, and for their prohibition or restriction (Article 14.4 b). Article 27 of UNDROP stipulates that UN Specialized agencies "shall contribute to the full realization of the (...) Declaration" and "shall promote respect for and the full application of the (...) Declaration and follow up on its effectiveness". Despite FAO relevantly supported the adoption of UNDROP in the Human Rights Council the mentioned agreement would fully contradict it, affecting the coherence and integrity of the organization and moreover its duty to contribute to its effective implementation.

Thirdly, **FAO is a public institution which must serve public interest**. It is crucial that this role is not be affected by commitments or partnerships that put the organization under Conflicts of Interest (CoI). Cooperation with the private sector must follow clear rules, allow for transparency and impartiality, and

establish clear accountability mechanisms, instead of serving to the interest of the private sector. However, agreements such as the one with CropLife put the organization on the side of corporate actors. This clearly undermines the principles that shall safeguard the UN, as stated in para. 9 of the [document](#) of the Constitutional and Legal Committee commenting on the principles that shall guide the adoption of the new Strategy for Engagement with the Private Sector (PSES). In fact, the same document reaffirms that “The UN will not engage with Business Sector entities, a. Which contribute to or are otherwise complicit in human rights abuses.”

Furthermore, our organizations are gravely concerned that the partnership will allow undue influence of corporate actors in FAO, giving them preferential access at multiple levels, especially in the absence of effective safeguards to prevent conflicts of interest. In this sense, we are particularly concerned that FAO appears to be willing to provide CropLife companies with introductions and access to national actors and markets, through its network of country offices which will likely enable CropLife to promote their member companies’ products to LMICs in particular, where Members of CropLife seek to expand their markets, taking advantage of weak controls on registration and commercialization of pesticides and therefore causing even greater harm to human health and the environment.

In the particular case of CropLife, we would like to point out to some troubling findings about ties between FAO’s senior management, influential diplomats and CropLife member companies. For example:

- US agribusiness executive, Kip Tom, was appointed to serve as US Ambassador to the FAO in April 2019. According to AgFunder [reporting](#) in 2018, “Under his leadership, Tom Farms became the largest contract seed producer for DuPont Pioneer, and is currently one of Monsanto’s largest seed producers running an operation of nearly 20,000 acres”;
- In 2020, less than a year after Kip Tom’s appointment as US Ambassador to FAO, Beth Bechdol was [appointed](#) to the position of Deputy Director General and put in charge of “FAO’s Partnership and Outreach work”. It appears that the relationship between Bechdol and Tom stretches back to their shared agribusiness interests in their home state of Indiana (United States). In 2015, Tom [joined](#) the Executive Steering Committee of Bechdol’s company, AgriNovus. A champion of the proposed FAO-CropLife partnership, Bechdol herself has a [history](#) of close financial ties with CropLife member Corteva and the president of Corteva’s “crop protection business platform” currently sits on the [Board](#) of AgriNovus.

In conclusion, any strategic partnership with businesses as CropLife International, beyond its reputational impact, is clearly contradictory to FAO’s mandate and institutional values while also undermining global efforts to achieve sustainable food systems.

#### **Our organizations urge the state that you represent to:**

1. Take up these concerns directly with the FAO Director General and demand him to put human rights and the public interest first and protect the FAO against conflicts of interest and undue influence of the private sector and therefore **abandon his plans to formalize the proposed partnership with CropLife;**
2. **Bring FAO’s problematic proposed partnership with CropLife to the attention of the FAO Council, in the context of the Council’s meeting next week to review the new *Private Sector Engagement Strategy (PSES)*.** Before making any decision on the PSES, the Council should fully investigate the proposed CropLife partnership, determine who initiated it, how and by whom it was reviewed and approved, and consider the potential for conflicts of interest among FAO senior

management and diplomats with ties to these corporations. In reviewing the new PSES, which will be presented to the Council by DDG Bechdol, the Council should consider whether the proposed new “strategy” will adequately safeguard FAO from entering into similarly inadvisable partnerships and from undue corporate sector influence over the agency’s policies, standards-setting processes and programs;

- 3. Participate in the discussions on a revised PSES in a way that guarantees the development of an integrated policy to implement effective safeguards to prevent conflicts of interest (including cooperation with private sector, but also academia etc.). Such policy needs to include clear rules on safeguarding against Col, as well as accountability mechanisms with liability consequences for cases of Col.**

**The new strategy shall not increase the opportunities for corporate interference at the cost of the respect and protection of human rights and the public interest but preserve the public nature of the organization and its duty to improve the situation of rural populations.**

We remain at your disposal should any additional background information be required and would appreciate being kept informed on any action that you may take with respect to this important issue.

Best regards,

Sofía Monsalve, Secretary General, FIAN International

Stefano Prato, Managing Director, Society for International Development (SID)

Judith Hitchmann, President, Urgenci International Network