

**Re: Consultation on the EU Land Policy Guidelines**

Tuesday, 16 March, 2004

Dear Bruce,

Thank you very much for the opportunity to contribute to the EU Land Policy Guidelines, which is an excellent first step in the process of positioning the EU in such an important topic as land. We hope that inputs of Civil Society, social movements, organisations and experts will be taken into account in the finalisation of the paper. As the process of consultation has not been as comprehensive as was hoped for (as internet consultations exclude people with access to the net, and without command of the languages of conduct, which are the large majority of some of the most important stakeholders in land reform), we hope the European Union will keep to its commitment of organising an international land conference on the implementation of the guidelines later this year.

The document itself shows enormous progress in thinking about land and land reform by donors. We very much welcome the consultation paper, it recognises the complexities and the inherent political nature of land reform, the need for differentiated approaches between and even in different countries and above all, the need to implement agrarian reform process in order to achieve social justice. We also consider it crucial that, as the European Union is a very important player in the donor debate on land, there is a clear proposition for more coherence and joint action on land issues, which potentially could increase resources for land reform drastically.

Even so, we would like to raise a couple of issues which in our opinion have not, or not enough been tackled in the guidelines. They are the following:

- *Preface*

The footnote of the preface says that under land, the broad range of natural resources is included, such as trees and water. We very much welcome the fact that these resources are placed within the rights approach of the document, and would like to point to the increasing pressure in developing countries from donors or otherwise to privatise water and other resources. Privatisation is very unlikely to ensure access to water in rural areas, as research (sometimes linked to popular resistance) has already shown. A minor comment is already in the document, on page 15, §50, but a more explicit reference and elaboration of these problems, especially with regard to donor pressure in favour of privatisation (see recent research by War on Want and the University of Greenwich – [www.waronwant.org](http://www.waronwant.org)) would be very much welcomed, as the right to such natural resources is essential for agrarian reform to be successful.

- p7 2.2.  
This section tackles the importance of land policy. It sets out how land rights are an essential part of the economic, social and political life in countries. While we agree with all paragraphs, we feel the most important point is missing, i.e. that land reform is essential for empowering and including people living in poverty, and that without land reform hunger will continue to persist.
- p8 §14  
We have some concerns with the issue of “Improvement in accessibility of land markets” as experiences across the world (see Brazil) shows that land market do not necessarily contribute to eradicating poverty. It is rather often powerful people or businesses with capital that manage to dominate land markets and exclude others to enter the market. If there is no intervention in the market to prevent this happening, improving access to land markets does not have any impact on poverty reduction, rather on the contrary, as experiences in Brazil and in the Philippines have shown.
- p9 3.3.  
The paper evades to make a choice between large scale, commercial and highly intensive (export) farming and small scale, less intensive and sustainable farming. Much research however has shown that all gains made from a land reform program risk to be lost when macro-economic policies of a government are overly reliant on large scale and intensive farming because of squeezing out small farmers and institutional neglect in terms of credit, access to markets and technical assistance. Furthermore, the newly developed technology of genetic engineering of seeds, which is especially promoted in such countries, will marginalise beneficiaries of land reform and small farmers even further, as they are not be able to advance the capital needed to buy the seeds and its royalties from multinational companies.
- p9 3.4.  
While the document in general pays quite a lot of attention to the existence of different power relations, this section about land conflicts seems to imply that land related conflicts mainly stem from the growth of population and its pressure on the land, from scarcity of resources and from war. If this could be right for some Asian countries, however, countries like Brazil, South Africa, and Zimbabwe do not suffer from a scarcity of land or overpopulation, but nevertheless some of the most violent rural land related conflicts have happened there. The document should focus more on the nature of rural violence by powerful landowners in countries with high inequality in access to land, as this will have implications for land reform policy too.
- p11 §32  
The paragraph sets out the advantages and disadvantages of decentralised governance of land, but leaves us open what the best way forward is. We agree that a decentralised approach brings land issues closer to local stakeholders, but, as land policy essentially is linked to macro-economic policies and political choices, we propose that the structure of policy making should be located in national governments.
- P12 §41  
“Land policy reform must be based on ... shared agreement amongst the principal stakeholders”. Very frequently a ‘shared agreement’ with principal stakeholders is very difficult, if not impossible to reach where interests are so opposed as in land

distribution and management. As the South African case shows, pro-poor land policy reform involves political choices which rarely will please all of the most important parties involved (See next point). Where there have been attempts to reach such 'agreement' between powerful and poor groups, the outcome has generally not been poverty reduction, see for example the willing-buying, willing-seller clause that has contributed to the lack of progress on the agrarian reform process in South Africa.

- P21 6.2

While there is recognition of the importance of non- state stakeholders in the land policy debate, the paper only pays scant attention to the differentiation within this group. Landless people in particular has been rarely mentioned in the document. Indigenous people, NGOs and local and multinational businesses sometimes seem to be considered as in the same group of non-state stakeholders, despite their very different interests and powers. The paper mentions the differences in power (capital, resources, information, contacts) of these different groups in influencing such policies, but does not mention how this should be taken forward. A poverty reduction approach or an export-led agricultural development approach will attach importance to very different groups of stakeholders. Pro-poor land reform is based on political decisions and as our recognised and shared aim of land reform is poverty reduction, this means that organisations and movements of poor landless and land insecure people should be considered as primary stakeholders in policy development and implementation, and extra efforts (including resources) should be dedicated towards ensuring their participation. It is crucial to make a distinction between primary stakeholders (landless and land insecure people and their representative organisations) and secondary stakeholders in a pro-poor land reform policy approach.

Best Regards,

Guillermo Rogel  
Lies Craeynest

War on Want

