

Recommendations

Having shown how the discussion about highly hazardous pesticides emerged as a new regulatory category within the international arena and having documented how the use of these pesticides is widespread in extensive regions of Mexico, with its corresponding environmental and health consequences, the authors of this document have agreed to set forth the following recommendations to the competent federal and state authorities, as well as the peasant and indigenous organizations, and organizations of rural producers and agricultural workers:

- 1) To change the pesticide management policy in Mexico in order to focus on the promotion, respect, protection and assurance of the right to health, a healthy environment, and sufficient and appropriate nutrition; that fosters the creation of a sustainable food system; as well as complies with the constitutional obligation of protecting human rights, in accordance with the principles of universality, interdependence, indivisibility and progressiveness. This requires a change in the regulatory framework and policies that will enable the achievement of more extensive human rights protection, strengthening prevention and reparation for the damage caused to the populations that have suffered exposure, including agricultural workers, communities and consumers.

For this purpose, it is necessary to incorporate the recommendations made by the Special Rapporteur on the Right to Food at the United Nation's General Assembly's Human Rights Council in its 34th regular session, included in Annex III of this book. It is necessary, in particular, to strengthen access to justice in health, environmental, labor and human rights matters related to pesticide use with participation from civil society groups interested in ending impunity and promoting effective protection of the rights involved. Attention must also be placed on the recommendations of the United Nations' Committee on the Rights of the Child, issued on June 5, 2015, for the Mexican State to ban the importation and use of any pesticide that has been banned or restricted for use in the exporting country.

- 2) To develop a *National Plan for Reduction and Phasing-Out of Highly Hazardous Pesticides and Support for Agroecological Alternatives*. This plan must include reduction goals that can be evaluated and monitored at a local and state level in specific territories, establish a ban on the most hazardous pesticides, particularly those banned in other countries, promote agroecological alternatives in order to strengthen the domestic market, reduce Mexico's dependence on food from other countries, and contribute toward

the recovery of food sovereignty.

Such a plan must be developed in a transparent and participatory manner in order to ensure that it aims toward the common good, rather than private interests. The Interdepartmental Commission for Control over the Processing and Use of Pesticides, Fertilizers and Toxic Substances (Comisión Intersecretarial para el Control del Proceso y Uso de Pesticidas, Fertilizantes y Sustancias Tóxicas/CICOPLAFEST) would participate in this process in coordination with an interdisciplinary collegiate group of academic specialists, agricultural research centers, non-governmental organizations without conflicts of interest with industry, together with organizations of peasants, indigenous communities, private producers and agricultural workers. The first tasks that we recommend are as follows:

- ◇ To identify highly hazardous pesticides currently authorized in Mexico, based on the criteria developed by FAO-WHO, in addition to the pesticides proposed by the Pesticide Action Network-International (PAN-International), as well as those banned in other countries. Information derived from this task must be made available to the public. The Annexes to this report may be consulted for this purpose.
- ◇ To carry out the necessary legislative changes in order to have a procedure that may allow for an expeditious revocation of the authorization granted highly hazardous pesticides in Mexico, prioritizing those chemicals that are used to control pests, undesired plants, diseases and vectors that have been banned in other countries as well as those replaceable by less hazardous alternatives (biochemical, microbial, botanical alternatives or alternatives coming from chemical synthesis).
- ◇ To ban aerial pesticide spraying, particularly highly hazardous pesticides, of crops close to populations and/or vulnerable ecosystems. It is a top priority to ban the presence of “flagmen” during these operations.
- ◇ To exclude highly hazardous pesticides from government programs supporting agricultural production and phytosanitary control programs promoted by the Department of the Environment (SAGARPA by its acronym in Spanish) and the National Agro-Alimentary Health, Safety and Quality Service (SENASICA by its acronym in Spanish).
- ◇ To strengthen public access to information regarding pesticide use and monitoring, complying and extending current regulation so that it includes:
 - ensuring the public’s right to know how much, where and what pesticides are applied in all their different applications. Article 41 of the Federal Plant Health Act authorizes SAGARPA, the Department of Agriculture, to request the farm owners’ records with

information about pesticide use, including application volumes, crops, regions, pests, weeds, and diseases for which each product was applied, so that the authorities may make use of this information.¹

- improving the registration of acute intoxications, including one for chronic diseases associated with the exposure to pesticides in order to thus reinforce the epidemiological surveillance by the Department of Health.
- carrying out ongoing monitoring of the presence of pesticide residues in food for domestic consumption (basic grains, fruit and vegetables) by both the National Agro-Alimentary Health, Safety and Quality Service (SENASICA by its acronym in English) and the Mexican Department of Health (Secretaría de Salud).
- monitoring pesticide residues in the atmosphere, particularly highly hazardous pesticides, complying with competent legislation and eliminating loopholes in regulations. The aforementioned must be linked to an evaluation of control measures, prioritizing phase-out of highly hazardous pesticides in water, soil, atmosphere and their effects on species, ecosystems and pollinators.

These measures would allow for a territorial and seasonal diagnosis of the use of highly hazardous pesticides that would make it possible to establish goals to reduce their use on specific crops and territories, thus guiding the programs that support agro-ecological alternatives. In a similar manner, this would allow for greater public visibility of the problem and an improved multidisciplinary analysis aimed to identify whether there is an unequal impact on the poorest and most vulnerable populations. All this would help establish priority measures to reduce and substitute highly hazardous pesticides, applying the precautionary principle wherever there is scientific evidence of damage, even if it is not conclusive.

- ◇ To develop a national program to promote agroecological alternatives for pest, weed and disease control with support from the National Council of Science and Technology (Consejo Nacional de Ciencia y Tecnología /CONACYT), the Department of Agriculture (SEMARNAT), and the Department of the Environment (SAGARPA). This program would strengthen the work carried out by agricultural research institutions, and should be open to collaboration with professional associations and farming organizations with experience in this field, so that research can be

¹ For this recommendation, it would be useful to get to know experiences from other places regarding this issue; for example, the state authorities in California keep a record that allows for an identification of the trends in pesticide use per county.

applied to agricultural production in Mexico, and to face environmental pollution and degradation. It could also contribute to a database emerging from a public consultation process with alternatives to highly hazardous pesticides classified by pests and crops that includes successful agroecological management practices and pesticides that are less hazardous for health and the environment.

- ◇ To provide economic incentives to support agroecological control alternatives and other less hazardous alternatives proposed by agricultural research centers as well as rural organizations. One of the sources of these incentives could come from the measure to expand and label the federal tax on acutely toxic pesticides currently in force. The Department of Finance and Public Credit, in its 2014 fiscal reform established a tax on pesticides with acute toxicity classified by the World Health Organization under categories 1A and 1B, in accordance with the Department of Health's standard NOM 232-SSA1-2009. However, these resources are allocated to the federal income. What is proposed is that the resources earned with these taxes be "earmarked" for a specific program to support measures of greater pesticide control, reduction and substitution by agroecological practices. Given the chronic effects that highly hazardous pesticides have on health and their impact on the environment, another consideration could be to raise the tax and include highly hazardous pesticides, rather than just consider acute toxicity, which is the current practice. This would create an economic incentive to expand the market for products of biological and botanical origin as well as others alternatives to the use of synthetic chemical pesticides.

With the actions we propose, Mexico would be able to contribute to reaching the SAICM goal that by 2020 chemicals be produced and used in a manner that significantly reduces the adverse effects upon health and the environment. To the same effect, Mexico would comply with the resolution about highly hazardous pesticides approved by the Fourth International Conference on Chemicals Management, which recommended prioritizing agroecological alternatives.

Similarly, the proposed measures would support the attainment of number two of the 2015-2030 Sustainable Development Objectives, in particular, to achieve food production system sustainability, and apply resilient agricultural practices that increase productivity and production, contribute to the maintenance of ecosystems, strengthen the capacity to adapt to climate change, and progressively improve land and soil quality.