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editorial

beyond land - territory and food sovereignty

Land has always been a highly contested good. Control over land and related resources reflect the power relations in a country/region, and are an indicator of existing social injustices. At the same time, these resources are central to the rights, livelihoods and identity of small-scale food producers, and they have been at the heart of the food sovereignty movement from its beginning.

This issue of the Nyéléni Newsletter is the second edition this year dedicated to the theme of land. In a historical review, we look at how land-related struggles have evolved over the past decades, starting with demands for agrarian reform to a more comprehensive framing, which asserts people's and communities' close and multi-faceted relationships to their territories.

Despite persistent challenges to people's struggle for land, this issue celebrates important victories and features the ingeniousness of communities around the world to assert their rights and manage their territories. Social organizations are finding ways to include emerging issues such as the challenges of climate change and digital technologies into their struggles. In the light of aggressive digitalization, financialization and authoritarianism, as well as an increasing overlapping of agrarian and ecological questions, we point out the need for movements to revive and refocus their strategies.

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who we are

In the last years hundreds of organisations and movements have been engaged in struggles, activities, and various kinds of work to defend and promote the right of people to Food Sovereignty around the world. Many of these organisations were present in the *International Nyéléni Forum 2007* and feel part of a broader **Food Sovereignty Movement**, that considers the Nyéléni 2007 declaration as its political platform. **The Nyéléni Newsletter wants to be the voice of this international movement.**

Organisations involved: AFSA, Brot für die Welt, FIAN, Focus on the Global South, Food First, Friends of the Earth International, GRAIN, Grassroots International, IPC for Food Sovereignty, La Via Campesina, Marcha Mundial de las Mujeres, More and Better Network, Oxfam Solidarity, Real World Radio, The World Forum Of Fish Harvesters & Fish Workers, TNI, VSFJusticiaAlimentaria Global, WhyHunger, World Forum of Fisher People.

**now is time for
food sovereignty!**

From agrarian reform to people's rights to territories: a brief history of people's struggles for natural resources

The struggle for land has been a pillar of the food sovereignty movement since its emergence in the 1990s. At that time, peasant and landless organizations in different regions of the world were mobilizing against extreme land concentration and large farms (sometimes called latifundios), which had often been inherited from colonial times.¹ In 1999, La Via Campesina launched a Global Campaign for Agrarian Reform (GCAR) to push for human rights-based land distribution policies, and to oppose approaches that promoted markets as the best way of allocating land to the most "efficient" users and profitable uses. Rural movements' demands for comprehensive agrarian reform also gained traction internationally, culminating in the final declaration of the International Conference on Agrarian Reform and Rural Development (ICARRD) in 2006².

Towards the end of the 2000s, two important developments changed the framing of land struggles. Firstly, the food sovereignty movement gathered for the *World Forum for Food Sovereignty* in Sélingué (Mali). Different constituencies of small-scale food producers, such as indigenous peoples, pastoralists and artisanal fishers participated in this landmark meeting. These organizations had different histories and concerns than some of the peasant organizations and did not necessarily center their demands on agrarian reform. The notion of "territories" emerged out of the debate as a more holistic framing, capturing the close and multi-faceted relationship that different communities and people have with their natural environment, including farmland, water, fisheries, rangelands and forests. Secondly, the food price and financial crises that started in 2008 triggered a new wave of land grabbing, which also targeted regions that had not seen high levels of land concentration until then (e.g. West Africa). The new land rush sparked fierce resistance of communities and small-scale food producers' organizations in defense of their territories, including their collective and customary tenure systems. In 2011, organizations from around the world gathered again in Sélingué for an International Peasant Conference to Stop Land Grabbing. This marked an important moment for the building of a global movement against land grabbing, which built on demands for agrarian reform but also recognized more strongly the demands of movements and constituencies who were not comfortable with agrarian reform language. In 2016, social movements and their allies came together for an International Conference on Agrarian Reform in Marabá, Brazil, where they endorsed the concept of Popular Agrarian Reform, which was initially developed by La Via Campesina Brazil and which embeds demands for land distribution within broader policies to transform economies and society, specifically including urban working people³.

The global land grab put land back prominently on the international agenda. Among others, it gave further impetus to the Food and Agriculture Organization of the United Nations (FAO)'s initiative to develop an international reference document on the governance of natural resources. The small-scale food producers' organizations gathered in the International Planning Committee for Food Sovereignty (IPC) led the participation of civil

society in the negotiations that took place in the Committee on World Food Security (CFS). The Guidelines on the Responsible Governance of Land, Fisheries and Forests (Tenure Guidelines) were adopted in 2012. Building on the ICARRD, they clarify states' obligations to respect, protect and guarantee all legitimate tenure rights – whether they are legally recognized or not –, prioritizing the most marginalized groups. They contain provisions for the protection of customary tenure systems as well as for restitution and redistribution⁴. The Tenure Guidelines were complemented in 2014 by the Guidelines for Securing Sustainable Small-scale Fisheries, which also emphasize the collective character of many communities' rights⁵.

These international guidelines have provided an opportunity for social organizations to advance their struggles at local, national and regional levels. They have achieved important advances in several countries and have further pushed for an explicit international recognition of the human right to land for rural people. This was finally achieved with the adoption of the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas in 2018⁶, which complements the UN Declaration on the Rights of Indigenous Peoples and the International Labour Organization's Convention no. 169. However, the Tenure Guidelines were also taken up by actors who consider land and related natural resources primarily as a globalized economic and financial asset. In such a framing, "secure land rights" or "security of tenure" means providing exclusive property rights, usually in the form of individual land titles. The International Land Coalition (ILC) is one of the most emblematic manifestations of an approach, which considers land-related "investment" projects as necessary, while acknowledging that negative impacts on local people need to be mitigated. It is under such a framing that land has been included into the 2030 Sustainable Development Agenda and the Sustainable Development Goals (SDGs).

1 - In many countries, organizing against land concentration and demanding land redistribution has been part of social struggles for most of the second half of the 20th century. For instance, many revolutionary movements in Asia, including after decolonization, had land at their center.

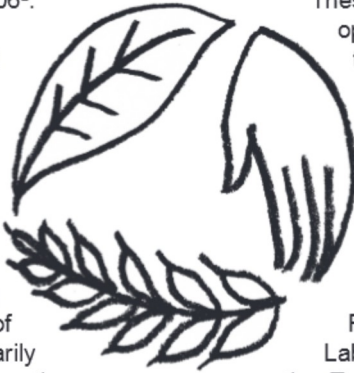
2 - Available here: www.fao.org/3/a-j8160e.pdf.

3 - The final Declaration of this Conference is available here: <https://viacampesina.org/en/international-conference-of-agrarian-reform-declaration-of-maraba/>

4 - The Tenure Guidelines are available here: www.fao.org/3/i2801e/i2801e.pdf. The IPC's Land and Territory Working Group has developed a People's Manual to help grassroots organizations to use this international instrument: www.foodsovereignty.org/wp-content/uploads/2016/06/peoplesmanual.pdf.

5 - Available at www.fao.org/3/a-i4356en.pdf.

6 - Available at <https://undocs.org/en/A/RES/73/165>, see in particular articles 5 and 17.



Land and territories today: new challenges and broader struggles

At the same time as land and natural resources have been put back on the global agenda as key issues, the dispossession of communities and people has reached new heights. Today, social movements' struggles for territories need to respond to a new context that is marked by a number of developments:

• **Financialization:** The financial crisis that started in 2008/09 has made evident the enormous power of finance capitalism and the dispossession and destruction of livelihoods that it causes for communities around the world. Land deals and all kinds of "investment" projects (large-scale agriculture, infrastructure etc.) are managed through opaque investment webs, tax havens and offshore centres. New financial instruments such as derivatives allow for new ways of wealth extraction and speculation by corporate and financial actors. While financialization has come along with new levels of concentration of control over people's territories in the hands of a few powerful actors¹ – for instance, the Singapore-based agribusiness company Olam owns and manages more than 3 million hectares of land and forests around the world – it also challenges traditional claims for agrarian reform, namely the call for distribution of non-utilized land. This is because the value of land as a financial asset is decoupled from its use and land that is not under production is used in other ways to generate financial returns. This also applies to forests and oceans, which have been transformed into assets for different climate change mitigation schemes under the so-called "green" and "blue" economies.

Financialization entails that the effective control over land and other natural resources is increasingly in the hands of financial actors that are not necessarily visible for affected communities and people. These include pension funds, investment funds, banks, insurance companies and asset management companies such as BlackRock, the world's biggest finance firm. Struggles for land and territories therefore need to address also financial justice issues such as stopping tax evasion, closing tax havens and ending illicit financial flows.

• **Digitalization:** Digital technologies play a key role in transforming land, fisheries and forests into globalized assets and are therefore a key element of financialization. Digitalization is promoted by governments, international institutions and the corporate sector as a new "silver bullet" that is supposed to make natural resource governance more efficient and to ensure tenure security for communities. While the food sovereignty movement and small-scale food producers' organizations still need to discuss further to what extent digital technologies can be used in an emancipatory way, it is clear that the corporate-driven digitalization agenda is perpetuating structural inequalities and power imbalances².

• **Rise of authoritarianism and crisis of democracy:** Social movements' and indigenous peoples' struggles are increasingly squeezed between authoritarian, racist and chauvinistic regimes that seek to capture land demands for their own purposes on the one side, and new levels of corporate capture of governance spaces on the other. These developments have led to an alarming level of erosion of human rights and democracy at national and international levels. Consequently, the fundamentals for framing land demands and campaigning have changed. At international level, the rise of corporate power, the inability of UN institutions to provide useful/credible advice in the face of crises, and the rise of right wing authoritarianism has led to a deep crisis of the multilateral system of the UN, which has profound implications for the implementation of the significant achievements mentioned above³.

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1 - For more information see: <https://citizensforfinancialjustice.org/download/spotlight-on-financial-justice-food-and-land>.

2 - For more information, please see the Nyéléni Newsletter No. 37 on "The Digitalization of the Food System." Available at: <https://nyeleni.org/spip.php?article717>.

3 - One example is the Food Systems Summit that is planned for 2021 and whose corporate-driven process has been denounced by more than five hundred organizations from around the world. See www.foodsovereignty.org/theses-most.

box 1

Old story, new threats: digitalization of land in Indonesia

Digital technologies are increasingly being applied to land governance across the globe. Promoters of digitalization claim that it will enhance the efficiency of land administration and provide more tenure security (see Nyéléni Newsletter on Digitalization). Digital satellite imagery, drones, electronic databases and blockchain technology are used to map, demarcate and register land, store land-related data and facilitate land transactions. These technologies are often pushed by big donor-funded projects, which are primarily aimed at consolidating the privatization and commodification of land and attracting corporate investments.

The World Bank-funded Program to Accelerate Indonesia's Agrarian Reform (One Map Project) is a case in point. Approved in 2018, this USD 240 million program focuses on comprehensive mapping of land and forests as well as land registration and issuance of individual land titles. The data and maps are incorporated into digital land registry and cadastre, called e-Land. According to the World Bank, e-Land will provide access to tenure information not only to the public and government agencies, but also to "commercial banks, real estate market facilitators, and land valuers". As such, the project continues the World Bank's policies in Indonesia and elsewhere to foster land markets and create a business-friendly environment.

Peasant organizations such as Serikat Petani Indonesia (SPI) point to the fact that the project does not resolve Indonesia's main land issues, namely, the extreme concentration of land ownership and the lack of protection of customary forest rights. Indigenous and peasant communities are often excluded from the official digital maps. Therefore, SPI and local communities are producing their own maps with the help of digital tools such as GPS in order to challenge the official maps and corporate land claims and assert their rights. Instead of supporting agrarian reform, the project thus has opened a new challenge for communities and social organizations: the battle over digital data.

in the spotlight 2

• **Convergence of agrarian and ecological struggles:** The profound ecological crisis the world is facing today and which manifest most strongly in human-made global warming as well as in the dramatic loss of biological diversity, has major implications for food sovereignty. Agrarian movements and struggles for land and territories need to integrate these issues in a comprehensive way. One manifestation of the relevance of ecological issues is the fact that relevant discussions regarding land have moved away from the “traditional” land governance spaces and are increasingly happening in other fora, such as those related to climate change, biodiversity, land degradation and soils etc.⁴ Even though small-scale food producers’ organizations have partially succeeded in bringing the Tenure Guidelines, the SSF Guidelines and UNDROP into some of the relevant discussions, the framing of land issues remains very narrow. Some of the civil society groups that have been active in the climate and biodiversity spaces, for instance, focus on specific and limited demands such as safeguards to protect indigenous peoples’ rights or formalization of communities’ land rights. Small-scale food producers’ organizations struggling for food sovereignty are not well represented (yet) in these fora, which are dominated by specialized NGOs and their “expert” knowledge. The small-scale food producers’ organizations of the IPC are currently struggling for a broader recognition of rural people’s role as stewards of ecosystems and this requires effective control over their territories.



that

• **Focus on the production model:** Currently, the most intense debates on food are about the necessary transformation of food systems and agroecology. In the light of a deep legitimacy crisis of the agribusiness model, which is all too obviously unsustainable, social movements and CSOs have made important achievements, especially in the CFS⁵ and FAO⁶. Land and territories are central to these debates, but they are rarely prominently discussed in this context. In addition, despite the legitimacy crisis of agribusiness, there is little real change so far. Agribusiness has put forward Climate Smart Agriculture and the use of new (biological and digital) technologies as false solutions that are supposed to maintain its power. The COVID pandemic and the limitations it has entailed for social movements and indigenous peoples’ organizations in terms of their capacity to mobilize has been used by agribusiness to further expand its power in many countries⁷ and in the internationally dominant discourse⁸.

continued on page 5

4 - This has happened at the same time when the FAO has largely given up its leadership on land issues and has no clear strategy for the implementation of the Tenure Guidelines in line with the UNDROP. This has opened the door for other actors to take over the leading role, such as the World Bank and multi-stakeholder platforms such as the ILC.

5 - The CFS is currently engaged in two important policy processes in this regard: 1) the negotiations on Voluntary Guidelines on Food Systems and Nutrition; and 2) the development on policy recommendations on Agroecological and other Innovative Approaches.

6 - Following two international and a series of regional FAO symposia/conferences, the FAO Council (the executive organ of the FAO) formally adopted Ten Elements of Agroecology in December 2019 (see www.fao.org/3/ca7173en/ca7173en.pdf).

7 - Among the most blatant examples is the admission of genetically modified organisms (GMOs) in Ecuador and Bolivia, and the ever-increasing deforestation in Brazil.

8 - See, for instance: www.foodandlandusecoalition.org/a-call-to-action-for-world-leaders.

voice from the field 1

Climate change and small-scale fishers

Fatima Majeed, Pakistan Fisherfolk Forum, Ibrahim Haider, Karachi, Pakistan.

Climate change has had a profound effect on our lives as small-scale fishermen and fisherwomen. It has disrupted the fishing season, increased the sea level, and reduced the availability of fish. The number of small-scale fishers had decreased as fishing as a livelihood can no longer sustain them. Especially women were forced to take up jobs in small factories in order to earn some money to feed themselves and their families.

Among small-scale fishers’ families in Pakistan, most of the household chores are borne by women, such as looking after household expenses, children’s education, health, as well as family’s happiness and sorrow. Small-scale fishers do not consume the fish they catch; it is their source of income. When there is little or no catch, their condition is worse than that of daily labourers. Most small-scale fishers and their families do not have access to three regular meals a day. Most of the food on their table is all that fishers could bring home that same day.

Through its advocacy campaigns, Pakistan Fisherfolk Forum, a member of the World Forum of Fisher Peoples (WFFP) and the Global Network for the Right to Food and Nutrition, has been advocating for a sustainable fisheries policy to be formulated at the provincial level to mitigate the effects of climate change. It also demands the abolition of several coal power plants and dams in Pakistan, and called for environmentally friendly renewable energy generation that responds to the needs of communities and people.

in the spotlight 2

• **COVID-19 pandemic and responses:** Although the crisis caused by the pandemic and governments' responses to it has laid bare the profound inequalities of our societies and the profound crisis of the industrial food system, debates and response measures have focused to a great extent to health aspects. Despite broad recognition of the fact that extractive activities, including agribusiness, are responsible for the destruction of ecosystems and that this leads to the emergence of new pathogens, the international and national responses have focused on saving big corporations and maintaining global value chains. While some peasant organizations have made the link to land concentration, calling for redistributive reforms as part of the response to the crisis, to the economic recession and to the escalation of inequalities that it is likely to entail⁹; there has been no comprehensive proposal yet by the food sovereignty movement on how to incorporate land and territories into the post-pandemic order.

At this time of major disruptions and shifts, it is important to revive and (at least partially) refocus the struggles for land and territories in the new context. This will require building on the "old" strategies while finding new pathways that are adapted to the current circumstances. Over the last years, broader convergences of struggles for food sovereignty, women's rights as well as environmental, social and financial justice have started to emerge, which connect movements and demands in new ways, and could lead to new strategies of building power to achieve systemic change. In several countries, the COVID "emergency" has boosted solidarity and local organizing, combining direct relief and support actions with political demands geared towards transformative change.

The current moment provides an important opportunity for a deep, collective and action-oriented reflection because it has exposed more clearly than ever the immense injustices and inequalities of the current food and economic systems. It is also a moment of reconfiguration of power relations that will determine to what extent social movements and people's mobilization will be able to advance the political agenda of food sovereignty.

9 - See, for instance MST's Emergency Plan for People's Agrarian Reform, available at: <https://mst.org.br/2020/06/05/mst-lanca-plano-emergencial-de-reforma-agraria-popular>.

voice from the field 2

He Kai kei aku ringa – Food provided by my own hands

Moko Morris, Te Waka Kai Ora Aotearoa, tribal affiliations to Te Ātiawa and Te Aitanga a Mahaki, Aotearoa, New Zealand.

Inspired by La Via Campesina, Te Waka Kai Ora Aotearoa (National Māori Organics Authority of Aotearoa) developed an Indigenous verification system for food that is grown and produced according to traditional Māori values. Hua Parakore – the name of this verification system - literally means "a pure product" or "kai atua" - food from the gods. Hua Parakore speaks of our deep connection to nature and of our way of taking care of our territories, ecosystems and biodiversity. We hope that soon, as one drives around our country, one can readily notice Marae (meeting houses) farms, schools, early childhood centres with our signs proclaiming our commitment to growing food with Indigenous values that tells our story and empowers food sovereignty.

A new Bill that has been laid before the Parliament suggests one single national standard for organic products. The objective of this bill is to boost the organic sector but it disregards our well known and respected system.

There are no provisions in the Bill to uphold the spirit of Te Tiriti o Waitangi (Treaty of Waitangi), which was signed between the British Crown and the Māori people in 1840 and which obliges the government of New Zealand to respect and protect the rights of the Māori people. This includes the protection of the rights to our taonga, (treasures) which includes our territories, as well as Ngā Hua Māori (Nature's products) and Kai Atua.

The present Bill therefore furthers the colonising agenda and negates our rights. Instead of acknowledging, protecting and promoting the Indigenous food systems in Aotearoa/ New Zealand that have fed our people for centuries while respecting nature, the government pushes for an organic food sector that is guided by commercial interests and will create a mono-cultural landscape. We remain committed to our right to food and our self-determination.

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box 2

Community forest management for biodiversity and climate preservation

Community forest management is an extremely efficient forest preservation tool. Indigenous Peoples and other forest peoples make a use of biodiversity often based on ancestral knowledge, enhancing the biodiversity of the forests where they live. The case of the Ngobe indigenous people in the South region of Costa Rica and North of Panama is an example of this: they weave forest fibers and their hats and baskets are of high quality. They use a large variety of palm fibers and lianas from the forest: a Ngobe woman can use and knows tens of forest plants with which to elaborate different woven products. Thus, for long duration rustic baskets, they use “cucharilla” lianas, for rapid and rustic hats, they use “estrella” lianas, for fine hats they use the fibers of three or four different underwood palms. We asked one of the women what happens if they run out of lianas and palms. “No!”, she said, “we harvest lianas on the waning moon for them not to dry up when we trim them, and we only harvest some leaves from the palms and only during the appropriate moon time, and during the rainy season we host a liana festival, where the entire community participates with young people to collect our lianas from the forests”.

The agroforestry systems of the Bribri people and other Indigenous Peoples of Costa Rica are true gardens that integrate a rich diversity of beans, pumpkins, different plantain and cacao varieties, maize, rice and a wide range of wood trees that wisely and precisely regulate the light of the system. Integrating ancestral knowledge with primary forests, it forms an impressive setting of biodiversity and agrodiversity. Over and above, it is no surprise when a study analyzing over 500 experiences of “common heritage” management concluded that “most of these groups showed essential features to improve community wellbeing and obtained beneficial results both in economic terms and in terms of improvement of resources such as water basins, forests and pest management”.

More information: Baltodano J. Y Rojas I. 2008. Los Ngobes y el Bosque. Asociación de Comunidades Ecologistas La Ceiba- Amigos de la Tierra.CR. 64 pp. www.coecoceiba.org
Pretty J., 2003. Social Capital and the Collective Management of Resources *Science* #302, Dic 2003, 1912-1913

voice from the field 3


Legal recognition of customary tenure systems in Mali

Massa Koné, Malian Convergence against Land Grabbing.

Mali's land law, the Code Domanial et Foncier, recognizes in principle the customary land rights of communities, but these provisions are not implemented in practice. The land titles that Malian and international investors acquire from state services through abuse of power, corruption, violence, etc., override the customary land rights of the communities that have lived on these lands for many years. Thanks to years of grassroots mobilization and advocacy, the Malian government approved a new law on agricultural land (LFA) in 2017, followed by two implementation decrees in 2018. While the legal frameworks inherited from the colonial era allocated all land to the state, the LFA recognizes that there is agricultural land that belongs to the communities, which is a historical achievement.

The tenure security and management of community lands is now in the hands of the communities via so-called Village Land Commissions that are set up after debates and validation in village assemblies. At least seven persons are appointed as members of these commissions, including women, young people and representatives of the various agricultural activities present in the village. The land is therefore no longer in the hands of a few men, i.e. village chiefs, land chiefs or lineage chiefs, who had sole responsibility for it. In addition, so-called Local Land and Natural Resource Management Agreements, which are the basis of the rules to be respected, are collectively transcribed and deposited with the administrative and legal authorities. The land commissions have three main functions: (1) to manage all issues related to land; (2) to prevent and manage conflicts; and (3) to draw up a land ownership certificate that will be legalized by authorities and offers the same level of legal protection as a land title.

The LFA thus creates space for communities to self-manage their resources, based on collective rights and according to rules defined by each community. This protects rural populations against land grabbing and land speculation, and opens up spaces for developing peasant agroecology territories. However, the struggle is not over. Social movements, peasant organizations and some CSOs are currently supporting the implementation of the law, notably by accompanying the creation of the Village land commissions in a process that puts communities centre stage. In addition, the Code Domanial et Foncier is currently being revised and ongoing mobilization is needed to ensure that it is in line with the LFA, at a time when several actors want to reverse the gains of the LFA.

 **one does not sell
the earth upon which
the people walk**

Tashunka Witko, 1840 –1877 