



REPORT OF THE ECVV WORKING GROUP LAND'S MEETING
17-18 JANUARY, 2018
 Brussels Belgium

TABLE OF THE NATIONAL LAND SITUATION AND NATIONAL STRUGGLES

COUNTRY	NATIONAL SITUATION	STRUGGLES
Andalucia-SOC	Always more concentration. A lot of land are in the hands of banks. The public policies do not encourage a real incorporation of more youth and women and thus there is an unequal access to land.	<p>There are resistance project where land are occupied and cultivated. SOC members occupied the <i>Finca Publica</i>, the <i>Farm of Banco</i>, <i>Aloraima</i>, <i>Somotes</i>, <i>Marinaleda</i>, etc. There are risks of eviction by legal means. However agroecological projects (linked to seeds, land, etc.) are taking place in these different places and SOC succeeded many time to avoid privatization.</p> <p>The regional government of Andalucía has a 1994 agricultural law stating that some land were public. Now the minister needs money and want to sell them. With the occupation SOC proposes a cooperative use of land, preserving biodiversity and a sustainable use of land. Our strategy is to create a link with social movements, consumers and to make it public, to denounce privatization through the media.</p>
Belgium-FUGEA	Working for the "bail à ferme", a legislation which regulates the renting of land to peasants for a certain/longer time. Some forces in Belgium would like to get ride of this legislation.	
Turkey-Ciftçi Sen	Loosing lots of land for construction. Lot of foreigners are buying land in Turkey. Grazing land and pastures had a very distinct status: it was for common use. Now they are in danger.	There is the usual resistance from villages against big infrastructure projects. It is often the poorest land or the common land that are grabbed by companies. The pretext is often saying that it is for energy investment, considered to be a common good, especially for hydroelectric, thermic project. There has been resistance of the villagers , succeeding to stop some of them, through petitions and protests . But it was hard to organize a resistance because it is the legal property of the municipality.
Austria-	70% of the land is mountainous and forest area.	The Movement <i>system change not climate change</i> , is



<p>ÖBV</p>	<p>The land is very scarce, expensive and it is hard to install. The majority of the land is leased, it is insecure for farmers. On the other hand Austria is a player in land grabbing, in eastern EU countries.</p>	<p>strong. They won a fight against the expansion of an aeroport. The <i>Nyeleni Austria</i> movement is also very active. there have been short land occupation especially close to Vienna.</p>
<p>Romania-Ecoruralis</p>	<p>Lots of problems in South and North where thousand of hectares are bought by foreign company, using of the wood of forest to export. Ecoruralis started a discussion at the government level but they do not have the mechanisms to stop the buying of land and to protect the people/villages on the land. In addition, the discussion around protection is often lead by nationalist.</p>	<p>- <i>Rosia Montana project</i> (goldmining) was a project of 1500 hectares, which was about to destroy and relocate lots of farms. The opposition for these project was transformed at national and international level. Our struggle and campaign was big with very strong demonstration that succeeded to block this project thanks to the people unity.</p> <p>- As strategy, NGO have sued the company and government at all aspects of the project. Many were lost, some won, in any case it made the campaign longer and gave us visibility/identity. Also, everybody proposed to buy 1m2 to the peasant to protect the land.</p> <p>The resistance is done thanks to a strong sharing of information in order to mobilize people. It is important for the local community to rise up the problem at national and international level to resolve it. In romania there are also different succesful movements agains shale gas.</p>
<p>France-Confédération Paysanne</p>	<p>In France, 1 % of land disappear every year, there is a strong concentration of land. This year it should have a new legislation on land, the first renewal since 50 years, Confédération Paysanne wants to help elaborating it. Currently, the SAFER (Land Development and Rural Establishment agency) is supposed to help the installation. Only 25% of land is really directly owned by the farmers that work the land.</p>	<p>- the ZAD (Areas to be defended): <i>Notres dames des land</i>, were peasants and allies occupied the land, they also took advantage of this space to construct a new model of organisation of society. Youth movement is really mobilized on these questions. Repression is very strong in France.</p> <p>- Putting light on the landgrabber The Confédération Paysanne is part of a collectif against landgrabbing and organize regularly actions.</p> <p>- The Juridical Action Committee created by peasants: Militant jurist that can help to train peasants in order to understand and use the rural code as well as to defend peasants in tribunals. These committees were created in 2005 by Confédération Paysanne, there is 1 by small</p>



		<p>regions.</p> <p>→ There is a lot of mobilization but often they arrive too late, when the territorial and urban plans are already adopted.</p>
Sweden-Nordbruk	<p>Forest is part of our farms and one of our most important export product. The government wants to liberalize it and the prices of wood is getting down. The price on forest land is really high (because of speculation) so no farmers can buy their land/farm and we are losing farmers.</p>	<p>Nordbruk wanted to have translated the manual of the Tenure Guidelines (although facing difficulties explaining it is also useful in EU member states like Sweden).</p> <p>Different demonstration against project mining, uranium mining and wind electricity installation which use agricultural and indigenous land. We try to show the connection with the grabbing forest land in the global South and our situation in Sweden.</p> <p>Nordbruk have written a document about the 25 years of experience of capital liberalization directive and the ongoing situation in Sweden. The document (also with their comments on EU Com interpretative notice on the acquisition of agricultural land) was given to the delegates.</p>
Italy-ARI	<p>Traditional farms in Italy are small farm and are the one really feeding Italy. However, there is a huge land concentration, with a really high price, we have lost more than 45% of agricultural land and 2/3 of farms. Lot of good agrarian land are around towns and because of urban speculation, most of lands belong to banks and insurance. Rental is really rare, it is nearly always subcontracting (this is why it is essential to link this question within the PAC). In legal terms, the Italian constitution has 2 articles saying that right to property is collective.</p>	<p>Different initiatives of resistance:</p> <ul style="list-style-type: none"> - Often, the resistance are taken by a militant group and the agricultural question comes after. In Italy an important struggle for defending agricultural land is the NO TAP in Puglia, one against the construction of a gas pipeline that is destroying olive trees. As the olive trees are essential in this region, it help to make a strong political lobby and to convince institutions. The most organized resistance against agricultural land destruction is in Sardegna (more than 50 local committees). There are others initiatives in almost any Italian region (Piemonte, Veneto, Lombardia, Lazio, Abruzzo, Calabria, Sicilia, Puglia, etc) - there are scientific and political committees in regions fighting against land grabbing. The local committees have different tools: manifestation, occupation (cooperative CORAGGIO, .. , etc), appeal to justice The use of juridical tools is relevant. One problem is that all committees in the struggle have little communication and coordination at national level. The limit is also that it is a very urban



		<p>approach, the link with the agricultural land is not as strong as necessary.</p> <p>→ There are strong union movement but less peasants movements, however the link with agriculture give more possibility to win the struggles.</p>
Georgia-Elkana	<p>In Georgia there are a lot of peasants with too fragmented lands and few roads which make it hard for farmers to cultivate. The government started to privatize land since 2005 and abolished the communal management of land, now the ministry of industry possess and regulate the selling of land. There is a ban to sell agricultural land to foreigners, but it won't last because it is against the EU legislation and constitution.</p>	<p>Strong resistance of the community, for example one village fought during 30 years and did not move when they wanted to build an hydro power station. There is the issue of communal pastoral land which was sold to investors without informing the community, lot of conflict on that after investors let it.</p> <p>It is important to pay attention to the impact of the project if they indirectly make the use of land hard (reducing water, seismic zone danger,...).</p>
Spain-COAG	<p>It's hard for a young farmer to get into the agriculture as land is really a scarce resource. The bank does long term loan with bad mortgage. There is a big issue of concentration of land and lots of projects to privatize common lands.</p>	
Netherlands Toekembsboeren	<p>The price per hectare and the concentration of land are very high. In addition, the quality of the soil is problematic. Important to push for urban agriculture to get young people to farm.</p>	<p>No examples of concrete resistance.</p>

Presentation of the different tools that ECVC members can use to support our work on land

1. Attila-Ecoruralis: The ECVC definition of land grabbing
2. Elene-Elkana: The Comité of facilitation of the FAO and the VGGT
3. ARI- Antonio: The INI report of the European Parliament
4. Confédération Paysanne- Gérard: Legal Proposals on land issue



1. ECVC Definition of land grabbing

Link for the detailed definition: <http://www.eurovia.org/how-do-we-define-land-grabbing/>

ECVC under the impulse of Ecoruralis started building up this definition because there was a need to explain what is land grabbing for us in the EU, as many levels of land grabbing are not taken into account.

ECVC came up with 5 criteria that could be used to define land grabbing and that are interlinked.

A. **Size** : In order to have a size to identify land grabs, people must look at land holdings in their countries and determine what the average and culturally adapted sizes are and the range that most holdings fall into.

B. **People** : Absolutely anyone can be a land grabber: individuals, groups or companies; public or private; governmental or non-governmental; domestic or foreign. Land grabbing is not limited to certain groups or people.

C. **Control** : Land grabbing is about overall control. Land grabbers can control areas in several ways including leasing land (sometimes through long-term leases from governments, called concessions), having tenant farmers or sharecroppers, or actually owning the land. Land can also be controlled through quota and supply contracts that force people to use the land in a specific way for the benefit of the land grabber.

D. **Legality**: Land grabbing occurs both legally and illegally within current laws.

E. **Usage** : Land grabbers use land in harmful ways and for exclusive purposes. They are all linked to mercantilization and commodification of land.

→**This definition of land grabbing is the official position taken by ECVC, and should be used as a tool for the members work on land.** It is the only definition done by the farmers affected community.

2. The Popular Manual on the Tenure Guidelines (TG)

The TG ([Guidelines](#) on the Responsible Governance of tenure of Land, Fisheries and Forests) were adopted by the CFS (Comité on Food Security) in 2012 with the participation of EU states. It is an important document because it is one of the few international tools related to tenure rights and it is based on a human rights approach. In the CFS, the civil society (CS) could participate to the negotiation of the TG. Juridically, it is a voluntary document, but the states have voted for it and adopted, and it is a document based on recognised human rights. The purpose of these guidelines is to be a reference and improve national policies on land (written or customary laws).

In 2016 the Food producers organisations within the IPC wrote the **People Manual** to be downloaded [here](#). The people manual is a simplified explanation of the TG. In the manual there are also some examples on how to use the TG. ECVC organized 2 trainings (in 2014 and 2015) on the use of the guidelines, a further training can be done if there are special requests. It is always important to contextualise and nationalize the guidelines because problems and solutions are diverse.



3. The Initiative report of the European Parliament (INI)

Despite the widespread social mobilization at the local level, EU institutions, backed by landowner organizations such as the European Landowner Organization, did not recognize the issue of land as a major European problem for a long time. As a response, ECVC members organizations met in Romania in 2012 to develop a joint European strategy, and established a solidarity mechanism among different land struggles in Europe. Since then, its member organizations together with the Hands off the Land (HOTL) network, and more broadly the food sovereignty network, mobilized to gather evidence of land concentration in Europe and to oppose this process at the institutional level.

A report published in 2013 by ECVC and HOTL showed—based on case studies from 12 countries—that land grabbing and access to land have become critical issues in Europe. It also revealed that the CAP's direct payment scheme—which links subsidies to the farm size and thus provides incentives for the creation of bigger farms—is an important factor leading to land concentration in Europe.

This necessity of having a tool addressing the problematic of land in **Europe** was pushed by ECVC TNI, FIAN, Corcevia and other allies as Terre de Liens. States are supposedly sovereign on their land but there is a lot of EU rules (free circulation of capitals and enterprises) that are stronger and that impact national legislation. The European Commission did not wanted to collaborate but after a [petition](#) drafted by ECVC and Terre de Liens, the European Parliament was ready to help us, and wrote [an own initiative report \(INI report\)](#), a resolution of the EP on the issue of access to land in Europe, in which the EC is called to take action on different land issues from an European perspective. This is the first step to obtain some juridical instruments (that the EC is supposed to work on). This INI report had a full support at the EP (nearly all countries and parties), however the answer given by the DG of the Commission responsible for the topic (DGFISMA) and the general answer of the EC on the INI report itself do not seems that there is a will for creating new tools or major policy change. This report is not mandatory in term of jurisprudence but it is an obligatory point of consultation.

Some of the most important demands present in the INI report are the following:

- The set-up of a Land Observatory to monitor land transactions. A central European Observatory would serve to gather essential data and information on the level of farmland concentration. The main tasks of the Observatory would involve recording land prices and market behavior; changes in land use and loss of farmland; trends in soil fertility and land erosion;
- The development of clear EU guiding principles on land governance based on the Tenure Guidelines;
- The call to monitor all relevant policy areas, such as agriculture, energy, environment, regional development, mobility, finance and investment and to see whether they encourage or counteract the concentration of agricultural land in the EU; and
- The acknowledgement that the CAP and other European policy areas instigate land concentration in Europe. To respond to this a high level task force should examine the impact of EU policies on land concentration.

The reply of the EC to the ini report is an interpretative communication from DG fisma on acquisition of land by foreign invenstor.



ECVC jointly with the HoTL coalition wrote its own analysis of this communication. Nordbruk also develop its own analysis. Both analysis are not published online but they can be available if you ask to the ECVC office.

4. Legal Proposals on land issue by the Confédération Paysanne

In France, the land legislation is from 1962, and in 2018 there will be a new law on land tenure, this is why Confederation Paysanne is working on a political proposal for influencing the French Parliament.

3 points on which Confédération Paysanne works in France:

- **the SAFER**
- **The French Control of farm law**
- **Relations with the local collectivities.**

SAFER

SAFER are agencies, present in many regions of France, supposed to help the settlement of farmers, they have a pre-emption right on land sale and then they re-sell it to peasants; theoretically they have the right to push the price down if it is considered to high (but this is sometimes tricky if they go to court they are forced to accept the price of the judge and they are force to buy at that price). SAFER are dominated by the major farmers union in France, FNESA. They are supposed to be public agency with a non-lucrative goal, but they are at the same time shareholder agencies. (Confédération Paysanne had to buy some holdings in order to enter into the society to have right to voice). The income of safer comes from the margins they do of their sells, which is problem: they are supposed to help the selling of agrarian land at low price for peasants, but to have money they must sell it more expensive than they bought it. It won't be possible to improve the SAFER if they do no receive public funding from the State.

The French Control of farm law

In France there is a legislation called control of the farm structures, which allow the local authorities to enter in the discussion on who has the right to farm in a specific land, on the base of some administrative criteria. The regulation is regional so this means that is implemented in a different way region by region. Now the French government would like to get rid of this legislation and is trying to put an experimental derogation in two department of France. Confédération Paysanne is against this position of the government and is fighting against this change in the legislation. This legislation should be linked to the issue of capping CAP subsidies by hectare.

Relationship with local authorities (municipalities, department, etc.)

There is a good dialogue with some local authorities. For example there are more authorities that work with us in implementing urban and territorial planning in a way to stop the artificialisation of land. Confédération Paysanne decided to work more in the elaboration of territorial and urban planning.

Some regions gave credits under certain conditionality to SAFER on the base of public interest. Confédération Paysanne is also working with local authorities on the creation of communal farm or on the acquisition of collective ownership for giving the land with a low rent to farmer.



Some highlights from the Debate and questions session

- **On the definition of land grabbing**

It is important to take more into account indigenous people and customary law.

- **On CAP**

There is a need have more informations on how the CAP is set in all countries. For ex in Italy or in Spain it seems that in some case is the owner of the land that get the subsidies and not the real producer who is working on this land. It is shocking because CAP should be for active farmer and not for owner.

- **On Land Directives of the FAO (TGs) and the Initiative Report of the EP**

We need to build a EU framework that could be applied in all countries with the objective to block the free circulation of capitals and make a strong link between CAP and land. TGs should be used to change European and national legislations. *But how* can members use the guidelines when doing an occupation, a local struggle, could it have a legal impact?

- **Overview of the work of the international collective on LAND**

LVC has an international collective (WG) on land water struggle. ECVC is involved in it mainly through Federico and Juanjo. The Next international meeting of the collective will be In February in Andalusia jointly with other LVC collectives.

LVC international collectiv is also involve in the international working group of the IPC on land. IPC is the food producers network for food sovereignty, which bring together all producers (not just peasants). IPC answers to the need of having a space within UN, as IPC can influence the FAO and through it the UN. The committee of facilitation/executive are elected from different organisation (fisheries, LVC, etc.). There are decentralized secretariat in Rome, Latine America, Africa, Asia. It gather 800 organisation, 250 millions person, and is one of the biggest platform as social movement. IPC has different working groups: on fisheries, biodiversity, etc. On land, the coordinators are: Angel (LVC), Many (indigenous people) and NGO of support: FIAN (sofia). There is a strong link between IPC and LVC, lots of members of the comité of IPC come from LVC. **ECVC will propose Juanjo for following the land work of IPC on behalf of ECVC.**

Both the LVC collective and the IPC working group on land are working with the main international institutions dealing with land issues:

FAO – The UN food and agriculture

CFS – Committee on world food security. Is an autonomous body of the UN dealing with Food security issues, in which all the UN countries are represented. ECVC-LVC-IPC participate in the negotiations within this body through the - CSM- Mechanism of the Civil Society.

- **Evaluation of the past action plan of ECVC**

Some objectives were reached (Petition to the EP, INI report, training on the TGs), other less but overall a lot of work has been done and now land grabbing became an European issue and ECVC organisations know more about the local struggle around Europe.

Two major local struggle also have been won: Rosia Montana and Notre Dame des Landes.



- **Comments on the past strategy:**

Lack of representation of the Nordic countries makes some issues not represented and understood. Need that the Nordic countries implicate themselves to carry out the thematic of forest.

New Action Plan on Land of the ECVC Working Group:

Organization and responsibilities:

ECVC CC: Antonio and Federico now, but not sure if there is going to have changes.

ECVC staff: Ivan, but with few time to dedicate to the work. ECVC team can facilitate communication, translation, but the real work have to be done by the organisations member of the WG.

For communication: ECVC staff responsible for communication: Andres. On ECVC webpage, there is a [section on land](#) with all documentation. and it is possible to add category and other tools if needed.

WORK PLAN 2018 -2019 / Coordination Responsibilities

The long term objectives remain the ones present in the strategic document of ECVC 2017-2021.

OUR ACTION PLAN CONSISTS IN 5 PILLARS with each time 2 organisations responsible

- **1 PILLAR: Inventory of situations regarding land in all European countries tools, access, etc.)**

On the base of the work done in the last years the WG can develop an inventory of the different situation regarding land in all the European countries where there are ECVC members.

When possible would be good to include aspects concerning: youth, CAP and customary law

→ Possible to work with some allies such *Hands on the Land* and *Access to land* network

→ Elkana could maybe help for translation in Russian to facilitate the involvement for eastern countries.

- **Responsible:** Attila (Ecoruralis) with Antonio (CC) + the office will collect and structure the info already present (Ivan, intern).
- **Calendar:** to be finalised before the end of the year 2018 .

- **2 PILLAR : ECVC Political proposals:**

A. Sub-Group working on the elaboration of an European directive proposal representing our vision of land

The proposal will be presented during the next GA (march 2019).



- **Responsible:** Fede (CC) and Fanny, Gerard (Confédération Paysanne), relation with group of pillar 1.
- **Calendar:** in order to have a proposal ready for the next GA, physical meeting around December in order to have a concrete proposal by the end of 2018.

B. Subgroup on CAP Group with the objective to develop concrete inputs for the ECVC CAP WG.

Responsible: Antonio, Attila

C. Subgroup working on the implementation of the EP INI report, Put forward concrete proposals to the EC on how implement the INI report: proposals as Land market Observatory, etc.

- **Responsible: Antonio (CC), Attila (Ecoruralis), Isabella (OBV)** (OBV together with FIAN and other trying to make a case study and apply the guidelines in EU framework.)

- **PILLAR 3: Political training on land**

- Render the documentation (People's manual, EU report of the EP) more adapted to the EU context and organize trainings on our tools, as well as political trainings.

- Having a very short and precise methodology on how to use the VGGT, a 5 points document very basic to give an easy access to the information.

- **Responsible: Elene (Elkana)** for trainings and **Antonio (CC)** finance: money can be found at the FAO to do the trainings

- **PILLAR 4 Strengthen local struggle and European Solidarity**

→ pass the info and react quickly.

→ Simplify and spread documents (for ex: make little video on the fights that were present in EU)

→ Give tips for emergency solidarity actions (easy protocol as formal letter to always use, etc.)

→ publication collecting legal and financial strategies to strengthen our struggle

→ Create an European militant lawyer group helping us in our struggle

- **Responsible: Juanjo (SOC)** with the support of **Benthe (Toekemsboeren)** for logistics media work.
- **Fanny (Confédération Paysanne)** and **Carmen (SOC)** can help keeping an eye to: enlarge the mode of action and give a feminist point of view.

- **5 PILLAR: International level: make a link with LVC, IPC, FAO, West Africa, etc.**

LVC ICC responsible for the land collective are: Nuri and Zainal, maybe Federico will also be responsible.

- **Responsible for ECVC:**

For the *IPC* : **Juanjo (SOC)** can represent our WG group



For *West Africa*: **Fanny** (Confédération Paysanne), (talk to the international collective to make ECVC legitimate to go with other regions).

For the *international Collective of Land*: Maybe **Fanny** and **Attila** could also participate in order to have always a European representative at any meetings of the international collective

→ Be careful to pay attention to international processes as the work on the *Declaration of rights of peasants*

- **Internal management of the WG:**

→ The mailing list can be actualized: Ivan will send an email to the WG reminding who is present in the list.

→ Proposition: All 4months, the subgroups can upload what they have done and share their work with the whole WG land.

→ try to have a meeting in December to see the results of PILLAR 1 and 2

Next skype meeting at the end of march

GENERAL REMARKS

- **Transversal points in each pillar:** Forest, “use of land”, CAP

For **Forest**, Torgny (Nordbruk) could draft a document about the issue of forest in EU, as well as a potential position document for ECVC to be adopted in the WG.

- **The debate on commons**

→ It is an important work on it but it can be a long term objective. The collective can propose a discussion on this topic during the next GA.

Conclusion and collective evaluation of the meeting

The meeting was interesting, divers, good, useful and help us to create an ECVC pro-active agenda including people.



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