



*2 April 2016 – Polytechnic University of Valencia*

## WORKSHOP 11: FOOD SOVEREIGNTY AND FOOD SECURITY, RIGHTS OVER LAND (INDIVIDUAL AND COLLECTIVE), COMMONS

Translated from French by Fiona Busfield, Translators Without Borders (TWB)

### **EVALUATION**

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The food crises of 2007-2008, the cause of the “hunger riots” in several so-called developing countries, did not reveal a food shortage but problems accessing the food. These problems were the result of the development of an agricultural model, capitalist operation with workers, that does not meet the food-related needs of individuals with no or little money. The growth of this model is hindering the achievement of food sovereignty and security<sup>1</sup>.

In recent years, acceleration of the land seizing process and the concentration of land and natural resources (water, seeds, fishing resources, forests etc.) threaten their proper use by the majority of families and rural communities. In particular, these processes are endangering the agricultural production of the hundreds of millions of farmers who feed themselves, and already cover over 70% of the world's food needs despite all the constraints they face.

Following on from the policies operated during the colonial period, and in line with the recommendations from international bodies, numerous countries are formalising rights over land and natural resources based on legal schemes which are foreign to the representations of populations and communities. The model of individual right over all of the resources on a plot of land, exclusive and transferable to the highest bidder within a market, is widely imposed. It disrupts the systems for organising space and using natural resources. For many communities and individuals, land is not a commodity. Users of resources can be varied within the same place and their usage may be organised based on collective management. In Senegal for example, the national law does not recognise collective family ownership. By ignoring the basic social institutions of local systems, such changes affect the ability of rural people to control use of food-related resources, in other words, the right to exercise their food sovereignty.

Compliance with liberal and individualist formalism is often a lengthy and expensive process. Most farmers find themselves financially excluded from access to any land titles protected by the States, as is the case in Madagascar. Numerous examples show in particular that, in reality, the distribution of land titles creates food insecurity situations and, on the contrary, actually facilitates land concentration. In a scheme where the rights are redistributed to the highest bidders, the use of resources is uncertain, or even impossible, for those who need it the most, in particular young people. Intermittent use, for example seasonal grazing which is crucial for nomadic herders, is particularly at risk.

Failing to effectively acknowledge the local standards for the management of natural resources, the State is seizing customary land which is then redistributed as “available” land for potential “investors” after first converting it into state land (as was the case in India for example). They are contributing to the eviction of rural communities from their territories by market players looking to make short-term profits. Often, the people who suffer such forms of eviction receive no compensation.

The original collective management methods established in various places (customary or traditional law, more recent commons, etc.) were born from experience of the local conditions (climate, resources etc.) and culture of the groups in question. They are able to ensure secure access to resources for users

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<sup>1</sup> **Food security**, as defined by the FAO, exists when “all people, at all times, have access to food of sufficient quality and in sufficient quantities”. **Food sovereignty**, a demand born within the farmer’s movement Via Campesina to challenge the liberalisation of agricultural trade in particular, in turn refers to the right that people should be able to exercise to define and implement agricultural and food policies of their own choice to guarantee living conditions for farmers. This freedom to choose food production methods justifies the right to protect and regulate agricultural production and trade.

while guaranteeing consistent and agro-ecological implementation of such uses (pasture, crops, harvesting, hunting and fishing etc.). They hold the key to sustainable management of natural resources and fair distribution of the revenues within societies.

It is not a matter of making all existing community management methods sacrosanct. Some forms, particularly traditional ones, harbour severe inequalities of power and generate exclusion. The challenge is to protect the existing commons in order to stop the disappearance of the communities that depend on them and maintain them. Thus, there is a need to find methods of organisation regarding land and natural resources that bring security of use for family users in the process of eviction, and that are beneficial to all.

Frameworks, and political and legal authorities, national and international, need to change to ensure the inclusion of local systems of power and collective organisation. The best possible way of articulating collective and individual rights, and protecting family and community uses of natural resources, needs to be investigated. This is a prerequisite for food sovereignty and security.

## **PROPOSITIONS**

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### **Citizen action**

- Advocate government recognition and protection of local regulations pertaining to land and natural resources,
- Support (by participating or providing financial or material support) the specific collective experiences of organising use that favour local farming and other family / community-based use of natural resources,
- At meetings of citizens who use the land and natural resources that are open to cities and researchers etc., draft political and legal proposals unique to land tenure systems that:
  - Draw upon existing use and organisation methods that favour local agriculture and other family / community-based uses of natural resources (from among customary/traditional operations but also the actions of governments whose methods of regulating individual private ownership are in the general interest),
  - Arrange for the sources of the standards / local authorities (customary or traditional community systems etc.) to coexist with national and international law in order to ensure food sovereignty and security from local to global,
  - Give precedence to the interest of all members, men and women, from local communities when defining general interest, in particular before any decision is made to implement a project (mining, infrastructure, agriculture or forestry etc.) affecting their territory,
  - Pay full consideration to the ecological, economic and social stakes: land rights and those relating to natural resources conditional upon compliance with standards within these areas, incentives to perform better in these areas by granting benefits associated with exercising these rights etc.
- Build broader alliances, particularly with cities, so that political power relations lean towards land tenure systems that favour small-scale agriculture and other family and community-based uses of natural resources.

To forge such alliances requires:

- the development and communication of the strong arguments in favour of these types of rural activities within the field of providing food, creating and maintaining jobs and living conditions, and preserving the environment (agro-ecology, the battle against agrottoxins and other pollutants and against climate change etc.),

- the analysis and explanation of the implications of any legal models such as individual private ownership, registration, the land register etc. in accordance with their various methods of application in order to caution public opinion against the words of States and international institutions who justify

these changes in the name of the greater land security they are supposedly bringing about. Question certain words that form an ideological context favorable to policies that do not promote small-scaled agriculture and other family and community-based uses of land (agricultural “operation” or “exploitation”, “resources”, for example),

- challenge how general interest is defined and, in particular, who defines it. Reflect on how it should be defined to truly be general. Think about the meaning that *public ownership* and *private State ownership* could take on as a result,

- defend, against the legal frameworks restricting them if necessary, small-scale agriculture conditions: develop farmers’ seed systems, small-scale farmers’ markets and farmer's fare, etc.

### **The necessary legal and political measures:**

- Effectively recognise and protect traditional and customary, or more recent, collective local land rights systems,
- Protect family-based farms from capitalist agricultural systems with workers through a specific statute,
- Redistribute land that has been seized and limit the transfer of operating or land rights to preserve and generalise small-scale agriculture and other family and community-based uses of natural resources,
- Open up and democratise decision-making: people in rural areas, men and women, young and old, should be able to participate in decisions concerning resource use allocation (agricultural, forestry, tourism and mining projects, etc.),
- Facilitate the relocalisation of farming and food systems (processing and consumption).

## **INTERVENTIONS**

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*This list is not exhaustive. Our apologies to any parties present at this workshop and any participants not featured on this list. You are invited to contact us on the following address so we can edit a new version of this summary with the full list: [secretariat@landaccessforum.org](mailto:secretariat@landaccessforum.org)*

### Introductory interventions:

CASTILLO HUERTAS, Ana Patricia, Agrarian Feminist, Guatemala  
CISSÉ, El Hadji Thierno, Assistant to the Technical Support Unit Coordinator, National Council for Rural Concertation and Cooperation (CNCR), Senegal  
KOUAMÉ, Georges, Researcher, University Félix Houphouët Boigny, Ivory Coast  
ROMERO BORRALLO, Eugenio, Deputy Assembly of Extremadura, Podemos Extremadura, Spain  
SHARMA, Ramesh Chandar, Campaign Coordinator, Ekta Parishad, India

### Interventions from participants:

ANDRIANTIANA, Rija, President of the National Committee for Land Rights Security, Madagascar  
BASTERRETxea, Tzaran, Consultant, United Nations Food and Agriculture Organization (FAO), Spain  
CHAUVEAU, Jean-Pierre, Research Director Emeritus, Land and Development Technical Committee, France.  
DOUWE VAN DER PLOEG, Jan, Professor, Wageningen University, The Netherlands  
FAYE, Iba Mar, Head of the Land and Family Farming Mission, GRET, Senegal  
LOUW, Carmen, Women on Farms Project, South Africa  
MONREAL GAINZA, Borja, Rural Development Consultant, United Nations Food and Agriculture Organization (FAO)  
NASCIMENTO SILVA, Adriana, National Federation of Agricultural Workers (CONTAG), Brazil  
NEVES, Vitor Carlos, Brazil Central Union of Cooperatives and Solidarity Enterprises (UNISOL), Brazil  
THOMSON, Frances, University of Sussex, United Kingdom

### Moderator:

MAMALO, Abdoul Karim, Former Permanent Secretary of the Rural Code of Niger

### Rapporteur:

MELLAC, Marie, Researcher, National Center of Scientific Research (CNRS), France