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**REQUESTS ADDRESSED TO THE ADVISORY COMMITTEE
STEMMING FROM HUMAN RIGHTS COUNCIL RESOLUTIONS:
RIGHT TO FOOD**

**“Peasant Farmers and the Right to Food:
a History of Discrimination and Exploitation”**

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INTRODUCTION

1. In its resolution of 20 March 2009, the Human Rights Council requested the Advisory Committee:

“to undertake a study on discrimination in the context of the right to food, including identification of good practices of anti-discriminatory policies and strategies, and to report on it to the thirteenth session of the Human Rights Council”.²

2. This background paper on peasants has been written as a contribution to the study that the Advisory Committee will undertake on discrimination in the context of the right to food. It begins with a description of the different categories of peasants and the ways they are discriminated against and exploited in many parts of the world (I). It then presents the extreme vulnerability of women peasants (II), and goes on to outline some of the main causes of violations of the right to food suffered by peasants: expropriation of land, forced evictions and displacements (III). The lack of transformative and redistributive agrarian reforms and State policies in favor of peasants is described in parts IV and V. The last part of this paper seeks to learn from the social movements that have developed to promote the rights of peasants, in particular *Via Campesina* (VI).

I. PEASANTS: SUBJECTS OF DISCRIMINATION AND EXPLOITATION

3. Hunger, like poverty, is still predominantly a rural problem, and amongst the rural population it is the peasant farmers, small landholders, landless workers, fisherfolk, hunters and gatherers who suffer disproportionately. The United Nations Millennium Development Project’s Task Force on Hunger has shown that 80 per cent of the world’s hungry live in rural areas.³ Of the 1.4 billion people who suffer from extreme poverty in the world today, 75 per cent live and work in rural areas.⁴ This situation has been exacerbated with the global food crisis in 2008 and 2009. Today, 50 per cent of the world’s hungry are smallholder farmers who depend mainly or partly on agriculture for their livelihoods (See section 1 below). Most of them cannot produce enough to feed themselves, essentially because they do not have sufficient access to productive resources such as land, water and seeds. Two thirds of these smallholder farmers live on remote and marginal lands under environmentally difficult conditions, such as mountainous areas or areas threatened by droughts and other natural disasters (fertile lands are concentrated in the hands of wealthier farmers). Another 20 per cent of those suffering from hunger are landless families who survive as tenant farmers or poorly paid agricultural labourers and often have to migrate from one insecure, informal job to another (See section 2 below). Another 10 per cent of the world’s hungry live in rural communities from traditional fishing, hunting and herding activities (See section 3 below).

4. The following sections analyze how peasants, of all types, are discriminated against and suffer in terms of the realization of their right to food.

² Human Rights Council, *The Right to Food*, A/HRC/10/L.25, 20 March 2009.

³ UN Millennium Project, Task Force on Hunger, *Halving hunger, it can be done*, UNDP, New York, 2005.

⁴ International Fund for Agricultural Development (IFAD), *Rural Poverty Report 2001: The Challenge of Ending Rural Poverty*, Oxford University Press, New York, 2001

1. Smallholder farmers

5. Around 50 per cent of the world's hungry live on small plots of land and produce crops for subsistence and/or sale on local markets. Many face problems because they live in remote areas or on marginal lands that are vulnerable to drought and natural disasters. Good, fertile land tends to be concentrated in the hands of wealthier landowners. For example, most of the fertile lands of central Guatemala are part of huge plantations while the majority of smallholder farmers and indigenous people are left to cultivate the steep slopes of Guatemala's mountainous regions (see E/CN.4/2006/44/Add.1). The same is true in many countries, including in Bolivia and Ethiopia.

6. In Guatemala, land ownership is highly concentrated, with 2 per cent of the population owning up to 70-75 per cent of agricultural land, while 90 per cent of small farmers survive on less than 1 hectare.⁵ The United Nations calculated that hunger and malnutrition levels in Guatemala are closely linked to the quantity of land held, with children of families possessing less than 2 *manzanas* of land (6,987 m² = 1 *manzana*) being 3.2 times more likely to be malnourished than families possessing more than 5 *manzanas*.⁶ Poor subsistence farmers lack access to sufficient, good quality land and survive on *microfincas* (smallholdings) of less than one hectare of unproductive land, although they really need 25 hectares of fertile land to feed their families adequately. Many *campesinos* (peasant farmers) earn extra income as temporary agricultural workers during harvest on the coffee, sugar and fruit *fincas* (estate farms), but this still is insufficient to meet their nutrition needs.⁷ As a consequence of extreme inequality in access to land, the hungry and malnourished are predominantly indigenous people and poor peasant farmers or agricultural workers living in rural areas.⁸

7. The situation is similar in Bolivia (see A/HRC/7/5/Add.2), where the poor small-scale farmers own only 1.4 per cent of the cultivated land, while the wealthiest 7 per cent of Bolivian landlords own 85 per cent of the cultivated land.⁹ In Bolivia's *Occidente* (or west), the poor and hungry are mostly indigenous people, living in rural areas and struggling to survive from small-scale and subsistence farming on the cold, windy plateau of the *altiplano*. Most people have very small landholdings, barely large enough for subsistence. Most agricultural work is done by hand with little access to machinery even to plough the fields, and there has been little investment in irrigation and other infrastructure that would allow increased production. Highland families grow potatoes, oca (another edible tuber), fava beans and quinoa. Many keep animals such as sheep or llamas, but many of their products are sold rather than eaten, because of the need to generate income. This has resulted in very high levels of malnutrition, especially micronutrient malnutrition, amongst *altiplano* families because their diet is inadequate.

⁵ FIAN, *The Human Right to Food in Guatemala*, Paper written by A. Wiese and M. Wolpold-Bosien, October 2004, FIAN International Report, Germany.

⁶ United Nations Common Country Assessment, p. 16.

⁷ United Nations Common Country Assessment, p. 16.

⁸ World Bank, *Guatemala: Poverty in Guatemala*, 2003, p. 49.

⁹ FAO, *Perfiles nutricionales por países: Bolivia*, 2001. The overall Gini coefficient for land inequality stood at 0.768 in 1989: S. Klasen, M. Gross, R. Thiele, J. Lay, J. Spatz, J. and M. Wiebelt, *Operationalising Pro-Poor Growth, A Country Case Study on Bolivia*, 2004.

8. The reason why many *altiplano* families are so poor is because the prices they receive for their crops are often below the cost of production. Unable to afford transport to markets, most are therefore dependent on intermediary traders who come to the villages with a truck to buy their milk or crops, but pay extremely low prices, while making large profits by selling the products in the cities.¹⁰ The lack of transport for many remote families, widely dispersed across the *altiplano* is a serious obstacle to food security, as is the lack of inputs that would allow them to better utilize the land. *Altiplano* farming families are also vulnerable to a very uncertain climate. Whole crops can be wiped out by one heavy frost, hailstorm or summer drought. Climate change and the El Niño phenomenon appear to be causing an increase in extreme climatic events, with less rain and higher temperatures affecting productivity.¹¹

9. The difficult conditions of subsistence agriculture in the *altiplano* stand in strong contrast to the modern agro-industrial plantations and cattle ranches that dominate Bolivia's eastern lowlands. Whilst the vast majority of small farmers have low-quality landholdings of between less than half a hectare and five hectares, landholdings in the *Oriente* (or east) are characterized by huge extensions of over 5,000 hectares, concentrated in the hands of a few powerful families. These extensions are highly developed, often highly mechanized and are focused on export-oriented agricultural production, including soya, sugar cane, sunflower oils and cattle. Mechanization means that these extensions provide much lower employment than small-scale farming and agricultural labourers are paid very low and insecure wages.¹²

10. In Ethiopia, chronic food insecurity persists in the country, which is predominantly agrarian, and poverty is significantly higher in rural areas than in urban areas (see E/CN.4/2005/47/Add.1). Over 85 per cent of Ethiopians live in rural areas and most are dependent on agriculture - on crop or livestock production, or on agriculture-related wage labour. Agriculture is still predominantly rain dependent and only 3 per cent of irrigable land is currently irrigated, contributing to high vulnerability to drought. Many of Ethiopia's farmers do not produce enough even for their own subsistence. Two thirds of household farm on less than 0.5 hectare, insufficient to support a family, and these holdings are becoming smaller and smaller given the fast rate of population growth. Farmers are concerned about the rapidly rising population, shrinking land plots, lack of small-scale irrigation, land degradation and soil erosion, pests and the high price of fertilizers, as well as poverty.¹³ Greater poverty and destitution and the running down of reserves and local food safety nets - such as household *enset* (false banana) supplies in Southern Nations, Nationalities and Peoples Region (SNNPR) or teff in Tigray - have left many people increasingly vulnerable to disasters. The collapse in international coffee prices has also devastated small-scale Ethiopian farmers in some regions, where rows of coffee trees are left unharvested because the value of the crop is so low. The poorest and most destitute are now dependent mainly on wage labour in other people's fields.¹⁴ With few opportunities for wage-labour or opportunities for off-farm employment to earn income, many people simply do not get enough to eat.

¹⁰ J. Prudencio, G. Ton, *Integración regional y producción campesina: La urgencia de políticas de soberanía alimentaria*, 2005.

¹¹ S. Klasen and al. *Operationalising Pro-Poor Growth, A Country Case Study on Bolivia*, 2004, p. 24.

¹² UNDP La Paz, *La economía más allá del gas, informe tematico sobre el desarrollo humano*, 2006.

¹³ D. Rahmeto and A. Kidanu, *Consultations with the Poor: A Study to Inform the World Development Report (2000/01) on Poverty and Development*, National Report, Ethiopia, Addis Ababa, 1999.

¹⁴ Christian Aid, "Nothing to fall back on: why Ethiopians are still short of food and cash", 2003.

2. Landless people working as tenant farmers or agricultural labourers

11. Another 20 per cent of the world's hungry are not small farmers, but landless people. Most of these people work as tenant farmers or agricultural labourers, lacking ownership or owner-like tenure on the land that they farm. Tenant farmers usually have to pay high rents and have little security of possession from season to season. Agricultural labourers usually work for extremely low wages that are insufficient to feed their families and often have to migrate from one insecure, informal job to another.¹⁵ This is for example the case in Bangladesh and Guatemala. In other countries, where the vulnerability of landless people is coupled with discrimination practices, including against scheduled castes or indigenous people, many are still forced to work in feudal conditions of semi-slavery, or debt-bondage.

12. In Bangladesh, more than 80 per cent of the population, or over 100 million people, live in rural areas, with only a very small proportion of rural people (less than 10 per cent) having enough land to survive (see E/CN.4/2004/10/Add.1). More than two thirds of rural people are now landless (own less than 0.2 hectares), and landlessness is increasing rapidly, due to demography and inheritance laws that divide holdings into ever smaller plots, but also to land-grabbing by powerful people. Many of the landless people work as agricultural labourers, often for pitiful wages, and the rest are sharecroppers who work the land of absentee landlords in exploitative relationships where 50 per cent of the crop must be passed back to the landlord. Seasonal crises of hunger are still experienced in the northern, more arid regions of Bangladesh, particularly during the *monga*, lean season between crops when no agricultural work is available for landless labourers. Increasing landlessness is contributing to migration to urban areas in search of work, with many people living in the terrible conditions of Dhaka's slums.

13. In Guatemala, permanent workers on the *fincas*, often tied into a *colono* system (under which landowners provide subsistence plots in exchange for labour), also work for extremely low wages. The statutory minimum wage has risen in the last years, but many landowners have shifted to payment per task instead of per day to minimize the impact. Landowners often avoid paying legal entitlements by dismissing workers repeatedly to keep them on non-permanent contract status,¹⁶ and often dismiss workers who negotiate for better conditions.¹⁷ After the collapse in world coffee prices, many landowners did not pay salaries to their workers, leaving many in extreme poverty. Church organizations, such as that led by Álvaro Ramazzini, Bishop of San Marcos, help families to survive by providing food donations and help workers to bring cases to local courts, although workers rarely win, and even when they do, legal orders are reportedly rarely enforced. In one case, at the *Nueva Florencia* farm (Colomba, Quetzaltenango), it was alleged that in 1997, immediately after having founded a union, 32 male and female workers were dismissed from the Nueva Florencia farm, without compensation. After many years of legal proceedings, and despite two final decisions of the Constitutional

¹⁵ International Fund for Agricultural Development (IFAD), *Rural Poverty Report 2001: The Challenge of Ending Rural Poverty*, Oxford University Press, New York, 2001.

¹⁶ World Bank, *Guatemala: Poverty in Guatemala*, 2003, p. 52.

¹⁷ FIAN, *The Human Right to Food in Guatemala*, 2004, p. 6.

Court in 2000 and 2003 ordering the reincorporation of the workers and the reimbursement of their unpaid salaries, the workers and their families are still without work.¹⁸

14. In India, the hungry and malnourished are primarily children, women and men living in rural areas and being dependent on agriculture, working as casual workers but also as sharecroppers and tenant or marginal farmers with less than one hectare of land. Agricultural wages are very low and increasingly precarious, minimum wages not always enforced and many people lack work during the agricultural lean season (see E/CN.4/2006/44Add.2). In some states, feudalistic patterns of land ownership persist, despite legal abolition and the official Land Ceilings Act that aimed to limit land concentration. In Madhya Pradesh, for example, large landholdings still belong to the family of the former *Zamindari* king. Over the 1990s, the evidence suggests that concentration in land ownership increased, with many more households becoming landless and dependent on casual agricultural labour (45 per cent of households).¹⁹

15. Scheduled castes and tribes suffer most from hunger and malnutrition in India, making up 25 per cent of the rural population but 42 per cent of the poor.²⁰ As a result of discrimination, many low-caste Dalits are expected to work as agricultural labourers without being paid, many held in debt bondage by their higher-caste employers. Although debt bondage is illegal, it is estimated that there are 20 to 60 million bonded labourers in India, 85 per cent of them belonging to scheduled castes and scheduled tribes. Widespread discrimination prevents Dalits from owning land, as they are seen as the “worker class”, and even if they receive land (as a result of redistribution and agrarian reform programmes in some states), such land is frequently taken by force by higher-caste people in the area.

16. In Bolivia, despite impressive efforts by the new Government, many agricultural workers on large estates still work in feudal conditions of semi-slavery, or debt-bondage, particularly the Guaraní indigenous population of the Chaco. Forced labour, including situations of debt bondage, is still practiced by the private sector in Bolivia, including the sugar cane industry, the Brazil nut industry and on private ranches (*haciendas*) in the region of the Chaco. The majority of labourers are held in some form of debt bondage. Estimates indicate that the situation was drastic in 2003, when approximately 21,000 forced labourers, including women and children, in the sugar cane industry in the Santa Cruz area and between 5,000 and 6,000 people became forced labourers on a permanent or semi-permanent basis in the Brazil nut industry in the Pando and Beni (province of Vaca Diez) regions.²¹ Of particular concern is the situation of forced labour that the Guaraní people have to endure on some private ranches in the provinces of Santa Cruz, Chuquisaca and Tarija in the Chaco region. They are held in debt bondage and in some cases threats and violence are common to prevent them from leaving the ranches. As they are paid extremely low wages which do not cover their basic living costs, they are forced to rely on credit from their employers. In addition, women and children are expected to work but are not paid at all.

¹⁸ Pastoral de la tierra interdiocesana, Pastoral de la tierra de Quetzaltenango, *Seis Días que se Convierten en Seis Años*, 2004. FIAN, *The Human Right to Food in Guatemala*, October 2004. PIDhDD, FIAN Brazil, 2004.

¹⁹ National Sample Survey data cited in Gosh, J., *Trade Liberalization in Agriculture: An Examination of Impact and Policy Strategies with Special Reference to India*, 2005, p. 14.

²⁰ Farrington, J., and Saxena, N.C., *Food Insecurity in India*, available at http://www.odi.org.uk/publications/working_papers/wp231/wp231_annex1_India.pdf

²¹ Anti-Slavery International, *Contemporary Forms of Slavery in Bolivia*, 2006.

3. People living from traditional fishing, hunting and herding activities

17. Around 10 per cent of the world's hungry subsist through fishing, hunting and herding activities. In many countries, the traditional way of life of these people and their means of livelihood are threatened by competition over productive resources, leading to increasing hunger and malnutrition. Traditional fishing communities are threatened by the industrialization of fishing activities; people living from hunting activities are threatened by the creation of forest reserves or development projects; and pastoralists are threatened by conflicts with farmers over land and water resources.

18. For the fish-farming communities that traditionally survive through their access to local fishing grounds (both inland and coastal), an emerging issue of concern is the drive to industrialize, privatize and orient fish production towards exports. There are two types of fish production — fish captured in the wild from the sea or inland waters (capture fisheries) and fish farmed in the sea or inland waters (aquaculture) — and both are now driven to industrialization, privatization and export orientation, which end up depriving local people of their traditional rights of access to fishing resources.

19. In the past, access to global marine fishing resources was generally based on open access or traditional customary rules. Over the last decades, however, in order to overcome conflicts between countries and between fisheries — industrial versus artisanal, export-based versus subsistence — and the overexploitation of marine fish stocks, there have been attempts to regulate access to fishing resources through the United Nations Convention on the Law of the Sea of 1982 and several subsequent agreements. While these agreements have aimed at protecting equity in access to marine fishing and some agreements have aimed to protect artisanal fishing livelihoods, in practice, this has not really worked and there remain great inequities in practice between developed and developing countries and in favour of industrial export-oriented fisheries. Many of these valuable efforts are also undermined by policies and activities of developed countries, including subsidies which are estimated to total at least US\$ 15 billion annually.²² About 90 per cent of total subsidies are granted by Japan, the European Union (EU), the United States of America, Canada and the Russian Federation to their fishing fleets and fishing industry. In the past, these subsidies have led to the overexploitation of marine resources in developed countries.²³ This has led them to demand greater access rights to the fishing resources of developing countries, and subsidies have permitted the growth of fishing fleets capable of travelling long distances. The United Nations Environment Programme (UNEP) has reported, for example, that the EU paid US\$ 230 million in subsidies to its fishing fleets to enable them to take advantage of fishing rights obtained in the Argentine exclusive economic zone.²⁴ In another fishing agreement with Senegal, for example, the EU managed to obtain fishing rights over species that are endangered or locally used, which has allegedly threatened the food security of thousands of local fishing communities.²⁵

²² WWF, *Turning the Tide on Fishing Subsidies. Can the World Trade Organization play a Positive Role?*, 2002.

²³ UNEP, *Fisheries and the Environment: Fisheries Subsidies and Overfishing: Towards a Structured Discussion*, 2004.

²⁴ UNEP, *Fisheries and the Environment. Fisheries Subsidies and Marine Resources Management: Lessons learned from Studies in Argentina and Senegal*, 2004.

²⁵ Ibid.

20. In response to the overexploitation of marine fishing resources, the fish industry is moving increasingly towards fish farming (aquaculture) for the further expansion of global fish production. At the current rate, it is estimated that fish farming will overtake fish capture by the year 2020.²⁶ Most fish farming is located in developing countries (with 84 per cent of global production in low-income food deficit countries), particularly in China, India, the Philippines and Indonesia. Fish farming is frequently promoted on the promise that it will relieve pressure on wild fish stocks and improve food security and provide livelihoods for the poor. However, fish farming does not automatically relieve exploitation of marine stocks — given that many farm fish are, ironically, fed with marine fish.²⁷ And, while it has promoted food security in some countries, such as China, where fish farming remains small-scale and most fish is consumed locally, this is generally not the case where fish farming is industrial in scale and export-oriented. New industrial methods of fish farming use highly technical methods based on intense production, dense stocking rates with artificial feed, chemical additives and antibiotics to improve production “efficiency”. These new methods require high capital investment and in practice exclude poorer farmers from engaging in this kind of production.

21. In a landmark case in India on shrimp farming and its impact on livelihoods, the Supreme Court of India found that damage caused by shrimp farming had resulted in the loss of land for subsistence farming in favour of export shrimp production, the loss of access to the beach, important as landing grounds for fish catch, and the loss of access to safe drinking water.²⁸ In addition, shrimp farming had not resulted in increased employment and the damage caused to local livelihoods and ecology was considered to be greater than the total earnings from shrimp farming. The case suggests that both local marine fishers and agricultural farmers had lost livelihoods and subsistence food production as a result of the expansion of shrimp production, through both the takeover of land and the environmental impacts.

22. People subsisting on hunting activities in forest and hill areas are also increasingly marginalized in many parts of the world. Many have lost access to traditional forest livelihoods and food resources through the creation of forest reserves, and many remain without access to food or to government services. People subsisting on hunting activities also suffer disproportionately from displacement because of development projects such as dams, power plants, coal mines and mineral industries.²⁹ In India, for example, where NGOs and academics estimate that dam projects alone have displaced up to 30 million people who have lost their lands and livelihoods,³⁰ around 40-50 per cent of the displaced are tribal people, most of them living from hunting activities in forest and hill areas, even though they make up only 8 per cent of the population (see E/CN.4/2006/44/Add.2).

23. Finally, conflicts over land and water are also increasing between pastoralists and crop farmers. The complementarity between pastoralists and farmers has been lost in many countries, as farmers tend their own small animals and are less eager to allow pastoralists to graze their

²⁶ FAO, *Aquaculture — Trade, Trends, Standards and Outlooks*, 2004.

²⁷ R. L. Naylor, R. J. Goldburg, J. H. Primavera, N. Kautsky, M. C. M. Beveridge, J. Clay, C. Folkes, J. Lubchenco, H. Mooney, M. Troell, “Effect of Aquaculture on World Fish Supplies”, *Nature*, vol. 405, 2000, pp. 1017-1024.

²⁸ Supreme Court, *S. Jagannath Vs. Union of India and Ors*, 1997 SCC (2) 87, Judgment of 11 December 1996.

²⁹ This is the case for example in India. See Planning Commission of India, *Mid-Term Appraisal of 10th Five-year Plan*, 2005.

³⁰ Mander, Harsh/Hemadri, Ravi and Nagaraj, Vijay, *Dams, Displacement, Policy and Law in India*, 1999.

herds in the fields after the harvest. There are also conflicts - sometimes fatal - between pastoralists, often over access to water. In Ethiopia, for example, pastoral livelihoods are becoming increasingly vulnerable, with pastoralists affected by the lack of water, land degradation and conflict with agriculturalists in competition for land and water, and poverty has been exacerbated by the collapse of the export market for livestock to Arab nations following an outbreak of Rift Valley fever (see E/CN.4/2005/47/Add.1). In Niger, these issues are addressed in the *Code rural*, which sets out clear rules for access to resources and sets up clearly marked corridors and areas of pasture so as to minimize conflict (see E/CN.4/2002/58/Add.1). The Government and some organizations in Niger have also undertaken pioneering work in establishing fixed pastoral corridors and grazing lands, marked by solid white and red stakes, in an impressive effort to reduce conflicts between pastoralists and farmers. However, the means to implement the *Code rural* are sorely lacking, and the land commissions set up to ensure implementation and manage conflicts exist only in some *arrondissements* and have not been able to act effectively. Criticism of the bias towards agriculture in the *Code rural* has given rise to calls for a new *Code pastoral* which would focus more attention on the different and very specific problems of the nomadic and semi-nomadic pastoralists.

II. PEASANT WOMEN

24. Women play a crucial role in households' food security, producing the 60-80% of food crops in developing countries and earning incomes to feed their families. The health of women is also crucial to the health of whole societies, because malnourished women are more likely to give birth to malnourished and underdeveloped babies. However, despite their key role in ensuring food security, 70% of the world's hungry are women. Women are disproportionately affected by hunger, food insecurity and poverty, largely as a result of gender inequality and their lack of social, economic and political power. Peasant women in particular often face discrimination in gaining secure access to and control over other productive resources, such as land, water and credit, as they are often not recognized as producers or juridical equals. In understanding the problems faced by peasants and the discrimination they suffer in terms of realization of the right to food, it is particularly important to note the special situation faced by women peasants. According to the FAO, while the proportion of women heads of rural households continues to grow, reaching more than 30% in some developing countries, less than 2 percent of all land is owned by women.³¹ Customs and traditions in many parts of the world limit women's equal access to productive resources. In some countries, like Guatemala, discrimination is still codified in national laws, while in other countries, including Ethiopia and Bangladesh, it is part of customary law.

25. *De jure* discrimination against women remains institutionalized in Guatemala, where article 139 of the Labour Code describes rural women as "helpers" of the male agricultural workers, rather than as workers entitled to receive their own salary (see E/CN.4/2006/44/Add.1). As a consequence, it is reported that many landowners do not even pay women for their work – as they are considered husband's "helpers".³² In this country, as well as in many other countries, women suffer multiple discriminations – as women, as poor, as rural residents and as indigenous – and rarely own land or other assets.

³¹ FAO, *Women and the Right to Food. International Law and State Practice*, FAO, Rome, 2008.

³² FIAN, *The Human Right to Food in Guatemala*, 2004, p. 9.

26. In other countries, discrimination persists in customary laws, despite a strong constitutional and legislative framework. In Ethiopia, for example, women are formally entitled by the Constitution to affirmative action and equal rights (art. 35 (3)). These include equal rights over property and land, including inheritance, and rights to equality in employment (art. 35 (7 and 8)). Federal legislation, including the 1997 Rural Land Administration Proclamation and the 2001 Family Code, as well as official policy outlines the *de jure* and *de facto* equality between men and women. However, these formal rights are not enforced in practice and women are the most vulnerable to hunger and poverty as a result of discrimination, especially in rural areas.³³ Women represent 50 per cent of the agricultural workforce in Ethiopia, yet traditionally have no right to inherit the land they work on, and little access to credit, agricultural inputs or extension training. As Meaza Ashenafi, Executive Director of the Ethiopian Women Lawyers Association has put it: “almost in all regions, women do not have any access to land whatsoever. They don’t have the right to inherit, and the only option is to get married and have a husband. But when the husband dies, they are also kicked off their land” (see E/CN.4/2005/47/Add.1).

27. The same situation persists also in Bangladesh, where women are protected and guaranteed equality by the law, but existing social values, reinforced by religion, permit discrimination against women (see E/CN.4/2004/10/Add.1). Under Islamic law, women have a right to only half the land to which their male siblings are entitled, although many women in Bangladesh considered that Islamic law was better than the Hindu tradition, which accords no land to women in inheritance custom. As a result of discrimination, malnutrition levels show a marked gender disparity, with women most profoundly affected, particularly in rural areas.³⁴

III. EXPROPRIATION OF LAND, FORCED EVICTIONS AND DISPLACEMENTS

28. Expropriation of land, forced evictions and forced displacements are among the main causes of violations of the right to food against peasants in many parts of the world. FIAN International, for example, has worked on more than 100 cases of violations of the right to food from 1995 to 2005, and concluded that the majority of them were due to expropriation of land, forced evictions and displacements without adequate resettlement and compensation.³⁵ Most urgent appeals of the Special Rapporteur on the right to food are also based on allegations of expropriation of land, forced evictions and forced displacements.³⁶ In more recent times, the phenomenon of the ‘global land grab’ has added a new dimension to these concerns about land expropriation, as governments and companies seek to buy and lease large tracts of productive land in other countries, to food to be exported back to their countries, or to grow biofuels to fill the petrol tanks of those in the global north.

29. In many countries, the recurrence of forced evictions in the last 20 years was closely linked to a long history of expropriation of productive resources, including land, from smallholder farmers and local communities. In Brazil, for example, the extreme concentration of

³³ UNICEF and the Federal Democratic Republic of Ethiopia, *The Situation of Ethiopian Children and Women: A Rights-Based Analysis*, 2002.

³⁴ Interim Poverty Reduction Strategy Paper (I-PRSP).

³⁵ J. Jonsen, *Developing Indicators for the Right to Food. Lessons learned from the case work of FIAN International*, IBSA Project, University of Mannheim, FIAN International, 2006, pp. 115-117.

³⁶ See for example *Report of the Special Rapporteur on the right to food, Jean Ziegler. Addendum. Communications sent to Governments and other actors and replies received*, 18 May 2007, [A/HRC/4/30/Add.1](#).

land in the huge estates of rich landowners (*latifundios*) is largely explained by colonization and the fact that more recently, export-oriented agriculture has not allowed redistributive agrarian reforms. The extremely unequal land ownership in Brazil, where 2 per cent of landowners own 56 per cent of all available land, while the smallest 80 per cent of landowners own only 12 per cent of the land between them,³⁷ explain the mobilization of strong peasant movements fighting for agrarian reform and right to land to enable people to feed themselves. Frustrated by the slow action of the Government to meet constitutional promises to expropriate land which does not serve to fulfil a “social function”, the *Movimento dos Trabalhadores Rurais Sem Terra* (MST) has taken the initiative to occupy uncultivated lands and cultivate it. Very often, occupations of land which should be redistributed under the Constitution are met with forced evictions, violent repression and killings, both by private forces of landowners and by police forces. It has been reported that between 1988 and 2000, a total of 1,517 rural peasants were killed in Brazil.³⁸ One of the cases to have remained etched in the consciousness of most Brazilians is the 1996 massacre of 19 landless peasants at Eldorado do Carajás in the State of Pará. Pressure from civil society led to the case finally being brought before a civil court in 2002. Since then, a sentence has been handed down to one out of the three police officers in charge of the operation to clear landless demonstrators. However, the local responsible authorities have not been brought to justice.

30. A similar situation exists in Guatemala, where land occupations increase as rural communities desperately search for ways of feeding themselves. Occupations occur mostly when landowners have violated labour rights, or where land ownership is disputed. There are often multiple claims to the same land, following a history of land expropriation by powerful landowners. In the last ten years, the response of the Government to increasing land occupations has been forceful. For example, local and international NGOs reported more than 30 forced evictions in 2004, affecting 1,500 families.³⁹ In the case of the *Nueva Linda* farm (Champerico, Retalhuleu), it was alleged that while some officials were negotiating a peaceful evacuation with the representatives of 22 communities who occupied the land three years before, the Civil National Police intervened violently, leaving 9 dead, over 40 injured and 13 detained, as well as the destruction of the communities’ crops and houses.⁴⁰ In another case recorded at *El Maguey* farm (Frajanes), it was alleged that a group of 86 peasant families had been forcibly evicted from their land by the police and the army on several occasions, with their crops and irrigations system destroyed, despite the recognition that they own the land in a Governmental Agreement dated 7 April 2003 and a Constitutional Court decision dated 4 May 2004.⁴¹ As Amnesty International noted in 2005:

³⁷ 1996 Census of Agriculture in Brazil.

³⁸ Global Justice Center, “Agrarian Reform and Rural Violence” in *Global Justice: Human Rights in Brazil 2000*.

³⁹ Colectivo de Organizaciones Sociales (COS), *Balance de la Paz 2004 Otra Guatemala es Posible: Acuerdos de Paz, Unidad y lucha de las organizaciones sociales*, Guatemala, 2004; Amnesty International, *Memorandum to the Government of Guatemala: Amnesty International’s concern regarding the current human rights situation*, AMR 34/014/2005.

⁴⁰ FIAN, *The Human Right to Food in Guatemala*, 2004; Colectivo de Organizaciones Sociales, *Acuerdos de Paz: Unidad y lucha de las organizaciones sociales*, 2004.

⁴¹ Plataforma Interamericana de Derechos Humanos, Democracia y Desarrollo (PIDhDD), FIAN Brazil, *El Derecho Humano a la Alimentación en América Latina*, 2004. FIAN, *The Human Right to Food in Guatemala*, 2004.

31. “A particular characteristic of agrarian disputes in Guatemala is that the full weight of the law and judicial system is often levied in order to enforce evictions, but not to issues relating to labour rights of rural workers or land tenure of rural communities.”⁴²

32. In many other countries, small-holders farmers are forcibly displaced from their land as a consequence of development projects. This happens when development projects are carried out without the free, prior and informed consent of those affected. This often happens in the case of large-scale commercial exploitation of the resources of small-holders farmers, including mining for minerals, oil or gas, logging, building dams and highways, or expanding industrial agriculture. Authorities rarely assess the likely impact of such projects nor do they take timely corrective action. In India, for example, many cases have been documented about forced displacements of rural communities without adequate resettlement and rehabilitation (see E/CN.4/2006/44/Add.2). The case of the Narmada Dams is of particular concern, as despite clear directions by the Supreme Court in 2000,⁴³ thousands of affected people are still not adequately resettled and rehabilitated. In 2005, a report by the Indian People’s Tribunal on Environment and Human Rights alleged that 11,000 families in Madhya Pradesh, 1,500 families in Maharashtra and 200 families in Gujarat were still to be rehabilitated, although their villages have already been submerged.⁴⁴ In November 2008, with the situation not improving, 20’000 people affected by the Narmada Dams participated in a march for displaced peoples’ rights and dignity in Khandwa, Madhya Pradesh.⁴⁵

33. In India, the law, national and State policies and Supreme Court orders provide that every affected family should be adequately resettled and rehabilitated and the “land for land” principle respected. These rules and principles should be applied in all countries. Dams, mining and infrastructure projects must never be implemented if this entails forced displacement and irreversible destruction of people’s livelihoods. Such projects should only be carried out with the consent of communities and on the condition that due legal process, proper resettlement, rehabilitation (under the “land for land” principle) and compensation to all victims is guaranteed.

34. The recent phenomenon of the ‘global land grab’ has added a new dimension to these concerns, with the potential to involve an unprecedented level of land expropriation, forced evictions and displacements. With the expansion of biofuels production since 2003 and the global food crisis in 2008, the revival of the strategy of foreign investors, both governments and companies, to buy or secure long-term leases of productive land in other countries can have detrimental effects on local farmers, if land used by small farmers is sold or lease to foreign investors.⁴⁶ The most famous case is the deal between the South Korean company Daewoo and the Government of Madagascar, on a lease of 1.3 million hectares of land – or half of arable land of the country. When informations were released about the deal, massive demonstrations were organized in the country and the President was overthrown in March 2008. This case is well

⁴² Amnesty International, *Memorandum to the Government of Guatemala: Amnesty International’s concern regarding the current human rights situation*, 2005.

⁴³ Supreme Court, *Narmada Bachao Andolan v. Union of India*, 2000.

⁴⁴ Report of the Indian People’s Tribunal on Environment and Human Rights, 2005, available at www.narmada.org/IPT_Report.pdf.

⁴⁵ Information available at www.narmada.org (civil society) and www.nvda.nic.in (Government).

⁴⁶ C. Smaller and H. Mann, *A Thirst for Distant Lands: Foreign investment in agricultural land and water*, International Institute for Sustainable Development, 2009.

know. But the same phenomenon happens in many other countries, with an estimated number of 180 land deals existing at varying stage of negociation.⁴⁷ In five countries of Subsaharian Africa only, it is estimated that a total of 2.5 million hectares of land have been allocated since 2004.⁴⁸ It is estimated for example that South Korea signed deals for 690'000 hectares and the United Arab Emirates for 400'000 hectares in Sudan, and that a group of Saudi investors are spending 100 million US\$ in Ehtiopia, to raise wheat, barley and rice on land leased to them by the Government.⁴⁹ Such practices, which only existed at a comparable level during the colonial era, can only increase discrimination against local peasants and violations of their right to food.

IV. AGRARIAN REFORM

35. For peasants to fully realize their human rights, particularly the right to food, more attention needs to be given to agrarian reform that benefits small scale land holders and promotes security of tenure and access to land, rather than reform and practices which continue to discriminate against these already vulnerable groups.

36. Agrarian reform programmes, when they have contributed to genuinely transformative change, have been very successful in reducing poverty, hunger and inequality in many countries. Agrarian reforms have proved most successful when land reform radically reduces inequalities in land distribution and is accompanied by sufficient access to other inputs, and when political obstacles to reform have been overcome.⁵⁰ It is clear that in agrarian reform, land in itself is not enough. Often the quality of land is just as important for a viable livelihood as the quantity. Access to land must also always be accompanied by sufficient access to other inputs, including water, credit, transport, extension services and other infrastructure. Access to land should not just be for the rich, but for those who seek to operate small scale and subsistence farming.

37. While the “death” of agrarian reform was proclaimed in the 1970s, and few efforts were made to conduct land reform programmes in the 1980s and early 1990s, land reform has come back onto the international agenda since 1996. In the Rome Declaration on World Food Security and World Food Summit Plan of Action, land reform constituted a key part of stated commitments.⁵¹ In the Conference Declaration of the International Conference on Agrarian Reform and Rural Development organized by FAO and the Government of Brazil and held in Porto Alegre, Brazil from 7 to 10 March 2006, 95 States recognized that one important way to ensure the fulfilment of the right to food was to establish appropriate land reform to secure access to land for marginalized and vulnerable groups, and to adopt adequate legal frameworks and policies to promote traditional and family agriculture.⁵²

38. As FAO pointed out, “first and foremost land reform is back on the agenda because rural populations have put it there”.⁵³ Landless movements across the third world, and highly visible

⁴⁷ *Ibid.*

⁴⁸ L. Cotula, S. Vermeulen, R. Leonard and J. Keeley, *Land grab or development opportunity? Agricultural investment and international land deals in Africa*, FAO, IIED, IFAD, 2009.

⁴⁹ The Economist, “Outsourcing-s third wave. Rich food importers are acquiring vast tracts of poor countries’ farmland. Is this beneficial foreign investment or neocolonialism?”, 21 May 2009.

⁵⁰ FAO, *Contemporary Thinking on Land Reforms*, 1998.

⁵¹ FAO, *Report of the World Food Summit, 13-17 November 1996 (WFS 96/REP)*, part one, appendix.

⁵² FAO document (C/2006/REP), Appendix G.

⁵³ FAO, *Contemporary Thinking on Land Reforms*, 1998.

land conflicts in Brazil, Colombia, Mexico, the Philippines, Indonesia and elsewhere, have brought land reform back to centre stage.⁵⁴ Non-governmental organizations fighting hunger, such as Food First and FIAN, argue that “access to farm land is a fundamental human right for rural peoples, and that grossly inequitable distribution of land is one of the most common underlying causes of poverty and destitution in much of the world”.⁵⁵

39. Land reform is also back on the agenda because there has been greater recognition of its economic and political benefits. According to the International Fund for Agricultural Development (IFAD), land reform has demonstrably reduced poverty where it has been conducted successfully, and greater equality in landholding is associated with faster overall growth.⁵⁶ It also helps to reduce vulnerability to famine and hunger. It is now also increasingly clear that agricultural productivity is greater on small farms than on larger ones. Although large farms can benefit from economies of scale, it is a myth that small farms are less productive. According to a World Bank report, “data show a deep decline in income per acre as farm size increases, with productivity of the largest size category less than half that of the smallest.”⁵⁷ Farmers with ownership or secure tenure are also more likely to invest in their land, which improves environmental conservation.

40. It is widely agreed that land reforms in Japan, the Republic of Korea, Taiwan Province of China, China and Cuba have had a significant impact on reducing poverty and hunger and increasing economic growth.⁵⁸ In India, the states with the steepest declines in poverty from 1958 to 1992 were those that implemented land reform.⁵⁹ In general, based on the evidence of agrarian reforms instituted in more than 60 countries since the end of the Second World War, land reform has worked when reforms have been genuinely transformative and genuinely redistributive, when quality land has really been distributed to the poor and when rural power structures have been broken. In contrast, reforms that have given only poor-quality land to beneficiaries or have failed to alter the rural power structures that work against the poor have failed to have a significant impact on inequality, poverty or hunger.⁶⁰ In much of Latin America, for example, while land reform programmes have benefited a substantial number of poor rural families, in many countries they have not been transformative, as governments have been unable or unwilling to implement the extensive reforms seen in Asia (with the exception of Cuba and new reforms in Venezuela and Bolivia). As a consequence, Latin America still has one of the most inequitable distributions of land in the world.⁶¹

41. Cuba has been one of the first positive examples, with its legislative framework including two laws on agrarian reform, adopted in 1959 and 1963, that limit land ownership to 65 hectares, distribute the land to those who work on it, and set up the National Institute of

⁵⁴ Peter Rosset, “Tides Shift on Agrarian Reform: New Movements Show the Way”, in *Food First Backgrounder*, vol. 7:1, 2001.

⁵⁵ Ibid.

⁵⁶ IFAD, *Rural Poverty Report 2001: The Challenge of Ending Rural Poverty*, 2001.

⁵⁷ K. Hoff, A. Braverman, and J. E. Stiglitz, editors, *The Economics of Rural Organization*, Oxford University Press for the World Bank, New York, 1993, p. 236.

⁵⁸ IFAD, *Rural Poverty Report 2001: The Challenge of Ending Rural Poverty*, 2001; FAO, *Contemporary Thinking on Land Reforms*, 1998; Rosset, “Tides Shift on Agrarian Reform: New Movements Show the Way”, 2001.

⁵⁹ IFAD, *Rural Poverty Report 2001: The Challenge of Ending Rural Poverty*, 2001.

⁶⁰ Peter Rosset, “Tides Shift on Agrarian Reform: New Movements Show the Way”, 2001.

⁶¹ FAO, *Contemporary Thinking on Land Reforms*, 1998.

Agrarian Reform. The Constitution adopted in 1976 guarantees that small farmers have access to land and to means of food production. It recognizes that small farmers have the right to legal ownership of their lands and other real estate and personal property necessary to work their land, as well as the right to group together, including through the establishment of cooperatives. It also provides that the State must back small farmers' individual production and give all possible support to the cooperative form of agricultural production (articles 19 and 20). The National Association of Small Farmers (ANAP), founded in 1961 and currently comprising 350,000 peasants, is entitled to participate in agricultural and food security policy-making at the highest level of Government.⁶²

42. More recently, the move towards transformative and redistributive agrarian reform has been chosen by the new Government of Bolivia. Since 2006, Bolivia's legislative framework includes the *Ley de Reconducción Comunitaria de la Reforma Agraria* which outlines the system for regulating collective land titles for indigenous territories and indigenous communities, land for small farmers, and land for industrial farming (*empresa agropecuaria*). The law also established the National Institute for Agrarian Reform (INRA), charged with identifying and reclaiming unproductive or illegally obtained landholdings for redistribution to the landless (see A/HRC/7/5/Add.2). In May 2006, the Government also launched a programme to revitalize land reform in Bolivia under the responsibility of INRA (*Instituto Nacional de Reforma Agraria* or National Agrarian Reform Institute). This will improve access to land for *campesinos*, communities and rural families. It will also give priority to eliminating the feudal practices of bonded labour (see above), as well as recognizing traditional forms of land tenure and restituting the lands of indigenous communities. The programme aims to speed up the process of land regularization to clarify existing land titles. In addition, INRA has been granted new powers to allocate existing public lands to landless *campesinos*, and to expropriate land for redistribution if this is unproductive and held for no productive economic or social use.

43. Despite the re-emergence of land reform on international and national agendas, there are still a number of contradictions in the United Nations system.⁶³ In the 1996 Declaration of the World Food Summit, land reform constituted a key part of stated commitments. Yet land reform is noticeable in its absence from the 2002 final Declaration of the World Food Summit: five years later and from the more recent responses to the global food crisis. While IFAD and FAO broadly support agrarian reform models that promote transformative, redistributive reform, the World Bank, in contrast, is promoting new models of agrarian reform that emphasize the market and are compatible with the "Washington consensus", a paradigm that is "inherently opposed to policy interventions aimed at achieving social equity".⁶⁴

44. The World Bank's current "market-assisted" or "negotiated" models of land reform seek to overcome elite resistance to land reform by offering credit to landless or land-poor farmers so that they can buy land at market rates from large landholders, with the State playing a part only in mediation and the provision of credit.⁶⁵ These models have been bitterly criticized by non-governmental organizations and social movements that claim that they are undermining more

⁶² ANAP membership is comprised of 150,000 farmers farming their own individual farms and 200,000 farmers farming their own land through Credit and Service Cooperatives (CCSs).

⁶³ Jean Ziegler, "Schizophrénie des Nations Unies", *Le monde diplomatique*, Paris, novembre 2001.

⁶⁴ Ibid.

⁶⁵ Peter Rosset, "Tides Shift on Agrarian Reform: New Movements Show the Way", 2001.

transformative programmes of agrarian reform.⁶⁶ There are also concerns that offering credit to small farmers to purchase land at market prices cannot result in transformative, redistributive reform, as landowners benefit from often inflated prices for often low-quality land, while poor farmers are frequently left with debts that they can never fully repay. This model shifts the logic of agrarian reform away from a concept of a right to land and redistribution, towards the view that access to land is possible only through the purchase of the land at market prices, despite a context of historically produced inequities.

45. The limits of the “market-assisted” model are evident in many countries, including in Guatemala. Despite the fact that the Government is making impressive efforts to change the situation, Guatemala remains one of the most inequitable countries in the world. Land ownership is highly concentrated: 2 per cent of the population owns up to 70-75 per cent of agricultural land, while 90 per cent of small farmers survive on less than one hectare. This situation is the result of a long history of land expropriation from indigenous people, exacerbated by a 36-year civil war (1960-1996) during which military and landowners forcibly controlled more land. In this particular context, the promotion by the World Bank of a market-based redistribution of land, concretized by the creation of a land fund, FONTIERRA, to provide credit for land purchases, is particularly ineffective. It precludes the adoption of more important measures required under the Peace Accords of 1996, including the creation of an effective land registry system, the elaboration of an agrarian code recognizing indigenous forms of land ownership, and the establishment of an agrarian jurisdiction to resolve land disputes. Gender discrimination has also meant that only 11 per cent of the land credits have been granted to women.⁶⁷

46. What is important to realize is that the loss of viability of small-scale agriculture is not an inevitable historical process, but is man-made. It is clear that granting access to land for small-scale farming is more productive, more ecologically viable and more socially sustainable than the current economic model being imposed. Although agrarian reform can be costly, its costs will be less than those of rapid urbanization and mass urban unemployment, and less than the cost of the brutal, repressive police forces that are often used to suppress the instability and insecurity that they create.

V. STATE POLICIES

47. Related to the need for agrarian reform, is the need to ensure that government policies are sufficiently well formulated in order to address the needs of the most vulnerable people living in rural areas – this is fundamental for the right to food. In the last three decades, however, support to agriculture has been dramatically decreasing. Many indebted developing countries were forced to reduce their support to small farmers and liberalize their agriculture, under strong pressure from the International Monetary Fund (IMF) and the World Bank. At the same time, between 1980 and 2004, the percentage of official development aid (ODA) directed to agriculture went down from 13% to 3.4%, or from 2.63 to 1.90 billion \$US.⁶⁸ This situation

⁶⁶ See, for example, “Land for those who work it, not just for those who can buy it”, Final declaration of the international seminar on the negative impacts of World Bank market-based land reform policy, April 2002; <http://www.foodfirst.org/progs/global/trade/worldbankseminar.html>.

⁶⁷ FIAN, *The Human Right to Food in Guatemala*, 2004, p. 8.

⁶⁸ Presentation by Jean Feyder, Ambassador of Luxembourg, at the 47th Executive Session of the Trade and Development Board, Panel on African Food Security: Lessons from the Recent Global Food Crisis, 30 June 2009.

resulted in an unprecedented neglect of State policies in favour of small-scale agriculture, with detrimental effects on peasants in almost all developing countries. The examples of Ethiopia and Niger, where severe food crisis occurred in 2003 and 2005, are particularly illustrative. For other more industrialized countries, the result of decades of deprioritizing the agricultural industry has been that they are now seeking to exploit the resources of those countries where arable land is going to waste, creating further problems for the local peasants.

48. In Ethiopia, the potential of agriculture is impressive, with Ethiopian farmers growing a vast range of crops including wheat, barley, teff, finger millet, maize, sorghum, enset, cassava and potatoes, sugar cane, many different pulses and coffee. Ethiopia also has the greatest number of livestock in Africa: more than 35 million cattle, 39 million sheep and goats and 1 million camels.⁶⁹ However, in 2003, Ethiopia suffered from a severe food crisis with 13.2 million people (one fifth of the population) reduced to surviving on food aid (see E/CN.4/2005/47/Add.). The 2003 food shortage is believed to be the most widespread and severe emergency in Ethiopia's long history of famine, as it spread to the traditionally surplus food producing areas of SNNPR and several parts of Amhara.⁷⁰ The 2003 disaster precipitated an unprecedented national and international food aid response - the largest ever in Ethiopia's history.

49. Disturbingly, the food shortage crisis in 2003 was caused not only by failure of the rains, but also by the constraints on development and the lack of sufficient rural infrastructure, roads, storage and markets. In the 2003 season, farmers did not invest in agricultural inputs such as fertilizer and improved seed, partly because of rain conditions - agriculture is still predominantly rain dependent, with only 3 per cent of irrigable land currently irrigated - but also because of the high financial losses they had experienced the year before, when farmers achieved excellent harvests but then could not sell their surplus crops because the crops could not be effectively transported to deficit areas; there was therefore a glut in surplus-producing areas. Grain prices collapsed by as much as 80 per cent in surplus areas and at the same time consumer prices escalated in deficit areas.⁷¹ Many farmers, left heavily indebted for seeds and fertilizer, were unable to plant much the next year, contributing to the food shortage the following year.⁷² Food shortages were therefore not only caused by droughts, but were exacerbated by many other factors linked to the lack of development.

50. With agricultural liberalization, agricultural trade is now private, rather than State run, but a strong private sector of traders capable of transporting food from surplus to deficit regions has not yet emerged, inhibited by the lack of adequate rural infrastructure, roads, storage and markets.⁷³ Linked to this problem is the issue that few donor resources are directed towards long-term development, but continue to be concentrated on providing emergency food aid. Ethiopia receives the highest amount of emergency aid in Africa (and in the world, after

⁶⁹ A. Solomon, A. Workalemahu, M.A. Jabbar, M.M. Ahmed and Belachew Hurissa, *Livestock marketing in Ethiopia: A review of structure, performance and development initiatives*, Socio-economics and Policy Research Working Paper 52, International Livestock Research Institute (ILRI), Nairobi, 2003.

⁷⁰ S. Lautze, Y. Aklilu, A. Raven-Roberts, H. Young, G. Kebede and J. Leaning, *Risk and Vulnerability in Ethiopia: Learning from the Past, Responding to the Present, Preparing for the Future*, United States Agency for International Development, Addis Ababa, 2003.

⁷¹ FAO/WFP, *Crops and Food Supply Assessment: Mission to Ethiopia*, 12 January 2004.

⁷² IFPRI, *Ending the Cycle of Famine in Ethiopia*, 2003.

⁷³ Ibid.

Bangladesh), yet it receives the lowest amount of development aid. While emergency food aid has saved millions of lives, it has not contributed to Ethiopia's development. Indeed, there continues to be a concern that food aid may itself be disrupting the development of food markets and depressing domestic food production, leaving Ethiopia increasingly unable to feed itself.⁷⁴

51. A similar situation persists in Niger, where the food crisis of 2005 was the result of both unfavorable economic trends and structural shortcomings. The immediate causes of the food crisis were the drought and the locust invasion that destroyed many crops in 2004, impeding pasture and cereal production, but its more profound causes were the lack of development, withdrawal of the State from agricultural and pastoral extension services and pervasive chronic food insecurity, which means that any crisis quickly turns into catastrophic famine.

52. Vulnerability to famine has been increasing in the last decades in Niger (see E/CN.4/2002/58/Add.1). Since 1970, which marked the end of a period of structural surplus in cereal production, the situation has declined and Niger now has a structural deficit in that regard. That cereal availability is clearly falling behind the needs of a growing population is clearly the result of a serious decline in yields, given land degradation in Niger, among many other factors and obstacles which are analyzed below. This means that food crises have become a structural problem, rather than unpredictable, momentary.

53. The failure to harness water resources, both for irrigation and for drinking water (for people and for livestock) is one of the main obstacles to food security in Niger. Only 10 per cent of cultivation is irrigated. Although there are water resources available in Niger, these have been little exploited. The reason is the severe shortage of financial resources to invest in irrigation given its important costs, particularly on a large scale. There have been impressive efforts at promoting small-scale irrigation and providing wells in some villages, but these have been limited.

54. Another key obstacle impeding the Government of Niger to adopt adequate policies for the realization of the right to food of rural people is the profound internal contradictions operating in the United Nations system.⁷⁵ On one hand, the United Nations agencies, including FAO, UNDP, UNICEF, WFP and many others, do excellent work in promoting the development of small farmers, emphasizing social justice and human rights. On the other hand, the Bretton Woods institutions, along with the World Trade Organization, emphasize liberalization, deregulation, privatization and the compression of State domestic budgets, a model which produces greater inequalities.

55. Niger suffers from a heavy burden of external debt which severely constrains the amount of financial resources available to spend on social services, including the maintenance of food security. During the uranium boom years in the 1970s, the Government borrowed heavily, mainly to finance investments in mining and infrastructure. Many public investments which the country was encouraged to make during that time were made with borrowed money, and Niger has since been trapped in debt. In the mid-1980s and 1990s Niger's debt service approached about half of the Government's total revenue. In January 1994, the CFA franc was devalued,

⁷⁴ T.S. Jayne and D. Molla, "Toward a research agenda to promote household access to food in Ethiopia", Working Paper 2, Food Security Research Project, Ministry of Economic Development and Cooperation, Addis Ababa.

⁷⁵ See Jean Ziegler, "Schizophrénie des Nations Unies", *Le Monde Diplomatique*, Paris, novembre 2001.

doubling Niger's dollar-denominated debt overnight. In 2000, total external debt stood at US\$ 1.62 billion. Niger was then qualified for the Heavily Indebted Poor Countries (HIPC) Initiative, under certain conditions. These conditions included a cut in the size of the public-sector salary bill, measures to privatize more State utilities and a reduction in the number of education-sector employees. These measures had severe social costs in a country where virtually all employment is in government service, as even after 15 years of structural adjustment there have not been adequate efforts to generate a strong private sector.

56. Similarly, the IMF imposed draconian adjustment in the agricultural sector. Niger has wealth of 20 million head of cattle, sheep and camels, which are historically much sought after and exported widely. The animals constitute essential revenue for millions of nomads and peasants. But the privatization of the national veterinary office has produced a disaster: these people can no longer afford the prices of vaccinations, medicines and vitamins charged by the commercial traders. Although there are still veterinary assistants, they are far from covering the need in Niger, and people are required to pay not only for their services, but also for their transport, which, given the inadequacies of the transport network in Niger, is extremely costly. Another example: under adjustment, there is no longer a central laboratory to issue health certificates for animals as demanded under the rules of the World Trade Organization. Without certificates, buyers force the prices of the animals on the market lower, leaving pastoralists and farmers even poorer.

57. Policies of economic stabilization and structural adjustment have shown their limitations in Niger, given the failure of a vibrant private sector to emerge. Adjustment efforts have concentrated less on stimulating the growth of a national capitalist private sector and rather more on reducing the public sector. Thus, the negative effects have outweighed the positive effects. The withdrawal of the State, under programmes of adjustment and austerity, has further limited development within the social sectors, including health, education and food security, increasing vulnerability to famine in Niger. This suggests that there is an urgent need for deepening reflection on the economic role of the State and of international cooperation in a country suffering from pervasive chronic food insecurity. Economic liberalization is unlikely to generate significant growth in the absence of infrastructure in the country, and there is an urgent need to ensure that government policies address the basic needs of the most vulnerable people living in rural areas.

VI. PEASANTS' MOVEMENTS

58. Peasants have always organized themselves to fight discrimination and exploitation, beginning at the local level and gradually growing to form national movements, both in the North and in the South. In Canada, for example, Provincial Farmers' Unions have long worked in their respective provinces to protect family farming against the industrialization of agriculture, until they merged in 1969 to create the National Farmers' Union. In Brazil, the MST, or Landless Worker's Movement, has emerged out of frustration at the extreme concentration of land in the hands of rich landowners (*latifundios*), the practice of *grillagem* (land-grabbing), and the ongoing process of the modernization and liberalization of agriculture. Since its creation in 1984, it has been fighting both at the local and national levels for agrarian reform and the right to land of small peasants. Thousands of peasants' organizations have done the same, in many other countries.

59. In response to increasing pressure to privatize and liberalize agriculture on a large scale, as a result of decisions taken at the international level, local and national peasants' movements began to work more closely together and in 1993, they created an international movement to protect their rights and promote agricultural policies and land reforms in favour of small farmers. The international movement of peasants, Via Campesina, was created in 1993, with a first international conference organized in Mons, Belgium, in May 1993. Seven months later, in the final stage of the last round of negotiations of the General Agreement on Tariffs and Trade – the Uruguay Round, more than five thousands peasants from Europe, Canada, the United States of America, Japan, India and Latin America participated in a demonstration in Geneva. After the creation of the World Trade Organization (WTO) in 1995, Via Campesina organized its second international conference in Tlaxcala (Mexico) in 1996. Since then, it organized three international conferences, in Bangalore (India) in 2000, in Sao Paulo (Brazil) in 2004 and in Maputo (Mozambique) in 2008. It also organized several international events, including in parallel to international meetings at the WTO in Geneva and at the FAO in Rome, and several regional conferences.⁷⁶

60. Today, Via Campesina regroups 148 organizations in 69 countries and it is estimated that these organizations represent more than 200 millions peasants worldwide. Via Campesina described itself as “the international movement of peasants, small- and medium-sized producers, landless, rural women, indigenous people, rural youth and agricultural workers”, created with the objective “to develop solidarity and unity among small farmer organizations in order to promote gender parity and social justice in fair economic relations; the preservation of land, water, seeds and other natural resources; food sovereignty; sustainable agricultural production based on small and medium-sized producers”.⁷⁷

61. Via Campesina regroups organizations of peasants, smallholder farmers, agricultural workers, indigenous people, peasant women and landless people. It includes the *Confédération Paysanne* (France), the MST (Brazil), the National Farmers Union (Canada), the *Coordination Nationale des Organisations Paysannes* (Mali), the *Coordinadora Nacional Indígena y Campesina* (Guatemala), the Indonesian Peasant Union (Indonesia) and the Korea Women Peasant Association (South Korea). Based in Asia, Latin America, Africa and Europe, these organizations are fighting for agrarian reform, food sovereignty and the right of the peasants to be able to feed themselves. They commemorate two events each year: the 1996 massacre of 19 landless peasants at Eldorado do Carajás (Brazil), on 17 April, and the death of Lee Kyun Hae, a Korean peasant who stabbed himself to death during a massive protest against the WTO in Cancun (Mexico) in 2003, on 10 September.

62. In response to the liberalization of agriculture imposed by the IMF, World Bank and WTO, Via Campesina developed the concept of food sovereignty in 1996. Since 1996, the concept has gained support, both in the South and in the North, and during the World Food Summit: five years later in 2002, a NGO/CSO “Forum on food sovereignty”, attended by representatives of over 400 civil society and farmer organizations, defined the concept of food sovereignty as:

⁷⁶ A. A. Desmarais, “Via Campesina: Consolidation d’un mouvement paysan international”, CETIM, *Via Campesina. Une alternative paysanne à la mondialisation néolibérale*, 2002, pp. 71-134.

⁷⁷ See www.viacampesina.org.

63. “Food sovereignty is the right of peoples, communities, and countries to define their own agricultural, labor, fishing, food and land policies which are ecologically, socially, economically and culturally appropriate to their unique circumstances. It includes the true right to food and to produce food, which means that all people have the right to safe, nutritious and culturally appropriate food and to food-producing resources and the ability to sustain themselves and their societies.

64. “Food sovereignty means the primacy of people’s and community’s rights to food and food production, over trade concerns. This entails the support and promotion of local markets and producers over production for export and food imports.

65. “... Food sovereignty requires:

- Placing priority on food production for domestic and local markets, based on peasant and family farmer diversified and agro-ecologically based production systems;
- Ensuring fair prices for farmers, which means the power to protect internal markets from low-priced, dumped imports;
- Access to land, water, forests, fishing areas and other productive resources through genuine redistribution;
- Recognition and promotion of women’s role in food production and equitable access and control over productive resources;
- Community control over productive resources, as opposed to corporate ownership of land, water, and genetic and other resources;
- Protecting seeds, the basis of food and life itself, for the free exchange and use of farmers, which means no patents on life and a moratorium on the genetically modified crops; and
- Public investment in support for the productive activities of families, and communities, geared toward empowerment, local control and production of food for people and local markets.”⁷⁸

66. Since 1999, Via Campesina also promotes a “Global Campaign for Agrarian Reform” with FIAN International, having the MST as one of its main organizations fighting for agrarian reform. And since 2001, Via Campesina began to monitor the human rights situation of peasants worldwide. In 2004, 2005 and 2006, *Via Campesina* produced reports with FIAN International on the violations of peasants’ human rights, showing that peasants suffer from violations of all human rights, in many countries in a systematic manner, and that in most cases they don’t have access to legal remedies.⁷⁹ The most recent work of *Via Campesina* on the rights of peasants includes the adoption by the International Coordinating Committee of *Via Campesina* of the “Declaration of Rights of Peasants – Women and Men” in Seoul in March 2009. The first

⁷⁸ See www.foodfirst.org/progs/global/food/finaldeclaration.html.

⁷⁹ FIAN, Via Campesina, *Violations of peasants’ human rights. A Report on Cases and Patterns of Violation 2004*, Heidelberg, FIAN International & Via Campesina, 2004 ; FIAN, *Violations of peasants’ human rights. A Report on Cases and Patterns of Violation 2005*, Heidelberg, FIAN International, 2005 ; Via Campesina, *Annual Report : Violations of Peasants’ Human Rights*, Jakarta, La Via Campesina, 2006.

formulation of the Declaration of the Rights of Peasants took place at its Regional Conference on Peasants' Rights in April 2002 in Jakarta, after activities in 2000 and 2001.⁸⁰ It was then finalized during its most recent conference on peasants' rights, in Jakarta in June 2008.

CONCLUSION

67. Smallholder farmers, landless people, tenant farmers, agricultural labourers and people living from traditional fishing, hunting and herding activities are among the most discriminated and exploited people in many parts of the world. Every year, thousands of peasants farmers are victims of expropriation of land, forced evictions and displacements, and this situation could reach an unprecedented level, with the new phenomenon of the "global land grab". At the same time, traditional fishing communities are increasingly threatened by the industrialization of fishing activities, people living from hunting activities by the creation of development projects, and pastoralists by conflicts with farmers over land and water resources. All together, these people constitute 80 per cent of the world's hungry.

68. Peasant women are also disproportionately affected by hunger, food insecurity and poverty, largely as a result of discrimination in access to and control over productive resources, such as land, water and credit. Despite their key role in ensuring food security, 70% of the world's hungry are women.

69. To improve the realization of the right to food of these people, it is clear that more attention needs to be given to agrarian reform that benefits small scale land holders, and promotes security of tenure and access to land, including for women. There is also an urgent need to ensure that government policies are sufficiently well formulated in order to address the needs of the most vulnerable people living in rural areas. These policies and reforms should be designed with the peasants movements, born in response to exploitation and discrimination.

⁸⁰ See H. Saragih, "Les paysans du monde ont besoin d'une convention protégeant leurs droits: le rôle attendu de l'ONU" in J. Duchatel, F. Rochat, *ONU. Droits pour tous ou loi du plus fort ?*, Genève, CETIM, 2005, pp. 349-365.