

ADVANCING THE CONQUEST OF FOOD SOVEREIGNTY:* FIVE PROPOSALS

* From "*Conquering food sovereignty*"
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This text* is framed by the objective of obtaining a UN convention establishing the right to food sovereignty and permitting other steps forward. The five proposals, to be debated, aim to contribute to this by:

1. enhancing gains made in the demand for food sovereignty;
2. raising awareness of the criticism of the current system and the need for food sovereignty;
3. formulating and demanding new international rules founded on the right to food sovereignty (RFS);
4. bringing about policies in line with food sovereignty, and developing different agricultural practices;
5. increasing mobilization to create a new balance of power in institutions and on the ground with an eye on negotiations for new rules.

**This text is available in French, English and Spanish*

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Introduction

"The hour of food sovereignty has come." This sentence, hung in front of the WTO following the failure of negotiations in 2006, *"tells us that the alternative to the food crisis is food sovereignty"* (Paul Nicholson)¹. Repeated at the end of the Nyeleni declaration in 2007, it also means that as food sovereignty cannot be achieved at the international level, the movement must be built at the local and national levels.

What is the situation in 2013? Since 2007, two antagonistic forces (liberal forces and the movement for food sovereignty) have strengthened themselves without any visible change in the balance of power between them. Therefore, in spite of strong mobilizations and the development of various alternative practices, food sovereignty has not yet been conquered. And yet, this conquest is particularly required in the face of the recent offensive by dominant enterprises and states. The crisis of neoliberalism also provides an opportunity, and makes it possible to launch a debate and increase mobilizations for new forms of international relations and agricultural policies.

Naturally, achieving food sovereignty remains a tall order. These proposals rest on the wealth and strength of the concept, as well as on the achievements of the movement that carries it. They also rest on the positive evolution observed in many parts of the world, when it comes to the representations and practices of food and agriculture made by social forces and public powers. In addition, a synergy between moves in the social and the institutional spheres is possible precisely because of the plural nature of agricultural and food questions.

Proposal 1: Enhance gains made in the demand for food sovereignty

Take into account the wealth and diversity of the content...

The concept of food sovereignty, "a concept in action", has evolved naturally in accordance with the context and with mobilizations. Therefore, all aspects of food sovereignty have been put forward. It is this diversity and wealth that can and must be enhanced now, in order to specify the content of the phrase "food sovereignty" and to reach, in part at least, the goals it represents.

Originally, in 1996, in radical opposition to the two new translations of liberalism in agricultural matters (the WTO agreements and the conclusion of the World Food Summit), the demand for food sovereignty principally concerned the **international level**. This is shown by the definitions of La Via Campesina, which read as follows. In 1996: *"Sovereignty is the right of each nation to maintain and develop its capacity to produce its own staple foods, in keeping with its productive and cultural diversity"*. Food sovereignty was further specified in 2000 as *"the right of the peoples of the world to define their agricultural and food policies"*, and in 2003 as *"the right of populations, and of their countries or unions, to define their agricultural and food policies, without resorting to dumping in other countries"*. These definitions specifically take into account the translation into international law (see proposal 3), as well as the national level of food sovereignty (see proposal 4). These elements were very much considered during the mobilizations and the networking work carried out by a very active movement together with La Via Campesina and its allies.

¹ Interview with Paul Nicholson (p. 29), *"Terre et liberté, à la conquête de la souveraineté alimentaire"* (Land and freedom, in conquest of food sovereignty), J. Duchatel dir. CETIM, Geneva, 2012.

This movement, which got together in Nyeleni in 2007, preserved *an international dimension of food sovereignty, while also giving priority to demands at the national level, translated into "six pillars or principles: priority for feeding populations, the promotion of food producers, the establishment of local production systems, the reinforcement of local control, the enhancement of knowledge and know-how, and work with nature"*. This direction is in line with the following: *"To change the balance of power, we need social movements that will adopt food sovereignty as a transformative principle and an alternative to the liberal model"* (Paul Nicholson, *ibid.*). At the same time, and with several NGOs, emphasis is given to human rights, in particular with the work on the rights of peasants and family farmers, began in 2008.

For the past several years **local initiatives** have gained more importance with the development of alternatives for production and commercialization. In Latin America large groups of small-scale farmers draw up their plans for satisfactory development under the auspices of food sovereignty. The role of women in the construction of these alternatives is now better taken into account.

...and highlight them in a new dynamic

The important work carried out since 1996 makes it possible to highlight the unity of the movement, and to reinforce it around principles of food sovereignty in order to generate a more operational interpretation of the demand.

For this, it is particularly useful to clarify the meaning and use of the terms "food sovereignty" and "right":

right: We must especially avoid confusing the right to food, which is an individual and established right, and the "right" to food sovereignty, which is a right of states that has yet to be acquired. More generally we must distinguish between rights that have become effective, and "rights" of a declarative type, or else principles without any true scope, as in "Food sovereignty is the right of the peoples of the world". We must also avoid mixing different rights, as in "food sovereignty includes the true right to food".

sovereignty: This term should be reserved for legal entities, be they national states or entities acting by delegation. The very positive connotation of the term "food sovereignty" must not make us forget that it is an object of conquest to be translated into new rules and policies. Similarly, at the local level or for a group of persons, it is preferable to speak of autonomy to designate the capacity of producers and consumers to escape dominant forces.

The principles of food sovereignty, which are diametrically opposed to neoliberal principles on a one-to-one basis, are both an intellectual basis for elaborating concrete translations of the concept, and a programmatic basis that unifies the forces making the demand. These principles make it possible, in particular, to better articulate in a dynamic fashion the three levels of the conquest and of the implementation of food sovereignty:

International:	translation as a collective right and in various sections of commercial law,
National/regional:	possibility of and need for policies adapted to the needs of each country,
Local:	alternative practices for production and exchange

Obtaining new international rules is a particularly difficult step that should, however, allow each country to implement **its own** food sovereignty. At the same time, a fundamental change in rules is only possible if social and political forces at the local and national levels develop new practices and policies for food sovereignty in a significant number of countries. Conversely, a concrete implementation of food sovereignty, through policies and practices, will constitute the best means to avoid a return to agribusiness and liberalism. In this way, the conquest and implementation of food sovereignty involves a dual movement: obtaining new rules, and mobilizing to elaborate demands and achieve concrete realizations.

Proposal 2: Raising awareness of the criticism of the current system and the need for food sovereignty

The criticism of this system and the why of the food sovereignty conquest are well known and largely shared by the movement. However, it is necessary to give the various types of criticism more weight by regrouping them and making them better known.

A very critical situation on two fronts

The levels of poverty and undernourishment remain high in developing countries (15%), in particular among peasants and other small-scale farmers. In addition, two billion people suffer from malnutrition or have no access to drinking water. At the same time, the convergence of food systems, imposed by companies, aggravates food imbalances and speeds up the destruction of local agricultures. The human cost of this is particularly high. These difficulties are much worsened by food crises, such as the one in 2007-2008, that cause shortages and sudden price increases.

Sustainable peasant and family agricultures are increasingly weakened by three main factors: WTO rules and bilateral agreements, the lack of appropriate policies, and the growing importance of transnational corporations in exchanges but also in production, with or without land grabbing. Industrial agriculture and agribusiness benefit from these circumstances, and the majority of the countries of the South have no room for manoeuvre. Many peasants and rural communities have no access to land and water, while climate and ecological conditions deteriorate rapidly and smallholdings become vulnerable to market conditions.

This state of affairs, which has existed for a long time and is increasingly becoming worse, has not yet led dominant international institutions and states to change their course. On the contrary, they persist in their ways with, at best, a few positive adaptations. The climate question shows how the United Nations is not succeeding, far from it, in bringing about a change in course. Luckily, two important changes can indeed be noted in the UN process: i) the steady rise of the right to food through an improvement of its effectiveness, ii) the development of the Committee for World Food Security (CFS) which, thanks to the role played by civil society and the group of experts, is now a body with a relatively innovative strategic framework, although still focused on food security.

A change in course is becoming increasingly necessary

This change is becoming necessary because of the consequences for humanity (in terms of food and local and planetary environment) of the choices made since the 1980s. In addition, we must take into account growing food needs in a context of ecological crisis and the perpetuation of massive poverty among peasants and other small-scale farmers, while jobs outside of agriculture are rare. It is therefore imperative to accept agricultures that have a strong added value that is maintained locally, and that generate the maximum number of jobs. Contrary to what has happened to date, the "peasant and smallholder question" must be dealt with without eliminating peasants and small-scale farmers, but by giving them on the contrary their rightful place. This implies a different international framework and different national frameworks for agriculture and food.

Proposal 3: Demanding new international rules

Achieving food sovereignty implies in particular a radical change in international rules to allow and enhance policies and practices that are in line with its objectives. Thus, this sovereignty can be defined in legal terms at the international level: **thanks to a set of rights enshrined in international law and rendered effective, each country or group of countries**

has the possibility to satisfy its food needs in the manner it considers most appropriate in agricultural and other terms (MB).

The only conceivable architecture is pluralist

There is currently a strong dualism between human rights and commercial law at the WTO, with a dominance of the latter. It is of vital importance to build a different international legal order for agriculture and food. At the moment, this new order can only remain pluralist while ceasing to be dualist, on the basis of a UN convention establishing the right to food sovereignty. This architecture would include:

- a UN convention, based on work carried out by the Committee for Food Security (CFS) in its expanded role;
- agreements on trade: a new agreement on agriculture, substantial changes to other agreements (including TRIPS, SPS, DSB), agreements on the organization of markets and on transnational corporations (TCNs);
- new means of international control.

This proposal addresses the urgency of rethinking the actions of public, private and civil powers in the two fields of international law (human rights and commercial law), and their relationship with one another. For this, we must initiate "*an organized pluralism*" (Mireille Delmas-Marty) in the fields of agriculture and food that highlights the advantages of a strategy founded on food sovereignty.

The UN convention on the right to food sovereignty (RFS), the basis for this "ordered pluralism"

The goal is to arrive at a convention with a strong sense of ownership, based for example on the model of the cultural diversity convention of 2005. The box below shows the elements that could be part of such a convention.

Preamble

The General Assembly, *bearing in mind* the goals and principles of the United Nations Charter [...], *being aware* of the importance of the proper functioning of agriculture, in particular for the realization of the right to food, and of the difficulties encountered by many countries and social groups [...], *recognizing* that most current rules on agriculture and food must be replaced by other commercial rules at the international level [...], *proclaims* that the sovereignty of the states and peoples of the world in the fields of agriculture and food is indispensable to all countries [...] to facilitate the access of peasants and small-scale farmers to natural resources (especially land, water and seeds), with full autonomy over their productive choices and the maintenance of high levels of employment and satisfying levels of income, as well as the autonomy of consumers over food choices, and to ensure a diet that meets the various criteria of quality, including cultural criteria.

Food sovereignty does not aim at the automatic restriction of exchanges but at their cooperative control between countries.

Objectives

This convention aims to ensure food sovereignty defined as follows: "*Food sovereignty designates the right of populations, and of their countries and country unions, to define their agricultural and food policies, without resorting to dumping in other countries.*" This sovereignty will be translated into a set of rules, already existing or still to be established, included in this convention. These rights must allow all parties (including their indigenous peoples), or group of countries, to satisfy their food needs in the manner they deem most appropriate in terms of agriculture and related variables. This "*sovereignty*" is exercised by equal states in full sovereignty [...]; it applies to the relations between states regarding the exchange of agricultural and food products, and to the internal and external content of the policies of the parties in these two areas. This *sovereignty* implies the limitation, in certain countries, of the power of transnational corporations active in agricultural production, as well as upstream and downstream from it.

The obligations of parties

The parties commit to implement, through appropriate policies, the facilities granted by this convention and its aftermath to ensure the right to food and a harmonious development, and to not disturb international exchanges between other countries, for example through any type of dumping or dumping situation emanating from its internal rules [...] The parties commit to gradually translate the current convention and directions into specific directions and international rules in each authority in question, whether already existing or still to be created [...]

Trade agreements

They have four complementary and coherent parts:

- **A new agreement on agriculture**

- The general rule: Every state will be able to choose its own agricultural and food policy, within the limits of international rules on the environment, labour and health. Internal support measures and the right to protect oneself are both authorized. These measures will require justification based on the situation of the country, and will be declared to the WTO. All export assistance and all export at dumping prices are prohibited. The requirement to import a percentage of every product is lifted. These agricultural and import policy measures would be fixed for a certain period of time and graduated per large type of economic situation in the country.

- The special treatment: it includes a set of exceptions to the general rule on external exchanges, but not on internal policy. It is reserved to a group of developing countries (rather than to all current developing countries) accepted by the WTO on the advice of the FAO and UNCTAD.

In fine, these different proposals could be translated into a scheme including three types of regulations applied according to the conditions of each of country: rich, intermediary, or in difficulty.

Changes to other WTO agreements: TRIPS (agreement on the protection of intellectual property), SPS (agreement on the application of phytosanitary standards), and TBTs (technical barriers to trade), to achieve an adaptation of norms to this new right.

- **Organization of markets**

Made easier and more effective by the new agreements on agriculture and on transnational corporations (TNCs), this market organization would aim for a reduction in price volatility and improved food security for all countries with, in particular, specific organizations and rules for main commodities (at least wheat and rice), and main tropical products.

- **Restrictive rules for transnational corporations (TNCs)**

There is currently no appropriate regulation to avoid the negative consequences of the power of TNCs on agriculture and food. Two advances are required for this: i) on the right to food, the development of its justiciability, and the recording of new norms in the *codex alimentarius* to avoid the consequences of industrial food on health ; ii) with regard to trade, the regulation and judicialization of the rights of multinational corporations at the modified Dispute Settlement Body (DSB), for example: the possibility for a country to refuse certain technical choices, the legal responsibility of subsidiaries, and so forth.

Proposal 4: Bringing about other policies and practices in agriculture

We need to ensure progress towards an agriculture that allows for the conquest and implementation of food sovereignty, while specifying the types of agriculture and of foods permitted by food sovereignty.

Taking into account the diversity of family agricultures and restricting capitalist agriculture

The confrontation is heating up between the two large types of agricultural operations, the capitalist one and the family farm, at the same time that family agriculture is differentiating

itself or being marginalized. In close contact with agribusiness, capitalist operations are rapidly developing. Mobilizations and new rules must absolutely stop this movement and, wherever possible, undo its results which contribute to the destruction of family agriculture, including peasant agriculture, by taking the means of production (land, water, proletarianization) and strengthening competition.

One of the principal stakes is to maintain in much improved conditions the majority of current small-scale farmers in all countries. But who are these farmers? In Europe they are workers on family farms which, in spite of the dissolution of rural societies, remain significantly more integrated into their natural and social environment than the majority of large farms. In French, these farmers are called "paysans", which is reminiscent of the word "peasant" that is still used in English for small-scale family farmers in some but far from all countries of the South, or of Asia, for instance. In the countries of the South the majority of family farming practitioners are small scale, in the sense of producers integrated into their natural and social environment, and finding themselves, voluntarily or not, outside of the dominant model. In spite of these linguistic and other peculiarities, we may consider that there are small-scale farmers in large parts of the world, and that they represent the large majority of family producers. Their unity ensues from their confrontation, in different contexts, with capitalist domination, with the domination of other social categories, as well as from their role as food producers with close links to nature. Food sovereignty does appear as the only way to take into account in a positive manner this unity/diversity in the face of the unity of the dominant system.

The expressions "small-scale farmers" used by La Via Campesina and now also by the CFS, or else "family farm", attempt to express this reality. However, in order to specify the situations and the stakes of agricultural policies, it seems necessary, especially in the South, to distinguish at least three large categories of small farmers, with specific limits for each local situation: *i*) the "very small farmers and peasants" (with a parcel of land) who cannot properly satisfy family needs, often including its food needs, *ii*) the "small" farmers whose level of means of production allows them to satisfy basic family needs, but without the continued existence of the production unit being ensured in areas undergoing restructuration, *iii*) the "others" (medium and large?), whose level of means of production ensures continued existence and the possibility of growth at the detriment of others. The stakes for farmers from this category is to favour technical and social practices in line with collective objectives.

Indeed, as family producers, these small-scale and other farmers are subjected to transformation processes through the effect of internal dynamics and external pressures combined with the "hybrid" status of family units that group together in the same people the work factor and the capital factor. From a certain level of production and income factors, small-scale farmers are face with the following "dilemma": preserve a peasant or very small farmer model, or become productivist, including at the detriment of one's neighbours? Many peasant and small farms can participate in the concentration of the means of production (land) and shift from a small-scale agriculture that is satisfying on the social and ecological levels to a productivist agriculture.

In the face of strong pressures by dominant forces, and in order to obtain an agriculture in line with food sovereignty, these elements should make one consider three major directions for policies:

- to slow down the development of capitalist agriculture,
- to distinguish within family farming the type of farming that has remained sustainable and should be favoured, from the type of farming that has become productivist and should be converted or at least limited,
- to take into account the internal diversity of each group of small-scale peasants and farmers in order to adapt interventions.

Obtaining other agricultural policies

The objectives of food sovereignty will only be reached if policies adapted to the diversity of conditions are put in place in all countries and regional units. We need to ensure a rapid clamp down on the expansion of dominant forces and their consequences within the world food system (WFS) to allow a true **overall revolution** in the agricultural and food sectors by overturning, on a one-to-one basis and globally, the various components of the current situation, for example:

Dominant forces or current phenomena to be reduced	Forces or phenomena to be favoured
Domination by certain states, neo-colonial practices	True international cooperation
Exodus, migrations	Preservation of the maximum number of small-scale farming jobs
Industrial technologies	Enhancement of knowledge
Reduction and capture of added value	Maximization of added value and maintaining it locally
Land grabbing	Agrarian reform and a just sharing of resources
Industrial agriculture	Small-scale peasant and family agriculture of a sustainable nature
....	...

This changeover must be brought about while keeping in mind its urgency and the asymmetry of the forces at play. As a priority, we need to ensure a new agronomy that is respectful of resources (agroecology, peasant and small-scale farming, sustainable farming) and to put in place a new economic and social organization of agriculture. This "new agronomy" and its implementation require in particular new research carried out with the farmers and their organizations, that takes into account the levels of poverty and the increase in the number of youths from small-scale farming families who are currently or will soon be in search of employment. This is perhaps for many countries the most difficult question to solve. The maximum possible number of jobs in agriculture must be preserved while ensuring a sufficient improvement in income through a moderate mobilization of new means of production. Maintaining these three objectives (employment, income and equipment) at a satisfying level will imply voluntarist policies on the part of states and international organizations.

The requirements for agriculture must also take into account the need to rapidly ensure "adequate food" for all. This agricultural production must be quantitatively, qualitatively and geographically well spread out in relation to the population to be nourished, including vulnerable groups. This implies economic and institutional intermediaries that make the bridge between production and access to raw and processed food. Consumers will also have to have sufficient income for available food that suits them from a nutritional and cultural point of view.

Three areas are particularly important: the defence of resources and cultures, the limitation of the power of TNCs in the agrifood business and distribution, the improvement of the effectiveness of the right to food (RF). More globally, the current world food system must evolve towards a new system that is no longer dominated by liberalized exchanges that are principally carried out by TNCs, but by "a cooperative organization of markets" working closely with states and their institutions.

Proposal 5: Create a new balance of power in institutions and on the ground with an eye to negotiations for new rules

This proposal implies changing the balance of power and building a strategy to bring about, as a first step, negotiations leading to a UN convention on the right to food sovereignty, thereby setting new bases for the WTO and other institutions.

Changing the balance of power...

In spite of progress made by the movement, the current balance of power does not allow it to reach its objectives at the international level and in a large majority of countries. A new balance of power can only be developed over time, by highlighting the contradictions in the system in place and significantly strengthening alternative forces. It appears necessary and possible to build in collaboration with local fronts a large international front that progressively associates the social movement around La Via Campesina and political institutions (governments, international administrations, and so forth). This front could develop around at least partial consensuses, in particular on priority content and tools.

It is necessary **to specify the contributions of food sovereignty** in order to build a broader consensus carried by a stronger movement, including:

a) agricultural producers: family and salaried producers who do not practice industrial agriculture could, in spite of their diversity, associate themselves around the interest of protection against imports at distorted prices and the practices of companies on land, markets and seeds;

b) consumers and more generally citizens: in many countries, there is a contradiction in the short and medium term between feeding the poorer layers of society and improving the income of small peasants and family farmers through higher and more stable prices. For each of these countries, food sovereignty will permit the best possible adjustment over time of the two objectives, in the interest of citizens, by restoring to the food issue its central place in society.

c) governments: many states concerned by the construction of a social basis for food sovereignty would do well to launch negotiations on other bases than the ones currently used. They must take advantage of the failure of WTO negotiations to go on the offensive.

d) net agro-exporter countries: naturally they are more difficult to convince but the implementation of more cooperative systems between exporting and importing systems will make it possible for them to enjoy stabilized markets with regard to volume and prices.

e) the international community: it has a lot to gain by participating in the setting up of food sovereignty as a condition for advancing what it defends in the UN framework: a reduction of the risk of war, a contribution to the reduction of climate change, a better satisfaction of human rights, and in particular of the right to food.

f) intellectuals: those who participate in large numbers in debates on the situation and on ways for improving it could combine their contributions to the building of consensus and the outlining of solutions.

We must also realize in-depth changes while designing solutions to current agricultural and food issues. Focused on the question of hunger, this design leads to three deviations: i) productivist and liberal forces turn hunger into a lever to reinforce their offensive in favour of increased productions and exchanges, which only aggravates the situation ; ii) the specificity of food products leads certain forces to suggest "removing them from the market" instead of better organizing exchanges; iii) the need to reach full effectiveness for the right to food makes certain people think that food sovereignty is not necessary. More globally, the issue of hunger should be put back into the current framework of the economic system and of the world food system (WFS), and of the required changes at these two levels.

We must also articulate a social movement and a movement within institutions to deal with dominant forces, and to develop and carry the alternative within those institutions that must make these rules and policies evolve at the international level, to begin with the CFS, Human Rights Council, and the General Assembly of the United Nations. The institutions involved in this convergence with the social movement are the governments of the largest possible number of countries, the research teams, the groups of experts, the teams of international institutions (FAO, HRC, and others).

...to launch useful negotiations

A first step may consist in preparing and holding a world forum on food sovereignty, for example in 2014, during the summit on family farming. This preparation could be realized under the aegis of a collective organized around LVC and civil society organizations favourable to food sovereignty, supplemented with a few (small peasant and farmer or other) leaders of the social movement as well as a few well-known personalities.

This corpus and these proposals for action could be debated in regional forums, then in a world forum gathering together organization delegates. This forum would have to adopt and implement decisions that would make it possible to take up the fight for food sovereignty at the international level, possibly with the FAO and UNCTAD.

A second step could be the strengthening of collectives per region and country, and their getting in touch with governments and institutions (South Centre, CFS, HRC, special UN rapporteur for the right to food, FAO) to find support for preparatory work for the setting up of interest groups capable of weighing in on international negotiations, to begin with at the UN. The meeting of interests between obtaining a better effectiveness of the right to food, a declaration on the rights of women and men peasants and small-scale farmers, and the advances required for new trade rules should make it possible to arrive rather rapidly at a convention establishing the right to food sovereignty signed by a large number of countries.

At the WTO, we must bring about a halt to negotiations until the consequences of current agreements have been evaluated and the direct aid of the USA and the EU has been stopped. This stop should lead to a gradual translation in commercial law, **at the WTO or another organism**, of the elements included in the convention establishing the right to food sovereignty.

Then we could indeed say that *"the hour of food sovereignty has come"*.