



YOUR LAND, MY LAND, OUR LAND:

GRASSROOTS STRATEGIES TO
PRESERVE FARMLAND AND ACCESS
TO LAND FOR PEASANT FARMING AND
AGROECOLOGY

This handbook is published by the Nyéléni Europe and Central Asia platform for Food Sovereignty, the European food sovereignty movement, as a means to nourish the food sovereignty movement in Europe with ideas to support their local struggles for land as well as to try and connect different experiences.

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Please see the seminar report:

<https://www.accesstoland.eu/Local-land-strategies-legal-tools-and-levers>

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The full list of authors and organisations who have contributed is included at the end of this publication. We thank them all for contributing their time and knowledge, sharing their experience and providing such inspiration.

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INTRODUCTION

Resistance is fertile: grassroots strategies for the preservation of farmland and for access to land for peasant farming and agroecology

In recent decades the European continent has been subject to a complex combination of agricultural and food policies, free trade agreements, market-dominated liberalisation and energy policies, infrastructure and mining projects, and urbanisation. There is no shortage of concrete examples, from the current CAP and the lack of sufficient regulatory mechanisms relating to markets and prices, to various pieces of national legislation and rising change of land use. These culminating factors have driven the industrialisation of the agricultural system and the commodification of its very starting point: land. The main outcomes of this *great transformation* of European rural areas are numerous: the extreme reduction of the number of farmers¹; the concentration of land in the hands of the few²; the ageing population in farming³; volatile prices which prevent farmers from earning a dignified living; the loss of farmland; the rapid degradation of soils and ecosystems, and land being used as a pawn in the free movement of capital.

However, land is not a commodity. Land is a natural resource and the basis of all food production, upon which many fundamental human and peasant rights depend, such as the right to food, the right to work, and the right to a decent income and livelihood. Genuine policies on agrarian reform and the control and redistribution of agricultural land are disappearing, and agricultural workers, whether locals or mostly migrants, are forced to accept low wages and precarious social and labour conditions. There is good reason why, for the first time ever, the UN General Assembly recognised peasant communities' human right to land in

article 17 of the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (2018). This recognition comes at a time where local communities are experiencing the consequences of land concentration, land grabbing and financialisation of land that is happening all over the world, including in Europe. Unfortunately, however, the majority of European countries decided to abstain from the adoption of this historical declaration.

Despite the fact that a great number of European and national policies promote the industrialisation of agriculture and the commodification of land, **resistance is fertile**. In Europe, an enormous constellation of land struggles and experiences have been born and developed to protect farmland, and grant access to land for peasant and agroecological farming, in many cases collectively and communally. Despite the difficulties, these struggles show there are indeed ways of protecting farmland as a collective fundamental resource, granting access to land for peasants, young people, rural landless workers, new farmers and agroecology, whilst fighting against land grabbing, land concentration and land destruction.

What is more, these land-related experiences both create and are helped by fairer local economies. They often use the transformative concept of food sovereignty as a framework (see box), and bring together a broad range of local actors. In effect, local resistance by peasants and communities gives birth to an alternative model of production that is ecologically sustainable and socially just. Those experiences, therefore, represent not merely examples of resistance to the commodification of lands, but also real solutions for the challenges the European continent is facing that reach beyond the agricultural sector, such as climate change, social inequality, environmental pollution and the hollowing out of real democracy, to name but a few. They are real-life examples of how the concept of food sovereignty can be implemented in a way that benefits communities and societies at numerous levels.

A key example is the victory of Notre Dame des Landes, which is a symbolic and historic point for land struggles and a sign of hope for the whole European continent. Over a period of more than 20 years, this struggle united a vast range of actors in their fight against a huge airport project on around 2000 hectares of agricultural land, ecologically sensitive wetlands and forests. Across the continent, other land struggles and mobilisations have since emerged, many of which have been successful. This handbook therefore aims to provide land activist groups with hope and inspiration as well as systematic, hands-on practical knowledge about various approaches and strategic options based on real, successful stories and experiences. In each approach, different examples illustrate various concrete applications, giving a clear overview of tools that can be used to strengthen land struggles at a local level.

The approaches cover a variety of topics, split into six chapters:

Chapter 1 - Land matters! Claiming land as political

Chapter 2 - Land laws - legal frameworks and policies

Chapter 3 - Land, people, action! The struggle for land from the ground up

Chapter 4 - Our land - public lands for the common good

Chapter 5 - Reinventing community solidarity around land

Chapter 6 - Increasing the resiliency of movements

Whilst the aim is to bring together a sample of case studies that reflects the diversity of struggles and mobilisations, it is important to underline that it is far from exhaustive. Access to land for women, for example, is one area that is insufficiently addressed and which ought to be explicitly considered whilst tackling land issues.

However, the contributors hope that collectives involved in local struggles, land activist groups, peasant and farmers' organisations, future farmers, associations working on food sovereignty, consumers' groups, environmental groups and other food and environmental organisations will be able to use the handbook to support their work. In this way, they can also build on the handbook and enrich it with further insights.

Each example, story or case has been written by a different individual, group or organisation, whose different voices and perspectives are joined together by a common thread. They can be read separately or together, and though each is different, together they struggle towards a common goal of protecting their right of access to land. At the end of the text, more sources and information can be found, both on the individual cases and the wider context in which the land access question is situated.

The handbook is published by the Nyéléni Europe and Central Asia platform for Food Sovereignty, as a means of nourishing the food sovereignty movement with ideas to support local struggles for land. It also tries to connect different experiences and is an invitation to build collective intra-European support mechanisms for land struggles. The handbook itself is dedicated to those who are struggling on the ground for better and fairer access to land. We thank not only the groups and organisations who have shared their stories, but all those who have taken part in the experiences described. We hope that their efforts, sacrifices and knowledge can help inspire and strengthen the on-going struggle for greater justice in access to land in Europe and beyond: **resistance is fertile.**

Food sovereignty

Food Sovereignty is the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems.

Food Sovereignty is a process that adapts to the people and places where it is put in practice, a “process in action” that strives for solidarity, not competition, and for building a fairer world from the bottom up. It calls for systemic change, to give human beings direct, democratic control over the most important elements of their society: how we feed and nourish ourselves, how we use and maintain the land, water and other resources around us for the benefit of current and future generations, and how we interact with other groups, peoples and cultures.

Food Sovereignty emerged from peasant organizations as a proposal for humanity to rethink how we organize food and agricultural production, distribution and trade, how we make use of land and aquatic resources and how we interact, exchange and organise with one another.

CHAPTER 1

Land matters! Claiming land as political

Over time, struggles around land ownership and land use have shaped major political struggles for social justice and given birth to revolutions or extensive agrarian reforms. As our societies have become more industrialised and increasingly urban, these issues no longer take centre stage. With land being the cornerstone of classic conceptions of property, its allocation and use are protected by the interests of the owning class. The interests of large landowners and conventional farmers' unions have thus converged to mark the land allocation as unquestionable and best managed by the market.

In the last thirty years, many governments and administrations across the European continent have also adopted a neo-liberal, market-led economic philosophy that prioritizes private property, the free movement of capital and high returns on financial investment - simultaneously marking the land question as closed.

However it has become clear in recent years that not only are issues governing land use, ownership and management more relevant than ever, but that there is a vibrant movement in Europe working to reassess how land is governed and developed in order to ensure a continuity of peasant farming and resilient, diverse agroecological land use to confront biodiversity loss and climate change. This first chapter looks at how land has been put back on the European institutional agenda, and at systems and strategies for engaging citizens and bringing information about land into the public sphere.



Land Justice Network's mass trespass of Lord Bathurst's Estate in Cirencester.
Credit: Robin Grey

Land - particularly farmland - is often little debated in the public realm. There are widely different histories and narratives about land throughout Europe. However, land is a cornerstone of private property in all regions. Generally considered as capital or an asset, land is often seen as an economic rather than a political issue - to be regulated through contract law and land markets.

Land policies exist, often in connection with urban planning or agricultural policies, but they are better known for their implications (e.g. development rights, leasing conditions...) than for themselves. On a practical level, land use and land planning is often framed as a technical issue, requiring the expertise of land planners or land surveyors. And farmland is usually considered as the "available stock" available for urban or infrastructure development, rather than regulated and protected for its own functions.

Yet farmland is a vital issue for farmers and societies at large. Land is the basis of food production for urban and rural areas alike, and also farmers' livelihoods. With the ageing of European farmers, and the entry of non-agricultural players in the land market, millions of hectares in Europe is expected to change hands in the coming decade. What happens to that land when it reaches the market is crucial to the sustainability and future of our food and farming systems, and current trends are pointing in the wrong direction.

Beyond farming, the way farmland is used and allocated directly influences many burning issues in today's debates: access to healthy, nutritious, sustainably grown food, protecting ecosystems, creating meaningful localised jobs that cannot easily be outsourced, rebalancing urban and rural areas and ensuring urban-rural linkages, strengthening local communities, and addressing the climate crisis. Reclaiming land is an issue that concerns us all, and asserting the political nature of land is therefore an urgent, albeit arduous, task for our movements.

The first of our cases deals with the work done by the farmers' union the European Coordination Via Campesina (ECVC) and its allies since 2012 to force land onto the agenda of the European Union. Our second explores how the UK Land Justice network has recently been established to raise awareness of land as a common issue underpinning many struggles and injustices, and to turn this awareness into action that will challenge and change the status quo.



Pushing for change in European Land Governance!⁴

Land issues – land grabbing, land concentration, the decline of peasant farming, land loss and land degradation - are widespread across Europe. However, farmland is not protected, nor is its use directly regulated under EU law and policies. Since the inception of the European Union, land policy, including farmland policy, has been considered as falling solely under the remit of Member States as it is viewed as part of spatial planning which is their exclusive competence under the framework of subsidiarity. As a corollary, land transactions in the EU are regulated mainly through the rules governing transactions and movement within the internal market, which are based on the four freedoms - of capital, people, and goods and services.⁵ Land is considered a commodity—just as any other—that any citizen or company can buy without any restriction. However, access to and control over land and natural resources is affected by a range of EU policies and regulations, such as the CAP subsidy scheme, the European energy policy or the development of EU infrastructure. To date however, most Member States and EU institutions remain

reluctant to address this issue from a European perspective and to develop policy proposals to oppose land grabbing and limit land concentration, or indeed to facilitate access to land for new entrants and women, and ensure good land stewardship.

Over the past decades, grassroots struggles throughout Europe have made the land issue more and more visible and have developed the basis for an EU-wide mobilisation strategy. In 2012, the European Coordination Via Campesina (ECVC) and its close allies met in Romania to develop a joint European strategy to target EU institutions.⁶ Since then, together with the Hands off the Land (HOTL) network,⁷ and more broadly the Nyéléni food sovereignty network⁸, they have mobilised to gather evidence of land concentration in Europe and to oppose this process at the institutional level.

A decisive step was to publish a report showing that land grabbing and access to land have become critical issues in Europe.⁹ The report, published in 2013 by ECVC and HOTL, was based on extensive grassroots research combined with EU-level analysis, and included case studies from 12 countries. It also revealed that the CAP's direct payment scheme linking subsidies to farm size - thus providing incentives for the creation of bigger farms —is among others an important factor leading to land concentration in Europe. The report also highlighted some of the on-going grassroots struggles for access to and control over natural resources. It was widely acclaimed as the first report demonstrating the existence of land grabbing in the EU, the extent and consequences of land concentration, and the impacts of EU policies on farmland use and accessibility. The report was presented before the EU institutions (Commission, Parliament, the Economic and Social Committee) at several conferences in 2013-4.

In January 2015, ECVC together with HOTL joined forces with the Access to Land network, a European network of grassroots organisations supporting access to land for peasant agroecology¹⁰, to submit a petition called "Preserving and managing farmland as our common wealth" to the European Parliament (EP), in order to push the land issue onto the EU agenda and to develop European policy recommendations.¹¹ Over 70 European and national civil society organisations including farmers' unions, rural development organisations and environmental organisations supported the petition.¹²

Meanwhile, the Transnational Institute (TNI), an international research and advocacy institute and member of the HOTL, continued to research and expose land grabbing and land concentration in the EU. It conducted a study on the "Extent of Farmland Grabbing in the EU " commissioned by the EU Parliament (EP).¹³ The results were presented and discussed in June 2015 before the EP Committee on

Agriculture and Rural Development (COMAGRI). In December 2016, TNI also published “Land for the Few”, a series of infographics to expose the massive concentration of land in Europe.¹⁴

All along, ECVC and the HOTL network called upon EU institutions to adopt a new directive on land based on the Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (hereinafter Tenure Guidelines), unanimously endorsed by the UN Committee on World Food Security in 2012.¹⁵ ECVC and its allies also demanded that the EU radically reform the direct payments of the CAP, and assess the impact of EU policies on land use and allocation.

As of 2014-5, the issue of farmland concentration and land grabbing progressed on the agenda of EU institutions. In January 2015, the European Economic and Social Committee of the EU recognised the problem and produced its own opinion document on land grabbing as a threat to family farming.¹⁶

In July 2016, following the widespread support of the petition, and the work done in COMAGRI, the European Parliament invited ECVC and Terre de Liens to a public hearing on the petition and asked the rapporteur of a EP report on land concentration and access to land to take these conclusions into consideration. Indeed, in 2016, in response to public pressure, the EP finally decided to start a process for an own-initiative report (INI) on land concentration and access to land in the EU, which was adopted on April 27, 2017.¹⁷

The INI report drafting process was not an easy task because the EP is reluctant to reform the land tenure system, not least because of strong lobbying by agribusiness. Nevertheless, through intense work and thanks to a good collaboration with some EP members, requests were included in the INI report, in particular:

- The establishment of a Land Observatory to monitor land transactions, in particular recording land prices and market behaviour, changes in land use and loss of farmland and 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

- The acknowledgement that the CAP subsidies system based on hectares and other European policy areas contribute to land concentration in Europe and the setting up of a high level task force to examine the impact of EU policies on land concentration.¹⁸

Thanks to this work the EC has finally recognised that restrictions on the free movement of capital can be justified and that EU policy has significant impacts on land issues.

Land has been brought onto the EU agenda following a long and coordinated series of actions, which need to be reaffirmed and reinforced. EU institutions now recognise that land concentration, land grabbing and access to land in Europe is a major issue. The process since 2012 has shown how social mobilisation and organised political action at the EU level can have real impacts.

Now the land issue has been brought to the attention of EU institutions, civil society and peasant organisations plan to hold EU institutions and member states accountable - and promote the development of policies that prevent land speculation and concentration, ensure fair land tenure systems, allow European peasants and communities to have secure and stable access to and control over land and land-related resources, and achieve food sovereignty in Europe¹⁹.

Growing a national land reform movement: the UK Land Justice Network

“

Changing the story isn't enough in itself, but it has often been foundational to real changes. Making an injury visible and public is usually the first step in remedying it, and political change often follows culture, as what was long tolerated is seen to be intolerable, or what was overlooked becomes obvious.

”

Rebecca Solnit

The Land Justice Network (LJN)²⁰ is a non-hierarchical network of groups and individuals including academics, farmers, housing activists, architects, rambles, coders, musicians, planners, artists, land workers and bird watchers. They recognise that present land use and ownership in the UK are the result of policies

and decisions that have little basis in social justice or in considerations of the common good.

The LJN works together to raise awareness of land as a common issue underpinning many struggles and injustices, and to turn this awareness into action that will challenge and change the status quo. They are committed to work together and use all the tools available – including policy writing, direct action, land occupation, running workshops and events, sharing skills and creating beautiful and compelling videos, pamphlets, films, infographics, flyers, songs, art and magazines.

Background

Early in 2015, an event on land took place at the UK's Houses of Parliament. It was hugely popular with far more in attendance than the room's capacity, but sadly both the speakers and general quality of the discussion were unsatisfying. The room was dominated by a small number of people who wanted to have very technical disagreements about land taxation. This prevented everyone else from exploring areas of interest which might have been more inspiring and useful.



Illustration from Land Justice Network's pamphlet on land issues. Credit: Nick Hayes

Afterwards a number of housing, food and farming activists decided to collaborate to host more spaces where people from a variety of backgrounds could come together to

explore how land affects their lives. This group grew, and soon became an informal coalition working under the banner of *Land for What?* including people active in food, housing, farming, faith, ethnic, planning, policy and economics groups.

At this time there was very little understanding or awareness in the public consciousness that land was a source of significant historic injustice in the UK and a common issue underlying other issues more in the news such as the housing

crisis or fracking. After a year of running well-attended small events around the country, the decision was made to put on a larger two-day gathering which took place in the autumn of 2016. Following the success of this event (which attracted over two hundred people), it was felt that an open network would be a better vehicle for growing a land reform movement than a closed coalition, so in the summer of 2017, the Land Justice Network was born.

A relatively broad 'Common Ground' statement²¹ had been created by the coalition which was used as a foundational document for the network's values and vision. There was also a clear desire and motivation to encompass policy, outreach and education, mapping and direct action activities.

Achievements and Reflections

Since its founding the network has grown in membership and prominence through running numerous events, meetings, talks, walks, trespasses, actions and a couple of land occupations. Members are making good progress producing a People's Land Policy²², have been commissioned and consulted by political parties and connected think tanks and lobby groups about policy, as well as gaining significant national press. One of the network's strengths has been the quality of printed and online publicity material produced, both in terms of content and design. The illustration in this section comes from pamphlets and flyers the network has produced in the last couple of years. Making sure that their output was attractive and accessible has always been important to the network.

The key strength of attracting a broad range of people has been a weakness at times. Members have varying degrees of experience of grassroots organising, different relationships with technology, and often live far apart, so organising and reaching agreement has been challenging on occasion. The LJN has also had to consider what building an effective inclusive empowering movement means at a time of growing inequality with a backdrop of urgent political and climate crises.

While the breadth of ambition has been important to the network's success, it has been difficult to support the amount of activity in progress with limited resources. However, it can safely be said that land (both in the UK and elsewhere) is becoming better understood as a social justice issue in activist circles and this awareness is starting to break through into public consciousness. Land use, ownership and control is only going to grow as a topic of conversation as the climate emergency makes itself more widely felt through floods, droughts and other kinds of extreme weather.

Three acres and a cow

"Stories are the secret reservoir of values: change the stories individuals and nations live by and tell themselves and you change the individuals and nations. Nations and peoples are largely the stories they feed themselves. If they tell themselves stories that are lies, they will suffer the future consequences of those lies. If they tell themselves stories that face their own truths, they will free their histories for future flowerings."- Ben Okri.

A key part in the growing awareness of land rights across England has been a touring performance called 'Three Acres And A Cow, A History Of Land Rights And Protest In Folk Song And Story'. This show is performed by two people, often with local guests, and covers a thousand years of history in about two hours. Audience members receive a songbook to support them singing through the story with the narrators and they can take this home to support further sharing.

The show has created and maintains an open-source creative-commons performance kit of fifteen modules that can easily be reworked for different performers and contexts. This kit is in a near constant state of evolution which keeps the show relevant and alive for both performers and audiences. The most recent addition has been material covering the connection between medieval land grabs and the burning of women due to accusations of witchcraft.

Inspired by the apprenticeship models widely used in community food growing projects in England, the show has trained a number of performers using the kit so there is now a pool of five people who can share the work across the country, often including their own localised material. A Welsh history of land rights show has also been developed called 'Gadael Tir' which uses a similar modular framework with song, narration and poetry although telling a very different story to its English sibling.

Since the first performance in Winter 2013, the English and Welsh shows have been performed over 150 times to well over 12,000 people. Host groups vary from farms and community food growing projects, to squats, universities, arts centres, festivals, churches and other community spaces. Beginning the performance with a simple shared meal has proved to be another good way to get people thinking about food and its connection with land. Local groups working on connected issues are also encouraged to have their own stalls and propaganda at shows wherever possible.

<http://threeacresandacow.co.uk/>



Peasant farmers in Romania Credit: EcoRuralis

Any struggle for justice must start from the basic question: what is going on? Without having a firm grasp on this most basic of questions, the difficult task of reconciling competing claims is made even more challenging.

This is no different when it comes to land struggles. Here, the answers to the classic 'agrarian questions' of "Who owns what, who does what, who gets what, and what happens to the surplus?" can be extremely illuminating. They can reveal huge inequalities, for example the fact that just 3% of farms own just over half of European farmland or that much of Europe's highly industrialised, high performing agriculture is reliant on a vast reserve army of cheap, precarious and, many times, exploited migrant labour.

However, finding out what is going on can be challenging. This is especially true in an era in which we are witnessing the increasing *financialisation* of land and territories as land and natural resources are sold off to financial actors such as banks, pension funds, and insurance companies. These actors often make use of

complex investment webs involving any number of intermediaries, brokers, tax avoidance loopholes and off-shore schemes. All of these are attempts to distance themselves from public scrutiny, regulation, taxation and accountability. This is hugely disempowering for communities as it means that decisions are taken about land that are distant, undemocratic and hidden.

Finding out what is going on – in other words how land is used, by whom, for how long, and for what purposes – is thus not just about promoting transparency for transparency's sake. It is also about leveraging this transparency to demand accountability and seek to redress an unjust situation. This goes to the heart of questions of social justice. For example, while a particular land deal may appear to be 'strictly legal' from a procedural point of view, it can be contested as illegitimate from a substantive, social equity perspective. This is especially important when effective control over land is also closely linked to the ability to benefit from it.

Leveraging transparency and dealing with disclosure thus opens up many possibilities. It can be pursued through communities on the ground partnering up with investigative journalists (first example), engaging in action research (second example) or organising public consultation (third example).

Creating transparency on land grabbing: peasants and journalists working together

This article was written by Luke Dale Harris the journalist who worked with Ecoruralis to break the story on land grabbing in Romania

In 2015, a series of articles were published in publications in the Netherlands, Germany, Belgium and Romania, exposing how the Dutch bank Rabobank allegedly was profiting off the back of fraud, forgery and the systematic abuse of hundreds of Romania's poorest citizens, in a huge and aggressive land grab in Eastern Europe (see the definition of land grabbing below).²³

The investigation worked its way up from the ground, hearing the stories of dozens of villagers living in remote areas who had been tricked, forced and threatened into selling their land by local scouts under the pay of Rabobank employed intermediaries. It then followed the money up to Rabobank and the Western European and United States pension funds that backed the scheme, investing over 600 million euros in prime Romanian and Polish farmland with the intention of selling it off after 14 years at a predicted profit of around 300%. It showed how the bank then rented the land to dozens of politicians and convicted crooks and, with

very dubious legality, used the EU farm subsidies they received as rent guarantees. And it ended looking at the policy drivers that made the whole scheme possible, both through the Common Agricultural Policy (CAP) that drives the price of land upward across the EU, and the trade policies that have undermined the markets which maintain local peasant economies.



Vast and fertile Romanian plains attract land grabbers, credit: EcoRuralis

Unlike most journalistic investigations, which tend to start with word of some wrongdoing and work outwards to prove it, the Rabobank investigation worked in reverse, starting with a broad trend and working inwards to capture the details of a particular case which exemplified it. As a journalist, I had been working closely with the Romanian peasant association Eco Ruralis and wildlife protection charity Milvus Group for a few years, publishing articles about the deterioration of Romania's rural culture, markets and landscape under the CAP. The trend was glaringly obvious – Romania's rapid transition to a free market economy, bolstered by targeted policies, was driving peasants out of business and the land and subsidies that came with it into the hands of western European companies and corrupt local politicians. But as often happens, stories about the politics and economics of the thing failed to capture the essence of what was really happening – missing were the experiences of those millions of people whose livelihoods were being traded as part of this selling off of land and natural resources.

In early 2014, almost two years before the first article was published, Attila Szocs at Eco Ruralis²⁴ sent me a two paragraph article in a trade magazine stating that Rabobank were buying up tens of thousands of hectares of Romanian farmland. He suggested it would be worth looking into, not because there was any evidence of wrongdoing, but because the fractured nature of Romanian land ownership and endemic corruption in the country meant that it was almost impossible Rabobank would have kept their hands clean. Even if they had, this was still a case worth highlighting.

Together, we did some initial research and that summer, with backing from Milvus Group, we went to visit one of the villages where Rabobank had bought land in Constanta County by the Black Sea. Over two days, we met with villagers who told us how they had never agreed to sell land that was now under Rabobank's ownership. We met local politicians whose names were linked to the sales in civil court cases, who told us that Rabobank has bought up thousands of hectares of land in their districts. And we met a lawyer who had been involved in the sales who spoke of corruption throughout the whole chain.

This was a good start, but we were still a long way from having a story that could be published. Rabobank is a huge financial institution, and if we were to make these kinds of claims we would need hard evidence for every statement we made. Plus, there were still a lot of unanswered questions – how closely was the bank itself involved in these purchases? Were they employing intermediaries and scouts and if so, who were they? Were the villagers' stories accurate? Was this a one off, or was it happening across their portfolio?

This was made harder by the sheer number of Rabobank's acquisitions. The tiny size of most Romanian holdings meant that they had bought tens of thousands of individual farms to consolidate them into bigger holdings. They had done this all over the country.

This meant a lot of data, and to go through it we needed funds. I applied for two grants – one from the European Journalism Fund and another from the Robert Bosch Foundation – and once the money came through, I employed a Romanian journalist called Sorin Semeniuc to help gather and then analyse everything we could find. Sorin and I collected court files about contested sales, cadastral information on historic sales for thousands of land holdings, and rental guarantee data from the Romanian government showing details on Rabobank's tenants for the land.

Slowly we began to put together a picture of the entire chain and all the players involved, including corrupt politicians and judges, shadowy Romanian

businessmen and the far-flung bankers pushing the whole thing. The scale was vastly larger than we had initially suspected, and larger than we had the capacity to examine in full.

Even now, the documentation was missing a crucial element: who were the local mafia figures who the villagers spoke of, who had threatened and intimidated villagers into selling their land? Were they under Rabobank's pay? To put these final pieces together took numerous visits to different villages, where I interviewed more villagers and politicians and eventually tracked down the key mafia figures who, through luck on my half and bravado on theirs, gave me enough information to tie the final threads together.

The story went out in De Correspondent in the Netherlands, the EU Observer in Belgium²⁵, Der Spiegel in Germany²⁶ and the Black Sea online magazine in Romania²⁷. The findings were published widely throughout the Romanian press, and a documentary based on the story was made for a Romanian TV station. In 2016, the articles came runner up in the European Press Prize Investigative Journalism Award²⁸. (See Approach 2 further reading)

Since its publication, Rabobank have sold their Romanian holdings, a decade before they had initially intended and despite continued inflation of Romanian land prices.

Land grabbing: a definition

In 2016, ECVC members developed their own definition of land grabbing to shed light on the dimension of land grabbing in Europe. This definition is then shared among the members of the Nyéléni Europe and Central Asia platform for Food Sovereignty. The definition is based on 5 criteria:

SIZE – What amount of area equals land grabbing?

In general, big is bad, but it is hard to know what exactly is “too big”. The amount of land considered as a land grab changes depending on local plot sizes. 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.

PEOPLE – Who can be considered a land grabber?

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.

CONTROL – How is the land controlled?

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.

LEGALITY – Is land grabbing legal or illegal?

Land grabbing occurs both legally and illegally within current laws. Most land grabs are actually legal, meaning the deals obey national and local laws. However, these current laws do not protect against land grabbing. In most cases laws at least tolerate land grabbing if not help it. These unjust and illegitimate laws encourage land grabbing and abuse human rights by allowing land grabbing to be a 'legal' action.

USAGE – How is the land used and for what purpose?

Land grabbers use land in harmful ways and for exclusive purposes. Agricultural uses include monocultures and non-agroecological methods (which can even be organic). Other uses include land speculation, commodification, resource control and extraction (meaning local peoples do not benefit from the resources). All of these uses threaten food sovereignty, land stewardship and sovereignty, and human rights

DEFINITION: Land grabbing is the control – whether through ownership, lease, concession, contracts, quotas, or general power – of larger than locally-typical amounts of land by any persons or entities – public or private, foreign or domestic – via any means – 'legal' or 'illegal' – for purposes of speculation, extraction, resource control or commodification at the expense of peasant farmers, agroecology, land stewardship, food sovereignty and human rights.

Challenging power, demanding accountability: the role of action research

Accountability is about the challenge of holding those in power responsible for their decisions. Accountability politics is about exploring whether and how this can be done.

Bottom-up strategies for accountability are varied but can involve identifying and asking pointed questions, monitoring the situation on the ground, and collecting and marshalling evidence in order to define collective action and engagement strategies and hold the relevant actors to account. This is an approach referred to

as 'action research' and it can play a valuable role in building up the power of previously excluded voices, positioning them as a credible force to advocate for themselves, negotiate with public authorities, and force through change.

In this context, grassroots groups and social movements such as landless workers, fishers, peasants, herders, nomadic and indigenous peoples stand in a unique position because they can give direct evidence of the shortcomings and problems that interfere with or prevent the realisation of their right to land. Yet often these groups or movements do not have enough information about the reasons and persons responsible for these shortcomings and problems; they may lack methods and tools to collect, organise and analyse information in order to be able to use this knowledge to generate a change in public policy.



Wir Haben es Satt demonstration in Berlin, 2015. Credit: Hana Bernardova

To be sure, having access to relevant information – even relevant alternative information, about their situation and about what their rights are in that situation – alone will not solve the problem. But without it, chances are that any response from authorities to their situation is likely to be just that – a response, and not greater accountability.

A key step in any action research is framing and asking relevant questions. For action research on the theme of access and control of land, fisheries and forests, international legal instruments such as the Tenure Guidelines can be used in numerous ways to frame and ask relevant questions that can help to:

- Strengthen the organizational processes for defending and fighting for the right to land and natural resources.
- Systematically gather evidence, and assess state actions or omissions: These are activities that contribute to improving the actions and analytical capacities of social movements and grassroots organisations, as well as improving their ability to make proposals. In this regard, monitoring how natural resources are regulated plays a fundamental role in strengthening all the movements that champion food sovereignty.

- Promote changes in public policies and the actions of national authorities:

If there is clear and specific information to justify claims related to the right to land the demands will have greater visibility and impact, and it will be more difficult for state authorities to silence or refute them. For example, saying “Evictions are happening! Something must be done!” has no substantive weight to influence public policies and the actions of national authorities. However, showing how many evictions have occurred in the municipality; how many women, men and children have been affected; what damage these people and the whole community have suffered; who ordered and supported the decision to evict; how the evictions were executed and whether there were other violations of human rights, etc. justifies the right to land-related claims and can be effectively used to promote policy change.

- Raise public awareness:

Action research can help you raise awareness about the importance of governing natural resources in a fair, equitable and sustainable manner that is also consistent with human rights obligations. In many cases, societies that have lived for an extended period of time in conditions of inequality are used to seeing violations of the right to land as being a normal, acceptable and an unchangeable situation. In other cases, the consequences of poor or inadequate public policies remain hidden or only partially known. Comprehensively monitoring how natural resources are regulated, together with an appropriate strategy with adequate measures to communicate the results of the monitoring process, can help raise awareness in society about the situation of social groups living in a close relationship with Mother Earth.

- Draft alternative reports to be submitted to human rights monitoring bodies:

The monitoring work of human rights organisations helps to detect violations that were previously invisible. These violations can then be prosecuted in court by lawyers and human rights defenders, or by taking them to national human rights institutions and regional and international human rights bodies. Information gathered and presented through monitoring work is important in sensitising judges about the structural causes behind violations, even leading them to make rulings that may lead to ordering the government to take corrective measures in existing public policies. Submitting independent reports to international human rights bodies can generate international pressure on states due to their non-compliance with international standards. This pressure may lead to improvements in problematic situations or even result in a halt to violations, thereby strengthening the efforts being made nationally.

- Organise information in a systematic way so that it can be used for litigation:

Information gathered through action research can support litigation of exemplary cases at the national or international level. Bringing the Tenure Guidelines to the attention of the judiciary through monitoring reports may lead to judges using the Guidelines and their normative content when interpreting international human rights obligations with regard to land, fisheries and forests.

Asking the people - organising a public consultation in Catalunya

This article was written by Lluís Ginestà, from NO a la MAT Selva²⁹, who was involved in the campaign.

2013. The threat of extra-high voltage line (EHV) was back. Once the environmental impact study had been published they would be able to take a shortcut and start the work. The “No to the EHV” platform was starting up again in the village with well-attended assemblies. About one hundred people filled the library function room. Some of us were longstanding and well-known activists, but there were many new faces too, from diverse social and political walks of life. We had been ignored in 2007 when the first EHV line was built. The mass demonstrations and protests and the camps set up in the forest to stop the trees being felled had amounted to nothing. The camp had been violently cleared by the police, the

campers prosecuted for resisting authority, the trees felled and the 30 and 40 metre-high towers had been put up. We could not make the same mistake again. We had to use a different strategy.

Now it was not the main line, only a 17km branch, but one which would irreversibly damage one of the most cherished natural heritage sites in the municipality, Farners i el Rocar near Girona in the north of Catalunya. We were convinced that there was huge opposition to the project and were determined to stop it. But to do so, we would have to bring this to the attention of the institutions and clearly demonstrate the population's general opposition. The proposal of carrying out a public consultation on the EHV line was put forward; a popular referendum to put pressure on the administration. This way, we could reach the whole population. We would be able to explain the arguments against the EHV line and debate with those who were in favour of it. We would also be able to contest the official propaganda of the energy oligopoly, which was using the power outages along the coast during the month of August, in the middle of tourist season, and the major blackout which accompanied the snowfall in March 2010 caused by the lack of maintenance of domestic distribution lines, to claim that EHV lines were necessary. They also claimed that the high-speed AVE trains could not work without the EHV branch. A few years later, the AVE trains are working, there are no more power outages along the coast and the EHV network has not been built.

Between 2009 and 2011, in the vast majority of Catalan municipalities, there had been consultations on independence. I had acted as coordinator, in the village and region, and the assembly gave me the responsibility of organising the consultation on EHV. Many people advised us against this, saying that it would fail and that people would not vote. The first problem, however, was to clarify the format of the referendum. If we wanted to follow all the steps of the law on consultations to make it official, there was every chance that we would be refused authorisation on the grounds that the EHV line had been deemed for public use and of general interest. And we had no authority on the matter – neither the Platform nor the Town Halls – the government had full jurisdiction. Nor could we comply with the timescales established by this law, which could be up to a year. In that case, we may find ourselves in a situation where the work would already be finished, or at a very advanced stage, by the time we received authorisation. For this reason, we opted for the direct popular route and drew up our own calendar. We would carry out the consultation without asking for official recognition, in the interests of the citizens affected.

The vote took place on 23rd January 2014. Based on all of the ideas put forward, a 4-month campaign which would go from low to high intensity was designed. There were many activities: sign-making workshops, putting up posters, talks, mass

registrations with renewable energy cooperatives, marches, concerts, presence at the main events and festivals of the village, candle lightings, street light blackouts, parades in the dark, early voting days, roll out of electronic voting, etc. That winter, instead of a Christmas tree in the square, we had an electric tower made from wood from our forests by Platform volunteers. This was our most important symbol. A team of around 30 people was formed and the work was divided up, from putting up posters to making the PowerPoints for the talks. A team of four spokespeople was chosen and the events were organised by a minimum of two people, to show the collective nature and the diversity of the Platform. The slogan "NOu Model energètic Al nostre Territori" (new energy model for our area) was chosen, and became NO MAT (No to EHV) due to its initials. This slogan represents our proposal for a renewable and distributed energy alternative. People such as the Mayor of Santa Coloma de Farners went from telling us that the EHV line was the future to being staunch defenders of the new energy model in a matter of weeks. 6001 votes, 97% for NO, reflected the success of the consultation, and participation was high in the three municipalities affected.

In Santa Coloma de Farners, the main municipality, there were 13 fewer votes cast than in the consultation on independence, which was an excellent result, bearing in mind that this was a local consultation made possible through local efforts and hardly reported on by the Catalan media. This made it a benchmark in our country. After this, the No to EHV platform started working on presenting this result to the political and administrative decision-making bodies. Currently, almost 6 years later, only the last formality remains to be completed – the definitive repeal signed by the Council of Ministers. And of course, we will continue to keep a very close eye on the electricity oligopoly to make sure they do not skip any of the procedures again.

This article was written in Catalan and subsequently translated. If we want to promote the value of the territory, we cannot forget our language.

Tips for practice: Land matters! Claiming land as political

There are many ways to open up political debates about land, which often need to be combined:

Research and publicise land facts and data:

There is often little information available about land ownership, zoning and planning as well as the impacts of land use projects. Find out and analyse key land data and trends. You can also research the impact of land use on agrifood systems, and on new entrants into farming.

Land data is often hard to find and compile, beyond a few simple figures (e.g. farm size). Eurostat, the EU statistics database, provides some data, which often needs to be checked and complemented with national data. Most Ministries of agriculture, and / or National Statistics Office also have data (e.g. land prices). Only a few countries provide transparent and easy access to data about land ownership. Use these figures to raise awareness and build up your case by highlighting key figures, or making infographics.

Reclaim your land history:

Land dispossession, land rights and land struggles in your area or country may be little known or understood. Research and share this history of access to land and land struggles. Some of the key aspects you may want to explore include: who owns and uses land in your country now and historically? What are the key moments in terms of land dispossession or land struggles? How does your mobilisation fit into the broader historical narrative? What have national land policies been like? Are there good policy elements from the past you could draw from? Based on this, highlight the current impacts of patterns from the past, and question today's use and allocation and anchor your struggle in a broader history.

Build a movement:

Engage with different groups – farmers' organisations, consumers, rural development associations, trade unions, environmental groups, housing activists, etc. Organise public events and debates, present your work on farmers' markets or through farm visits, engage with CSO (Civil Society Organisation) networks, as a way to share views.

To broaden your movement, think about how land issues connect with social justice and other burning issues: how does land use impact on social and environmental issues in your country? How does it connect with burning issues that your audience are interested in: healthy food, the housing crisis,

biodiversity loss, job creation, the importance of rural areas, climate crisis, etc.? How can you join forces with social movements mobilised around these issues?

Tell a story and make yourself visible:

Start by building a narrative: tell stories to engage people, based on figures, historical facts, current mobilisations. Use creative arts and images. You can also find a good motto to capture the spirit of your mobilisation: “Land Justice”, “Pas de paysans sans terre, pas de terre sans paysans”, “Hands on the land”, “Terre de Liens”, “Land for the many”, “LiberaTerra”...

Combine evidence-based approaches, with accessible activities - connect people with the land through farm visits, on-farm work, story-telling, performances, music, etc.

Organise direct action and public campaigns - land occupations, marches, festivals, etc. - to attract public and media attention. Put pressure through media and social media.

Advocate work:

Publish reports and position papers framing the issue and presenting policy asks.

Combine grassroots mobilisation and national / international action. Identify willing policy representatives, and engage in policy influencing.

CHAPTER 2

Land laws - legal frameworks and policies

The relative absence of land from the political agenda in many European states should not be confused with a lack of legal and judicial instruments governing its use. Most states have accumulated hundreds of years of laws governing different aspects of land ownership, rights and obligations. The legal framework is different in each Member State, but commonalities do exist. Overall, national policy regulations preserving farmland and favouring access to land for peasant farming have been sidelined, or have become inadequate to address new challenges such as the financialisation of land markets. The new member states of Eastern Europe have also had to change their land regulations to comply with the European Union principle of the free movement of capital. Promoting positive legal and policy frameworks is a vital part of the work of land movements in Europe.

Internationally, great steps forward have been taken with the introduction of the Tenure Guidelines and the right to land incorporated into the UN Declaration on the Rights of Peasants. While many European governments may be reluctant in implementing these texts at national level, on the ground many peasants, communities and citizens across the continent are finding their needs and realities reflected in these new and important international instruments.



Growing vegetables, Credit: Capucine Godinot, Terre de Liens

Throughout Europe, public policies govern the use of agricultural land. They have many objectives and differ in scope and type. Most aim to:

- Preserve agricultural land: preventing it from being taken over by other uses (urbanisation, infrastructure, etc.) and protecting it from environmental damage – this is the realm of spatial planning and environmental policy.
- Establish land units which can be used for agriculture and can be passed down over generations: ensuring that units are large enough, coordinating the consolidation of dispersed land parcels between owners, developing irrigation or road access systems, etc. – this comes under land use planning.
- Organise distribution of land: determining who can access it, setting the conditions for transfer from one generation to the next or from one farmer to another (sale or lease price, priority buyers, lease duration, etc.) – this is the domain of inheritance, structure control and regulation of agricultural land markets.

Over the last few decades, national policies which protect and regulate the use of agricultural land have been partially dismantled (e.g. creation of leasing contracts which are less favourable to farmers), sidestepped (e.g. breach of the ban on selling

land to foreigners), or have not been adapted to the new agricultural company structures which have developed. Existing regulatory tools are thus inefficient. The European Union claim to have no direct and clearly stated authority over land use³⁰. However, European policies have a significant impact on agricultural land: environmental policy concerns the quantitative and qualitative preservation of natural resources. The Common Agricultural Policy (CAP) officially aims to encourage family farming and to increase income for agricultural workers, but the way it is implemented – particularly the fact that subsidies are linked to the number of hectares farmed, not the number of farm workers – accelerates land concentration and affects land prices.

Without political vision and strong regulations on the preservation and use of agricultural land, trends in spatial planning and land markets cause farmland to shrink and fall into the hands of an ever-smaller number of agricultural stakeholders, and increasingly, non-agricultural stakeholders. **Taking action on national policies and regulations is therefore an essential part of land struggles and campaigns.**

What are the main existing regulations to protect agricultural land?

Spatial planning policies play the role of directing the different types of land use and organising their coexistence: agriculture, housing, wooded areas, other natural spaces, leisure, transport, commercial activities, etc. For centuries, agricultural land has been considered an “available reserve” for other usages. It is urgent to change this thinking and ensure that spatial planning policies protect and attach more value to agricultural land for the essential role it plays: food production, natural carbon storage, providing a habitat for both remarkable and ordinary biodiversity, regulating ecosystems, maintaining open natural spaces and diverse landscapes and also creating local jobs and ensuring a vibrant social life in rural areas.

Environmental policy when planned jointly with the local community could also play a role in protecting land and ecosystems and therefore in preserving the conditions necessary for peasant agroecology. Today it is one of the areas which sets the strongest limits on private land ownership rights. Through recognition and protection of the ecosystem functions of land (carbon storage, providing a habitat for species, water filtration, etc.), environmental law takes a broad, collective approach and puts limits on how the land should be used.³¹

Finally, agricultural policies can favour certain agricultural models, thus influencing the size of farms, preserving agricultural use throughout the territory (for example in the mountains), and favouring agricultural practices that are respectful of natural resources and ecosystems.

What are the main regulations governing land markets?

Land markets, like all markets, function in the public interest, if properly regulated. When we think about land markets, we tend to only think about land sales, but there are actually three types of land markets: land sales, land rentals and land shares (see box).

The three land markets

The land sales market – this is the best-known. In this market, agricultural land is bought and sold. The land may be occupied (leased) or vacant, and can be arable land, pastures, used for permanent crops, etc.

The land lease market – this is the predominant market in some countries (Germany, Bulgaria, France, Czech Republic, etc.). In this market, contractual rights for agricultural use of land are traded for a price and duration, and sometimes for pre-arranged types of production.

The share market for corporations which hold agricultural land use rights – this is the most recent market, and is rapidly growing. This market has brought about a fundamental change: what is being traded here is no longer direct land use rights, but intangible financial assets. This new market eludes most current regulation and changes the game: it encourages non-transparency, concentration of land ownership, and the entry of non-agricultural actors into the marketplace (see below on financialisation). It also accelerates the trend for acquisition and use of agricultural land for financial profitability objectives, placing land in a logic of speculative capital management, whose speed cannot correspond to the natural pace of agriculture.

Regulation of land markets differs from one country to another, and is generally declining. Regulations generally cover the following questions:

- Who has the right to buy or rent agricultural land: Only farmers? Natural and legal persons? Nationals, foreigners or residents? The main public mechanism for this is the legal definition of eligible individuals and entities.
- Who has priority to buy or rent: The current tenant or leaseholder? His/her family? The residents? Youth? Women? A land agency in charge of redistributing land to priority users (e.g. SAFER)? Mechanisms: Operating permit, preferential rights or pre-emption rights.

- What is the price of buying or renting: Free or fixed pricing? Fixed according to agricultural prices, or the general prices on the local land markets? Linked to the previous sale price and how long the land has been owned (to limit speculation)? Mechanisms: administrative establishment of price brackets, prior authorisation system, pre-emption rights with price revision, or anti-speculation tax measures.
- What quantity of land may be owned or rented: Establishment of an agricultural land ceiling: Per farm? Per owner or farmer? Establishment of a lower limit to guarantee a minimum area to ensure the viability of agricultural activity?
- What are the authorised or priority usages: Is it a case of maintaining existing production units or consolidating a smaller number? Prioritising certain types of agriculture (extensive, organic, compatible with Natura 2000, etc.)? Guaranteeing minimum use of abandoned land? Mechanisms: Administrative authorisations, land agencies, pre-emption rights, public subsidies, laws on recovery of under-utilised land (see box below), etc.

Given their authority over agricultural models (size of farms, production methods), public authorities should be able to oversee the transfer of land usage rights via the different land markets: they should be able to accept or refuse proposals to transfer usage rights before these are finalised. In addition to regulatory mechanisms for land markets, land observatories are also necessary in order to study and publish data on conversion and transfer of agricultural land (concentration, modes of tenure, types of buyer, price, etc.).

Other public policies may also have an important impact on the preservation and accessibility of agricultural land: legal and regulatory framework on urban sprawl, tax policies, systems regulating succession rights, pension policy for farmers, etc. In certain countries, these are priority issues to be dealt with in order to preserve land and develop peasant farming.

Our examples explore the different aspects of these national land policies:

- The protection of tenant farmers' rights in France and Belgium
- The moratorium on land sales in Ukraine
- Pre-emption rights that already exist in certain countries, albeit too restrictive to address current issues
- The enshrinement of the rights of communities to buy agricultural land in Scotland
- The inadequacy of national policies in dealing with the spread of farm corporations and transfer of land in the form of shares

Protecting tenant farmers' rights – defending usage rights against ownership rights

From an economic point of view, there is a difference between the interests of agricultural landowners and those of peasant farmers who rent land from them, in terms of both levels of rent and length of lease. Because economic interests have taken centre stage in our societies, it is essential to find a way of protecting peasant farmer tenants against the interests of landowners. Condition of tenure – the duration of the lease, the conditions for renewal, levels of rent, etc. – have been at the heart of peasant farmers' struggles for decades.

Today tenant farming is the most widespread form of land occupancy in certain North -Western European countries (Belgium, Germany, France, etc.) as well as in certain Central and Eastern European countries (Bulgaria, Czech Republic, Slovakia), and it is rapidly growing. This form of land occupancy contains complex realities: in some cases, farmers rent to their own family, or to a land property company which they own (fully or partially). In other cases, farmers own their own land and rent additional land; others rent all of their land from one or several owners.



Working the land. Credit: Terre de Liens

Maintaining a social life in the countryside, producing quality local food and encouraging the development of agroecology requires many peasant farmers with stable access to land to be able to make long-term investments and participate in community life in their area. Ownership is often considered the most stable form of land access, but it is also a source of problems and tension (debt, capitalisation, etc.). A good alternative is to provide farmers with foreseeable, long-term and affordable conditions to be able to carry out their agricultural activities by renting land, which is cheaper than buying. What counts is not ownership, but stable access to land use.

At the end of World War II, movements stemming from the resistance in France and Belgium were the driving force for sweeping social reform: social security, labour law, nationalisation of strategic enterprises, and protection of farmers' rights in order to rebalance the power relations between landowners and tenants. In France, the Tenant Farmers' Statute³² was adopted in 1946 and stipulates that the lease period must be at least 9 years, rents must be regulated by the local administration (price brackets set with regard to agricultural prices, not land market prices) and must be automatically renewed, except if the owner wishes to farm the land. Furthermore, the lease can be transferred to descendants and in the case of sale, the farmer has a right of pre-emption to buy the land. These restrictions on ownership rights guarantee a certain degree of stability for farmers, who are not forced to go into further debt to purchase land.

In Belgium, different but similar regulations apply in Flanders and Wallonia. The tenant farmers' statute provides significant protection for farmers: long-term leases (a minimum of 9 years, possible leases of 18 years or more) which are automatically renewed and transferable. Rents are regulated (maximum rent is set according to cadastral income). However, for two decades landowners have considered these regulations as too restrictive, and they are sometimes misused by farmers (with the rise of key money³³ for example).

Although French and Belgian regulations are similar, the historical and social context of each country (ownership structure, organisation of agricultural trade unionism, etc.) has produced different results. In Belgium, protection of farmers' rights has led to a relative freeze of the land rental market, accompanied by an increase in oral or short-term contracts aimed at side-stepping the tenant farmers' statute, and growing use of management companies that provide agricultural services.

In Wallonia, agricultural leases were reformed in 2019 and the new provisions became effective on 1st January 2020. The first improvement under the reform is

that oral contracts are no longer authorised. All contracts must be written and registered. Furthermore, the maximum lease period is now set at 36 years (4 renewals of a 9-year period). The reform also aims to stop certain types of misuse, through incorporating a penalty for sub-letting, and removing the right of pre-emption for farmers over 67 years of age.

Finally, regarding environmental issues, the reform includes a compulsory inventory when entering or leaving the premises, which allows better evaluation of any damage caused or improvements made to the property. The environmental clauses which can be written into the lease have been broadened and are now liable to penalties if they are not respected.

In many other European countries³⁴, regulations exist to protect farmers' rights against landowners abuse and to formalise leasing conditions. These protective measures involve all or part of the following:

- The lease period: preferably from a minimum of 3 to 5 years, up to long-term leases (25 years).
- The rent price: regulated by the administration to guarantee a price for agricultural use unconnected to speculative land market prices.
- Lease renewal: automatic, or with conditions favourable to the tenant farmer.
- Lease transferability: particularly to descendants and members of the family.
- The right of pre-emption for farmers in case of sale.
- The resolution of disputes between landowners and tenants: organisation of tribunals with equal numbers of landowners and tenants.
- The administrative authorisation of the lease, to check that this does not involve poor distribution of land or disproportionate rent³⁵.

However, these protections are sometimes too weak or insufficiently implemented. Promoting national regulation which protects tenant farmers' rights and tackling the rise of schemes which allow circumvention of regulations protecting local farmers (e.g. short-term oral lease contracts, non-contractual usage arrangements) is currently a key issue for movements in favour of agroecology and the establishment of a new generation, starting with peasant farmer trade unions.

Trying to freeze land sales - the land moratorium in Ukraine

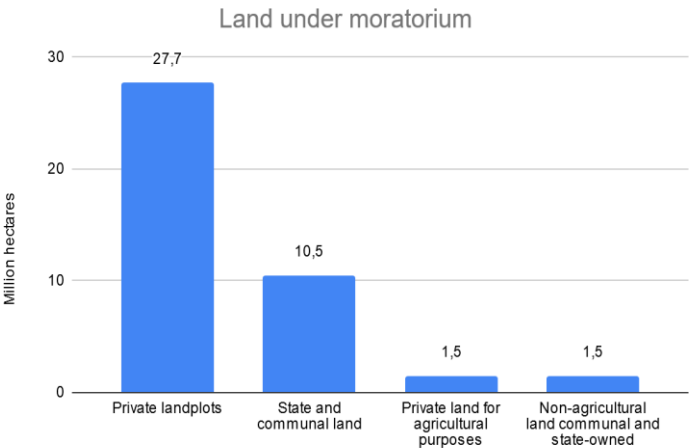
In October 2001, the Ukrainian parliament approved a new version of Ukraine's Land Code. This Land Code consolidated all the changes that had taken place

during 10 years of land reform. It also introduced a major restriction on the operation of the land market: a moratorium on the sale of agricultural land.

The moratorium includes a ban on the sale of land with a designated agricultural use. Such land cannot be sold through the transfer of land shares allocated to citizens during the land reform process. It is forbidden to sell land; to change its intended purpose (i.e. from an agricultural to a non-agricultural use); to transfer land in the form of assets to any business enterprise (for example as a collateral for a loan); or to transfer it as a pledge.

The only convenient and legal options available for transferring land include lease agreements (for legal and natural persons) and certain forms of gifts and inheritance (for natural persons).

The following graph gives an indication of the types of land tenure falling under the moratorium:



Source: infographic based on Geocadastrre data

The moratorium was designed as an interim measure, with follow up legislation aimed at developing a land market with "adequate" prices to be adopted at a later date. This was to allay fears amongst certain political and societal actors that land privatisation would open the door for the accumulation of land by large private interests, to the detriment of the majority of Ukraine's farming and rural population. It was agreed that the moratorium would be repealed on January 1, 2005 giving everyone time to prepare for the launch of the land market.

However, as of January 2020, the moratorium still stands. The reasons for its extension are numerous: before it could be repealed a state land cadastre needed to be established and then digitized, a state land bank needed to be created, and legislation on the transfer of land rights needed to be drafted, approved, and passed into law. These processes have taken longer than expected, and as of late 2019, no new draft law had been presented.

Impacts

Even though the moratorium is intended to prevent land concentration, the reality has turned out to be quite different. In fact, although the formal sale of land has been prohibited, the period since the introduction of the moratorium has seen one of the most dramatic increases in the concentration of land in the country's history.

After the moratorium was introduced, land leases became the main (although not the only) way to control land in Ukraine. Immediately after the privatization of land, a large rental market for land was formed. Due to the large number of plots available, the rental cost was and remains very cheap: €54 per hectare in 2018. Millions of owners were ready to lease out their land for trifling sums as a lack of capital and fragmented land plots prevented many farmers from cultivating their land themselves.

As a result, companies have found legal means to circumvent the prohibition on land sales. Gradually, thousands of small plots (4 hectares on average) have become concentrated under their control through lease agreements.

As land leases have become the main way of conducting business in the countryside, lease agreements are subject to significant competitive pressures, especially in the shape of agro-holdings³⁶ which compete with small independent farmers on the rental market. Agro-holdings can afford higher rental rates which give them a significant advantage. As a result, farmers may lose part or all of their land, forcing them to give up farming and seek alternative employment elsewhere.

Often agroholdings and other powerful investors are able to take advantage of close political connections and easier access to financing to gain access to and control over land. Due to approvals from the Anti-monopoly Committee of Ukraine, companies with stable financial support have started to buy up agricultural enterprises with leased land and other assets.

Since the introduction of the moratorium, dozens of agro-holdings and other agricultural companies with large land banks and a strong influence on politics have gradually appeared on the scene.³⁷ This raises concerns about the prospects

for democratic land control, especially within the context of the on-going global land rush.

The use of these lease agreements was made even more attractive thanks to successful lobbying by businesses to amend Ukraine's Civil Code in 2007, especially pushing the phenomenon of long-term lease arrangements known as **emphyteusis**.³⁸ This involves the right to the full benefit and use of agricultural land for a very long period of time and, in many aspects, resembles full ownership although it is still a leasehold. The definition of "agricultural purposes" in these types of contracts is also unusually broad, covering many activities. For example, under this scheme, one of Ukraine's largest agro-holding companies, MHP, began constructing the world's largest biogas plant with a capacity of 20 MW.

Emphyteusis constructs did not become immediately popular among investors but as the moratorium was prolonged, companies began offering peasants and other landowners long-term lease contracts for a maximum term of 49 years. In this way, emphyteusis became a sort of agro-holding loophole or way around for the moratorium. Between 2015-2017, about 28,000 of such contracts were concluded, covering roughly 80,000 hectares of land.

Emphyteusis contracts have a number of risks for Ukraine's peasants and rural communities. For instance, they grant "tenants" the right to resell their right to use the land without the owners' consent, can create issues for inheritance, and can only be annulled under limited circumstances.

The future of the land moratorium

While the future of the moratorium remains contested, it is likely that it will be repealed in the near future. It has not fulfilled its role in preventing land concentration as initially expected, and it may even have enabled further concentration as companies do not need to officially own land to gain control over it.

Lifting the moratorium might lead to a new redistribution of resources or, conversely, to strengthening the existing alignment of forces of Ukraine's agribusiness. For this reason, one should think carefully about future land regulations, especially if they aim to protect peasants' rights and prevent further land concentration.

Update

In September 2019, the Cabinet of Ministers of Ukraine began preparations for a new bill on the Ukrainian land market. This was supported by the Ukrainian

Parliament in its first reading in November 2019. In January 2020, the bill was already passed by Parliament for its second reading. The bill lifts the moratorium by allowing the sale of up to 10 thousand hectares of land to Ukrainian citizens or private entities. Foreign citizens and entities are still restricted in purchasing land. Banks and credit agencies are allowed to accept land as a guarantee/pledge and take it over and resell it through auctions in the case of bankruptcy or debt default. Critically, banks can concentrate more than 10 thousand hectares of land.

Concerns have been raised as to how the bill has been fast-tracked through Parliament without too much legislative scrutiny or wider societal consultation. As such, there is a danger that without proper framework conditions in place, the lifting of the moratorium will further entrench inequalities. For example, the bill says nothing about priority rights of marginalized groups of people or sustainable land use according to the UN Sustainable Development Goals.

Unfortunately for the farmers' movement in Ukraine it has not been easy to exert much influence on the contents and implementation of the bill.

Regulating land sales through pre-emption rights

Other than inheritance, sales are one of the main ways by which agricultural land changes ownership. Buying land provides the buyer with the most extensive rights over the use of the land, in compliance with current regulations. These can cover agricultural or non-agricultural use, lease or direct use, the agricultural model (agroecology, organic, etc.), and the type of crops grown.

The main criterion that determines who buys the land in these markets is the price. Without regulation, land is bought by the highest bidder³⁹. However, land sales markets have undergone significant changes over the last few decades:

- Increasingly agricultural land is used or sought after for urban or leisure use (second homes, grazing land for horses). This pushes prices up, unconnected with the agricultural economy
- Purchases of huge expanses of land are becoming more frequent, by agricultural actors or non-agricultural investors
- Land markets are now European – as part of free circulation of capital within the European Union – and even global, with growing mobility of capital throughout the world.

These changes have pushed land prices up and given rise to a growing presence of non-agricultural actors. This in turn means that purchasing land is becoming more complicated for local farmers, particularly those practising peasant agriculture, who often have limited capital and borrowing capacity, and also for the new generation of peasant farmers who want to start an agricultural activity. This crowding-out effect has a particular impact on women, for whom access to operating capital and borrowing is often more difficult than for men.

Historically, a great number of European countries have regulated their land markets to prevent the price from being the sole criterion in sales, through the introduction of prior authorisation to buy or pre-emption rights. These measures aim to give priority to certain buyers when agricultural land is put up for sale. They usually benefit:

- Farmers (tenants), when the land they are renting is put up for sale
- Neighbouring farmers cultivating land bordering or near the land for sale⁴⁰
- Public land or public service agencies
- Local authorities
- Certain categories of farmer: maintenance of the family nature of a farm, aspiring farmers, farmers with well-developed environmental practices, etc.

The implementation of pre-emption rights usually aims to maintain existing farms by allowing farmers to buy the land they are renting or allowing neighbouring farms to consolidate their activities. When land agencies or local authorities benefit from pre-emption rights, the aim may be to guarantee that land will be used for agricultural purposes, or be restructured as part of agricultural development programmes, or be reallocated to certain priority uses and users such as young people, women, organic agriculture (e.g. in key areas for water quality), etc.

In a number of European countries, laws and policies provide pre-emption rights to farmers. These pre-emption rights are often poorly implemented, or have become inadequate to address new challenges such as the entry of financial actors. However there is potential for better and stronger pre-emption rights as an important lever to protect and develop peasant farming and agroecology.

Lithuania recognises the right of pre-emption for farmers (tenants) and nearby farmers (neighbours) concerning land sales. The seller must provide notice of the sale to the national land authority or to a notary. If no priority buyer wishes to purchase the land, it can be sold to anyone, at the originally established price and conditions.

In Hungary, the law stipulates that local farmers who have been living in the area for more than three consecutive years have a right of pre-emption, in order to consolidate their activity. The seller's notary provides notice of the sale contract proposal to an administrative authority that approves or refuses the sale, based on the opinion of a local land committee composed of farmers. The administrative authority draws up a list of individuals who have a right of pre-emption and their order of precedence, and they then have sixty days to express their wish to purchase the land, in accordance with the conditions set out in the contract proposal. In Poland, the National Agency for agricultural land ownership (*Agencja Nieruchomości Rolnych* - ANR) has a pre-emption right on all sales of public land of more than 5 hectares, except for family farms.

In Germany, all agricultural land sales above a certain threshold (0.25 – 2 hectares depending on the Länder) must be authorised by an administrative authority. Sales can be refused for several reasons if:

- The sale's price does not reflect local land market prices (generally, if it is more than 50% higher than average local prices).
- The sale involves poor distribution of land – particularly if the buyer is not a farmer.
- The sale reduces or divides agricultural land, jeopardising the operations of other farms.

If the sale is authorised, no pre-emption right can be asserted. If the sale is refused, regional agencies known as *Landgesellschaften* can buy the land. To do so, they must identify a farmer interested in buying the land at the original price. They can also purchase land without having identified a farmer, if it is for a development or renovation project⁴¹.

In France, tenant farmers and SAFERs have a pre-emption right. The latter are regional land agencies which are notified of all land sales and can pre-empt a sale in order to conserve the land or sell it on to a farmer (see box below). Pre-emption rights have often been granted to encourage the continuation and consolidation of existing agricultural activities. In cases involving certain categories – tenant farmers, residents – these rights have frequently been over-ridden through arrangements such as the sale of shareholding interests to other parties or joint ventures between a person who meets the criteria and an external investor. When land is owned by companies, the sale of shares in these companies cannot in general be subject to pre-emption rights⁴². Pre-emption rights are still a powerful and symbolic instrument for regulating the sale of agricultural land, and must be strengthened and adapted to the new issues affecting the sale and transfer of land.

SAFER: Land agencies with strong pre-emption rights in France

SAFERs are organisation(s) for rural land management and settlement), created by a law adopted in 1960 in order to **modernise French agriculture whilst maintaining its family nature**. All planned sales of agricultural and rural land, whether built upon or not, must be communicated to SAFERs by the seller's notary so that they can exercise their right of pre-emption.

SAFERs are involved in 20 – 30% of sales of land per year. This can take two forms: 1/ As an **intermediary for private sale**. In this case, SAFERs are involved at the seller's request to organise sale of the property to a new buyer. They play a similar role to estate agents, with the important difference that SAFERs choose not the highest bidder but the buyer who best corresponds to the criteria set by law, after a call for candidates.

2/ Through **pre-emption** if this is requested by a third party who opposes an agricultural land sale. In this case, the SAFER investigates whether the person requesting pre-emption has better plans for the land than the potential buyer with regard to the 9 objectives defined by law. If so, it buys the land. SAFERs never keep the land and always resell it through a call for candidates.

The objectives which can justify this right to pre-emption are very broad, and include the possibility of allowing farmers to set up or continue their activities; extending a farm to make it viable; protecting the family nature of a farm; tackling land speculation, and preserving the environment through the use of suitable agricultural practices.

When a SAFER uses this pre-emption right, it becomes the buyer of the property. It can do this:

- Without price adjustment: the SAFER accepts the price set by the seller, who is obliged to sell the property to the SAFER.
- With price adjustment: if the SAFER considers that the price is overvalued with regard to the state of the property or local prices, it can decide to buy the property at a lower price than that established by the buyer. In this case, the seller has several options:
 1. Agree to sell to the SAFER
 2. Withdraw the property from sale
 3. Ask a tribunal to determine the sale's price which the SAFER will have to pay.

Each year, only 10 – 15% of land bought by SAFERs is through pre-emption and the rest is through private sales. However, the right of pre-emption has a strong deterring effect: because it exists, sellers are more likely to exercise restraint when setting their prices.

Although SAFERs are a progressive instrument, they are governed in such a way that their governance places heavy emphasis on agricultural trade unions, particularly conventional trade unions which are in the majority in France. Also, their vision of modern, viable farms is strongly influenced by a conventional, specialised agricultural model with expansive tendencies and long supply chains. This often leads to the priority being the allocation of land to expand pre-existing farms, without always sufficiently prioritising the access of new farmers and peasant agriculture.

Promoting communities' right to buy for the public interest in Scotland



Taybank Growers Cooperative, Scotland. Credit: Roz Corbett, Scottish Farm Land Trust

Scotland has one of the most concentrated land ownership structures in the world. As few as

1125 people own more than 70% of rural land, with some landholdings exceeding 80,000 hectares in size. This situation has led to the development of

a growing community land movement, which works for meaningful land reform. Since devolution (Scotland being allowed its own parliament) in 1999, there have been increasing calls for land reform and changes in land ownership. In Scotland the Community Land movement has been growing from strength to strength in the past few decades. This has been supported by three significant pieces of legislation:

1. Land Reform (Scotland) Act 2003:

- A. This established a right to buy for rural communities with a population of up to 10,000 where communities would get first right to refusal once the land was put on the market for sale, as long as they have registered interest in buying the land in advance of it being placed on the market.
- B. It also established the Crofting Community Right to Buy which is pre-emptive, i.e. the crofting community, as defined by the act, can force a sale even if the land-owner does not wish to sell. Prior to the 2003 Act, there have been examples of crofting communities working collectively to buy land, for example in Assynt. Then, as in now, the Act itself has never been used in practice, and sales are made where a landlord concedes to an

'amicable' buy-out outside the legislative process. The most notable is Pairc where the crofting community fought for 12 years to force the land-owner to sell.

It is possible to see a list of all the communities that have had their Right to Buy exercised successfully on the Land Register list for Scotland.

2. Community Empowerment (Scotland) Act 2015:

- A. This amended the community right to buy established in the 2003 Act, primarily through extending the Right to Buy to all communities in Scotland, rather than those with a population less than 10,000. It also included legislation to control Asset Transfer requests, which communities can use to take on management of assets rather than own them, and is more commonly used than the Right to Buy.
- B. The Act also established the Community Right to Buy Abandoned and Neglected Land. The community body who is interested in buying the land must prove that it is wholly abandoned or that it is being used in such a way that results in or causes harm to the environmental wellbeing of a relevant community and that it is in the public interest to transfer ownership. This has been enacted and some communities are exploring using it, though no examples exist yet.

3. Land Reform (Scotland) Act 2016:

- A. This Act established the Community Right to Buy Land for the purpose of Sustainable Development where the transfer of land is likely to further achieving sustainable development, and is the most practicable way of achieving this. This has not yet been enacted, and is anticipated to become legislation sometime in 2020. It will be interesting to see the outcome of this.
- B. This Act also amended previous legislation on Agricultural Holdings, and has created new agricultural lease terms, and removed the requirement for tenants to register an interest in the right to buy. Though it is early days, these amendments have yet to stop the decline in the availability of tenancies, suggesting that legislation in itself may not be effective in increasing the availability of tenancies.

Both the Right to Buy Abandoned & Neglected Land and Land for Sustainable Development established in the 2015 & 2016 Acts do not require the landowner to be a willing seller, so they can be used to force the sale of land, though strong criteria are set by the legislation on the terms of the sale. For example, that all other

means of stopping any detrimental activity (e.g. reporting to regulators) have been exhausted and that not granting consent to the land transfer is likely to result in harm to the community. This legislation also requires that the community group purchase the land at its market value.

While the Land Reform Act of 2003 has been tried and tested by communities, with a total of 560,000 acres (230,000 hectares) of land now in Community Ownership (though very few using the legislative route) the Community Empowerment Act is still very new, and the Community Rights to Buy Abandoned and Neglected Land and Land for Sustainable Development have not been tested yet. But there is possible potential for this legislation to be used by communities wishing to install new entrants for agroecological farming. Some technical barriers may be in the way. For instance, community groups may not be able to access the Scottish Land Fund (a Scottish Government Fund available to community bodies to cover some of the purchase price of land) due to restrictions around the application of State Aid.

What this legislation has helped to do, beyond creating a legal route to communities, is raise the level of debate and awareness of the need to address the high level of land concentration in Scotland. It is also notable that a significant amount of land transfers to community ownership have been made outside the legislative route - it is seen more as a safety net for communities to be able to enter into land transfer / management agreements and a lever for change, without necessarily always being required to follow the legislative route.

Combating the financialisation of agriculture

What is the financialisation of agriculture?

The financialisation of agriculture is a process which is part of the history of capitalism and is characterised by an influx of external capital with the aim of making a financial profit. It began with the development of colonial plantations (sugar cane, tea, rubber trees, etc.) and has expanded in recent years, with an acceleration starting between 2007 – 2008. This financialisation is transforming the agricultural sector, which in many countries was structured around family and/or peasant farming. In the peasant farming model, the owners of business capital are also the main workers; the wealth produced is used to pay for work done and to make productive investments in the farm. This is a very different attitude to that of external investors in farms, who seek the highest possible return on investment. The “modernisation” of agriculture began in the 1960s in many European countries and took the form of specialisation, simplification and standardisation of

production, increased mechanisation and automation, and expansion of certain farms alongside the disappearance of the smallest. Production facilities (machines, land, inputs) have become ever larger and more expensive, to the point that farmers are forced to rely on credit. When the situation spirals out of control, it can take more than the full duration of a career in agriculture to pay off debts. If production is to be maintained, it must therefore be propelled by an economic entity that “outlasts” a human career, which explains the rise of farm corporations. To continue to finance operating costs, these corporations require external capital.

In the current phase of financialisation of agriculture, more and more large farms are adopting the status of corporation in order to attract external capital. Their capital may be fully or partially financed by external investors and sold in the form of company shares. External investors' motivations may be the need to secure the supply of food or biomass, and/or the diversification of their financial portfolio. Some are agricultural actors (agribusinesses, land-owning companies), others are non-agricultural, such as investment funds or insurance companies. When they acquire shares, investors prioritise profitability, relegating agricultural production together with its social functions (food, rural life, landscape) and environmental objectives (biodiversity, climate, water, health) to second place.

The financialisation of agriculture in Europe is currently poorly understood. There are no studies or systematic data on this phenomenon at European level. There are, however, a number of national studies which highlight the acceleration of land buying by corporations and the rise of buying shares in farm corporations, including by non-agricultural actors. In 2018, sales of shares in farm corporations in France accounted for the transfer of 185,000 hectares – almost the total number of hectares of agricultural land sold (200,000 hectares)⁴³.

What are the consequences of the financialisation of agriculture?

There are many important consequences of this financialisation:

- *It creates a lack of transparency of land ownership and production units.*

When land or farms fall into the hands of corporations, it is difficult to work out which natural or legal person actually owns them. Financial arrangements can be created to enable a single corporation or person to own vast expanses of land or a great number of production units. This also makes it difficult to know when shares (representing land) in the corporation are sold, and under what conditions - and these sales completely by-pass local farmers.

However, the implementation of the European Directive on Money Laundering which obliges all Member States to keep a list of natural persons who own shares in corporations shows that it should be possible to identify which natural persons own certain agricultural shares or farm corporations⁴⁴.

- *It makes it possible to circumvent existing regulations.*

These regulations were designed to apply to natural persons who own or rent land, including the law on real estate transactions (*Grundstückverkehrgesetz*) in Germany and SAFER regulations in France. Purchase of shares also allows certain forms of tax avoidance.

- *It undermines farmers' independence*

Farmers become dependent on external financial injections, and particularly on investments from non-agricultural operators, which take the approach of maximising short-term profit. This fuels the race towards expansion, specialisation and capitalisation of agriculture, as well as compromising food security, environmental protection and peasant agriculture systems.

- *It impedes the generational transition*

It clearly removes land from local markets where it is sold with accessible conditions and pricing for current or future farmers. Certain highly capitalised farms have become too capital-heavy to be sold on without the intervention of external investors.

- *It fosters the development of farm corporations operating solely on the basis of salaried work*

In this situation, an ever-greater share of the wealth produced is skimmed off by investors who are increasingly further from the site of production. Agriculture works for the upstream industries - creating an even stronger dependence of the agricultural sector on the industrial and financial sectors. This leads to a higher dependency of the farming sector and the impoverishment of rural areas.

How can we combat the financialisation of land sales?

At a national and European level, political and civil society representatives are concerned by the rise of financialisation. Several key measures could be used to contain it:

- Impose a transparency obligation on companies to ensure it is possible to ascertain which natural person owns agricultural land or production units. This would make it possible to enforce ceilings for the number of hectares

owned or farmed by the same farmer or landowner. One prerequisite would be the creation of a land registry and register of farm corporations. Another prerequisite would be to receive support from the European Commission to obtain information on all land and farm corporation shares held by any one person across the whole of the EU.

- Set up authorisation systems for transactions involving agricultural land and shares in land companies or farm corporations, as recommended by the Commission⁴⁵. This is based on the obligation to notify a land agency (or administration) of all planned transfers of agricultural property or shares, which can then be approved or refused.
- Establish a participative decision-making process within these land agencies involving the State, local authorities, agricultural trade unions, and civil society (environmental organisations, local users, consumers) to manage the authorisation and refusal of proposed transfers of property or company shares.
- Allow land agencies to pre-empt the sale of agricultural properties and company shares⁴⁶ to prioritise sustainable agricultural usages.
- Give land agencies the power to implement land storage policies to avoid the expansion of farms and give precedence to certain types of land use: peasant farming, public land companies or non-profits. They should be able to do this even when no buyer is identified at the time of sale, with the aim of avoiding land concentration.
- Reform the Common Agricultural Policy in order to:
 - Pay direct subsidies to farmers, not to farm corporations whose capital belongs to non-agricultural investors, in line with the aim of the Common Agricultural Policy that aims to guarantee fair living standards for the agricultural population, particularly through raising individual income for those working in agriculture (article 39 of the Treaty on the Functioning of the European Union).
 - Pay direct subsidies in proportion to the number of individuals working on an agricultural holding, not in proportion to the number of hectares of a farm. The current system of subsidies per hectare encourages the establishment of large production entities that simplify production practices, and thus attract financial investment. This feeds into the trend of over-exploitation of natural resources and destruction of rural and agricultural jobs.



Delegation from the negotiation of UNDROP in Geneva. Credit: ECVC

Engaging in international decision-making spaces has been one of the strategies of social movements and civil society organisations (CSOs) aimed at advancing their rights. Such work is based on the conviction that peoples' struggles for land and territory cannot only be limited by the national borders of our countries, but need to be internationalist struggles.

Social movements have therefore been using international public institutions to denounce the advancement of policies that seek to reconfigure people's territories into a source of profit for the capitalist classes of the planet – for example through free trade agreements, international investment protection agreements, international financial deregulation, carbon and emissions markets, as well as the promotion of private property rights over land, fisheries, forests, water, seeds, etc. At the same time, they have sought to contribute to the creation of new norms and institutions that democratize the current international order, and advance justice and the right of communities and peoples to their lands and territories.

Based on many years of mobilization, advocacy and negotiation with governments, social movements and CSOs have succeeded in advancing their rights in a number of international documents that have been adopted in recent years. Some of the most important achievements are⁴⁷:

- The United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) 2018
- The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); 2007
- The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (Tenure Guidelines or VGGT); 2012
- The Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries (SSF Guidelines); 2014
- General Recommendation No. 34 on the Rights of Rural Women, by the UN Committee on the Elimination of Discrimination Against Women (CEDAW GR 34). 2016

These instruments are additional tools that social movements can use to advance their struggles. When organizations think about using them, they should bear the following things in mind:

1. No agreement, no matter how strong and progressive it may be, will be automatically implemented. This requires much work and mobilization. The challenge is to give a sense to these instruments within the local context, and to interpret them in a way that enables them to support the needs and aspirations of local people.
2. Whether to use one or several international instruments, which one(s) and how, is all part of a strategic decision that organisations need to take. There may be reasons why organisations opt not to use them in their specific context. It is important to bear in mind that there are also international instruments that are not suitable, either because of their content, or because they are not legitimate (see box). Assessing which tools to use is an important step when building a strategy.

Building your strategy: Assess which legal texts to use to advance your rights

It is important to understand that there are important differences between different international instruments. Apart from their content, the process of how a given instrument has been developed matters a lot, as the following example shows:

When the current wave of land grabbing started to get broad attention around 2009, some rich countries and the World Bank came up with a set of Principles for Responsible Agricultural Investments (PRAI). Not only were these a tool to whitewash land grabs, they also had been developed by a small number of

governments and UN institutions. Social movements of small-scale food producers strongly denounced the PRAI, and called for a comprehensive response to land and resource grabbing, based on decades of struggle to advance agrarian reform and human rights-based land governance. This led to the development of the Tenure Guidelines, which were developed through a participatory process and are based on the human rights obligations of States.

Using international tools is becoming easier as new international instruments are developed to regulate land access and land use and protect the right to land. The most recent is the United Declaration on the rights of peasants (2018), which explicitly recognises and protects the right to land (first example), while the most comprehensive instrument remains the Guidelines on the Responsible Governance of Tenure which have already been used to advance land struggles in Romania and Belgium (second example). In some instances, national courts can also refer not only to national regulations but also to international instruments to defend use rights and prevent infringements, as was recently illustrated by a legal decision giving precedence to the right of use of Sami pastoralists over the Swedish State (see box below).

Claiming the right to land as a human right in the United Nations Declaration on the rights of peasants

The adoption of the United Nations (UN) Declaration on the Rights of Peasants and other people working in rural areas (UNDROP) by the UN General Assembly in 2018 was the result of almost 20 years of mobilisation by La Via Campesina and its allies, and of 6 years of negotiation at the UN Human Rights Council. This Declaration aims to respond to the multiple forms of discrimination faced by peasants and other people working in rural areas, who are the first victims of extreme poverty and hunger, and to protect and promote their rights and dignity. Article 17 guarantees, for the first time in international human rights law, the right to land for peasants and rural people.

Closing the human rights gap for rural communities

Before the adoption of the UNDROP, international human rights law recognized only limited land rights.

According to existing human rights instruments, States cannot arbitrarily deprive people of their property, nor can they evict settled communities that rely on a piece of land but lack legal title to it, without meeting certain conditions. The right to property, however, applies to land owners thus leaving landless people and those without formalized land rights without protection. And the ban on evictions can easily be circumvented as States have broad discretion to determine whether the conditions justifying evictions have been met. Ultimately, these protections are largely procedural in nature and do not offer substantive guarantees to people and communities.

Until recently, land as a substantive human right has largely been developed with regard to the rights of Indigenous Peoples. Convention number 169 of the International Labour Organisation (ILO) and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) recognise the special relationship that Indigenous Peoples have with their land, and guarantee the right to land and territories that they have traditionally occupied.



'Together for the UN Declaration of the Rights of Peasants'

As non-indigenous communities could not directly claim the right to land, they could only gain recourse to their land rights through a multitude of other human rights such as the Rights to Food, Housing, Health and an Adequate

Standard of Living. However, these corollary rights provided only limited and indirect protection.

Thus, a normative gap remained in international human rights law, which left non-indigenous rural communities, for whom access to land is central to their identity and essential to their survival, without substantive guarantees. This situation has changed with the adoption of the UNDRIP.

The right to land in the UNDRIP

The UNDRIP defines the right to land as a collective as well as an individual right. The right to land must be understood in a holistic way. This definition "includ[es]

the right to have access to, sustainably use and manage land and the water bodies, coastal seas, fisheries, pastures and forests therein, to achieve an adequate standard of living, to have a place to live in security, peace and dignity and to develop their cultures." Land thus fulfils multiple functions which are closely related to the realization of multiple human rights.

Article 17 brings a legal recognition of land tenure and acknowledges the existence of different models and systems, "*including customary land tenure rights not currently protected by law*" and recognition of Commons.

Some key points highlighted in Article 17 are States' obligations to protect the right to land. States must guarantee non-discriminatory access to land, "*including [discriminations] resulting from change of marital status, lack of legal capacity or lack of access to economic resources.*" States have the obligation to take measures of agrarian reform in order to facilitate broad and equitable access "*and to limit excessive concentration and control of land*".

States' obligations as defined in the UNDROP include adopting the necessary and effective legislative and other measures to guarantee protection from eviction and displacement. The right to restitution and return to their land of which rural people were arbitrarily or unlawfully deprived is also elaborated in Article 17. States also need to guarantee "*the conservation and sustainable use of land*".

In conclusion, the recognition of land as a human right in international human rights law is indispensable to ensure human dignity and recognizes that land and natural resources have an inalienable character for rural people. Even though it does not explicitly recognize land as a universal human right (including for urban people, for instance), the UNDROP is an important step in the development of human rights, and provides a new tool for rural people to assert their rights.

Using the tenure guidelines as a tool to strengthen land struggles

The *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security* (Tenure Guidelines) is the first international instrument that deals with the governance of land and natural resources from a human rights perspective. The Guidelines were endorsed by the Committee on World Food Security (CFS) in May 2012 after a 3-year process, which included regional consultations and several rounds of negotiations. Social movements including small-scale food producers, indigenous peoples'

organizations and civil society organizations actively participated in the development of the Tenure Guidelines and succeeded in integrating a number of key demands into the document.



Mobilisation in front of the Romanian Parliament, credit: Eco Ruralis

The Tenure Guidelines provide guidance to states on how to govern land, fisheries and forests. They are firmly grounded in human rights, which means that they clarify how states should implement their existing obligations under international law in the context of tenure. Among other obligations, this requires states to prioritize marginalized groups. The Tenure Guidelines recognize and strengthen the rights of peasants, indigenous peoples, small-scale fishing communities, fish workers, pastoralists, livestock farmers, women and youth to control their territories.⁴⁸

Communities and organizations can demand the implementation of the Tenure Guidelines and use them to back their land claims in many ways. The following paragraphs provide examples of how this has been done in Romania and Belgium.

- **Romania**

Eco Ruralis, the Romanian farmers' union member of La Via Campesina, has actively used the Tenure Guidelines since their adoption in 2012. Firstly, Eco Ruralis used them to hold to account those responsible for increasing land concentration and land grabs. Eco Ruralis contributed to several reports that documented the

deteriorating land situation in Romania, engaging in grassroots action research which uncovered the inequalities and social-economic issues large land grabbing companies have caused in Romania. This work was not limited to criticizing what was wrong, but also put forward innovative solutions to the critical problems that peasants are facing. The Tenure Guidelines provided a powerful tool in this context: important articles from the guidelines were used to underline the need to recognize and respect all legitimate tenure right holders and to ensure access to justice in dealing with infringements of legitimate tenure rights. Referring to an internationally agreed instrument proved to be very effective for peasant organizations in bringing forward policy proposals to national decision makers, underlining the need to prevent tenure disputes, conflicts and corruption. As the issue of land grabbing and increasing land concentration in Romania began to receive mainstream attention from public authorities, citizens and the media, the Tenure Guidelines served a second purpose. Eco Ruralis became involved in a national policy debate regarding the reform process of the Romanian national law on the sale of agricultural land⁴⁹. This process came following years of adjusting Romania's land policy to the EU's free market principles. After a 7-year moratorium on land sales that proved inefficient to safeguard agricultural land against multinational speculation, in 2014 a new Law was adopted regulating the sale of agricultural land in Romania. While using some safeguarding principles like pre-emption rights, this law also failed to ensure democratic and equitable access to land for millions of small peasant farmers of the country. Therefore, in 2019, national decision makers engaged in a reform process, which presented a perfect opportunity for Eco Ruralis to put forward the Tenure Guidelines as a reference in the debate. While much of the proposed new measures revolved around market based mechanisms, the Tenure Guidelines allowed for the formulation of legal safeguards rooted in human rights which aimed to translate key provisions into national legislation. Some examples are the recognition of the commons as described in the Tenure Guidelines (para. 8.3), as well as the establishment of ceilings for land acquisitions, in order to democratize land access. Other proposals put forward by peasant organizations concern the creation of a more transparent land registry, along with more rigorous monitoring of large land investments⁵⁰.

- **Belgium**

An important element of responsible governance of tenure implies consultation and participation. Indeed, information and effective participation in decision making processes is one of the core principles of human rights. In other words, the people who will be affected by changes need to be involved in the decision-making process. Several paragraphs⁵¹ of the Tenure Guidelines refer to consultation and participation, including one of their principles of implementation, which sets out an international standard on how to bring individuals into decision making processes

that affect them. It explicitly mentions that this requires consideration of existing power imbalances between different parties (namely between communities, private companies, state bodies, etc.). In Belgium, civil society organizations (CSOs) used this particular aspect of the Tenure Guidelines to back up their claim to be directly involved in the reform of legislation regarding farm leases in Wallonia (2015-2018)⁵²⁵³. Soon after the adoption of the Walloon Code of Agriculture (2014), the Regional Ministry of Agriculture announced its intention to reform farm lease legislation. At first, the negotiations only included representatives of the main agricultural unions (FWA, FJA, FUGEA, UAW and Bauernbund), notaries (FRNB) and rural land owners (NTF). Through a network named RÉSAP (Réseau de Soutien à l'Agriculture Paysanne), which coordinates the Belgian food sovereignty movement, Belgian CSOs successfully fought for a seat at the table.

RÉSAP had already established a working group to develop a common position on land issues, which became the Plate-Forme Foncier Agricole (PFFA). This platform is composed of peasant farmers' organizations (members of La Via Campesina), producer organizations, environmental organizations, consumers, international solidarity groups, land cooperatives and other civil society organizations, including FIAN. The platform allowed for a dialogue between different actors from civil society that were not directly involved in the official process of negotiation on the farm lease legislation, but which had a direct interest in putting forward their demands. As a result, the platform developed a consolidated and shared vision: *"The PFFA is concerned with issues related to access to land for sustainable agriculture. It considers the agricultural area as a common good: a good that concerns the entire population because it is linked to such crucial societal issues as food and health for all. Therefore, the agricultural area must be managed in the general interest, with the aim of meeting the objective of producing healthy food for people. This is the primary function of agriculture, recognized by the Walloon Code of Agriculture (Art. D.1)."*

By using the Tenure Guidelines' provisions regarding participation of all affected groups in decision-making processes to increase its legitimacy, the platform was able to gain recognition and was eventually involved in the formal negotiations that took place between 2015 and 2018. During this period, the platform was able to provide inputs (in writing and during meetings with the Minister but also in parliamentary hearings) on several occasions, based on a consolidated collective position, which resulted in the insertion of environmental clauses into the revised legislation. The PFFA's participation in the negotiation process made it possible to bring the issue of farm leases into public debate (through several articles in the major French-language general media), linking it to broader issues of land and agricultural policies. In particular, CSOs managed to broaden the range of actors consulted by the Minister in the policy process beyond lessors and lessees - and to specifically include peasant organisations.

Sami pastoralists' struggle: a historic legal victory in Sweden

The North of the Scandinavian peninsula and part of the Kola peninsula in Russia is known by the Sami people as Sapmi, a single land and cultural unit which exists beyond the borders imposed by nation-states. The Sami people, with an estimated population of around 80,000, have developed a rich culture through millennia based on reindeer herding and seasonal mobility, and a sophisticated understanding of the commons. This culture was almost erased by Western Nordic European colonial powers who banned their language, traditions, practices and rights to their land for centuries.

In the 70s, the Sami people started a protest against the Alta river dam, which galvanized a coordination and reaffirmation of Sami identity and rights, which resulted in recognition and victories in legal cases in Sweden, Norway and Finland. Amongst them, the Sami community of Girjas Sameby began a legal action against the Swedish state in 2009, six years after a new hunting law gave individual landowners the right to decide on small game hunting and fishing rights on their properties. This law had led to a significant increase in hunting across the territory, which negatively impacted reindeer husbandry.

In January 2020, the Girjas Sameby community of reindeer herders won a historic case on land rights. The five judges ruled unanimously in favour of giving the Sami community rights to the land⁵⁴. The court ruled that the community had an exclusive right to fishing and hunting in their area, based on their presence there from time immemorial (old Swedish concept of *urminnes hävd*). It also means that the community, but not the State, can confer these rights to others.

Interestingly, the court examined the International Convention on Indigenous Rights (ILO 169), which states that the implementation of national rules must take into account customary indigenous people rights and law. Although Sweden has not ratified the convention, the Court considered it to be an established part of international law.

This decision is of primary importance for the local Sami, but could also set a precedent for other indigenous communities, in Sweden or elsewhere, for claiming rights to property or land use based on historical precedent.

Tips for practice: Mobilising legal frameworks and policies

There are many ways for an organisation to use national or international instruments, including:

Build expertise and a knowledge base

The first step in using legal instruments is to develop a good understanding of the legislation and how it is applied in your country. This means building relationships with researchers, academics, legal professionals and others to develop an analysis of the situation that reflects the policy and judicial reality on the ground. This knowledge base provides the foundation required to develop strategies for the land movement in your jurisdiction.

Social movements and CSOs have developed training materials to help you understand the technical language of international legal texts (see references above). The best way of getting to know such instruments is to connect this with the reality faced by local people. Also State and local authorities may not be familiar with international texts. Joint capacity building sessions can be a good way of advancing towards a shared understanding of an issue.

Use action research

Information needed to open the debate about land ownership, use, development and planning is not always readily available or accessible - it will often require months of dedicated work to organise, collate and translate the information into useful materials. This work can be understood as Action Research (see above).

Look for existing cases and campaigns

You can be sure that you're not the first group or organisation to reflect on the land issue. In fact there will often be campaigns already active or legal battles on-going. Accompanying and linking your work with existing struggles can help to provide concrete examples of how laws are being applied, highlight issues, and identify strategic points for entering into the complex debate around land and land legislation.

Develop your own proposals and carry out advocacy

Legal instruments can be useful to systematically analyse a given situation (e.g. a conflict) and to develop concrete proposals to address it. For example, parts of international texts can be included in social movements' proposals for revised laws and/or policies (see how the Tenure Guidelines were used in Romania above). They can also serve as reference documents when putting

forward proposals. The international instruments mentioned above in particular have provisions to ensure the effective participation of affected people in decision-making.

Use national laws and international standards for mobilisation and communications

Referring to national policies and even to internationally agreed instruments can be a way of amplifying your demands through your communications work and during mobilizing actions. Reminding governments of their obligations towards the rights-holders (i.e. the people, in particular marginalized groups) can help trigger changes towards greater justice.

CHAPTER 3

Land, people, action! The struggle for land from the ground up

Land is not only a political question, but an emotional one as well. People feel a deep connection to place, community and the land and environment around them. The reduction of land and the natural world to an economic value or simple financial equation can elicit real and sustained responses from civil society.

In this sense land struggles are an integral part of land movements as they demonstrate in very real terms what is at stake when we talk about land use. Land struggles may involve resisting the use of land for something, or proactively promoting the use of land for something else, and often a combination of the two.

Across the continent, people have mobilised in their hundreds, sometimes in their thousands to defend a specific piece of land, support local farmers, preserve farming and defend ecosystems. Broad and diverse campaigns have been formed, with farmers, farmers' organisations, local residents, environmental groups and others joining forces and sometimes receiving trans-European support and solidarity. Despite the denial, rejection and sometimes repression led by national or local governments, the struggle for land in Europe continues to be developed in fields and communities across the continent.

Approach 5

Campaigning against land loss: Fighting infrastructure, urbanization and agribusiness projects



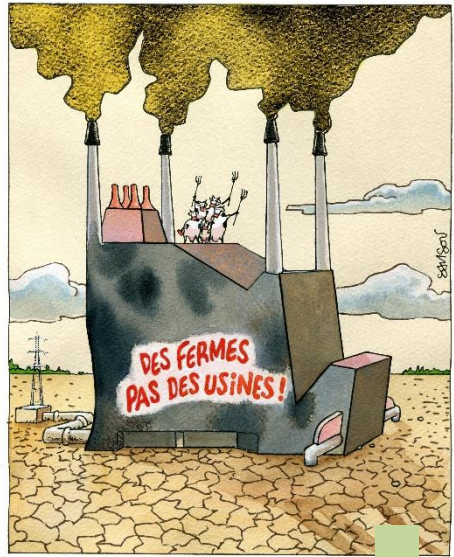
'Defending our land', ECVC member organisations

Everywhere we look, agricultural land is disappearing under concrete and asphalt. With the newest industrial machinery, entire landscapes can be removed, altered and replaced by buildings, roads, railways, airports and other uses. Human beings have never had the capacity to destroy the land around them with the ease they do today. These changes in land use - often from cultivated or wild land – also apply to the processes that drive resource extraction, be it the expansion of mines, fracking or other extractive processes. Land loss also stems from endless urban sprawl and the expansion of supermarkets, malls and industrial areas, including industrial farming in the countryside. Increasingly, we witness the “artificialisation” of land – the process by which land is taken out of agricultural or natural use and is placed into the realm of *artificialisation*. (see box below).

Natural urban expansion and urban regeneration is part of the healthy management of human settlement, but often the driver for “development” in urban areas in particular is profit rather than social or citizen interest. Many factors exacerbate this situation - dependence on private transport, an increase in the per capita area used for housing and recreation, speculation, a lack of policies or strategies protecting land in suburban areas and the increasing industrialisation of food production. Urban sprawl and infrastructure development particularly impact agricultural land, which is the main source for development. For decades, in most

European countries, farmland has indeed been considered as having little value, apart from being a reservoir for future urban, commercial and infrastructure developments, thus denying its vital role for food production, as a living and working area for farmers, a source of job creation and ecosystem preservation. A shift of land away from its agricultural use may be the result of land planning changes, or happen outside of any legal framework, particularly where land planning policies and administration are under-developed or little effective. In total, the European Union thus lost 11% of its agricultural area between 1993 and 2013, an area approximately the size of Romania⁵⁵.

Mega-infrastructure projects such as intra-national train systems, motorways, mining, energy production and airports have huge budgets (often supported through EU Cohesion funds) and offer very little if any consultation with local communities. Moreover, they explicitly may offer little or no benefit to the populations where they are located and in return have colossal impacts on local ecologies, land and social systems to the detriment of those populations. In some countries public works projects and government policies are closely tied up with large cement manufacturers and lucrative government contracts offered. A diversity of strategies have long existed in civil society to oppose such senseless developments and the broader process of "artificialisation".



'Farms not factories',
Credit: Samson

Protests have ranged from marches and mobilizations to occupation and direct resistance, while also incorporating legal challenges, communications campaigns and political protests. These campaigns have met with both success and failure, and are often examples of long-lasting civil society mobilizations that require a diversity of approaches, extensive strategic planning and broad alliances. They often are a test for the resilience and resources of social organisations.

The first of our examples offers a good example of one such project – the A45 motorway in France. Connecting the suburban areas of two cities already connected by an existing motorway and passing through a rich ecological corridor interspersed with agricultural land and settlements, the A45 proposal inspired a strong movement against the project. The struggle against this motorway offers a good example of the potential to build broad civil society coalitions incorporating

local organizations, environmental groups, farmers and other actors. Our second case follows the resistance to the development of the Rosia Montana gold mine in Romania. This project proposed a mountaintop removal in an historic valley where one of the oldest gold mines in Europe is located. This struggle highlights not only the power of a strong communications campaign in raising awareness and mobilizing broader civil society, but the potential of resorting to legal and policy recourse, in addition to mobilisation.

Our third case looks at the NOTAP movement in Italy which is struggling against the installation of gas pipeline infrastructure from Azerbaijan to Salento. The project threatens to have numerous negative social and environmental impacts, both locally and at a European level. The NOTAP movement has been fighting against this project at a legal level, whilst also mobilising on the ground and connecting to other organisations in order to aid their struggle.

“Artificialisation”/ The creation of artificial man-made landscapes

The creation of artificial man-made landscapes denotes a change in the use of land, to uses that are neither agricultural, nor forestry-related, nor natural. This can take many forms: industrial and commercial areas, transport infrastructure, open-air quarries, landfills, ornamental gardens, etc. The main cause of this is urban spread linked to housing, ornamental green spaces and sporting and leisure areas. This phenomenon particularly affects urban areas and the coastline.

Although these artificial landscapes can be created from either natural areas or agricultural land, the latter is the first to be affected. In Europe, around 85% of artificial landscapes were originally agricultural land⁵⁶, and the best agricultural soils are often the hardest hit, as European cities were historically built near fertile land. This also shows that agricultural land is currently less protected than forests or other natural areas. Many of these artificial landscapes are affected by “soil sealing”, which means that they are covered with an impermeable artificial material (concrete, tarmac, etc.). As well as directly encroaching on agricultural areas, and thus the potential food supplies for neighbouring urban areas, the creation of artificial landscapes has far-reaching environmental impacts: it breaks up natural habitats, contributes to soil erosion and contamination, leads to rapid release of carbon which accelerates climate change, and through soil sealing leads to water runoff and soil erosion. When soils are sealed or very polluted, it is almost impossible to reconvert them to agricultural or natural use.

Working together to end the A45 motorway project in France

The A45 was an infrastructure proposal first envisaged by the French state in 1992. It looked to build a new 48-kilometer motorway between Lyon and Saint-Étienne, in an attempt to take the strain off the existing A47 road, which was often backed-up and recognised as dangerous. The construction of the A45, with four tunnels and 11 viaducts, was forecast to cost €1.2 billion. Of this total, €790 million was to be funded by public money, with a third being put up by Vinci, the French construction giant who were set to win a 45-year concession contract for the motorway.

In addition to the cost and environmental impacts of the project, the motorway also threatened rich and dynamic local agricultural markets and production systems, mostly composed of small-scale farms including fruit production, vineyards, tillage and livestock. These farms process a lot of their products on-site and distribute them locally.

The region is also home to the first ever small-scale producer farm shop in France, Uniterre. This shop allows 17 farms and 33 peasants to sell the fruits of their labours locally, proving the economic viability of family farms and their role in creating jobs contributing to rural development.

In total, at least 180 farms would have been affected by the planned motorway project, across 15 different municipalities. At least 500 hectares of agricultural land was set to disappear under tarmac, not including an additional 500 hectares needed to build motorway junctions and the land that would subsequently have been put at risk of further development and urban expansion. Ecosystems and ecological corridors would have been broken and the agricultural and the natural integrity of the area permanently compromised. In the end, none of this happened – no road has been built, largely thanks to a huge mobilization of residents, peasants, environmentalists and anti-capitalist activists.

The fight against the A45 project began with local associations formed in opposition to the project: *Sauvegarde des Coteaux du Lyonnais* (Save the Hills of Lyon) created in 1990; and *Sauvegarde des Coteaux du Jarez*, formed in 1995. They played a key role throughout the entire struggle, even when the proposal was in its later stages. Their approaches were quite far-reaching, as they integrated the fight against the A45 into a wider framework of defending sustainable land development.



'No to the A45' demonstration in Saint-Maurice sur Dargoire, Credit: Coordination des Opposants à l'A45

The first meeting with other organisations took place in July 2016, a time when the region was voting on the motorway budget. Two months later, 2000 people came together at an anti-A45 event which offered a mix of round tables on citizen resistance, peasant markets, musical entertainment and spaces for the community to gather on a farm that would have been bisected by the new route. This event was also attended by local mayors who expressed their support and offered an important endorsement of the campaign by public representatives.

In addition to the original associations, a variety of new organisations came together at this event, including peasant groups like the *Confédération Paysanne*, alter-globalists like *Attac*, groups fighting for social and climate justice like *Alternatiba*, environmentalists such as *Greenpeace*, organisations of elected officials, as well as hundreds of local and regional sympathisers. Activists from other land struggles such as Larzac, Sivens and Notre-Dame-des-Landes came and shared their experiences - hearing these people created a thrust to unify and further organize the struggle against the A45. By the time the event was over, the "Coordination of the A45 Opposers"⁵⁷ had been created.

The Coordination of A45 opposers works on the principle of a general assembly, where decisions are taken collectively. At the assembly, they discuss the current status of the movement, debate a given topic, and discuss past and future actions.

The organisation is based around three committees:

- Strategy - manages short-term organisation and plans
- Land tenure - carries out the work of establishing an inventory of land affected by the proposal and sends letters to landowners asking them not to give up their land or sign any documents.
- Communications – is responsible for all communications e.g. creating a website, publishing newsletters or updates every trimester on the proposal and arguments, distributing more than 10,000 copies door-to-door etc.

The Coordination's approach is one of openness, of discussion and shared experiences. Despite the fact that each actor has their own beliefs and approach in fighting for A45 alternatives, for the protection of peasants or against capitalism, they have been able to come together and share their know-how and experience. This diversity has been a strength for the campaign – allowing different actors to organize in different ways. What was most important was the fact that decisions were taken collectively and that all approaches and actions worked towards a common goal. For example, some people launched a YouTube web-journal, other activists organised an informal five-day march from Saint-Étienne to Lyon with a mobile canteen to raise awareness among residents about the A45 struggle, while others helped to rebuild a peasant dwelling on one of the local farms. These events also provided moments where peasants and activists could eat together, fostering exchange and building a sense of camaraderie and mutual understanding.

These actions culminated in a demonstration in Saint-Maurice sur Dargoire which brought together more than 10,000 people, 130 tractors and 300 volunteers to spell out in huge letters, visible from the sky, 'Non A45' (No to the A45, see photo) on 2 July 2017⁵⁸. A few months later, on 18 October 2018, the Minister for Transport announced they were abandoning the project, stating that "the consequences for farmland and the environmental impacts cannot be ignored" and explicitly referring to the local mobilisation. Ultimately what could not be ignored was the vibrant collective which had formed in opposition to the motorway with a vision of the world and of land use that was radically incompatible with the A45 proposal⁵⁹.

The success of the mobilisation can also be seen in the way it has affected local farming. As well as connecting urban populations with local peasants, the struggle also facilitated a lot of exchanges among peasants themselves, regarding their respective land practices and work. Many were converted to organic farming and new peasant farmers were welcomed into the community. Mobilisations against huge projects can also be an opportunity for collective learning: a chance to open up to others, to understand that differences can be strengths, and to learn to exchange and come together in both the long and short term.

Roșia Montană vs RM Gold Corporation: David vs Goliath in Romania

This is the story of how the local community of a picturesque village in the heart of the Romanian Carpathian mountains confronted a huge mining company - creating an international movement which was able to block a project to develop Europe's largest open cast gold mine. What started as a mobilization for the rights of peasants became a movement about cultural identity, human rights and environmental values, which was eventually able to shape the process from which it was being excluded. Save Roșia Montană (SRM) represents an example of how the creativity of grassroots, citizen-led actions and campaigns can offer resistance to giant companies and give practical incentives for more democratic and inclusive decision-making processes. More than twenty years after the project was launched, the Save Roșia Montană movement can count on hundreds of thousands of supporters from civil society organizations, lawyers and citizens from all parts of Romania and the mine has so far not received a green light.

Roșia Montană is a commune (composed of 16 villages) of Alba County, in Western Transylvania, Romania. Its history dates back more than 2000 years: it is the location where two of the wooden wax tables constituting the main sources of the Roman law were found, the surrounding mountains are an area of rich culture and heritage, and the village is notable for its architecture, multi-ethnic and multi-religious character. The area is rich in mineral resources which have been exploited from Roman times up until 2006, when the State-run gold mine closed prior to EU accession. In the 1990s the Roșia Montană Gold Corporation, a joint venture 80% owned by the Canadian Gabriel Resources and 20% by the Romanian government via Minvest, started a project aimed at re-opening the mine. The plan was to use cyanide to extract gold, affecting 1,500 hectares of landscape, the destruction of four mountains, ancient forests, 740 farms, a village of almost 4000 inhabitants⁶⁰, 10 churches, 9 cemeteries, 50 buildings classified as historical monuments, 87 km of ancient pre-Roman, Roman, medieval and contemporary mining galleries and other archaeological relics.

The list of related dangerous impacts on the site and its people is very long: cyanide pollution, environmental destruction, expropriation and eradication of traditional peasant life and culture. It didn't matter on which side of the debate members of the community stood: intimidation, corruption, pressure, threats, physical violence and eviction were the order of the day. The argument of the giant is always the same: the mining company promised the project would have granted economic advantages, including infrastructure improvements, increased productivity and the

creation of new jobs. All of this without any effort to inform, consult or include the local community in the debate.

The local community did not hesitate to rise, protest and oppose: in 2000 a group of 300 families founded the grassroots organization *Alburnus Maior*, constituting in the same year the *Save Roşia Montană Movement*, which started gathering the support of 40 Romanian NGOs and succeed in the following years in mobilizing thousands of people and organizations all around the world. Despite the undemocratic nature of the project and its development, the people of Roşia Montană overturned the power balance through alternative channels: the combination of this safety net granted by the international network, together with litigation and mobilization, allowed a step-by-step attack on the Roşia Montană Gold Corporation.

Support grew slowly from local to national and then to an international level, pushing the democratic issue under the spotlight: one main way to oppose the mining project was through legal and policy channels - highlighting constant cases



Local mobilisation in Romania.
Credit: Cristian Vasile

of non-compliance or the absence of environmental permits or planning certificates, appeals to the European Parliament and to the Ministry of Environment, resolutions by the European Parliament and by the EU Federation of Green Parties, statements from NGOs and so on.

Another important strategy was direct public action - thousands of people occupied the streets, chained themselves in front of institutional buildings and affected locations, organized

strikes, demonstrations, marches, flash mobs and public festivals, and involved several public figures, such as representatives of various churches, the Romanian Academy, national scientific fora and neighbouring state governments such as Hungary.⁶¹

The protest reached its peak in 2012 and 2013, and the pressure eventually forced the Romanian government⁶² to put aside and back off from a crucial law which

would have granted the go-ahead to the whole project, effectively suspending it: the community has successfully blocked the project till now and the village has become a tourist attraction. While these are successes, there have been defeats as well, for example the last-minute removal of the site from the list of UNESCO candidates by the national government demonstrates that winning one battle will not provide a single solution. Every angle must continue to be fought in order to show injustices and re-write local people's futures.

Recently, the company undertook a different path to proceed with the project: it is suing Romania under the international Court of Arbitration for \$5.7 billion (almost 3% of the country's economy) in an Investor-State Dispute Settlement (ISDS).⁶³ Its argument is that Romania is breaching its obligations to protect corporations' investments.

Successive Romanian Governments throughout the struggle have always supported the company and been in favour of the project, so now this arbitration case at international level could push the government to promote *ad hoc* measures, actions and legislation. The struggle for Roşia Montană is not over.

The campaign against mining at Roşia Montană is one of the most iconic campaigns over a non-political cause in Romania in the last 20 years. The reaction of the peasants of Roşia Montană and the strong participation of the national and international community united under the Save Roşia Montană campaign offer a positive model for undertaking and planning actions in local land strategies. Hopefully the combination of mobilization, litigation and international solidarity will inspire future movements in land struggles.

Fighting fossil gas mega-projects: the story of the NOTAP movement in Salento, Italy

TAP (Trans-Adriatic Pipeline) is a mega-infrastructural project to transport natural gas from the ShahDenizinin field, in Azerbaijan, to Italy and from there distribute it across Europe. The project is supported by both the Italian Government and the EU as a 'Project of Common Interest' towards decarbonisation, energy diversification, and energy security. At the local level, the TAP consortium has promised to contribute to sustainable development and job creation in the region of Salento in Italy. The TAP consortium is based in Baar, Switzerland, and counts multinational companies including BP (UK), ENAGAS (Spain), FLUXYS (Belgium), Snam (Italy), SOCAR (Azerbaijan), Axpo (Switzerland), and Lukoil (Russia).

The TAP pipeline is only one part of the Southern Gas Corridor, a bigger project which includes the South Caucasus Pipeline (Azerbaijan, Georgia), the Trans Anatolian Pipeline (Turkey) and the Trans Caspian Gas Pipeline (Turkmenistan, Azerbaijan). This mega-infrastructure will be over 5000 km long, cross 7 countries, and cost approximately 42 billion euros. TAP will be 878 km long and will enter Europe through Southern Italy, specifically Salento, a sub-region of Apulia. Besides the main pipeline, TAP consists of two other infrastructures: a tunnel to transport gas from the coast inland and a depressurisation station.

The construction works for TAP were supposed to start in 2016 and the gas pipeline was supposed to be active by 2019. However, the project saw many delays due to the irregularities which arose during the approval and construction processes. In Salento, local opposition started long before construction works.

As early as 2012, a group of citizens, supported by their municipalities, formed the NOTAP committee. Two appeals to stop the construction work were made to the Administrative Regional Court, both of which were rejected. Between 2016 and 2017, when the construction works began, the NOTAP Committee took up an activist role, changing its designation to the NOTAP movement, it started to organise protests and regular public demonstrations.

Both ecological and social concerns sit at the core of the NOTAP opposition:

- The TAP project poses severe environmental risks such as groundwater pollution, the disruption of marine ecosystems, and the uprooting of thousand-year old olive trees. This is problematic for a region like Salento which relies on agriculture and tourism. Additionally, the impacts of TAP would worsen an already endangered territory: air, soil and water pollution are a long-lasting issue especially due to industrial plants (Ilva and Cerano) and heavy use of pesticides in agriculture. Additionally, this is one of the areas that was most affected by a large-scale program which uprooted olive trees affected by Xilella disease.
- TAP is not a project of 'common interest' because, although financed through the money of EU citizens, it will only benefit a few private actors. The EU does not require further gas infrastructure since the existing one remains largely underused. Moreover, Azerbaijan is buying gas from Russia, meaning that TAP would not help Europe increase its energy diversification. Finally, methane is 25 times more polluting (in CO₂ equivalents) than CO₂ emissions, which means that releasing 1 kg of CH₄ into the atmosphere is about equivalent to releasing 25 kg of CO₂, and cannot therefore be considered a bridge fuel towards decarbonisation.

- The approval process of TAP was highly undemocratic. First, it violates Article 117 of the Italian Constitution, which gives equal decisional power to the national and regional level in matters of energy development; secondly, it violates the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters with the exclusion of the local communities and the total lack of transparency.
- The funding of TAP by the EU violates the Equator Principles and the EU Charter of Fundamental Rights because it sees Europe in agreement with Azerbaijan, a country which has been under dictatorship since 1993 and where civil, political, and press freedom are constantly violated.

The NOTAP movement has opposed the TAP project on different levels:

- **Legal level** – by building synergies with lawyers, the academia, and supportive politicians, the movement has succeeded in unveiling the multiple irregularities behind TAP. In January 2020, at the end of a long enquiry, 19 people (including TAP representatives) were called to Court with the accusation of ‘environmental disruption’ linked to the illegal uprooting of olive trees, land expropriation, groundwater pollution, and illegal waste disposal. Based on this, the approval given by the Italian Ministry of the Environment in 2014 and 2015 was declared ‘illegitimate’ and against EU directives.
- **Mobilisation** – the NOTAP movement has mobilised against TAP through direct actions of protest and civil disobedience at the construction site, where it has established a gathering point to supervise the area and where several clashes between activists and the police took place. In parallel, the movement has tried to connect to the local communities, farmers, worker unions, and other fights in Salento to spread awareness, gather support, and build synergies. At the national and international level, the NOTAP have connected with other anti-gas movements (e.g. Gastivists, NO Gas-Hub), socio-environmental justice NGOs, and supportive media. More recently, the movement has joined a new national network of territorial movements which stands against detrimental and imposed mega-projects and demands an alternative model of development: localised, small-scale, decentralised, and most importantly just.

Since March 2017, the region of Salento has witnessed an interminable series of abuses by the companies behind TAP which, escorted by the police and in the total silence of the Italian government, EU institutions, and the national press, has achieved in its aim: inexorably continuing with construction works despite the legal

accusations. The NOTAP movement reacts each time through a constant and systematic campaign of denunciation of abuses, involving an ever-increasing number of citizens and associations. On the 17th of March 2017, the movement celebrated the three-year anniversary of its struggle.

The strategies used by the NOTAP movement are similar in many cases to other territorial struggles all over Italy and Europe, one another Italian example is the NOTAV movement in Northern Italy, which opposes the creation of the new high speed railway line between Turin and the French city of Lyon. Both movements are experiencing different forms of criminalisation; at the moment some of the NOTAV activists are in jail, among them a farmer and member of ARI, one of the Italian members of ECVC. The NOTAP and NOTAV try to radically rethink the economy while opposing the projects which pose a threat to local land. They are also rethinking and proposing new concrete alternatives for agricultural, food, energy and transport systems, and can serve as a great source of information for similar struggles.

Approach 6

Direct action - using land occupation to defend peasant agroecology in Europe



NDDL Gathering in Nantes, 2014. Credit: Elisabeth Guist'hau

Land is a tangible thing – something right in front of us, which we can see and feel, and a place where we can be and experience – and act. The struggle for land has long been fought on the land itself, in occupations and in resisting evictions. The history of land struggles both in Europe and internationally is almost inseparable from a long tradition of direct action, with the organization of social movements and broader social struggles playing a huge role.

Land occupations, blockades, lock-ons, the occupations of streets and squares in cities and other types of direct action are examples of human beings using their own bodies to demonstrate their beliefs. These actions are extensions and reflections of a strategy which aims to demonstrate the deep injustice of land concentration, speculation and private ownership - and build a social opposition strong enough to reclaim these vital parts of our collective economic and social rights.

Claiming land directly through occupation illustrates in a visible, real way the issues arising from land ownership and questions the concentration and misuse of land. The private property system is one of the keystone foundations of capitalism. Without it, long-term accumulation and exploitation for private gain become much more difficult. Challenging the private property system is particularly provocative to the state that acts as its protector and guarantor.

Claiming land directly also enables landless workers and rural communities to access land, food and livelihoods. This is a key dimension in emblematic collective land occupations. It can also be the driving force behind more silent and individual land occupations, conducted by landless workers, unemployed people, youth or impoverished rural inhabitants, seeking to make a living in a context of economic crisis, such as recently experienced in Greece.

Europe has a long history of land occupation and resistance to appropriation. Examples such as Larzac in France, the lands around Marinaleda in Andalusia and the Cooperative Agricoltura Nuova in Italy are all examples of successful land struggles. In recent years land has offered space for crossovers of struggles, such as the case of Simón Sabio in El Ejido, Spain or NO TAV in Northern Italy.

Internationally, land occupations have faced the most brutal repression imaginable – one of the most famous cases being the massacre of Eldorado do Carajas in Brazil, when 19 members of the MST (Brazilian landless workers movement) were shot by Brazilian state military police on the 17th of April 1996. This day is commemorated annually as the International Day of Peasant struggle in support of agrarian reform and food sovereignty.

In Europe land struggles have faced similar oppression throughout history - such as the massacre of Portella della Ginestra in the province of Palermo in Italy, on the 1st of May 1947, when Salvatore Giuliano's criminal gang fired on the crowd which had gathered to celebrate a feast of work on occupied lands, causing eleven deaths and numerous injuries. In Andalusia, Notre Dame des Landes, the Vale de Susa, and in many other places across Europe in modern times, farmers and land activists have faced massive police operations, including violent eviction and repression.

The first of our examples is of the Andalusian union SOC (Sindicato Obreros del Campo) who show that the land occupation movement is alive and well in Europe. SOC-SAT use a strategy of land occupations to illustrate their broader goals of developing agroecology and agrarian reform. They have a history of successful occupations, putting land into productive use for the benefit of families of landless workers and demonstrating agroecological alternatives to dominant industrial production systems. SOC explain in their interview their ideology and the logic of occupying and productively using land in Andalusia. This is followed by a concrete example of how these strategies can bring about success, with the emblematic case of El Ejido.

The second of our examples deals with the famous case of Notre Dame de Landes, where a struggle against the development of an airport in North West France went

on for more than 20 years, and included the occupation and defence of a strategic area for a long period. This case also shows how the complex, libertarian and inclusive management of the place has led to the elaboration of new Commons.

Working at the grassroots - reclaim the fields (RtF)

Reclaim the Fields is a group of peasants, landless and prospective peasants, as well as people who are taking back control over food production. We understand "peasants" as people who produce food on a small scale, for themselves or for the community, possibly selling a part of it. This also includes agricultural workers.

We support and encourage people to stay on the land and go back to the countryside. We promote food sovereignty (as defined in the Nyéléni declaration) and peasant agriculture, particularly among young people and urban dwellers, as well as alternative ways of life. In order to achieve this, we participate in local actions through activist groups and cooperate with existing initiatives. This is why we choose not to be a homogeneous group, but are open to the diversity of actors fighting the capitalist food production model. We address the issues of access to land, collective farming, seed rights and seed exchange, and strengthen the impact of our work through cooperation with activists who focus on different tasks but who share the same vision.

Reclaim the Fields has its own roots in a series of meetings in 2007-2008, the first of which took place in Rostock in Germany during the anti-G8 gathering in 2007. A "youth" process was launched from there within the European organizations of Via Campesina to address the issues of access to land and agriculture for young people. RTF took shape slowly over a number of meetings following that - clarifying that it was open to all, not just members of farming organisations, and drafting a first text about who we are.

The first RTF camp was organized in 2009 in Cravirola, France : it brought together several hundred people from all Europe and further afield to exchange on the challenges of setting up as a peasant, agricultural practices and collective dynamics. Every year, RtF continues to organise an assembly, which happens during the winter. These self-organised assemblies bring together people active in the Reclaim the Fields constellation, but everybody is welcome. We also produce an info bulletin, to share information within the movement, and include new people and collectives. Reclaim the Fields has the capacity to mobilise people in support of local struggles and to occupy and farmland under threat, as was for example in Notre Dame des Landes.

<https://reclaimthefields.org>

Claiming the land for those who work it - land occupations in Andalusia

Land ownership in Andalusia is among the most concentrated in Europe - small farms (less than 10ha) represent 75% of the farms, but only 13% of the utilizable agricultural area. At the other end, just 3.5% of farmholdings occupy 52% of the utilized agricultural area (UAA)⁶⁴. Many large estates or latifundia still belong to aristocratic families, such as the Duchess of Alba, who owns over 34,000 ha, or the Duke of Infantado who owns over 17,000 ha. These estates are now mostly farmed through farming companies created by their owners. A manager is in charge of farming, with the help of a few permanent employees and seasonal workers. A significant share of land is not cultivated, or under-cultivated and generates little or no employment. Yet, it is eligible for Common Agricultural Policy (CAP) subsidies, as direct payments are based on the area (UAA) and not on production. The Andalusian land workers union: Sindicato Obreros del Campo-Sindicato Andaluz de Trabajadores (SOC-SAT) have been working on land reform from more than 50 years, and have established more than 400 cooperatives across Andalusia on occupied lands. Xuanxo Ashraf Bardibia Garcelya is coordinator of the Land group in SOC- SAT. He explains some of the general strategies of the SOC-SAT in Andalusia, followed by a piece that gives concrete example of how these can be implemented, the case of Jornaleros Sin Patrón:

Can you give me a brief overview of the legal situation in Andalusia regarding land ownership?

We have two main relevant pieces of legislation, both of which are non-binding⁶⁵. These laws give our local government, the *Junta de Andalusia*, the legal right to expropriate a plot or piece of land if it is not being put to productive use. But these laws have not been put into use - one dates from 1984, and the other from 1979. They have never been used because the banks and financial institutions have a very strong lobby that supports the election campaigns of parties that later run the government, and they do not want these laws put into practice.

There are various elements in the Spanish constitution⁶⁶ which also form a legal basis for our work, specifically parts which deal with the potential to expropriate assets in the public interest if necessary. Again, we are fighting for these laws to be implemented through public campaigns and mobilisations in the streets. We also use them along with the FAO Voluntary Guidelines for the Responsible Governance of Land Tenure (which has been ratified by the Spanish state) in our legal defences and building our arguments.

Given the legal context can you explain a little about how you are organised and the main focus of your work?

We have different levels of campaigns and struggles in our organisation and we have made our own analysis of our struggle - looking at our history. We work at different levels; we have the struggles at the base - working with people directly involved in agricultural production such as workers, landless workers, migrants and others, organising workshops, demonstrations and other activities; the judicial struggles which include land occupations, resistance to evictions, support for the repressed with legal teams; and policy struggles, where we campaign for better policies and legislation governing agriculture, food production and land use. These three levels - our base, the judicial, and policy make a circle. We must sustain the three levels at the same time, and we ensure these working areas are well connected and coordinated within the union.

So those are the three strategic axes of the work that you do -what about the strategy of land occupation, how do you organise that?

We have different types of occupation - we have ones which are urgent, and the ordinary ones. The ordinary ones we prepare with time in hand, we think about what we are going to do, we look for a place which is more functional for us to occupy because it has a city nearby, a city with around 50,000 people is enough to sustain a plot with let's say more than 100 hectares. The urgent ones come when circumstances require action - the Somonte occupation in March 2012 was an urgent one, for example - the *Junta de Andalusia* wanted to sell public lands and we occupied the land to avoid that sale. We didn't have time to prepare, we just activated our people to come and occupy the land, and later got legal support services to advise us how to act once we were on site.

The other example is the Cerro Libertad occupation - that's a finca (farm estate) of 74 hectares with 7,000 olive trees which was abandoned for 5 years and owned by the BBVA bank. It is just 5km from Jaen where there are 120,000 people, with a university, an agrarian university in fact - it was so close it was easy for people to go there when they finished their studies, or work, or for people who were unemployed. They rebuilt the roof of the cortijo (the farmhouse) which

SOC-SAT Somonte occupation 'Land and Freedom', Credit: Marie Allagnat, Terre des Liens



was in ruins, they renovated rooms, the water system, everything. They made a garden for themselves and they collected olives from the 7000 olive trees. We occupied this land on the 1st of April 2017 because we wanted to put the focus of society on Andrés Bódalo, a union member who had been in prison for a year following a union demonstration in his town. Now he has been released, but he has to go and sign in and sleep in jail at the weekends.

This occupation has quite some achievements - they pruned 1500 olive trees but didn't have time to prune the rest. They made 16,000 litres of olive oil, maybe more, and they wanted to make olives for eating, for the table. They also gave 74 workdays to more than 30 people from different ethnic minorities, for example gypsies and migrants. This was official, employing these people, paying tax so they actually generated wealth for society too. We also asked for crowdfunding to buy a mill.

And what about the legal interaction then, what about the legal argument - when you have a planned occupation, do you have the parallel legal process?

Ah yes, we always demand the *use* of the land - the local government has offered to sell us the land many times at a symbolic price but we know it is tricky and it goes against our principles of not owning the land, we are against private lands for agrarian use. We have nothing against anyone having their own house or plot or whatever, but if it is for producing food for commerce, for trading, we want the land to be public as a matter of principle. We ask for the use of the land for 25 years, and after 25 years when we have proved that this land is good productive land and we are capable of making good use of it, we ask for another 25 years.

We were granted the use of Hermoso (one of our occupations) for 25 years and those 25 years expired 3 years ago, but they are trying to get us to buy the land again. Of all the 400 hundred cooperatives which SOC-SAT have been involved in establishing on occupied land there are only two that are considering purchasing the land they have occupied.

The following text demonstrates how SOC-SAT's strategies can be put into place, in collaboration with other individuals and collectives, to improve and protect access to land for all.

JORNALER@S SIN PATRÓN: Seasonal Migrant Workers' Struggle for Land in Andalusia

In 2013 and 2014, over a hundred employees of Moroccan origin occupied around thirty hectares of farmland belonging to a bankrupt agricultural contractor in the

province of Almeria, Andalusia, in order to claim payment of their wages and compensation. Throughout the agricultural season, a group of them, including "undocumented migrants", began to collectively cultivate two hectares of peppers. The occupiers tried to recover the debts by passing on part of the farm to a cooperative of agricultural workers.

At the beginning of May 2013, a hundred and thirty workers, half of which were women, were laid off from the farm of Simón Sabio, a successful agricultural entrepreneur who owns dozens of hectares of greenhouses in Almeria and has various investments in Morocco. Most of the employees lived in accommodation provided by the company and were therefore forced to leave. The businessman left the farm in full production and fled, leaving behind several years' of salary debts which, added to the indemnities due, amounted to almost two million euros. The company was subject to bankruptcy proceedings which the day labourers knew nothing about.

Facing this situation of social and professional powerlessness, immigrant workers, grouped in the Sindicato de Obreros del Campo - Sindicato Andaluz de Trabajadores SOC-SAT, agreed in an assembly to refuse both the dismissal and the threats of eviction from their homes. They decided to occupy the farm, keeping control of most of the land: thirty-five hectares of tomatoes distributed among the villages of San Nicolas, Las Norias, Tierras de Almería and Campohermoso (Nijar). They knew they needed to defend the crops that they had worked on, and alongside legal action and advocating for their rights, they began to glimpse the uncertain but exciting horizon of workers' self-management. They manage to sell some products, but most of them end up going off because of administrative and legal obstacles.

In addition to having started labour lawsuits, the labour union denounced the lack of notice given to workers when bankruptcy proceedings began, because they were unable to present their credits in the bankruptcy proceedings. They also denounced the pressure to sign irregular pay slips and redundancy payments, or the interposition of a fictitious company of the employer's son-in-law, to whom all the contracts had been transferred in the last months prior to the dismissal. For more than a year, they continued to occupy and control the sixteen hectares, something they maintained throughout the bankruptcy proceedings, and it was this that enabled the employees to apply pressure to recover their debts and prevent the fraudulent liquidation of the company's assets, which is common in such situations.

In August 2013, the cleaning and preparation of a first hectare for the planting of vegetables began. The objective was to provide food to the defrauded families and

to distribute it to the members and collaborators of the association created under the name of "Jornaler@s de Almería Sin Patrón" (Day Labourers of Almeria Without Bosses), an entity responsible for the management and maintenance of the occupied land. This association and the SOC-SAT trade union in Almeria have applied to the Insolvency Administration and the Commercial Court to legally transfer the greenhouses for the years that the liquidation process will last, so that they can be operated by a day labourers' cooperative. They also demanded that any company should be obliged to hire the dismissed workers, respecting all the guarantees arising, if it were to rent out the properties or part of them during the bankruptcy proceeding.

At the beginning of 2014, an agreement was reached with a potential buyer to transfer four hectares of land to the workers, but this agreement was ultimately not accepted by the Insolvency Administration. The sale of the harvest, however, covered the costs and maintenance of a group of seasonal workers, most of whom were undocumented and could not be hired by other companies. The story of occupation and cultivation of privately owned land, moreover by exploited workers, as well as the repression and threats against these workers because of their immigrant status, have led the powerful local agribusiness to exert economic pressure, thus making any dreams of breeding and production disappear. However, all those concerned were able to recover what they were owed. Undocumented workers were also able to obtain their work and residence permits. This is therefore a great victory, with just a slight bittersweet aftertaste of not having quite reached utopia.

This land occupation was the first occupation of a commercial property by rural workers of migrant origin. It didn't just aim to resolve the unjust situation workers suffered as a result of the dismissals, but also to denounce the labour and social exploitation that oppresses the more than one hundred thousand day labourers within the agro-industrial model of Almeria, as well as to fight for an alternative system of production and self-management in agriculture. This is a very important example for the entire working class, in the face of the social attack which reduces fundamental rights. It was an example of direct action against the speculation of the bosses who, unscrupulously, deprive Andalusian migrant day labourers of natural resources in order to survive.

As one Moroccan occupier put it, "We are not afraid of the police, of the farmers or of anyone else. If, in the end, we are kicked off the land or even expelled from Spain, we will be sure that we have done what we had to do: defend our work and fight to change the exploitative situation of the day labourers."

Bread, land and freedom!

The Role of the regional governments in redistributing abandoned land

There are regions in various EU Member States that have specific legislation and powers which allow them to expropriate abandoned agricultural land and redistribute it for agricultural production. For instance in Andalusia (in the framework of its autonomy granted to its institutions by the Spanish State) there are two pieces of legislation (ley 8/1984 de Reforma agraria y la ley 34/1979 sobre fincas manifiestamente mejorables) that allow the region to expropriate agricultural land when the social function and exploitation of the land are not fulfilled by the owner⁶⁷.

The local agricultural workers union SOC-SAT refer to this piece of legislation, along with the Guidelines on the responsible Governance of Land Tenure⁶⁸ adopted by the Spanish State in 2012, to reclaim abandoned agricultural land owned by large scale private landowners and banks in Andalusia. Those legal arguments have been used over the last number of years to support legal processes accompanying land occupations as well as in political negotiations with the region and the private actors involved.

The occupation of “Cerro Liberta”⁶⁹ (Liberty Hill) in April 2017, a large, unexploited farm estate in Jaen owned BBVA - one of the largest financial multinationals in Europe - and the occupation of the Somonte Finca⁷⁰ both used arguments referring to the above legislation. Despite the lack of interest of the Regional government in implementing its own legislation on unexploited land, the existence of the law reinforces the position of SOC-SAT during negotiations around their land occupation.

Another example of the role that regions can play in re-distributing abandoned or unexploited farmland is Italy. In Italy there is a national law (Legge 4 agosto 1978, n. 440⁷¹) that gives Regions the power to identify uncultivated or abandoned lands and to re-distribute them to people or entities that make requests for such lands. These pieces of legislation imply in both cases an active role for the regions, and today regions tend to not use their re-distributive powers over land use, preferring to respect private land ownership even when such land is not exploited. However, there is a danger of losing the social intention behind these laws if the region were to apply its power in favor of industrial farming and agribusiness. As low incomes in the agricultural sector do not make it attractive to new entrants, in many European regions local communities are forced to migrate rather than to reclaim access to land. These pieces of legislation can only play a genuine role in facilitating access to land when they are accompanied by strong local movements of peasant farmers and their allies.

Notre Dame des Landes: physically defending our land and creating new commons

In France and throughout Europe, Notre Dame des Landes has become a mother struggle, a struggle that grants hope, a struggle for invention and reinvention. On agricultural and natural territory, with a strong sense of identity, peasants and historical inhabitants, occupiers from various backgrounds, neighbours, naturalists, elected officials and those who sympathise with the cause have fought the airport project politically and legally, have come up with new ways to defend their land in the face of pressure from the public authorities and the police, and have created new ways of working the land and living together.



The struggles of NDDL
Credit: Samson

The project to create a second airport in Nantes began in the late 1960s in a context of faith in the economic growth and "modernisation" of the area. Local farmers quickly came together and organised the first demonstrations. In 1974, the first land acquisitions began in order to build up the land reserve necessary for the construction of the airport. The project was then put on hold for several decades, due to the oil crisis

and the arrival of the high-speed train, then restarted by the government in 2000. Straight away, the peasants and residents who refused to sell up or to leave their land mobilised, even though with the pre-emptions, agricultural activity has decreased and houses are now unoccupied. An intermunicipal citizens' association of opponents, Acipa, was created.⁷²

A public inquiry launched by the State in 2006 mobilised opponents, who increased the number of actions on the territory (human frescos, annual festive gatherings...). In 2008, things picked up pace: the State signed a declaration of public utility for the construction of the new airport. It took ownership of the land and later entrusted it to the company Grand West Airports, a subsidiary of Vinci, on a grant of 55 years. Local peasants, residents and sympathisers repeatedly opposed the start of construction. In 2009, a collective of local elected officials who opposed the airport (CéDpa) was created.⁷³ Historical occupants of Notre Dame des Landes then

made their first call for people to occupy the land and engage in civil disobedience. Camille, a member of the collective and occupier of NDDL, told us:

"The first call to squat there was made in 2007, by around ten people who lived on the land, they were people from a very militant, even anarchist culture. They're people that live in the airport area and who clearly see that despite the opposition and legal appeals, the project is still gaining ground and the buildings around them continue to empty... They made a first call, which didn't have a huge amount of resonance, and there was a somewhat decisive person who knew some young squatters from Nantes and asked them if they wanted to come there. In 2009, there was a climate camp and these dozen or so residents made another call to squat on the land...to be honest, there wasn't really a consensus and some people weren't happy at all about this call. But the argument of these ten people was very simple: 'a territory is defended by those who live on it; if there's no one living there, then the battle will definitely be lost.'"

2009: this was the beginning of the arrival of occupiers from a wide range of backgrounds: anarchists, anticapitalists, opponents of economic growth, etc., who spent several weeks or several years there living in makeshift housing - tents, yurts, caravans, wood cabins... - or in empty houses, and began construction, exchange and food production projects. According to Camille: *"it was a bit of a squatters' paradise! The houses were there, they were empty, and there were lots of them, you could choose exactly what you wanted from a catalogue. You would go and visit them, go inside, and you had absolutely no legal headaches, no visit from the police ...it was a squatter's dream! You're in the countryside, you can do whatever you want, there's no shortage of farmland all around."*

In 2011, a new camp was organised with Reclaim the Fields (see box above): a thousand people cleared the land to create a vegetable garden, also reoccupying the first farm in the area that was abandoned. A number of citizen actions were also carried out: a bicycle and tractor procession towards Paris, a demonstration in Nantes with more than 8000 people, a hunger strike... Since 2011, peasants and 'historical' opponents have been joined by new occupants who have come to live in the zone, which very quickly came to be known as a 'Zone to Defend' (ZAD).⁷⁴ The support of the peasants was nonetheless significant. In this region of western France, peasant culture is particularly strong and old mobilisations, in particular in defence of farmers' rights and land, led to the creation of the Peasants - Workers Union in the 1970s, which was one of the precursors of the Confederation Paysanne. In 2011, the region's peasants' organisations created the collective Copain 44 (Collective of Professional Agricultural Organisations Outraged by the Airport Project⁷⁵), which brought together the Confederation Paysanne, the rural development association CIVAM, Organic Farmers' Group, etc.



Demonstration in front of the main civil court of Nantes, Credit: Elisabeth Guist'hau

In 2012, peasants and historical residents, along with new occupants had to face a new wave of pressure from the authorities. In October 2012, the socialist government launched one of the largest police operations ever carried out in France. This huge operation, named 'Cesar',

aimed to remove the squatters and start construction. This was followed by several days of confrontation, with up to

2000 police mobilised. Locally, the network mobilised and 200 support committees were created all over France. Violent clashes, strong resistance by the occupants and opposers, supported by a powerful solidarity movement throughout the country, led the government to suspend the operation. After several days, the State decided to end the removal operation. The reoccupation protest in November involved 40,000 people and 400 tractors. Thanks to their presence, their physical commitment and the mobilisation of thousands of supporters, 'historical residents' and occupiers once again succeeded in defending their territory. Numerous appeals were filed by opposers. One trial followed another and the legal battle would last several years.

In 2013, the members of the Copain 44 support the occupation and the return of new farmland to cultivation - they provide tractors and animals, share their knowledge with the new occupiers and support the start of livestock and plant farming activities. In Spring 2013, the collective Sème ta ZAD was created within NDDL to organise and discuss the agricultural occupation of the land. Camille explained: *"It's a collective for the joint management of the land, agricultural joint management. For example, for crop rotation, once per year, Sème ta ZAD holds a meeting on people's ideas for long term farming activities, to try to anticipate land rotation issues. And then, there are meetings to organise what goes where, sometimes there's a bit of discussion on where to put the potatoes, and these meetings are open to anybody"*. Farming becomes a way to resist, to bring land back to life, and to find new ways to live together. The discussions are often very lively, between peasants and new occupants, some of whom are firmly opposed to livestock farming because of vegan or climate beliefs, or opposed to any crop treatment because of organic or environmental beliefs. Mediators are sometimes called upon to intervene and discussions are started and concluded over the course of regular

assemblies. Gradually, the residents and occupiers reoccupied more than 200 hectares, which were returned to cultivation: livestock, vegetables, grains, honey, orchards, etc. The Occupiers were committed to modifying practices, in line with their beliefs and lifestyles: the creation of a 'non-market' to exchange or sell, for an affordable price, the produce from ZAD and Curcuma, a cooperative for sharing used farming equipment, sometime broken, often donated by local peasants, which is fixed up and repurposed.

In the years that followed, the pressure from the State and the developers continued, and the mobilisation remained strong, both locally (demonstrations in Nantes and on the edges of the ZAD, festive militant gatherings⁷⁶) and all over France. The battle was fought on the legal and media fronts. In 2015, the prime minister announced that construction would restart. In January 2016, the court in Nantes examined the request for the expulsion of the 'legal' peasants and inhabitants who had been living on the land, in some cases for five generations. The history experienced between the various components of the struggle is common and inseparable: the 'Movement' brings together 'zadist' occupants, historical peasants, naturalists, neighbours and supporters within committees and organisations that opposed the project (trade unions, citizens' and environmental associations, elected officials and political movements).

The future of this territory and of its inhabitants is debated on a monthly basis in a body: the 'assembly of the movement'. Despite the internal conflicts, an extremely strong solidarity exists between the occupants of the ZAD, and beyond that, among all those who have contributed to the struggle. The foundation of this solidarity, which guarantees the existence and future of the zone, was expressed in a text in 2015: 'Six points for the future of the ZAD of NDDL'⁷⁷. This text aims to think about the future of the land once the airport project had been abandoned. In particular, the text affirms the will *"for land to be taken over by an entity resulting from the struggle that will bring together all its components"*, and *"for this land to go to new agricultural and non-agricultural installations, official or otherwise, and non to expansion"*.

In 2017, assembly of the movement discussed and approved the creation of a new body, 'the assembly of usages' in order to address the management and future of the land, while involving not only the residents, but also sympathisers and supporters. There are many debates and differences of opinion over whether to negotiate with the State or not for the future. Differences exist between those who are prepared to accept the 'regularisation' of the situation, to perpetuate the existing state of affairs by signing contracts and agreements with the public authorities: agricultural leases to legalise the usage of land, permits to construct

buildings, etc. and those who wish to remain in place without having to rely on the authorities.

In January 2018, the government decided, in the end, to withdraw the airport project. This was an enormous victory for residents, neighbours, local supporters and sympathisers all over France, and a first in 10 years for a project declared to be of public utility! Despite the legal decisions, the repeated removal attempts, the massive destruction of light housing in 2018, the pressure from the public authorities and developers, construction work was prevented and the residents - historical or more recent - are still there. Thanks to their practices and their coexistence, they brought to life new ways of living on this land and sharing what it has to offer.

The Association for a Common Future in the Bocage⁷⁸ was created, bringing together members of the movement that opposed the airport project. An endowment fund, Common Land, was also created to buy back and preserve this land in order to sustain and develop projects born out of the struggle (see box). The administrative headaches of land management were gradually lifted with the introduction of agricultural leases to secure access to land for residents and occupants. The management of buildings and the right to live differently are of prime importance today. Mobilising for the protection of this 1200-hectare bocage territory with a great wealth of biodiversity and rich natural and cultural commons remains a priority.

To find out more:

- Common Land, endowment fund of Notre Dame des Landes: <https://encommun.eco/>
- Site of all the people who have come to live on the bocage Notre Dame des Landes to occupy the land threatened by the airport project: <https://zad.nadir.org/>
- Zadibao, bi-monthly newspaper of the ZAD: <https://zadibao.net>
- Collective of Naturalists Fighting: <https://naturalistesenlutte.wordpress.com/>
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The endowment fund: Common land

The movement Notre Dame des Landes (NDDL) has been able to project itself into the future even when the scrapping of the airport seemed uncertain and far off. Since 2015, the six points for the future of the ZAD have formed a solid basis to think about the future of the land and put in place shared usage practice for land, buildings and natural spaces. The ambition is to continue to create and anchor the commons practice started at Notre Dame des Landes, that is, a collective takeover of the land by those who are mainly involved with it, in constant consultation, taking into account the diversity of experiences and desire, on a basis of solidarity, mutual aid and simplicity.

After the scrapping of the airport project, the State has excluded any idea of collective management of the territory, as was put in place after the struggle at Larzac. The NDDL movement has therefore set up an endowment fund: Common Land. This endowment fund aims to collect donations in order to acquire land and buildings and secure their use in the long term. The endowment fund is a legal structure, between the association and the foundation, allowing the collective acquisition of land and buildings, without a system of shares or stocks. This means that the project cannot be undermined by people wishing to buy back their shares, and that the power is not in any way linked to the amounts contributed.

Managing to buy back land and buildings is a decisive move in sustaining the collective management experience of the ZAD. Fundraising launched at the end of 2018 has allowed over €700,000 to be collected, with the aim of collecting €1.5 million. With the endowment fund, buying back land is not an end in itself, but aims to ensure that they are not returned to individual private property and remain linked to a collective vision that respects its ecosystem.

Website: <https://encommun.eco/>

Tips for practice: Land, people, action! The struggle for land from the ground up

Build the basis for your action and your arguments:

Research data about land loss or misuse and document implications of changing land from peasant and agroecological use in terms of food production, jobs, farmers' livelihoods, environmental functions, etc to build a background for your arguments.

Learn about land planning, land policies and other regulations protecting farmland and natural areas.

Get involved in administrative procedures and public consultation:

Participate in public consultations and make formal enquiries through local and regional government to learn more about the plans, timelines, stakeholders, etc. and to make your views heard and recorded as part of the public process. Identify if there are pitfalls or infringements of existing legal procedures (e.g. non-respect of planning laws, lack of public consultation...) to explore the possibility of obtaining an administrative decision in your favour or of taking planners or investors to court

Build a broad coalition:

Organise local events including farm visits, food, music and arts, moments of conviviality, etc. to raise the profile of your campaign and gain local support.

Join forces with other groups and organisations who have converging interests: local residents, environmental organisations, local urban residents, etc. Connect with similar struggles in other parts of the country or of Europe - see example of Occupons le Terrain below.

Occupying land:

If you are planning to occupy abandoned farms or abandoned land occupations, research regulations on abandoned or under-used land, and ensure you know who owns the land (public/private/corporate).

Build a strong support network (also including people and organisations not directly involved in the occupation) that can lend a hand when required and provide support to the occupiers.

Know your legal rights and get legal support:

Ensure you are all well informed about your legal rights and ensure your support base is equally well informed. Provide legal training and a legal kit to

your members during marches and occupations. Find expert lawyers who can help you in case of repression and/or of legal pursuits – specifically seek pro bono support.

Use a diversity of approaches:

Combine a broad repertoire of actions: local mobilisation, communication, physical occupation, media work, legal cases, advocacy at local, national or international levels, etc. Remember that international solidarity and European or international support network can be a great support to add pressure locally and to publicise and resource your struggle – see below the experience of SOC-SAT in mobilising international support (Chapter 6).

CHAPTER 4

Our land - public lands for the common good

Despite many years of enclosures and private land ownership, transfer and concentration, much land still remains in public ownership. Management of this land often falls to local authorities and governments. In this respect, publicly owned land is the primary interface between citizens working on land issues locally. Local governments also engage in various degrees of spatial planning and land management, opening their actions to scrutiny and offering a good point of contact for organisations and groups working on land issues in a given area. This chapter looks at both successful struggles and campaigns undertaken at a local level as well as more structured engagements with local governments regarding land use and local land governance.



Public land can be used to ensure land access. Credit: ECVC

Nation States are amongst the largest landowners on the planet. While percentages vary from country to country, largely due to different political and social histories, public bodies are often among the largest individual landowners. Therefore, the management of public lands is a vital element in creating a sustainable land use strategy and in ensuring that land is used in the best interests of society as a whole. In many European countries, local authorities are the owners and managers of farmland and forestry, particularly green belts.

These lands are not necessarily understood as potentially productive land for agriculture and indeed are often under-utilised as food production areas for supplying urban areas. Instead, local authorities have planning and land-use strategies which hold or retain land for further infrastructure expansion, development of retail or service spaces and other uses. These areas are often included in local area development plans and other strategic documents designed by local authorities, rarely with any form of public or social consultation.

Given the amount of land in public ownership, it would seem logical that social movements use democratic processes to encourage the development of agroecological peasant farming on public lands that are suitable for this purpose. Unfortunately there is huge competition with private sector interests such as

private developers and other entities that see public land as an asset to be obtained for furthering their own short-term wealth creation rather than an asset to be managed in the long-term public interest.

Exacerbating this situation are the difficulties faced by many local authorities in generating sufficient income to cover the costs of managing their urban and peri-urban areas. This may be due to reduced funding from central government or increased costs. Many local authorities in Europe have also been hardly hit by the 2007 financial crisis, some of them owing millions in toxic loans.

In recent years, many central governments have encouraged the outsourcing of service provision to private operators and have allowed the erosion of local governance structures. Local taxation is increasingly centralised, placing local authorities under financial strain. Often selling public land is suggested as a way to alleviate these pressures – once sold however, public lands are gone forever.

The first example in this approach shows a positive example of a campaign on the outskirts of Rome to retain land in productive use for young farmers. Rome has a rich agricultural hinterland, some of which is in public ownership and was becoming neglected and abandoned – often the first step before being sold. Instead a citizen-led campaign resulted in the development of a scheme to promote access to young farmers on this land. The second chronicles the struggle for a CSA project in the UK to retain their land for public use.

Public lands can be seen as one of the first areas for developing a debate around land use. Committed local governments strategically preserving and using farmland can go a long way towards supporting peasant farming, new farmers and food sovereignty. The second approach in this chapter will deal with this in more detail.



Our hands on our land - a public awareness campaign to give land to young farmers in Rome

"Public Land for new young farmers!" was the main slogan of a movement of citizens called the Roman Coordination for Access to Land (CRAT) that organised a campaign to promote access to land for young farmers in the Rome Municipality from 2012 until 2015. During this period the Coordination encouraged citizens and institutions to be aware of the environmental and agricultural heritage being abandoned on the outskirts of the city of Rome.

The CRAT was founded by a group of established local farmers concerned with the way the agricultural areas around Rome were being used – essentially as a reservoir of land for urban expansion.

At a later stage the CRAT featured, amongst others, the workers union CGIL, associations dealing with urban planning, AIAB Lazio (the local Italian association of organic farmers), and established farmers from the major cooperative farms that settled in Rome in the 70s at the end of a similar grassroots process. Indeed, the CRAT was heavily connected with this access to land movement which swept Rome at the end of the 70s and which brought a series of farmland occupations, some of which still exist.

A group of young members of the Coordination also founded Co.r.ag.gio, an agricultural cooperative that stands for COoperativa Romana AGRicoltura GIOvani (The Young Roman Farming Cooperative)⁷⁹. The cooperative aimed to make public land available to citizens who wanted to farm and to preserve agricultural soils from the expansion of the city. Recent years in Italy have seen on one hand a weakening of the capacity of public institutions to deal with land management, and on the other, growing pressure from community-based organisations to increase the efficiency in the management of publicly owned areas.

The Cooperative started as a group of young landless people who began working on awareness-raising initiatives and public education projects. With the support of the Roman Coordination and with the involvement of several other local stakeholders (local trade unions, other farming cooperatives, community based organisations and NGOs) in 2013/2014 they organised a series of events and demonstrations on some publicly owned abandoned lands. This highlighted the current status of public land management in the public consciousness, and the potential opportunities to increase its use through showcasing what the land offered in terms of recreational and economic activities for the inhabitants.

These awareness-raising activities were held in several specific and strategic areas of the Municipality and finished with an occupation of the Borghetto San Carlo - an area of 22 hectares that is the property of the Municipality and at the time lay abandoned - in late 2013. During this event a petition with 10.000 signatures (undertaken with the support of other NGO's and civil society organisations) was delivered to the Mayor of Rome.

The outcomes of these activities came in the middle of 2014, when the Municipal Authority launched a call for tender with the aim of identifying four different areas to settle young farmers with the capacity to manage the abandoned lands. In May 2015 the Cor.ag.gio cooperative was awarded the contract for the management of

the 22 hectares area in Borghetto San Carlo with a first lease of six plus six years. They have been farming the land since then.

This case illustrates how a group of landless young people without any particular links or huge amounts of funds can access farmland and provide services for the urban population, through the support of public authorities involved in the management of environmental areas. The case illustrates a win-win solution where a public-citizen partnership has been consolidated and can easily be replicated in other similar contexts throughout Europe.

Public land for Sutton Community Farm: the struggle to negotiate a better lease with local authorities

Sutton community farm is owned by a community of 400 members. It is located on 7 acres (2,8 hectares) of land, at the edge of London, in the County of Surrey. It produces 370 weekly boxes of vegetables that are picked up at the farm or distributed through a door-to-door delivery scheme. The farm co-owners are not necessarily CSA members, and the CSA members are not always farm co-owners.

There are 11 staff members working on the farm, but only some of them work full time. Voluntary work is also key in this initiative: 40 volunteers come to the farm every week and give some of their time to do agricultural activities or pack and prepare CSA shares.

Originally, the farmland was rented by a tenant growing carnivorous ornamental plants. As he was using just a part of the site, he chose to sublet the open field he had to the farm. The land owner is the County of Surrey.

Step by step, the farm grew, and became the lead tenant. In 2016, a rolling 2-year-agreement was signed with the Surrey County Council. This agreement was not sufficient: the short lease was a major barrier for receiving any investment funding. The community farm could not launch the structural projects that seemed necessary. For example, the farm was hosting numerous school visits and gardening activities (500 children visited the farm in 2018 alone). There were on-farm activities with people with special needs or learning disabilities. The farm's capacity to host events thus needed significant improvement. Other important changes were foreseen: digging ponds, developing orchards and hedges etc.

The farm therefore entered into a negotiation process with Surrey County Council. It took two full years. Eventually, in 2018, a 15-year-lease was signed. “It was quite a demanding process”, recalls Alice Brown, the Farm manager and a member of the farm Board. “The Council and the lawyers were very difficult partners to work with: everything moved slowly. And this period was marked by a lot of uncertainty, which meant it was not possible to get funding for any of our long term projects”.

The initial goal was to use a specific farm business tenancy, that exists only in England. However, this appeared to be more complex than initially imagined. Fortunately, the negotiating group managed to get its own legal advice, pro bono, via the Community Land Advisory Service⁸⁰, set up specifically to help initiatives like community gardens and community farms.



Salad harvest at Sutton Community Farm, Credit: Sutton Community Farm

An unpleasant surprise was that the social benefits delivered by the farm were not recognized by the local authorities. The farm representatives felt that they were treated like any other business. A deposit of half of the annual rent was required, to be handed back in fifteen years; due to various national regulations, the price of the lease rose significantly from the previous lease (6,000 pounds sterling a year, instead of 1,000 pounds sterling a year under the previous lease); the community farm had to pay a fee in order to cover the costs of a lawyer to finalise the new

lease; the farm was also asked to have a guarantor, e.g. someone to pay in case there is default on the payment; there is nothing in the lease about the type of agriculture to be practiced, except some general mentions about "maintaining the land".

With the new, longer lease, the situation looks much brighter. There is now the guarantee that the farm will be there for many years to come. "A new building can be built, trees can be planted, and we know that we will be there when these trees will start to produce!" says Alice, in a burst of enthusiasm. "To sum up, based on our experience with access to land in conjunction with a local authority, our strongest advice is try to find some experts to help you. Especially if you have never negotiated before, it is vital to get people on board who understand the issues and are familiar with the workings of the local authority itself".



Farmland in the vicinity of Brussels, mobilised as part of the BoerenBruxselPaysans project, credit: Terre-en-vue

Local authorities and governments are often the largest single owners of land in and around urban and peri-urban areas. They should offer people a first point of positive interaction in a participatory democratic system, but unfortunately many of the democratic deficits visible in Europe at national and regional levels are just as evident at a local level. However, local authorities as well as other regional and departmental agencies may still be regarded by social movements as key potential actors in transitioning agricultural economies to deal with the challenges posed by climate change and biodiversity loss and enhancing land use for agroecology. In some instances, local authorities have also been at the forefront of inventing new ways of mobilising and managing farmland to support peasant agriculture and sustain local agroecological food systems.

There are many ways to envisage social movements working constructively with local authorities in order to develop and utilise public lands for the benefit of local communities and to support agroecological food and farming systems. These may be dependent on their geographic location and topology, the amount of land in public ownership (as well as its location, zoning etc), and numerous other factors.


Working with civil society organisations, local authorities could develop a vision and land use strategy based on food sovereignty and agroecology, tax or claim underused or abused land, establish specific agricultural or wild zones, or zones specifically for biodiversity, support farm incubators and urban farm projects and training systems, support local housing for farmers, promote small scale food

production, organise and facilitate local markets, open public tenders for food provision to public institutions, and many other measures.

It is up to social movements to grow the skills and capacity to organise and develop this interaction, applying political pressure if necessary. In parallel, it is up to local authorities to open the development of policies to public consultation with community partners and recognise the importance of local actors and organisations in reinvigorating peasant farming and the rural economy, and in developing positive land use proposals in urban and peri-urban areas.

Our first case deals with an example of engagement with local authorities. A farmers union in the Bizkaia region of the Basque country worked with local authorities to develop an urban plan that included an analysis of the food production capacity of each municipality and the potential for supporting peasant agriculture in those areas. The process also incorporated a participatory approach.

The second example involves another growing partnership between local government actors and civil society organisations. In Belgium the *BoerenBruxselPaysans* project looked at potential land use around the Brussels area for agroecological farming in consultation with the local authority.



Feeding ourselves - identifying local capacities for food production with local authorities in Euskal Herria

Agricultural land is a limited resource in Euskal Herria, particularly for horticulture and cultivation. By creating a PGOU - (Plan General de Ordenación Urbanística/General Urban Planning Plan), an urban planning document used throughout Spain - local governments aim to protect and preserve biotopes and other natural specificities. The farmers' union EHNE and its allies argued that similar efforts should be made to preserve agricultural land, minimising its loss and reusing existing infrastructure as much as possible.

EHNE therefore initiated a pilot experience in four municipalities of Bizkaia: Larrabetzu, Errigoiti, Karrantza and Elorrio, with the participation of the neighbourhood committees, individuals and Gaindegia, the observatory for the social and economic development of Euskal Herria.

This pilot experience aimed to create a practical public tool that could be used for the creation of PGOU (Plan General de Ordenación Urbanística/General Urban Planning Plan), PTS (Planes Territoriales Sectoriales/Regional Land Plans), PTPs (Planes Territoriales Parciales/Partial Land Plans) and DOTs (Directrices de Ordenación Territorial/Land Planning Directives), in Euskal Herria or for any other region.

The key question we wanted to address was “What is the capacity of each municipality when it comes to food production?”. Our aim was to highlight the importance and value of land within the municipality’s strategic projects, for the wellbeing of both the individuals and the community.

We started by creating a standardised methodology to identify needs and capacities at a municipal level, to be used in a PGOU. We then developed and refined the tool in each of the municipalities with the local actors, analysing and sorting public data in order to turn it into useful information.

We then applied the tool in the participating municipalities in order to produce reports. These reports explain the reality of the situation in each municipality in terms of food self-sufficiency, and the possibility of increasing food self-sufficiency bearing in mind the agricultural land available in each area and the realistic scope of development in each subsector (horticulture, fruit farming, forestry and pasture farming, livestock farming, etc.). This is measured in relation to the characteristics of the land in each municipality and the number of hectares that each sub-sector needs for self-sufficiency, as well as the key consumer trends in the area and the number of jobs created by the primary sector in each municipality, etc.

The main socio-economic characteristics of each municipality were collated (demand and sector development) as well as the characteristics of the land (geography/topography and current use). Anyone who is part of the PGOU design process can now have access to food consumption and production values in their area. Ultimately, it is a tool that can help municipal authorities and regions to have a detailed analysis of their hinterlands, in order to properly manage agricultural land and feed the population.

The way we produce and supply food structures the land, in both socio-economical and physical terms. Peasants and citizens alike need to come together, in production, consumption and also in the strategic planning of municipalities and regions, as this is a way of using the food system to ensure the sustainability of our land. The methodology we developed aims to empower the people and helps to develop understanding around agricultural land. It facilitates the conservation of agricultural land and highlights the strategic nature of the value of producing food.

This exercise has opened up various opportunities for us; on the one hand, it has allowed us establish participative processes with different municipalities, through which we could reiterate the value of using land to produce food for the well-being of the population and gives us clear data to be able to make the right decisions in this sense. The pilot experience also served to inform local inhabitants about the potential of their area and give explanations for planning decisions and processes. We will use these four experiences to continue on this path and to invite future peasants and local inhabitants to further develop the model.

PARCEL: What if your area managed its farmland sustainably?

Stopping the disappearance of farmland, supporting farmers who are looking to set themselves up in the profession and developing organic and peasant agriculture: these are the commitments that have mobilized Terre de Liens since its foundation in 2003. To achieve this, from the very beginning Terre de Liens has worked with local communities: by carrying out a land diagnosis to support the relocation of food production, by helping them find candidates to use their land, or by co-acquiring land with them, for example in a drinking water collection area.

The majority of local authorities and inhabitants find it difficult to think of agricultural land as a precious resource to be preserved and managed for the benefit of all: to produce local and quality food, to create jobs and economic activities, to preserve natural resources and slow climate change, or to keep the countryside alive. Yet the stakes are enormous: two thirds of French farmers will retire in the next 10 years, creating a risk of accelerating farm expansion and industrialisation. And the IPCC reminds us, in its latest report (2019)⁸¹, that "in order to have a chance of not exceeding 2°C., [GHG emissions] should be reduced by 25% by 2030, compared to their 2018 level". It is therefore urgent to preserve agricultural land and to change our agricultural and food models.

Terre de Liens has decided to focus the debate on the central question: to whom, for what kind of agriculture, and for what social, economic and environmental impacts, should land be distributed? To do so, it has created a tool to model the spatial, social and environmental footprint of our agricultural and food choices. This tool, called PARCEL, has been designed to be freely accessible and statistically robust⁸², while offering a fun and accessible interface to the greatest number of people. It has been co-constructed with the French Federation of Organic Agriculture (FNAB) and Le BASIC, a think-tank specialised in analysing the production and consumption models and their social and environmental impacts.

PARCEL can be used by inhabitants, elected officials and local civil servants, farmers, traders, food processors and more; anyone can calculate the number of

jobs that would be created in their area according to the type of agriculture - organic or conventional - that they will support through their consumption and their actions. They can also measure the ecological impacts (greenhouse gas emissions, pollution of water resources, effects on biodiversity, etc.) linked to their food choices and the use of the land associated with them. In a word, PARCEL is a tool for the definition, by and for all, of general interest in terms of food, which in our networks is called food sovereignty.

It is an exciting endeavour. Making progress is an immense task, as this is an issue that engages our way of living together, based on the agricultural and food issues from which the industrial era has gradually expropriated us. However, it is possible. Provided that citizen mobilization and the commitment of local elected officials to continue to take the site in hand are strengthened year after year, election after election.

Website: <https://parcel-app.org/>

Making land policy the cornerstone of local agricultural and food policy – BoerenBruxselPaysans

An ambitious pilot project, BoerenBruxselPaysans, was launched in the Brussels-Capital Region (BCR) in 2015 with the aim of making the Belgian capital a shining example in terms of urban agriculture. Mainly funded by the European Regional Development Fund (ERDF), this project “aims to encourage the development of short supply chain production, processing and distribution projects for local, healthy and quality food accessible to everyone living in the region”⁸³. The project is composed of local land stakeholders⁸⁴ and is coordinated by the BCR.

A sustainable food system requires local food production. Currently, it must be acknowledged that only a small minority of food production from the BCR is for local consumption. This observation led us to prioritise work on the issue of access to land for production projects aimed at the Brussels population. Terre-en-vue⁸⁵, a citizen’s movement created in 2011 to facilitate access to land for agroecology, carried out this work.

To facilitate access to land for local production, Terre-en-vue implemented a research methodology based on two pillars:

- the mapping of land suitable for establishing an agricultural project,⁸⁶

- research to ensure thorough knowledge of legislation on the provision of land

With this information to hand, Terre-en-vue then followed up, organising meetings with the public and private owners of the most suitable land identified through the mapping process. At these meetings they were able to explain the ideas behind the process, discuss agroecological alternatives and models, and present some of the legal solutions which would allow the owners to make their land available for agroecological projects in the region. When owners were open to changing the agricultural use of their land, and this land was unused or intermittently occupied, that land was opened up to agroecological initiatives through the framework of a call for projects.



La Grange en ville CSA, Brussels,
credit: Terre-en-vue

The project BoerenBrusselPaysans also demonstrated the key role of public land policy in aiding the transition. As coordinator of the project, the Brussels regional authorities monitored the work of Terre-en-vue and realised the need to establish long-term land policies. It emerged that the Brussels public authorities (at regional and municipal level) own a great deal of land and that most land in the Brussels region is occupied under long-term contracts. The implementation of agricultural policies (e.g. relocation of primary production) therefore depends on the creation of land policy – i.e. regulation of the land market and land use.

Although these land policies are not yet clearly defined, encouraging signs have been identified. In 2019, for the first time, the BCR bought agricultural land with the aim of developing local food production. The BCR also has a firm commitment to maintaining the agricultural use of all agricultural land. This sends a strong message in the current climate of land speculation that affects large expanses of agricultural land. This message is especially pertinent at a time when the BCR is revising its Regional Land Allocation Plan for the first time in 20 years.

Many public authorities in Brussels have become aware of the importance of developing long-term land policy as a lever for agricultural and food policies, particularly the GOOD FOOD strategy which aims for 30% independence in terms of local production by 2035. The first encouraging signs of this policy can be seen, but there is much work to be done to return agricultural land in the Brussels region to its purpose in providing local food, as the foundation of a sustainable food system.

Tips for practice: Our land – public lands for the common good

Get involved in public consultation

See above in Chapter 3.

Advocate for strong local food and land policies

Research whether your local authority has a policy in place to develop local food systems, preserve farmland and support peasant farming and agroecology. Connect with other movements promoting local and quality food, peasant farming and environment protection. Local governments can be responsive to calls for community consultation and proposals if a strong local campaign can be developed. If there is no policy in place, engage with your local authorities to develop a vision and plan for proactively preserving farmland and supporting land access and local food systems – see above the experience of EHNE.

Follow and engage in planning and urban development:

Local governments often have a large degree of control over the content of urban and periurban development plans and zoning. Property developers and large business interests also hotly contest these areas. Demand transparency in zoning and urban development plans; work with local media to investigate corruption in planning processes. Ideally, work with local authorities to develop specific tools orientated towards agroecological land use and peasant agriculture in your area. You can also develop citizen watch and mapping tools to identify public land, under-utilised land or land available for food production in your area – see above the experience of Terre-en-vue.

Inform and train local representatives and other local actors

Research policies and tools that can be leveraged by local authorities to promote local food production, peasant farming and agroecology (planning levers, local dialogue, distributive policies, tax levers, use of public assets, etc.). Often, local councillors and civil servants are not well aware of their potential role responsibilities, nor are they well acquainted with policy and legal levers which they can use. Research your national and local policy context as well as good practices from other local authorities – see references above. Also map local land in public ownership, its use and potential. Organise meetings, training sessions and workshops with local representatives and other local actors to share information, analyses and good practices.

Ask for public lands to be used for community benefit

Call for public lands to be audited for community benefit. Show how local governments can facilitate access to land and launch pilot programs for CSAs or farm incubators for example through favourable tax and rates relief. Also ask for public land to be rented rather than sold, and for clear priority criteria to be set when renting out public land – these criteria should give precedence to new and young farmers, agroecology, peasant farming, women, community benefit societies, community land trusts, etc.

CHAPTER 5

Reinventing community solidarity around land

Over the past centuries, and increasingly over the past decades, European societies have become very urban, while farming populations were declining in numbers, social visibility and political influence. With agriculture becoming increasingly industrial, people are more and more disconnected from the food they eat and how it is produced. In addition, while European farmers are mostly above 55 years old, less and less farmers' children or kin are willing to take up the farm and agricultural work.

In the past decades, new solidarities and social experimentations have emerged in different parts of Europe to address those challenges. Farmers, farmers' networks and farmers' unions are mobilising to preserve peasant farming practices and lifestyles, and to ensure the continuity of land use for agroecological farming. New actors are also getting involved to ensure that land is preserved in farmland use, transferred to a new generation of farmers (whether from a farming background or not) and used for the benefit of the broader community. Rural development associations, eaters, environmental activists, groups of local residents or local authorities are developing new forms of solidarities around farming. This may involve innovating or reinventing aged-old practices such as farm transfer or the management of commons.



Grazing sheep play their role in agroecology Credit: Escola de Pastors de Catalunya

European farmers are a greying population. More than half of European farmers will retire within 10 years, while only 7% are under the age of 35.⁸⁷ Many senior farmers have no successors in their family, and have no identified successor outside it either. In the next two decades, millions of hectares will change hands. What happens to that land when it reaches the market is crucial to the future of our food system, and current trends point in the wrong direction. Without active mobilisation, this land will fuel land concentration and industrial farming, at the expense of peasant agriculture, agroecology, new farmers, organic farming and local food systems.

Hence, the question of who is going to be the next generation of European farmers is a very pressing one. Who will grow our food? Who will sustain rural economies and communities? Who will maintain open landscapes for everybody to enjoy? The demand for local, accessible quality food is strong and growing, and with a changing climate, the urgency for restoration, ecological stewardship, and conservation is becoming more evident. It is equally urgent to establish a new generation of young farmers who are capable of and motivated to restore ecological stewardship. However educational and training institutions are not ready for the task of preparing a new generation of farmers. And furthermore, the majority of young farmers and new entrant farmers of all ages struggle with access

to land, affordability, and tenure. There is also a major challenge in ensuring both the continuity and the necessary evolution between the generations of farmers. How do we avoid losing precious developed soil quality and know-how held by the current generation of passionate farmers? And how do we allow new farmers to develop more agroecological forms of farming?

Initiatives and experiences have emerged to ensure that this crucial moment of land transition is used to ensure that a new generation of farmers puts its boots on the ground, and to favour agroecological forms of farming. Farmers, farmers' unions and rural development organisations are experimenting ways to identify, train, support and advise new farmers, through mentoring, land partnerships, progressive farm transfer, business incubation, etc. Other local players such as local authorities or consumers' groups can also help build up their skills, provide good working conditions and a welcoming social environment.

In some instances, supporting the entry of a new generation implies re-inventing age-old practices around farm transfer and access to land. One such example is enabling newcomers to access Commons. Commons are land jointly belonging to a community and collectively managed by this community. In various parts of Europe, Commons—mostly pastures and woods—still exist. In order to use the Commons, new farmers must obtain the rights by belonging to the local community or commoners' association. For local communities, this involves welcoming and trusting outsiders, and recognising the special value and status of common land.

Reviving and re-inventing the Commons has mutual benefits: for new breeders and shepherds, Commons may be an essential part of their farming system, as this allows them to graze their herd on vast and diversified pastures, which they do not need to hold under individual ownership. For local communities and public authorities, allowing new breeders to graze the Commons can be a way of maintaining human activities around the village, reducing fire hazards and preserving an open landscape.

The first of our stories provides a good example of peasant farmers mobilising to support new farmers who want to get started in their area. Through the Peasant Farming Start up Cooperative (CIAP), they manage to train, support, and welcome newcomers, thereby gaining new farmers and ensuring the continuation of peasant farming, its know-how and culture in the West of France.

The second example is from Shepherd's Schools and describes their role in training and supporting people, who mostly come from outside farming, in becoming shepherds and breeders. By providing training and support in access to land, but

also experimenting with ways to reinvent shepherding through social and technological innovations, they are conferring a new importance and meaning to pastoralism, and enabling young people to access a meaningful profession.

A peasant alliance to renew farmers' generations – the experience of CIAP, France⁸⁸

The CIAP (Coopérative d'installation en agriculture paysanne), or Peasant farming start-up cooperative, is the only initiative of its kind in France. It helps launch new farmers through a combination of professional training and business start-up solutions, drawing on a strong network of local players and farmers. It specifically aims to facilitate the start-up process and social integration for newcomers to farming, that is, those not from a farming family. In a region dominated by livestock breeding, and where each new farmer installed is a victory, the CIAP has achieved excellent results in the span of just a few years.

Context

The CIAP⁸⁹ was created in 2012 in Loire Atlantique, in Western France, one of the country's leading livestock regions with a very strong peasant farming tradition. The project (to set up a system to support and assist new farmers, especially those not from a farming background), was initiated within the *Confédération Paysanne*, France's farmers' union and member of Via Campesina, in close collaboration with local social and solidarity economy networks.

For newcomers to farming, a number of factors add to the difficulties of entering the profession, and are not sufficiently taken into account by conventional aid programmes for new farmers. Most newcomers have little or no practical farming experience, and they do not always have agricultural training. They not only have to find land without inheriting it from their family, but often come from a different region or locality. Some have training and professional experience in a different field, and decide - at a variety of ages - to leave their former career for farming. Most want to develop projects that are considered atypical in the agricultural sector, e.g. organic farming, small holding, on-farm processing, direct sales, and combining multiple activities.

In keeping with the *Confédération Paysanne's* creed "Neighbours, not hectares" (*Des voisins, pas des hectares*), the founders of the CIAP believe that the start-up phase is crucial, and place great importance on the involvement of the local authorities, networks and farmers in supporting and welcoming these new entrants.

Modes of action

The CIAP has developed three complementary tools to support farming start-ups.

- **A one-year internship**

It is open to anyone who wants to become a farmer and has 1) already defined their farming project, and 2) identified the locality in which they want to farm. The aim is for the intern to put down roots in an area and to experiment and customise their means of production: find and acquire land; renovate or adapt the farm buildings; prepare the land for crops; find distribution channels, etc. To this end, interns receive 200 hours of theory classes and 1600 hours of practical training.

The first step is to identify a farmer mentor who will be the new farmer's primary contact and support person. The mentor supports the new farmer with advice on the farming project, loaning equipment, and introducing them to the local community and professional networks. In addition, each intern is expected to set up a local support group of at least three people: the farmer mentor, a local elected official, and a resident/consumer. Interns set up their local group to fit their needs: finding land, setting up a CSA, obtaining a bank loan, etc. The CIAP helps the interns to identify a farmer mentor and set up their local group through its farmer networks and partner organisations: organic agriculture groups, environmental organisations, elected officials, solidarity financing organisations, Terre de Liens etc.

- **Farm incubators**

The CIAP offers access to three farm incubators for organic market gardening, which can host up to 8 apprentice growers, on permanent sites equipped with greenhouses, machines and tools. They receive advice from a technician, and established market gardeners. Two farm incubators are located on the campus of agricultural schools (Saint Herblain and Angers) and one on premises belonging to a community of municipalities (Redon).

- **Temporary business hosting**

This solution enables farmers to start their business within a secure framework. Rather than starting out directly as self-employed agents, the CIAP "hosts" the business, placing them on its payroll for a renewable period of one year. In particular, the CIAP provides new farmers with a legal and fiscal status that allows them to be covered by social security. It also handles some of the administrative and accounting aspects.

During the hosting period, the farmer and the CIAP are bound by a contract covering both the commercial terms and the support arrangement. At the end of

the hosting period, the new farmer “buys back their business”: the profit (or loss) that their business generated during the hosting period is transferred to them, and they buy back the investments and cash advance financed by the CIAP. Hosting is a very effective way of allowing farmers to launch their activity in stages, without initially making all of the investments in their own name. Hosting also leaves the farmer room for error, or the possibility to realise they do not actually want to be a farmer after all.

These modes of action allow future farmers to take their time and enter farming at the pace that is most suitable for them. Most often, future farmers are very subject to an external calendar, stemming from the administrative approval of a subsidy, a deadline for buying or renting the land, etc. The CIAP is very committed to ensuring that future farmers have the time necessary to mature, test and consolidate their project, until they feel ready to confirm their entry into farming and settle in good conditions.

Local support groups

This is the trademark and a major strength of the support provided by the CIAP: new farmers develop close ties not only with their farmer mentor but also with a number of farmers in the area. Through the network of 200 farmer mentors, they receive support, advice and a helping hand, as well as extensive knowledge of the land, the soil, the area and local history. They may also have access to pooled equipment or collective points of sale. This transmission and solidarity between farmers helps those starting out to become firmly rooted in their own farm, the local area and their community, and to assume the multiple roles of a peasant farmer - providing food, protecting the environment, and fostering local cohesion. The CIAP also urges new farmers to form ties in the broader local community - outside farming -with elected officials, consumer groups, farmers' unions, rural development and environmental protection organisations, national parks, organic supermarkets, etc. These connections are useful in strengthening and adapting the farming project to the local context. They also provide valuable support and advice in terms of finding land, collective work projects, etc. and help the new farmer create a social network and friendships that are important in weathering bumps in the road in the first years, and breaking with the image of social isolation in the farming profession.

Results:

From 2012 to 2016, the CIAP helped 60 new farmers get started in the region, representing a total surface area of 2100 hectares. Half of these cases involved the creation of a new farm, 26% took over an existing farm, and 23% were collective projects.

In addition to helping new farmers through the start-up phase, the CIAP carries out far-reaching local work:

- It activates solidarity and cooperation between farmers, citizens, elected officials, consumers and other local actors.
- It promotes the transition of farming and food systems to quality products, short production-consumption circuits, and environmental protection.
- It works with retiring farmers to give them hope of being able to pass on their farm to a new farmer, as many small livestock farms are closing, and also facilitates extra-family farm transmission.
- It supports local authorities in their projects: creating farm incubators, maintaining farms and agricultural jobs, setting up farmers to supply food for institutional catering, etc.

With many new farmers today coming from a very different background than in previous generations, the CIAP aims to give them every chance to succeed. By reinventing transmission between farmers, it is helping to conserve a vibrant network of farms that bring quality products, jobs and solidarity to their communities.

Setting up as a new shepherd in the Catalan Pyrenees and reviving the Commons⁹⁰

Anna Plana started her activity as a shepherd after a first career outside farming. After training with the Shepherds' School of Catalonia, she started a small sheep farm. Over the years, by making herself known and respected in the local community, she was able to access more land and grow her flock. She now runs a successful business and employs one person.

Anna was born in the province of Girona, and initially trained as a hairdresser and gardener. In her twenties, she then decided to enrol in the Shepherds' School of Catalonia, which offers practical training to new entrants who want to work as breeders and shepherds. The courses last six months. The first month is focused on theory, with courses covering production, marketing, businesses skills, public grants and subsidies, etc. The four next months are dedicated to on-farm practice, either on the farm or in summer pastures. Then, during the practical period, students still come back for four other theoretical training weeks about food systems, animal health, food processing and business plan and management. Mentor farmers commit to providing effective training and sharing knowledge and know-how with the trainees. Anna decided to stay and establish her farm in the

region where she trained with the Shepherds' School⁹¹. She wanted to start her project with the smallest possible financial investment. As the School's training is officially recognised by the Catalan Department of Agriculture, Anna was eligible for the European CAP Young Farmers' subsidy, which was a great help in achieving her objectives.



Grazing sheep play their role in agroecology Credit: Escola de Pastors de Catalunya

The main difficulty that Anna faced was being a newcomer and a woman in an area dominated by men. Locals thought that a woman (and an “outsider” to Pallars Sobirà) would not be able to set up and run a farm. It was not easy to stand strong and become accepted in this atmosphere of distrust, but now Anna is recognised as one of them, and supported by the locals. Anna's main problem in accessing land was that very little land is available⁹². Lleida is a region where shepherding is still an important livelihood and fairly widespread. As a result, there is a lack of available land for new entrants. Because locals also tend to be wary of outsiders, it is very difficult to find land to rent or buy for grazing.

At the beginning of her project, Anna did not have any land. She met an old shepherd from a neighbouring village who did not use his land anymore. He agreed that Anna could use his land instead of him. She slowly managed to make herself known and respected by the locals, which later helped her to rent land from her neighbours. Over seven years, Anna has managed to buy some land of her own; she also rents some additional land and has the right to use the common land that belongs to the municipality.⁹³ Anna started her project very slowly, with only a few animals grazing on a neighbour's land. By increasing her land area progressively, Anna could also enlarge her flock. She started with a very small flock and now has 500 sheep and one employee. Having a second person is very important for Anna, to be able to complete all of the different tasks and still have a decent personal life outside of work.

Shepherds' schools reinventing pastoralism as a farming practice and way of life

Mobile pastoralism and transhumance are an ancient and very adapted form of food production often associated with non-agricultural land or compatible with other uses, that keep a rich heritage of material and immaterial culture, domestic and wild biodiversity and rural world alive. Shepherds also make use of public or communal land through recognised legitimate informal or customary rights; this is an important alternative to land ownership or land tenancy often dominant in Europe.

The European Shepherds Network (ESN) was established in 2017 to overcome unfair EU agrarian policies that were oriented to industrial livestock systems. The educational orientation of our Shepherds' Schools is always connected to Agroecology and the need to strengthen a worldwide pastoralists movement. That is why ESN is part of the World Alliance of Mobile Indigenous Peoples and Pastoralists (WAMIP).

The European Shepherds' Network (ESN) is coordinated by the agricultural association Inland - Campo Adentro, Spain, which runs two Shepherds' Schools, in two mountainous regions of the country. Hundreds of students have pursued a 4-month training course with a mix of theory and practice, whereby elder shepherds share their knowledge with younger ones.

Many new shepherds come from the city or have university degrees. In a context where youth unemployment is high in many EU countries, and the conventional job market often offers hard working conditions and precarious jobs, the Shepherds' Schools provide the opportunity to look for alternatives. The countryside in Europe is depopulated and aging, and in some countries like Spain, continuing to graze huge land areas is essential to prevent fires, and provide many other environmental services.

The Shepherds' Schools also test a series of innovations to reinvent the profession: besides providing training, they have rebuilt mountain cabins and dairies for collective use. They also propose to re-appropriate common resources such as woods and other areas that were nationalised in the 1970s. They test collective forms of carrying out pastoralism in our cooperative, once the extended family can no longer work. They are also experimenting with the use of technologies of communication, geo-localisation and exchange, from a portable ultrasound system that repels wolves, to a web-based app to match people looking for job offers or land opportunities and people in need of shepherds



Farm Visit, Ohain Farm, credit: Cecile Dubart, Terre de Liens

In recent decades, growing social demands have emerged with regards to food and farming. They are the result of numerous crises massively affecting food safety and public health, academic and media reports highlighting the impact of industrial agriculture on natural resources, biodiversity or climate change, or the public debate around the adequate use of public money to support agriculture. At individual and collective levels, an increasing number of people have engaged in practices and mobilisations in favour of more sustainable practices, local quality food and nature conservation. This has taken many forms such as the rise of organic food consumption, the focus on seasonal food and food miles, the development of local food provision for school restaurants, or the development of local food systems.

In parallel, a number of actors have also become increasingly concerned by the rapid rural decline. They actively seek to support the installation of new farmers, promote agricultural job creation, combat land abandonment, or support farmers' markets. As a result of these evolutions, food and farming are increasingly recognised as everybody's business. Peasant farmers' unions, consumers' groups, local authorities, rural development organisations, environmental organisations, groups representing aspiring farmers, and others are mobilising to push for a change to agroecological food and farming, the continuation of peasant agriculture, and the entry of a new generation of farmers.

Community Supported Agriculture

In the past decades, Community Supported Agriculture has rapidly developed as an important approach to creating sustainable and sovereign food systems in Europe. CSA is a direct partnership based on the human relationship between a group of consumers and producer(s), whereby the risks, responsibilities and rewards of farming are shared, through a long-term, binding agreement.⁹⁴ CSA in Europe is a dynamic movement that feeds between 500.000 and 1 million eaters, with thousands of initiatives operating and many new initiatives starting every week.

Through a CSA, there is already a financial solidarity between consumers and farmers, to ensure high-quality, seasonal production. Extending this solidarity beyond enabling production to providing/ safeguarding the means of production, such as land, is often viewed as natural. Historic experiences of CSAs—such as Dottenfelder Hof in Germany or Fordhall Farm in the UK⁹⁵—show that community engagement can successfully include or extend to securing land for farming.

To address land needs and issues, CSAs can mobilise their own resources and/or collaborate with initiatives specifically focused on access to land. Even when the CSA is not directly involved in securing access to land and buildings, starting up as part of a CSA may help new farmers by providing them with a secure consumers' base and start-up money, thereby making business planning and other investments easier.

Community land initiatives

Community land initiatives can be seen as part of Community Supported Agriculture in a broader sense. They emerged in Europe in the 1970s and have rapidly developed in the past 10 years. Their focus is to facilitate and support access to land for agroecological farmers. They mobilise community support around maintaining local food production and commercialisation, ensuring environmental protection, and fostering the development of organic farming and agroecology. In some cases, they also seek to ensure that farmland is preserved in the face of urban and infrastructural sprawl.

These community land initiatives use a diversity of approaches: they advise and support farmers and future farmers in their search for land; they engage with public landowners (see chapter 4 above) or serve as go-between with private landowners in order to provide land on favourable terms to farmers; or they advise and advocate for environmental practices pushing for land to be used by agroecological farmers. Many of these initiatives also directly acquire farmland thanks to community investment or donations and rent it to farmers through long-

term leases. This is a crucial form of support, as it enables farmers who do not have the necessary financial means, nor the local networks, to find land and access it under lasting and affordable conditions. In particular, this allows newcomers to get started with a smaller or even no bank loan, and to focus their investments on business development (seeds, machinery, processing facilities, etc.) rather than on land and buildings.

Some community land initiatives have emerged to address the needs of a specific farm, often at a time when the tenancy was to end or the farm was put up for sale. Financial support often comes from consumers and local residents. Sometimes, these initiatives also use an online crowdfunding platform. These operations may rely on the landowner agreeing to sale at a fair price (rather than an inflated market value) and to wait until the full amount is collected.

In other instances, regional or national community land trusts collect funds on a broader scale, not for a specific farm but to address the needs of agroecological farmers in the long run. Usually, they hold land in perpetuity, to preserve it in farmland use and make it available for successive generations of farmers. Besides renting land to farmers, or helping them find land, Community Land Trusts often support them in many other ways: to network locally, to grow a local consumers' base, through on-farm participatory workshops, etc. They thereby contribute to new forms of solidarity with farmers, beyond access to land and the start-up phase.

Land initiatives are developing rapidly in Europe: in the last five years, 16 new initiatives were established, including in countries of Central and Eastern Europe. To name just a few, they include: Terre-en-vue and De Landgenoten in Belgium, the Soil Association Land Trust or the Ecological Land Coop in the UK, Nadace Pro Pudu in the Czech Republic or ALPA in Romania.⁹⁶

Across Europe, these land initiatives engage in different ways with consumers, local residents, and other local actors. Albeit still small, these initiatives pave the way for inventing new ways of owning and managing land as a Commons. They develop a long-term perspective on farming models, land use and environmental protection and try to reconnect land with its intrinsic value and use, rather than its market price. They have many challenges ahead, but also experiences and reflections to share with all those concerned in the future of European agriculture, food and countryside. The first of our examples explores how a CSA mobilised to help maintain an emblematic Community Supported Agriculture farm in the vicinity of Vienna, in the face of urban sprawl and speculation. Our second case offers a good example of a community land initiative, with the French organisation Terre de Liens supporting entry into farming of an organic breeder in the Massif Central.

A CSA mobilising to preserve fertile land in the vicinity of Vienna – the GeLa Ochsenherz CSA, Austria⁹⁷



CSA Vegetable boxes, Credit: Tom Kenny

GeLa Ochsenherz⁹⁸ is the oldest Community Supported Agriculture farm (CSA) in Austria: it has been running since 2010 and was established to save a Demeter farm that produces vegetables, fruit and open-pollinating seeds. The CSA farm is located in Gänserndorf close to Vienna and has about 300 members.

"Invest in fertile land in the vicinity of cities" - just a few years ago this was the proposition an investment advisor gave at a gathering of wealthy people inquiring about safe investments in Austria. The geLa Ochsenherz project is built on land that matches these precise criteria - 8 hectares of leased land with most of the farming infrastructure (polytunnels etc) built on it.

Soon a new life-threatening problem for the farm emerged. Public authorities announced the project to build a highway near the farm. This is very attractive for people aiming to live in the countryside, a short car-ride away from work in Vienna. For farming this poses a problem. Acquisition of farmland for building the highway, changing the zoning designation of farmland to construction land, selling the land

newly designated for construction to buy more farmland - all of this is driving up prices of arable land.

The change of designation of agricultural land has led to the cancellation of the lease of parts of the Ochsenherz farmland. This put the whole CSA project in a critical situation: shifting the land and infrastructure required for farming is not easy and costs money. Eventually, new land (about 2.7 hectares) became available nearby, although at significantly higher prices. Moving and rebuilding the polytunnels and the core infrastructure - new containers for the office, sanitary and work spaces, access to the sewers and electricity - cost more than €150,000.

A budget and transition plan were presented, discussed and agreed at the annual gathering of the CSA. It was then implemented by the farm workers and volunteer work of the members of the CSA. CSA members provided the funding needed for moving site. About 5% of the €150,000 came from donations, another part was lent to the farm by the CSA members, while the biggest part were advance CSA membership payments for future years. None of these payments included interest rates and apart from the donations, it will all be paid back over the next few years in the form of either cash or vegetables.

This successful effort to secure the farm's operation also brought a new dynamic into discussing the foundation of the farm itself – the ownership. The farm as well as everything that is being spent and built, is the result of the people working on the farm, as well as CSA members providing the necessary means and funds. Yet from a legal perspective all of it is the property of the farm's owner. What happens if he were no longer able to work on the farm or died, and his heirs subsequently wanted to sell it for a profit?

As a result of these considerations, the group opted to secure the farm for solidarity-based farming. The infrastructure and the land on which it stands will be transferred into a foundation (which has yet to be created) devoted to securing assets for solidarity-based farming. In order to protect the assets of the foundation from privatization and speculation, the mission of the foundation cannot be changed.

The larger part of the owned land is still the property of the farmer, who on the one hand needs some income from the land, but on the other also wants to ensure that it is secured for the purpose of solidarity farming. The Ochsenherz community is now working on this.

Exploring options to secure land for a CSA in Friesland

Mobile In the Netherlands, the Community Supported Agriculture movement has developed steadily in recent years. For example, Bregje and Michel's farm in Sibrandabuorren, Friesland, has been producing for CSA members since 2014, on 2 hectares of land. There are now 170 adult members in the CSA, and a part of the production is also delivered to a couple of local restaurants. Recently, Bregje and Michel realized that *"the day we decide to leave, the farm could be bought by any farmer and the CSA members might lose what they had started to consider their garden"*. They began to think it would make more sense if the members owned the farmland. The idea of securing the land by selling it to the group was sown.

There is fertile ground for the seed to grow: in the Netherlands, there is already at least one successful experience of the same kind in Wageningen. There, crowdfunding organised by the CSA members allowed the farmer to buy more land in a new location, which was necessary to allow the farm to expand. The CSA group collected money to cover the credit. However, in this case, the members own the CSA, and the farmers are employed by the CSA. According to Bregje, their situation is different: *"Until now, we have been a farmer-led CSA: members pay an annual fee, but farmers do the work. We suggested changing that: we want to form a CSA association, with a board representing the members. That would foster more interactions with members through their representatives"*.

Bregje and Michel are considering two options to secure land for the CSA:

Option one is to operate through Grondbeheer Foundation⁹⁹, a Dutch trust fund that was started a long time ago to buy land for biodynamic farmers. Nowadays, the trust has enlarged its field of work to other types of farming, including agroecological farming. The trust could be useful in this situation. Grondbeheer could acquire the land through issuing perpetual bonds. These could be bought by community members, which will create an even more solid relationship between the community and the farm. Once it has acquired the land, Grondbeheer will lease it to the farmer(s) or the CSA on 30-year contract. Thanks to prior experience with land acquisition and leasing, it could also take care of the most important paperwork. Land is an issue in the Netherlands, where the prices are often as much as 70,000 Euro/hetace..

Option two is linked to the « Chief Seattle » movement, in reference to a famous Indian chief who claimed that water, air, land are Commons and cannot be owned by anyone. The Dutch farmers union member affiliated to La Via Campesina, Toekomstboeren (Farmers of the future), are also part of the movement. Their idea is that the land should not be owned. It should be governed by a collective of people who could decide who uses the land. In this option, money would be collected to buy the land, but the donors would not get money back: they would

free the land from ownership. The burden would then be lighter for the person using the land: he/she could concentrate on taking good care of it, improving its quality, growing biodiversity and using the land in a productive way that serves the community.

A mix of both options is also possible: part of that land could be bought by people that give money to the trust, without ownership. It would be considered a gift: the land would be freed from ownership. The income generated by the work on that land would be used for community activities and not for paying back the loan. The future is still open, but similar options can be explored in different contexts.

Farmland use is everyone's responsibility!

The experience of Terre de Liens, France

Reopening a farm for a newcomer in Massif Central

Until the 1970s, the Eygageyres farm was a traditional mixed dairy farm of 27 hectares. Then, like most "small" farms at the time, it was bought by a nearby larger farm, to make up a farm of 70 hectares. The Eygageyres land and buildings then became secondary to the whole farm system. The land received minimal work (abandoning crop rotations) and gradually closed up due to the development of scrub. The house remained uninhabited for 30 years.

In this part of Massif Central, rural decline is progressing rapidly and local councils and actors are concerned about supporting farming as part of a vibrant social and economic local fabric. The municipality of Chadron was thus seeking to support new entrant farmers. So when, at the end of 2014, the Eygageyres farm was put up for sale and entrusted to SAFER, the French agency regulating land markets (see above), the municipality decided to support Romain, a newcomer to farming. Romain had been searching for land for 5 years. Being an outsider to the farming community, he did not have the connections to be informed about land availability early enough, and he had no recognised experience.

Early in 2015, the municipality of Chadron approached Terre de Liens to acquire the land managed by the SAFER. Together, they started mobilising for land acquisition, and received the support of people involved in local consumers' and environmental organisations: a local CSA (Meygalimenterre), the local organic agriculture association (Haute-Loire Bio), and two environmental organisations (SOS Loire Vivante, and Nature Environment 43).



Farm walk on Eygageyres Farm, Credit: Andrée Vidil, Terre de Liens

Terre de Liens acquired 27,5 hectares of land, corresponding to the former Eygageyres farm. The hectare was for sale at €3,253/ hectare (incl. SAFER costs) which was a good price for the seller given the state of the farm. The amount was collected in about 6 months, thanks to 104 citizens, associations and businesses who invested to support the project.

During summer of 2015, Romain moved to the farm and started with free-range pigs, sheep meat and suckler cows in organic farming, with 100% processing and direct sales. When Romain moved into the farm, a third of the plots were fallow. So he worked intensely to clear and reopen landscapes around the house, along the paths and along the fields. He also renovated the farmhouse and buildings (processing workshops, sheds, enclosures). He also started growing crops to progress towards feed autonomy on the farm: everything had to be restarted!

In September 2016, Romain processed his meat for the first time. It was sold-out even before being ready; a number of citizens who had supported the project waited resolutely for the first produce of the farm to be ready! Roman now breeds and processes pigs and lambs and his partner works full time together with him on the farm.

Romain's installation means a lot for the local municipality and community: a farm is reborn, a house is renovated and becomes a permanent home once again, a new

family joins the village, and jobs are created. It also shows that this “small” farm can still provide a good living and work place, create economic activity and good local food, which also is an inspiration in this region where livestock farming is in crisis. Throughout France, the community land initiative Terre de Liens thus mobilises civic support for the preservation of agricultural land and the setting up or continuation of local, organic farmers.

Terre de Liens: mobilising citizens to develop local, organic agriculture in France

Terre de Liens was born, in 2003, out of the realisation that access to land - i.e. finding available land, being able to rent or buy it, and having lasting and secure access to it - had become a major hurdle for farmers, in particular for local, organic farmers.

The cornerstone of Terre de Liens is to inform citizens and consumers, through educational and local mobilisation activities, aimed at raising awareness of the connections between land use, consumption patterns, agricultural models, economic and social activities in rural areas, landscapes, and nature conservation. Terre de Liens encourages people to take action by sharing information around them about land issues, investing in farmland, or volunteering in a local group. The aim is to raise civic awareness, create support networks for organic and peasant farmers, raise funds, and broaden public debate on territorial planning and the orientation of agricultural models.

Terre de Liens also initiates and encourages local dynamics aimed at supporting newly established farmers, facilitating farm transfers, developing sustainable farming practices on water catchment areas, or, finding and setting up farmers to supply local schools or care homes. It thereby closely works with many local authorities, by providing technical assistance, realising a municipal land diagnosis, or facilitating multi-stakeholder dialogue.

Terre de Liens has now become a large civic movement, involving 19 local branches and over 25,000 people: members, volunteers, shareholders and donors. Since 2006, Terre de Liens has also developed original financial entities to directly support farmers through land acquisition. The first one is a solidarity-based investment company (*la Foncière*) which collects citizens' savings in the form of €100-shares (now 104€). The second entity is a Foundation recognised by the state as being in the public interest.

The main motivations for citizens to invest or donate are ethical values - preserving the environment, promoting organic agriculture, supporting a local farmer.

Shareholders are not paid interest on their investment; as for Terre de Liens, farming the land should not be geared towards paying dividends on capital of owners. Their main financial incentive is a tax rebate on their income or wealth tax (although it has been largely reduced since 2010).

The *Foncière* bought its first farm in February 2007. At the end of 2019, through the *Foncière* and the *Fondation*, Terre de Liens has raised over 81 million Euros in savings, and about 2 million Euros in donations and bequests. Terre de Liens owns 220 farms, amounting to approximately 5000 hectares, which are rented out to 450 farmers.

In addition to directly acquiring farmland, Terre de Liens advises and brings technical support to about 1200 aspiring farmers every year throughout the country. It supports them in their search for available land, advises them on land prices and legal options, helps them find local support, etc. Some of these farmers find a solution with land acquired by Terre de Liens; others form collective ownership structures; still others farm on public land or through arrangements with private landowners.

In 15 years, Terre de Liens has thus made significant progress towards supporting community-based organic agriculture and freeing land from the commodity market so that it can be preserved in sustainable agricultural use. The experience of Terre de Liens clearly bears testimony to the readiness of communities to get involved in and support local food production, agroecology and vibrant rural areas.

Tips for practice: Reinventing community solidarity around land

Support newcomers to farming

Recognise the need to renew the farming profession with people of all ages, many of whom may come from outside a farming family. Identify their potential and special needs, in terms of access to means of production, training, social networks, individual support, financial means, markets, etc. Promote their potential contribution to food and farming systems. Facilitate connections with local farmers and communities, through public events, gatherings and shared activities (e.g. participatory workshops on the farm).

Facilitate social, practical and political exchanges between farmers

Connect young and old farmers, newcomers and established farmers. Go beyond technical and professional support and exchanges to include human, social and political dimensions. Organise mentoring and peer to peer learning (farmer to farmer). Reclaim the know-how, culture and pride of being a peasant farmer, and accept they evolve from generation to generation! Support aging farmers in planning for their succession and help them believe it is possible to find a successor.

Develop agroecological training for farmers and future farmers

Various groups and organisations, notably the European Coordination Via Campesina's national members, have training schools and courses aiming to train newcomers. These Training entities are framed within models of peasant agriculture and agroecology and represent an important alternative to formal agricultural courses. At a European level a special platform, the European Agroecology knowledge and exchange network, has been created to connect all these different agroecological training experiences within ECVC's membership and its allies: <https://www.eurovia.org/eaken/interactive-map-of-initiatives/>

Set up or get involved in a CSA

Identify local CSAs near you by visiting URGENCI's website. URGENCI is the international network of Local Solidarity-based Partnerships for Agroecology, a concept that includes CSA. You may use URGENCI's CSA map to find out how to contact the national or provincial CSA network in your area: <http://urgenci.net/csa-map/>

If you want to find out how to set up a CSA group, URGENCI's hub provides educational and training materials (booklets, trainer's guide, recorded webinars, tutorials, mentors' directory) on how to grow a CSA partnership: hub.urgenci.net

You can also check out the tutorial videos uploaded on URGENCI's channel:
[https://www.youtube.com/channel/UC5cw-HS\]tdR0m\]B4z4jiRxA](https://www.youtube.com/channel/UC5cw-HS]tdR0m]B4z4jiRxA)

Set up or get involved in a community land initiative

Identify and join local community land initiatives near you – see in particular: www.accessotland.eu for a directory of land initiatives and good practices. If not present in your community, help the development of one of these initiatives. and learn about setting up a land initiative: <https://www.accessotland.eu/A-guide-for-setting-up-a-land-initiative>

Recognise the complementarities between land initiatives, farmers' organisations, consumers' actions, and other local actors.

Engage in community fundraising and crowdfunding

Screen existing crowdfunding platforms, and find some that match your needs and ethical criteria. Build an argument for your fundraising that addresses audiences beyond farmers. Some movements have also resorted to financial structures such as endowment funds or community land trusts, to gather long-term support and funds, in order to acquire land for the commons. Connect access to land and land use to quality food, community connections, environmental protection, job creation, landscape, etc. Think about if and how to remunerate citizen investments (paying in cash or kind, or not paying).

Build community support through public engagement and people's education

See below in Chapter 6.

CHAPTER 6

Increasing the resiliency of movements

“Think global, act local!” was the rallying cry against neoliberal globalisation at the turn of the last century. Our struggles at a local level are reflected many times over in other parts of the continent, where communities and citizens struggle with the same imbalance in power relations and commodification of nature created by transnational corporations and the financial structures they depend on. The globalisation of capitalism has also led to the globalisation of resistance, and a flowering of international solidarity and cooperation.

At the same time, good will shared internationally does not pay our bills at home, or necessarily strengthen our movements enough to effect real change. Instead it is up to us to commit time and energy to developing stronger and more resilient movements which can engage with civil society and together transform our societies and economies for the better. There are strategic ways to build our movements, such as building up skills through training and popular education, learning how to make the law work for us, developing effective communication, nurturing alliances, being creative about securing financial and other material resources, using creative arts to engage diverse audiences, or mobilising international support.

Approach 11

Increasing the capacity and resiliency of land movements



Occupation of Somonte, Andalucia. Credit: SOC-SAT

The various strategies for mobilizing around land outlined above often very quickly run into practical barriers – be those political, institutional or economic. Overcoming these barriers, and enabling land movements to have the longevity, capacity and resilience to properly articulate and engage in their chosen strategy is paramount. In this section we investigate some of the broad strategies movements can use to strengthen their position, and some very practical examples of developing and building solidarity in order to provide resources and tools required to meet these goals.

Land struggles exist as part of a broader spectrum of social and political mobilization in society around food, agriculture, social justice, and ecological transition that takes a multitude of forms and expressions. This movement often finds its expression in the food sovereignty framework. Working within a broader movement requires a strategy of alliance building, which must be central to the thinking of any local, regional or national level group. Collectively articulating alternatives is one of the most practical ways of forging strong links with other organizations in order to have more effective impacts and outcomes. Organizing joint actions, solidarity missions, international campaigns, seminars and other events to show the breadth and scope of your ideas is also fundamental. In some

cases these will take the form of what are effectively national level platforms. Farmers' movements are vital to these platforms. In Europe a new generation of farmers is organising and mobilizing – as in the example of our first example in the Netherlands.

At the same time, collective articulation is often not enough and there are practical issues - particularly economic ones – which can effectively inhibit any further mobilization by a group or organisation, and can sometimes threaten the freedom of individuals through court proceedings, fines or other legal repression. The second case looks at the successful organisation of a solidarity fund through the commercialisation of beer in Belgium.

The final story examines the impact of international dimensions on building the capacity of movements. In modern times instant communications have allowed us to show an international audience the problems and issues we may face at a local level. Effectively leveraging this influence may bring significant rewards in terms of building legitimacy, support and recognition of a struggle or movement within a local or regional context.



Building a new farmers' movement in the Netherlands - Toekomstboeren

Context

After the Second World War, the Dutch government pushed for the liberalisation and modernization of agriculture. Policies and legislation focussed on increased scale, intensification, mechanisation and the commoditization of agricultural products. While agricultural production increased, these policies had many negative effects, including a loss of 85% of all indigenous plants and animals, contamination of 25% of the country's groundwater by agro-toxins, a 55% decline in the fertility of the soils, and recurring outbreaks of swine fever, foot and mouth disease, q-fever and bird flu. It also affected farmers who had to continuously make investments in modern equipment, housing and other technologies to remain competitive. Not all farms were able to compete and many found farming too stressful. As a result, the number of farms declined from 410.000 farms in 1950, to 97.000 farms in 2000, to 55.000 farms in 2017.

Against these developments, new food and farming initiatives led by peasants and citizens began to appear. These initiatives seek to create sustainable alternatives based on the principles of respect for nature, solidarity, and reciprocity. However,

liberal tenure legislation only guarantees farmers access to one-year lease agreements on the land. For most farmers purchasing land is also not an option. Land itself had become liberalised and an object of speculation, resulting in prices that are beyond the reach of small-scale farmers.¹⁰⁰

Actions

The Dutch small farmers organisation, Toekomstboeren¹⁰¹, embarked on a mission to strengthen the position of new farmers who want to farm in a different way by following a series of steps.

Firstly was the creation of a common identity among peasants. Many new farmers were spread throughout the country. Often they were not recognised as equals by their conventional neighbours because they were new or farmed in a different, more agroecological way.

Together with these farmers, Toekomstboeren organised the 'BoerenVuur' ("peasant campfires") peasant-to-peasant gatherings throughout the country. These gatherings brought farmers together where they discussed everyday problems, practices and passions.

Gradually a common identity was formed, that of the "toekomstboer", which means both farmer of and farming for the future. This was strengthened through popular publications that bundled portraits of these farmers, showing their commonalities and innovative ways of farming.

Secondly, the issue of land was politicised. Many farmers blamed themselves for land problems. They thought that they did not earn enough to buy land because they were not farming in a sufficiently professional way. Or that it was due to their own behaviour that landlords sent them away. Through the use of popular methodologies, the BoerenVuur gatherings discussed the problem of land and slowly it came to be seen as a systemic rather than personal or professional problem.

Thirdly, wider alliances were formed. Toekomstboeren allied with various organisations including the biodynamic association, Transnational Institute (TNI), Wageningen University, the Land Commons Alliance, and the Transition Coalition to analyse the problem, systematise existing alternatives and explore new ones. Toekomstboeren also played a leading role in the formation of the Federation of Agroecological Farmers that is currently negotiating with the national government to support agroecology and access to land.

Fourthly, alternatives were constructed. Toekomstboeren is now leading a project to develop alternatives together with farmers. They include developing tenure contracts that offer more security to farmers, finding ways to change Dutch tenure legislation, and developing co-ownership with citizens.

Challenges and opportunities

There are several challenges and opportunities. An opportunity is that the current government has adopted “kringlooplandbouw” or cyclical farming as its vision for agriculture. This means that alternatives are now being taken more seriously than before. While Toekomstboeren and the Dutch Federation of Agroecological Farmers are engaged in negotiations with the government, other, more powerful organisations such as the Dutch Conventional Farmers Organisation and the agri-business lobby, are doing likewise. It is therefore still questionable what the vision for cyclical farming will look like in policy and practice. A challenge is obtaining resources for activities such as advocacy, mobilising people and developing alternatives. There is a very limited amount of funding available for agroecology. Most of these funds are also more difficult for smaller organisations to obtain because of their limited capacity to invest in the writing of long proposals and of paying advances for project finances once projects have been accepted.

Selling beer to pay the fines of Anti-GMO activists

This article was written by Marie Smekens, who was involved in the campaign.

The action of the Field Liberation Movement (FLM) took place in May 2011: following the distribution of flyers, there was a large gathering around a field in Wetteren, Belgium. A trial was being carried out there by Belgian universities to create a GMO potato, and around 100 potatoes were growing there behind protective fencing, monitored by cameras. On that day, we had informed the police and there were many agents present to stop us ransacking the field. Facing them were around 500 people, young and old, in fancy dress and brimming with humour and determination. Some managed to climb the fences and cause significant damage to the crop trial.

Following the arrests and the police investigation, 11 people were charged and brought to trial. They were charged with being part of a “criminal gang” and causing damage to property, as well as breaking a policeman’s little finger. Let me reassure you, the broken little finger occurred during a chase where the policeman was trying to catch a demonstrator, who was trying to escape being beaten with a

truncheon! On that day none of the participants had exhibited any aggressive behaviour: only determination to get past the fences and rip out the transgenic potatoes.

There were several appearances at Dendermonde Court of Justice, then at Ghent Court of Appeal over the next few years. Each time, there was strong support from citizens and associations and an event was held outside the court: stalls with local organic produce, a solidarity canteen, a space for discussion and debate, and information on the reasons to reject GMOs on our plates and in our fields. Many people and associations started to financially support the FLM group at this point.

Although we went to every effort to establish dialogue with the scientists, the public and the press, we quickly realised that we should anticipate heavy fines. The prosecution demanded a fine of 170,000€ (!) and it looked likely that the 11 accused would bear personal liability. We therefore looked for a way to raise funds whilst spreading the word about our activities; we created country hampers, we sold chocolate, and possibly other products which I don't remember. But the star product was... beer! As a gift for friends or shared with family, it keeps well and is easy to transport... I fully recommend beer as an essential product for any sort of citizen action! We started by contacting the micro-brewery "La Brasserie de la Senne", using their recipe and our label. But this Brussels-based brewery could only produce a few crates of beer at a time; it wasn't enough.

I then contacted a larger brewery, "La Binchoise", which made several different beers, including an original recipe using organic ingredients. We ordered a pallet of these large bottles that we sold to our connections or through small shops which supported us. A pallet of beer corresponds to 300 75cl bottles. We sold it at the price of 4.50€, of which 2.50€ was paid to the brewery.

We were soon contacted by certain people who offered to buy a whole pallet and deliver it to their town, and then sell the beer through their network. We then geared up even further and ordered corresponding quantities directly from the brewery. A full brew represented 5000 bottles, and we ended up ordering this quantity at least twice. I had to rent a minivan, as my trailer had reached its limit! I estimate that we sold a total of around 12,000 bottles, turning a profit of around 20,000€ once costs were subtracted (labels, van hire, petrol, etc.).

After the appeal the charges against us were dropped. We were certainly not a "criminal gang"; we had managed to explain our reasons and our good intentions, and we garnered huge support from the press and public opinion. We still had to pay damages of around 28,000€ to the organisers of the GMO trial, but thanks to

the beer sales – and the rest – we were quite capable of paying it. I am also sure that hundreds of people enjoyed raising a nice glass of beer for a good cause.

Using an international support network to support local struggles: the case of SOC-SAT

SOC-SAT is a workers' union based in Andalusia in Spain. It started out as an agricultural workers' union (Sindicato de Obreros del Campo) and since 2007, has broadened its scope to cover all labour sectors under the name Sindicato Andaluz de Trabajadores/as. Over the years, the union has developed a big international network of support for their actions mainly through its membership to the international movement of La Via Campesina, the International Planning Committee for Food Sovereignty (IPC)¹⁰² and recently, working closely with the European network of the International Network for Self-Management. It also exchanges support and practical training with members of different organisations, who form working groups called International Brigades both locally and in the country they come from.

This international support takes different forms such as:

- Organising international crowdfunding calls:
Some of these are organised in order to support the union in their actions, some to collect money in order to pay fines the Union has received following their actions. Other calls focus more on buying working tools or materials to support occupations.
- Organising international solidarity missions:
The aim of these missions is to bring representatives from workers' and farmers' unions from all over the world into the field of action of SOC-SAT - partly to allow people to directly support and experience SOC-SAT actions but also to exchange practices and develop mutual support networks.
- Promoting or co-organising international campaigns outside of Spain:
These campaigns aim to target retailers and trade groups that sell products which are the product of the unjust exploitation of agricultural and migrant workers in Andalusia, and push them to ensure that their Andalusian suppliers respect labour and human rights laws.
- Collaborating with local and foreign artists in order to develop action material for SOC-SAT and other Via Campesina and IPC organizations.

- Organising international support for land occupations when under risk of eviction:

This takes the form of asking allies to contact the local public and private institutions that are responsible for the eviction through formal letters, direct actions or other means. Normally those actions give an international visibility to the occupation that strengthens SOC-SAT's negotiating power vis-a-vis the local institutions and owners that are want to evict the occupiers. This was the case for instance in a call to support the Cerro Libertad Occupation, when SOC asked all ECVC and Via Campesina members to write to the local institutions and landowners to stop the eviction and open negotiations. This action, carried out by SOC-SAT among others in the occupation and by the union's militancy in Jaén was successful -, as requested by the SOC-SAT, the planned eviction was stopped and a negotiation was opened between the parties.¹⁰³ See the link below:

SOC-SAT always brings the international dimension to its local actions, which also allows it to reinforce its legal case with international legislation on human, peasant, labor and land rights. This international dimension leads SOC-SAT to have a permanent exchange with other organisations all over the world, and in this way, to globalise the knowledge of Union, Hope and Struggle.



Growing tomatoes - credit: Cecile Dubart, Terre de Liens

The first meeting on a campaign or local issue can sometimes feel like searching for the light switch in a darkened room. There may be little or no concrete information available about the issue at hand. The skills and capacities of the group are often unknown, personal relationships have not been built, and there may be great energy and enthusiasm, but little clear ideas about where or how to channel or direct it. There may also be feelings of desperation - that the local government or private companies are holding all the cards.

This approach deals specifically with increasing the capacity of movements, organisations and collectives in developing strategic thinking, accessing information, exchanging with other groups, building communication and media work and developing and using legal tools and instruments to aid their work. Building and developing skills within the movement you are part of is hugely important work in ensuring the long-term viability and resiliency of the campaign.

Often State and private companies' key strengths are their greater capacity to access, withhold and manipulate information and the disproportionate judicial leverage they can bring to bear on any issue through teams of lawyers and solicitors. The legal system is layered and complex and in every country defended and interpreted by a class of professionals who prefer not to encourage popular participation or education in laws and regulations.

As always, the strength of social movements lies in solidarity – “we are not the first people to find ourselves in this kind of situation”. The same obstacles presented in one campaign will surely have been encountered in another, and the lessons learned there can often be brought easily to bear in different contexts and situations.

The examples below deal with two different aspects of capacity building. The first is from Belgium and shows how different groups and collectives facing similar problems in different parts of the country have come together to share experiences and develop more effective strategies for dealing with the problems they face. It also demonstrates the strength of sharing information and supporting each other's campaigns.

The second example shows the real potential for putting the legal tools in the hands of citizens – in this case particularly farmers. Through popular education, collectives based around legal experts and citizens in rural France developed a system for giving farmers the capacity to resist the imposition of circumstances due to a lack of awareness of their own legal rights or the obligations of state or other actors. This tool gives farmers the autonomy to be better able to defend their own rights using the law.



Connecting local mobilisations and sharing practical resources to scale up the struggle - *Occupons le Terrain!*

The Occupons le Terrain! (Let's take over the fields!) network in Wallonia and Brussels brings together about 15 collectives and local associations working to safeguard land and local natural resources.

The network was set up at the initiative of a number of citizens' collectives as well as non-profit organisations - FUGEA, IEW, Quinoa, FIAN Belgium - from Wallonia and Brussels. These groups were aiming to increase inter-group coordination and

support each other in order to preserve shared natural resources - forests, green spaces, agricultural land, groundwater and commons from the threat of monopolization and commodification through privatization, artificialisation and the extension of commercial and development zonings. The network also aims to maintain and extend a healthy living and housing environment for the greatest number of people.

The official launch of the network took place on April 15, 2018 to coincide with commemorations of the International Day of Peasant's Struggle of La Via Campesina on 17th April. Two hundred people participated in an action to reclaim land that had been unnecessarily concreted over following an extension of the zoning in Ghislenghien (Wallonia).

The objectives of the network are to:

- Identify and map the many places where our common resources are threatened;
- Bring together citizen mobilisations, which have been particularly strong and numerous in recent years;
- Create a framework where these mobilizations can organize themselves so that their voices can be heard and influence political decisions;
- Share practical tools and action-oriented information.

The network also seeks to develop concrete tools to democratically design new and intelligent alternatives to public and/or private projects which fail to address the opinion of the population (housing, mobility, territorial development, etc.)

The network has already met with some success - the Perwez collective, which has been mobilizing against a bypass road for nearly 10 years, was able to benefit from the network's support, in particular with the publication of an open letter the day before the Walloon Government's road project was abandoned in October 2019.

The sharing of information and diffusion of material between collectives such as the Perwez collective and the rest of the network demonstrated the effectiveness of the network approach.

While each struggle has its own particularities (parking, real estate project, motorway, zoning), the difficulties encountered are the same: complexity of laws, accessibility of files, very short official deadlines, lobbying of developers, etc. The network can share their experiences and techniques for resolving these problems. The network members have identified the main themes on which they wish to

reinforce each other and build common tools: namely legal/administrative, communication and mobilization.

A webpage¹⁰⁴ offers a common window to all the collectives, which are localised and described on a common map. The website also enables us to share news and practical information about the on-going mobilisations.

Each collective is often isolated and powerless at first, to the point of sometimes having to rediscover everything in a few days, and the energy required for effective mobilization and even simply to acquire the relevant information, support the campaign and keep it running are colossal.

New collectives opposed to projects that destroy or take up common resources regularly approach the network. Most of the members of the network are volunteers and are already active at the local level in their own groups. It is sometimes difficult to respond to the requests of new collectives, and to be sufficiently responsive.

One suggested solution to address this difficulty would be to formalize "good practices" (e. g. with "standard" documents) and share the experiences of older groups and to translate this essential information into a guide. A first participatory workshop was held in July 2019 to define the outlines of this practical tool, with work on developing the guide ongoing. The network is also planning two annual "meetings of territorial struggles" from this year onward, as a unifying project.

Legal action committees: Protecting and promoting the rights of peasants through building their legal skills

“

The law is everyone's business; every farmer can take it on!

”

Legal Action Committees (CAJ) are local associations that support and advise peasants who are faced with legal problems. The French peasant farmers' union Confédération paysanne are the initiators of the initiative, which provides much more than a simple legal service. Effectively, the CAJs try to resolve specific issues that peasants face whilst at the same time driving forward the collective cause. For CAJs, the collective re-appropriation of rights is just as important as supporting the individual requests they receive for legal aid.

Anybody who lives in the rural world can ask for help from a CAJ when faced with a legal problem. Most often, the request comes from peasants and the issues relate to land: excessive rent increases, failure to respect lease clauses, SAFER land decisions¹⁰⁵ [1], etc. However, the issues may also involve problems with agricultural subsidies, litigation with civil services, bank, or supplier, a conflict with a neighbour or other land user (access roads, water sources) or even urban regulations.

The initial contact happens over the phone in order to judge the level of urgency and assess if a face-to-face meeting is needed during one of the monthly sessions which take place in each of the departments of the Rhône-Alpes region. Some of the requests are dealt with directly by phone, without additional meetings.



'Watch out, I think they speak our language.'
Credit: Samson

If further support is needed, the CAJ volunteers will listen to the request, then carry out an initial analysis of the situation and explore the different solutions. These initial exchanges with the volunteers help to rebuild the confidence and dignity of the people looking for help, as they often feel isolated and worn down by their problems and by the complexities of the

administrative and legal procedures they have to take on. CAJ volunteers get the ball rolling to re-evaluate the situation: meeting neighbours or local actors, studying documents, organising interviews with the other party, etc. They must, of course, consider the legal aspects, but also family, social and economic implications, using a global approach.

If necessary, the CAJ will seek support from its regional legal adviser, who can provide technical expertise and participate in the collective search for a solution and the necessary steps to achieve this. If the legal expert needs to get involved, CAJ volunteers are present during the telephone call with the requester. The most

important thing is that the peasant stays in control of managing their own issue and whatever solution is found, and that the law is used as a tool to actively protect or enforce their rights. It's a question of working together to find the most legitimate solution that allows both the individual situation to be resolved whilst also helping to advance collective rights.

As CAJs are a tool developed by the Confédération Paysanne, they try to find solutions in light of the Charter of Peasant Agriculture and, if necessary, in collaboration with the local branch of La Confédération Paysanne. The solutions they suggest are always anchored in legitimacy and in the protection of the rights of peasants. The CAJ can decide not to support someone who comes to them if they don't think their claim is legitimate or they don't agree with the solution the person wishes to achieve.

In most cases, a solution is reached through dialogue, mediation and consultation on a local level. As far as possible, the CAJ tries to avoid legal proceedings (which are often long, expensive, and stressful), both to avoid overcrowding the courts and to encourage solutions that are worked on and accepted locally, and are therefore more sustainable. In the case of legal proceedings, the claimant can represent themselves in court if they so wish, and provide their own defence with the support of volunteer legal advisers. Very often, the pressure of this is too much and a volunteer from the CAJ will act as their lawyer. If professional legal representation is necessary, the CAJ has access to an activist lawyer who understands agricultural and rural issues.

On average, the CAJs in Rhône-Alpes deal with 130 cases per year (compared to about 100 when they started in 2008). Among these, around 20 are long mediations linked to disagreements and around 15 lead to legal proceedings. Most of the support given aims to ensure peasant rights relating to the Tenant Farmers' Statute, SAFER, social security, and local urban planning (among other issues) are valued and respected.

Collective intervention (e.g. letters sent from CAJ, CAJ volunteers attending meetings etc.) helps to build a favourable balance of power. This often helps to change the attitude of local administrations or local actors, and allows the situation to move forward. In front of the court, having a full, appropriate legal solution prepared can also work in favour of the claimant. In some cases, the local branch of the Confédération Paysanne will also organise grassroots mobilisations in support of the cause, increasing pressure through union action.

To receive support from the CAJ, the claimant must become a member of the association and contribute to the case or court fees, which vary between €100 for advice and support to €1200 for legal proceedings. In most cases, this can be covered by their legal protection insurance.

After receiving this support, many people feel they have been given back their rights and their dignity. Some chose to become CAJ volunteers and/or join the Confédération Paysanne, to further contribute to improving the rights of peasants.

Currently, the CAJs have about 400 members and 50 volunteers who work at local level in Rhône-Alpes, and CAJ associations have started in neighbouring regions. Despite these developments, CAJs are regularly confronted with operational, financial or volunteer-based difficulties. To ensure the quality of their work, they sometimes have to limit the number of cases they accept. They also work with a network of other associations and legal professionals, to whom they redirect some requests.

Beyond the figures, over the years, the action of the CAJs has taken a combative and empowering approach to law. In the words of Jean Designe, lawyer and co-founder of the CAJs, "Law is the product of power relations and consensus. It is built on the foundations of struggles." The CAJs enable farmers to regain control over the law: to use it when it is favourable, to fight it (in legitimate spaces) and change it when it results in injustice, and to create new laws when new situations arise.

Tips for practice: Increasing the resiliency of movements

Mind yourselves

In all movements, taking care of the people involved must be a priority. Ensuring our movements are dynamic, fair and participatory while maintaining transparency and efficiency is vital. Long term movements may need economic support and staff members, and the associated governance and organisational structures.

Look and learn

The world is filled with both successful and unsuccessful attempts to build social movements and bring about change. Look at what has worked in your context or culture, and why. Even social movements active in other areas, or unrelated organisations who have successfully engaged with policy makers or the public may have valuable lessons to share.

Develop your knowledge and skills through popular education

Often the most effective learning outcomes come through learner-led processes. Popular education enables participants to build their understanding and vision of social issues and how these are anchored in power relations of class, gender, age, race, etc. It empowers participants and enables them to take responsibility to change things around them. Encourage an environment and space for popular education; develop peer learning and cooperative learning tools; foster exchange with other groups. Use your vision and knowledge base to advocate and campaign for land use and broader social justice issues.

Innovative fundraising

Social movements and civil society organisations have been very inventive in obtaining financial support for their actions. Selling farm products and, where possible, organising farmers' markets are often a good way to gather both funds and support. The development of crowd invest platforms and community-funded land initiatives also open up new possibilities.

Share resources and build alliances

Work with other organisations and groups in order to reinforce your work. Exchange information and skills, coorganise activities and develop good working relationships. Look at ways of developing cooperative actions and campaigns. See how resources can be pooled or best utilized to avoid double work.

Use participatory and bottom-up approaches

Within all our movements, process is key. Just as we oppose authoritarian control and hierarchies based on race, religion, gender, nationality, sexual orientation or social status, so we must instil processes in our movements which prioritise transparency, solidarity, inclusivity and participation. There are many tools available to facilitate such bottom up approaches, including many which are open source and developed and run by social movements themselves.

Communications and messaging

More than ever, communicating our message in the crowded and fast-moving world of modern media is a real challenge. The old slogan - "Don't hate the media, be the media!" is truer than ever in an age when it is relatively straightforward to produce high quality communications materials on a budget.

To finish this handbook, it seems appropriate to include the following poetic text written by an Italian peasant on his and our relationship to land. The author comes from a family that benefited from the land redistribution reform that took place in Italy in the 50s. We hope that this text and the entire handbook provided you with inspiration for building a fairer world, wherever you live.

Songs of the Earth

Not land, not a field to be plowed, somewhere you watch the life that gives life grow. Urban decor, a simple - perhaps depressing and distant - urban decor.

But if you could fly ten metres up, up, you would be struck by the many shades of the earth worked by human hands, withered grass and wind, sun and animals at pasture. By the dew - paltry now in August - of the night. The colours in the morning when the night begins to blend in with dawn have more vivid hues, shadows wider still cover the dales and little pockets of surface dust, ready to fly away in so much as a breath of wind. At the dawning of the day.

This is the birth of a thousand questions. For how many millennia do we hold the taste of earth inside us? How did it come to be there? Why is this connection not shared today by all humanity? Rather, why have cultures, ideologies and religions developed over centuries precisely on the need to sever this connection? What is it about the earth that frightens the dominant elites? Do they fear some unknown danger?

The need for domination is, clearly, a structural element for the bourgeoisie, the agriculturalists (yes, those who live on the income produced by land), for the shareholders and the members of the boards of directors. Imposing domination on earth is a fundamental feature of class domination. But perhaps the subaltern classes have a different attitude? There are few examples of a different attitude in the course of western history and it especially does not seem to me to emerge among the working class, originally formed of people who fled the fields and servitude, an afterthought on the relationship with the land and its systematic destruction by the industrial model.

The "people of the fields". What a strange expression to indicate those who, in the fields, work for a wage or a piece of bread. You often serve a master, and it matters little if he is seen or unseen. Fighters of a battle centuries-long to defend their autonomy, always in the balance between slavery, servitude and survival. "The

people of the fields", have no name, are invisible or spoken of, and almost never speak. Or they give themselves a name. The many who speak in their name retreat before question of the relationship between "the people of the fields" and the earth. In the process of evolution of this relationship in the period marked by the industrialization of agriculture and its financialisation, everything seems to be summed up in theme parks, in advertising and finally in the false representation of a commodity, an asset - the land - to be sold or bought. When the earth becomes an asset, living beings, human or otherwise, disappear. They are eliminated, removed. And what of the wind and the sun, an integral part of the earth. What end has the growing moon or the shine of fresh-harrowed clods? And what of the bleating of the sheep or the characteristic sound of an old caterpillar tractor during autumn plowing?

I often read "and silence fell in the fields." This is not true. In the fields there is never silence. Not by night and not by day. There are songs, rings, quivers, creaks and other vibrations that produce sounds. There is an imperceptible breath in the background, the breath of the earth that changes tone as seasons change. After months of drought, the earth splits, reclaims water, the fractures that everyone can see send small calls that hardly anyone hears anymore. And the hardness of the field rumbles when it is broken by the plough or fractured by the discs of the harrow or by the subsoiler. Trails of sound that if collected would be songs. Songs of the earth.

The broken connection, crumbled under the blows of soil consumption, of the sterilisation of life in the fields and of the desertification of humans and many other living beings. Like a scent dispersed in the air and difficult to disinter, to revivify this broken connection in everyday life requires efforts almost impossible to sustain.

What is presented, proposed or imposed on us is just an advertising slogan. A trap that enchants that need, dormant, hidden, sometimes denied, that need to keep the agricultural landscape in the imagination, a tree laden with fruits, grazing sheep, an olive tree alive a thousand years, cows in the alpine pasture. Or tables prepared in the sun for banquet under arbour.

Rarely do men and women appear at work, and - in any case - never fatigued, sweaty, dirty or smelly from the stable. Always smiling even if covered with debt or on the cusp of suicide. But it is known that the farm, the farmer, is not just the story of himself or herself. What moves in the fields, what grows or dies there is the result of a dynamic impossible to stop, a collective dynamic in the broadest, most systemic and complex sense. To reduce, to synthesise, to make individual, is an imperative proper to the ruling elites, unable to accept what is the result of collective dynamics.

In fact, over time, stacks of essays have accumulated on the "inertia of the countryside" which was the usual, somewhat cowardly, way not to say the inertia of the women and men who live working the land. On the contrary, they must continually move, innovate, as no season is ever identical, no seed sown ever gives a plant identical to that which produced it. This continuous movement, adjustment, unstable and continuous change is certainly the effect of the interaction between work and nature. But not only. It is also the result of the dynamics of social forces, of economic, cultural, and religious ones, of relations between social classes. Dynamics that create or destroy lives, ecological systems, territories, down to microorganisms that make the earth live fertile.

Dynamics that incite resistance. Struggles for survival. And yet innovation. Change. Victories and defeats. It is certainly a path long millennia, that of peasant agriculture, that of billions of women and men who have fed and continue to feed the world by working with the land and not against it. But such things are difficult to explain.

Nyéleni Europe

The Nyéleni Europe and Central Asia Platform for Food Sovereignty (Nyéleni-ECA) is a political and social alliance of organizations, representing small-scale food producers: peasants/small farmers, pastoralists, indigenous peoples, small-scale fisher people, agriculture and food workers; and supporting constituencies, such as urban poor; rural and urban women's and youth organisations; consumers, environmental, justice, solidarity, human rights organizations; community-based food movements, which politically respect the 6 principles of Food Sovereignty as agreed at the First Nyéleni Food Sovereignty Forum and sign up to the Nyéleni Europe Declaration from 2011. One of the working axes of Nyéleni-ECA is on Natural Resources and Commons.

If you want to know more how to get engage with Nyéleni-ECA or with groups working at local level around land and food sovereignty. Contact email: info@nyeleni-eca.net

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Approach 4

Where to find international instruments?

- UN Declaration on the Rights of Peasants: <https://undocs.org/en/A/RES/73/165>
- UN Declaration on the Rights of Indigenous Peoples: https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf
- Tenure Guidelines: <http://www.fao.org/3/i2801e/i2801e.pdf>
- Guidelines for Small-Scale Fisheries: <http://www.fao.org/3/a-i4356en.pdf>
- Recommendation on the Rights of Rural Women: <https://undocs.org/CEDAW/C/GC/34>

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Conclusions:

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Endnotes

- ¹ Overall, agricultural employment in the EU has been steadily declining for decades and has decreased from 13,1 million annual work units in 2003 to 9,1 million annual work units in 2018 across the EU-27, representing an impressive 30% decrease over the last fifteen years. Schuh et al.(2019), *The EU farming employment: current challenges and future prospects*, page 9. Available online: [https://www.europarl.europa.eu/RegData/etudes/STUD/2019/629209/IPOL_STU\(2019\)629209_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2019/629209/IPOL_STU(2019)629209_EN.pdf)
- ² The number of small and medium-sized farms has decreased, while the number of large farms (over 100 hectares) has increased. Between 2003 and 2013, the number of farms under 10 hectares went down dramatically from 12,4 millions to 8,4 millions, i.e. a loss of 4 million farms in just 10 years (Source: Eurostat, 2013).
- ³ In 2013, only 6% of EU farmers were under 35 years (Source: Eurostat, 2013). See also: https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/farming/documents/agri-farm-economics-brief-09_en.pdf
- ⁴ Note: *This article is based on a longer article - Time for change in European Land Governance - in Right to food and nutrition watch, 2017* https://www.righttofoodandnutrition.org/files/01_rtfanw-2017_eng_17_12_web_vz.pdf (pp 61 et al)
- ⁵ The free movement of capital is one of the 'four freedoms', which constitute the European common market. See Kay, Sylvia, Jonathan Peuch and Jennifer Franco. Extent of Farmland Grabbing in the EU. Brussels: European Parliament, 2015. Available at: [www.europarl.europa.eu/RegData/etudes/STUD/2015/540369/IPOL_STU\(2015\)540369_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2015/540369/IPOL_STU(2015)540369_EN.pdf).
- ⁶ See for instance in this publication, the historical land occupations of the Union of Agricultural Workers (SOC) in Andalusia, Spain; the Zone to Defend (ZAD) movement in France; or the great achievements of the Romanian peasants' organisations, which managed to stop the creation of one of the largest gold mines in Rosia Montană.
- ⁷ The Hands off the Land (HOTL) project aimed to raise awareness about land grabbing amongst the European public. This network then became Hands ON the Land for Food Sovereignty (HotL4FS), a collective campaign by 16 partners, including peasants and social movements, development and environmental NGOs, human rights organisations and research activists, aiming to raise awareness on the use and governance of land, water and other natural resources and its effects on the realization of the right to food and on food sovereignty. The HotL network is not active anymore as such but it converged in the Nyéléni Europe and Central Asia platform for Food Sovereignty Working group on land. For more information about HotL, please visit: www.handsontheland.net.
- ⁸ Nyéléni Europe and Central Asia platform for Food Sovereignty is the widest European movement aiming to realize food sovereignty in Europe. It aims to build common strategies in order to re-organise the way we structure our society around food and agriculture today. For more information, please visit: <https://www.eurovia.org/campaign/nyeleni/>
- ⁹ ECVC and Hands off the Land. Land concentration, land grabbing and people's struggles in Europe. Amsterdam: TNI, 2013. Available at: <https://www.tni.org/en/publication/land-concentration-land-grabbing-and-peoples-struggles-in-europe-0>
- ¹⁰ For more information, please see: <https://www.accesstoland.eu/>
- ¹¹ ECVC, Terre de Liens et al. "Petition to the European Parliament. Preserving and managing European farmland as our common wealth: A CSO Call for a sustainable and fair EU governance of farmland". January, 2015. Available at: www.eurovia.org/wp-content/uploads/2016/03/ep_petition_land_vf_24feb2015_en.pdf.
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- ¹⁷ For more information, please see: http://www.europarl.europa.eu/doceo/document/A-8-2017-0119_EN.html
- ¹⁸ For more information, please see: www.eurovia.org/european-parliament-calls-for-urgent-action-on-land-accessand-concentration-in-europe/; and www.handsontheland.net/time-to-change-europes-land-policy/.
- ¹⁹ For more information, please see: ECVC. "There can be no Declaration on the Rights of Peasants without the right to land". ECVC, December 6, 2016. Available at: www.eurovia.org/there-can-be-no-declaration-on-the-rights-of-peasants-without-the-right-to-land/; ECVC. Access to Land for Farmers in the EU: Conference Report. Hands on the Land, December 2016. Available at: www.eurovia.org/event/access-to-land-for-farmers-in-the-eu-conference-report/; and ECVC. "Time for a change in European Land Governance?" ECVC, October 11, 2016. Available at: www.eurovia.org/time-for-a-change-in-european-land-governance/.
- ²⁰ For more information, please see: <http://landjustice.uk/>
- ²¹ Please see: <https://www.landjustice.uk/about-us/our-common-ground-statement/>
- ²² Please see: <https://www.landjustice.uk/category/working-groups/policy/>
- ²³ Dale Harris, L. (November 6, 2015), 'Tales of corruption surround Rabobank's dealings in Romania', *De Correspondent*. Available online at: <https://thecorrespondent.com/3589/tales-of-corruption-surround-rabobank-dealings-in-romania/790804243790-dbeb0905>
- ²⁴ Eco Ruralis Fact-sheets on land grabbing cases. Available online at: <https://ecoruralis.ro/web/en/Publications/>
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- ²⁷ Dale Harris, L., Semeniuc S. (December 16, 2015), "These villagers have nothing to their name" Romanians forced to give up land, which is sold on to Dutch Rabobank subsidiary at massive profit". Available online at: <https://theblacksea.eu/stories/these-villagers-have-nothing-to-their-name/>
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- ²⁹ See: No a la MAT Selva: <https://noalamselva.wordpress.com>
- ³⁰ "The Treaty on the Functioning of the European Union (TFEU), however, provides a basis for national land policy. Article 50 of this treaty states that "the European Parliament, Council and Commission enable a national of one Member State to acquire and use land and buildings situated in the territory of another Member State" in accordance with certain conditions.
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- ³² For more information, see: <https://www.accesstoland.eu/The-tenant-farmers-statute>
- ³³ Key money is a fee paid by a prospective tenant to the departing tenant in order to secure the lease; it is an illegal practice in France and in Belgium.
- ³⁴ For more information: AEIAR and SAFER, Politique, Régulation et instruments fonciers, Evolution des structures agricoles en Europe, 2016 (Policies, regulation and land instruments. Evolution of agricultural structures in Europe, 2016), http://www.aeiar.eu/wp-content/uploads/2016/04/Politique-%C3%A9gulation-et-instruments-fonciers_v-def2.pdf. See also country context analyses at: www.accesstoland.eu
- ³⁵ This provision exists in Germany – Federal law on leases (1952/1985) – but is not implemented.
- ³⁶ Agroholdings are large-scale farming enterprises with at least ten thousand hectares of land under management.
- ³⁷ Please see: <https://landmatrix.org/data/?country=804&more=170>

³⁸ For a definition, please see: <http://www.duhaime.org/LegalDictionary/E/Emphyteusis.aspx>

³⁹ On local markets, apart from the question of price, proximity and connections can play a decisive role. Sellers may prefer to sell to their neighbours, who they trust and know to be solvent, rather than to an external buyer, even if the latter offers a slightly higher price.

⁴⁰ In certain cases, the disadvantage of this measure is that the bigger a farm is, the more neighbours it has, and this can lead to land concentration.

⁴¹ In Bade-Wurtemberg, a land agency can pre-empt before finding a buyer.

⁴² Except in France, in the case that the sale concerns all company shares, which can easily be evaded by selling 95% of shares initially, for example, followed by the remaining 5%.

⁴³ FN SAFER, The price of land, summary, an overview of rural land markets in 2018, in partnership with the Ministry of Agriculture, May 2019, available (in French) at: <https://www.safer.fr/app/uploads/2019/05/3-2019-SYNTHESEPDT20187-BD.pdf>.

⁴⁴ Directive (EU) 2015/849 of the European Parliament and of the Council of 20th May 2015 on preventing the use of the financial system for money laundering, available at: <https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=CELEX%3A32015L0849>

⁴⁵ Commission Interpretative Communication on purchase of agricultural land and European Union law, C/2017/6168, October 2017, available at: <https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=CELEX%3A52017XC1018%2801%29>

⁴⁶ In the case of plans to sell company shares, land agencies or administrations should be able to pre-empt in the case of sale of all or some of the shares. Regarding partial sale, the most efficient method is to establish criteria (rather than a threshold) for authorisation or refusal of the sale. Nothing is gained by pre-empting on 10 or 30% of the shares in a company if it is not possible to gain strategic control; such a system could prove costly and ineffective.

⁴⁷ See further reading for references.

⁴⁸ The International Planning Committee for Food Sovereignty (IPC) has developed a People's Manual that explains in detail the Tenure Guidelines and how it can be used. The People's Manual is available here: www.foodsovereignty.org/peoplesmanual.

⁴⁹ For more information, see http://www.cdep.ro/pls/proiecte/upl_pck2015_proiect?idp=17137

⁵⁰ See various recommendations in numerous reports: <https://www.accesstoland.eu/-/Reports->

⁵¹ Tenure Guidelines, para. 3B6. The Tenure Guidelines explicitly mention consultation as an element of responsible governance in the chapters on: the recognition of different forms of tenure rights (paragraphs 4.4 and 4.10); the development of policy, laws and procedure (paragraph 5.5); the use and allocation of public land (paragraphs 8.6 and 8.7); the recognition of informal tenure systems (paragraph 10.3); investments (paragraphs 12.5, 12.9, 12.10 and 12.11); redistributive agrarian reform (paragraphs 15.4 and 15.6); evictions (paragraph 16.2); spatial planning (paragraph 20.2); negotiation and implementation of climate change mitigation or adaptation measures (paragraphs 23.2 and 23.3). Paragraph 9.9 reaffirms the principle for indigenous peoples of free, prior and informed consent. Paragraph 26.2 calls on States to set up or to use existing national multi-stakeholder platforms to implement, monitor and evaluate the impact of the Guidelines on tenure, food security, the realisation of the right to adequate food, and sustainable development.

⁵² Article in French: <http://www.fian.be/Le-Gouvernement-wallon-a-adopte-la-reforme-du-bail-a-ferme?lang=fr>

⁵³ See: <https://www.accesstoland.eu/Farm-tenancy-reform-in-Wallonia-Belgium>

⁵⁴ See: <http://www.loc.gov/law/foreign-news/article/sweden-supreme-court-recognizes-sami-indigenous-groups-exclusive-right-to-confer-hunting-and-fishing-rights-in-sami-area/> and <https://www.theguardian.com/world/2020/jan/23/indigenous-reindeer-herders-sami-win-hunting-rights-battle-sweden>

⁵⁵ Source: Eurostat, UAA Evolution - for further information, please see: <https://www.accesstoland.eu/-/Infographics-full-references->

⁵⁶ European Environmental Agency (EEA), The European Environment, State and Outlook 2010 (SOER), Land use, see: <http://www.eea.europa.eu/soer/europe/land-use>

⁵⁷ For more information, please see: <http://nona45.fr/>

⁵⁸ For more information, please see: Confédération paysanne du Rhône, press release: Mobilisation monstre contre l'A45!, 3 July 2017, http://rhone.confederationpaysanne.fr/rp_article.php?id=6016

⁵⁹ See: Coordination des Opposant.e.s à l'A45, Abandon de l'A45: victoire des Opposant.e.s! On reste mobilisé.e.s. <http://nona45.fr/abandon-de-la45-victoire-oppo-sant-e-s>

⁶⁰ The local population decreased to around 2600 inhabitants in 2011 and is still decreasing.

⁶¹ For further information about the single actions and the chronological steps undertaken by SRM, see www.rosiamontana.org.

⁶² For further information about the so called RM Law, see <https://www.rosiamontana.org/content/parliament-says-no-gabriel-resources?language=en>.

⁶³ For further details about the case no. ARB/15/31, please read: <https://www.rosiamontana.org/content/end-affaire-gabriel-sue-romania-over-ro-ia-montan-isd-case?language=en> and for specificities about the ISDS case, please consult: <https://www.rosiamontana.org/content/international-investment-arbitration-101?language=en>.

⁶⁴ Calculated with data from "Numero de explotaciones, superficie total y superficie agrícola utilizada (SAU) según tamaño en Andalucía. Año 2009." Instituto de Estadística y Cartografía de Andalucía, Consejería de Economía, innovación y ciencia. Most of the data comes from the Agricultural Census of the Spanish Office for National Statistics, realised in 2009.

⁶⁵ The Agrarian Reform Law 8/1984 and the 34/1979 Law cover farms which are "manifestly improvable, allow for the expropriation of the domain or the use of the farm and for the imposition of plans of forced improvement when there is a breach of the obligations inherent to the social function of land ownership and especially its lack of exploitation".

⁶⁶ This refers to the fundamental rights and duties outlined in chapter one of the Spanish constitution and the guiding principles of social and economic policy outlined in article 40.1 which establishes the promotion of favourable conditions for economic and social progress and for a more equitable distribution of regional and personal income as well as the subordination of the country's wealth to the general interest when necessary, allowing the expropriation of assets for justified costs of public activity or social interest.

⁶⁷ The Region can "agree to the expropriation of the domain or use of the farm, impose plans of forced improvement when there is a failure to comply with the obligations inherent in the social function of land ownership and especially its lack of exploitation".

⁶⁸ <http://www.fao.org/3/a-i2801e.pdf>

⁶⁹ <https://www.eurovia.org/urgent-call-for-support-of-soc-sat-against-eviction-cerro-libertad/>

⁷⁰ https://www.eurovia.org/wp-content/uploads/2019/04/Mocion-SOC_Somonte.pdf

⁷¹ <https://www.gazzettaufficiale.it/eli/id/1978/08/16/078U0440/sg>

⁷² Intermunicipal Citizens' Association of the Populations concerned by the Notre Dame des Landes Airport project (Acipa): <https://www.acipa-ndl.fr/>

⁷³ Collective of elected officials who doubt the relevance of the airport (Cédpa) : <https://aeroportnddl.fr>

⁷⁴ The idea of a 'Zone to Defend' is a counterpoint to a 'Designated Development Zone', an urban planning tool intended to allow a public body to pre-empt land over time in order to make up the land reserve necessary for a development project (road, airport, etc.). The residents and occupants of NDDL – the "zadists" took hold of this notion, as did the occupants of the Zones to Defend that have since accumulated in France.

⁷⁵ See: <https://www.acipa-ndl.fr/actualites/communiqués-de-presse/item/174-communique-de-presse-des-copains-44-et-35-appel-a-mobilisation>

⁷⁶ See the Summer gatherings: Sowing and Democracy in 2016 <https://www.notredamedeslandes2016.org/> et De nos terres à la Terre en 2017 <https://www.notredamedeslandes2017.org>

⁷⁷ See: http://ensemble.forum28.net/2017-08-22_Six_points_Avenir_ZAD_Notre-Dame-des-Landes_p306.html

⁷⁸ Contribution of the Association for a Common Future in the Bocage for the construction of a post-airport territory project in the Great West: https://zad.nadir.org/IMG/pdf/territoireenvironmentalhabite_v1.2.pdf

⁷⁹ The story of Co.r.ag.gio is featured in the documentary The Land for our Food, by the Access to Land Network, 2017: <https://www.accesstoland.eu/-/Our-film-The-Land-for-our-Food->

⁸⁰ See: <https://www.communitylandadvice.org.uk/>

⁸¹ IPCC, Special Report, Global Warming of 1.5°C, Summary for Policymakers, November 2019, <https://www.ipcc.ch/sr15/chapter/spm>

⁸² The calculator works by aggregation and articulation of statistics from the Ministry of Agriculture, the National Food Safety and Environment Agency (ANSES), and several other public and scientifically validated databases relating to four areas of ecological impacts: soil, air, water, and biodiversity.

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- ⁸³ BoerenBruxselPaysans, BoerenBruxselPaysans website, <https://www.boerenbruxselpaysans.be>
- ⁸⁴ The BoerenBruxselPaysans project is composed of the following structures: Bruxelles Environnement (coordination, the Municipality of Anderlecht, la Maison Verte et Bleue, CREDAL, Le Début des Haricots and Terre-en-vue.
- ⁸⁵ Terre-en-vue website (association – asbl, cooperative and foundation): <https://terre-en-vue.be>
- ⁸⁶ A mapping study carried out in 2015 by Terre-en-vue gave an estimation of 170 hectares of land which could potentially be used or were already being used for development of an agricultural activity.
- ⁸⁷ Source: Eurostat, Farm Structure Survey, 2013, https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Farm_structure_survey_2013_-_main_results#Farm_managers_%20by_age
- ⁸⁸ This article is based on conversations with one of the founders and several partners in the CIAP, along with reports and informational documents published by the CIAP. It is based on a longer article published in Access to Land Network, Europe's new farmers: Innovative ways to enter farming and access land, 2017 <https://www.accesstoland.eu/Access-to-land-for-new-entrants>
- ⁸⁹ See CIAP Pays de la Loire (PDL): <http://ciap-pdl.fr/> See also a presentation of the CIAP on the Coopératives des Pays de la Loire website: <https://cooperer-paysdelaloire.coop/ciap/>
- ⁹⁰ A longer version of this article was first published in Access to Land Network, Europe's new farmers: Innovative ways to enter farming and access land, 2017 <https://www.accesstoland.eu/Access-to-land-for-new-entrants>.
- ⁹¹ On Shepherds' Schools see: www.shepherdnet.eu and www.escueladepastores.es. On the Shepherds' School of Satalonia, see (in English): <http://www.escoladepastorsdecatalunya.cat/?lang=en> and <http://www.accesstoland.eu/Rurbans-School-of-Shepherds>. Also read a case study about the Shepherds' School and the Terra franca access to land initiative in Catalonia: <https://www.accesstoland.eu/Rurbans-and-Terra-Franca-Catalonia>
- ⁹² Watch the film produced by the Access to land network, The land for our food, 2016, which features Anna: <http://www.accesstoland.eu/film-Land-for-our-food>
- ⁹³ In Llessui, the "mountain rights", i.e. the rights that allow you to use the mountain common land, are inherited.
- ⁹⁴ Definition adopted by Urgenci, the international network for community supported agriculture, 2016, <http://urgenci.net/the-european-csa-declaration-adopted-in-ostrava>
- ⁹⁵ See: Dottenfelder Hof: www.accesstoland.eu/Dottenfelder-Hof and Fordhall Farm www.fordhallfarm.com
- ⁹⁶ For more information, see: www.accesstoland.eu
- ⁹⁷ This article was initially published in Urgenci and Access to Land Network, Access to Land and Community Supported Agriculture: stories from Europe, 2017, <https://www.accesstoland.eu/Access-to-land-and-Community-Supported-Agriculture>
- ⁹⁸ For further information, see: www.ochsenherz.at
- ⁹⁹ For further information, see: <http://www.bdgrondbeheer.nl/>
- ¹⁰⁰ At as much as €68000 per hectare (Eurostat 2017), the prices of farmland for sale in the Netherlands are amongst the highest in the whole of Europe.
- ¹⁰¹ Please see: <http://toekomstboeren.nl/english/>
- ¹⁰² *International Planning Committee for Food Sovereignty*, <https://www.foodsovereignty.org/es/el-cip>
- ¹⁰³ Please see: <https://viacampesina.org/en/urgent-call-for-support-of-soc-sat-against-eviction-at-cerro-libertad>
- ¹⁰⁴ Please see: <http://occuponsleterrain.be/>
- ¹⁰⁵ SAFER are land agencies which intervene as regulator of the land sale market – see box above.

In Europe, an enormous constellation of land struggles and experiences have been born and developed over the past decades to protect farmland, and grant access to land for peasant and agroecological farming, in many cases collectively and communally. Despite the difficulties, these struggles show there are indeed ways of protecting farmland as a collective fundamental resource, granting access to land for peasants, young people, rural landless workers, new farmers and agroecology, whilst fighting against land grabbing, land concentration and land destruction.

This handbook is published by the Nyéléni Europe and Central Asia platform for Food Sovereignty, the European food sovereignty movement. It aims to provide the food sovereignty movement in Europe with hope and inspiration to support their local struggles for land. It also aims to nourish their work with systematic, hands-on practical knowledge drawing from a wide range of approaches and strategic options based on real, successful stories and experiences.