Political and Economic Notes

Forcing the Peasants out of Their Lands

There are more small farmers in the Asian countryside than in the rest of the world combined. The endurance of Asia's small farmers is testament to their skills, their deep attachment to the land and their historical struggles. Over time, peasants have been able to win some legal protections that provided some basic safeguards to maintain their access to lands.

But the legacy of these struggles is under attack. Today, small farmers in Asia are being degraded to ever smaller parcels of land by economic levers.Across the continent, farmland is being gobbled up for dams, mines, tourism projects and large-scale agriculture. Farms that peasant families have cared for generations are being forcefully taken away by the governments in the name of development. Long-standing government promises to redistri-bute land more fairly have been broken-in many places, govern-ments are taking land away from peasant farmers.Land concen-tration in Asia is higher now than it has ever been. Just 6 percent of Asia's landlords hold around two-thirds of its farmland.

The governments across Asia are quietly proceeding with a raft of legislative changes to remove the few protections that small peasants have got through their struggles, exposing them to the takeover of their lands for large-scale corporate farming. The changes differ from country to country, but they are all designed to make it easier for companies to acquire large areas of land from peasants. In some cases the legislation is geared mainly towards a transfer of lands for industrial, tourism or infrastruc-ture pur-poses, not corporate farming, but the clear trend across the region is the removal of legislative and other impediments that prevent foreign and native companies from acquiring large areas of farmland.

These changes can be loosely grouped into two types.

On the one hand, there are laws or policies that enable governments to carve up large areas of land into concessions and lease or sell them to companies. This is the case in Burma, Cam-bodia, Laos, Indonesia, Pakistan, Papua New Guinea and Thailand.

On the other hand, laws are being passed or amended to legalise new schemes that consolidate small farms and transfer the lands to companies engaged in corporate farming. Each scheme comes with a different label, such as "agri-parks" in India, "land circulation trusts" in China, "land banks" in Korea, "clusters" in the Philippines.

Free trade and investment agreements have an important role in bringing about laws and policies that facilitate the transfer of lands from peasants to big agribusiness. They do so both indirectly, by encouraging specialised, vertically integrated production of export commodities, and directly by obliging governments to remove barriers to foreign investment, including in agriculture.

In Cambodia, the adoption of the Economic Land Concession (ELC) law in August 2001 is intimately con-nected to the "Everything But Arms" (EBA) preferential trade scheme that it signed with the European Union a few months earlier in March 2001. The ELC established a legal framework for granting large scale, long-term land concessions of up to 10,000 ha for up to 99 years for the development of industrial agriculture. Several plantation concessions have since been awarded to companies for the production of sugar exports to Europe under the EBA.

By GRAIN's calculations, the legislative changes have already led to the transfer of at least 43.5million hectares of farmland in Asia from peasants to agribusiness companies.

The number of peasants in Asia is shrinking, as is the size of their landholdings, while the number of corporate farms is growing rapidly. For example, the number of small farmers in Indonesia fell by 16 percent from 2003 to 2013, while the number of large scale farms increased by 54 percent and the number of plantations increased by 19 percent over the same period. Most of Indonesia's farmers, around 55 percent, now farm on less than half a hectare.

Different arguments are used to justify modifying or changing land laws. Peasants are said to be abandoning the countryside in favour of work in the cities. We are told that large farms are more efficient and competitive and that corporate farming creates jobs. Liberalised land markets, say donors and international lenders, create social stability and stimulate economic development.

None of these arguments hold up to scrutiny. Farmers across Asia are fighting for their land, not trying to flee it. The fact is, the growing adoption of industrial farming systems and increasing corporate control of distribution of food- changes supported by the new land laws-have led to a reliance on expensive inputs, the degradation of land and biodiversity and volatile price changes for produce. The impact on peasant farmers has been catastrophic, in some places triggering a wave of suicides among indebted farmers forced to give up their land.

If anything, it is the policies of Asia's governments that are creating conditions that compel peasants to migrate to urban areas to provide a cheap labour supply for export manufacturing.

The arguments about producti-vity and efficiency are also false. Asia's small farmers are among the most efficient and productive farmers in the world. The truth is that small farmers feed Asia. Despite having the highest per-centage of small farms, Asian farmers are able to produce 44 percent of total world production of cereal. India is the highest dairy producer in the world with 85 percent of the national dairy sector handled by small scale and backyard dairy farmers. China's backyard farmers, rearing between 1 and 10 pigs per year, accounted for 27 percent of nationwide pork production. And five Asian countries with a majority of small farmers, China, India, Indonesia, Thailand and Vietnam, account for 70 percent of global rice production.

Burma

Seventy percent of Burma's population lives in rural areas – one third of this rural population is made up of land-less labourers.In 2000, the Government of Burma launched a 30 year master plan for the farm sector to facilitate the transfer of 4 million hectares of land to agribusiness companies. In 2012, it enacted the Vacant, Fallow and Virgin Lands Management Law – called "the land-grabbing law" by farmers – which aims to make lands the government identifies as "vacant" or "un-cultivated" available as concessions of up to 20,000 ha for companies.

Cambodia

In Cambodia, only 23% of the country's 1.5 million small farmers have land. In 2001, the government passed a Land Law and an Economic Land Concession (ELCs) law that enables private companies to own concessions of 10,000 ha of land for up to 99 years. The law has enabled the transfer of 70% of the country arable land, equal to 2.1 million ha, to industrial agriculture firms and forced hundreds of thousands of farmers off their lands.

Indonesia

Indonesia's Basic Agrarian Law No.5 of 1960 laid out a programme for the redistribution of the lands of the colonial-era plantations and it put a ceiling on the size of private farmland ownership. But the law was put on hold after the 1965 coup and never really implemen-ted. Much of the country was opened up for large plantation and mining concessions.

In recent years, the process of consolidating forested areas and small plots into larger parcels for industrial agriculture has accele-rated, aided by a series of legal changes like the Plantation Law and the Investment Law. In 2010, the government introduced a new mega-project called the Merauke Integrated Food and Energy Estate (MIFEE), covering 2.5 million ha of lands belonging to the Malind community of Papua. A 2014 national human rights commission (Komnas HAM) inquiry found that the project has led to increasing rights violations and intimidation of villagers, loss of livelihoods, and malnutrition of local people.

Japan

In the post-WWII period, Japan implemented one of the most thorough land reforms in Asia. From November 1945 to August 1950, the landlord system was dismantled and more than 80% of the lands were redistributed to former tenants. The "owner-cultivator principle" was explicitly written

into the Agriculture Land Law of 1952, “recognising that it is most appropriate for agricultural land to be owned by those who cultivate and till the land for themselves.”

In 2009, the Japan Forum on International Relations – a think tank aligned with Japanese multinationals-proposed a new policy to designate 1.5 million hectares of land as “Food Production Base Areas” – an area covering approximately one-third of the 4.6 million ha currently under cultivation in the country. These areas would be considered as special economic zones exempt from farmland regulations, including the Agricultural Land Law.As a step toward this goal, the Japanese government revised the Agricultural Land Law the same year. The 2009 revision aban-doned the owner-cultivator principle and instead promoted the “efficient” use of farmland to maintain rights to land. It also opened up the leasing of farmland to all forms of corporations with almost no restrictions. Finally, the new law eased the requirements for who can use and own farmland.

Pakistan

In Pakistan, despite a 1947 land reform initiative put forward by the Government Hari (Peasant) Enquiry Committee, 50 percent of the rural population is landless and most agricultural lands remain under the control of big landlords. Pakistan’s farmland was recently opened up to foreign investors and large scale farm concessions through the Corporate Farming Ordinance of 2004, followed by the 2009 Foreign Agriculture Law.

These measures allow for 100 percent foreign equity on farming companies and offer generous financial incentives, such as exemptions on land transfer duties and the waiver of customs duties and sales taxes on agricultural machinery imports. The Pakistan Board of Investment has identified 22.45 million ha of lands available for corpo-rate investors.

Philippines

The Philippines began implementing its agrarian reform programme in 1988. CARP – the Comprehensive Agrarian Reform Program – was in response to powerful mass mobilisation throughout the 1980s demanding changes. The programme was supposed to favour owner-cultivators on economic-size farms as the basis for agriculture in the Philippines, but it provided landlords with numerous exemptions and loopholes.

An administrative order published in 1998 sets out guide lines for Agribusiness Venture Arrangements that create a wide range of options to exempt land held by large-scale commercial agriculture operations from being redistributed, including contract growing, lease arrangements, management contracts, build-operate-transfer schemes, and joint venture arrangements.

The programme and its successor, CARP/ER (the ER standing for “Extension with Reform), have so far failed to redistribute significant amounts of land to the country’s peasants, farm workers and landless rural people. For this reason, CARP/ER has been labelled as a ‘bogus land reform’ by peasant movement. In recent years, the commercial farming developed further through the creation of agribusiness parks. In 2012, the government enacted new policy that designated strategic agriculture and fisheries development zones. The SAFDZ areas are identified by Department of Agriculture for production, agro-processing and marketing activities to help develop and modernise the Philippines’ agriculture and fisheries sectors.

Thailand

There have been no changes to Thailand’s agrarian law in the past 40 years. However, the Forestry Master Plan (FMP) issued by Thailand’s Internal Security Operations Command and the Ministry of Natural Resources and Environment in 2014 opens the door for large concessions in forest areas to be allocated to companies, putting the small scale farmers who live and farm within these areas at risk of forced relocation. Thai groups see this as the latest in a long line of attempts since 1992 to expand monoculture tree plantations such as eucalyptus.

(Courtecy:Grain.orgpublication)

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