



Land Watch Asia

Issue Brief 1

Land Issues in South Asia: Assessing SAARC¹

The establishment of the South Asian Association for Regional Cooperation (SAARC) is based on the idea that “in an increasingly independent world, the objectives of peace, freedom, social justice and economic prosperity are best achieved by fostering mutual understanding, good neighborly relations and meaningful cooperation among the member states, which are bound by ties of history and culture”. SAARC is comprised of seven countries: **Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan and Sri Lanka.**

SAARC's policy documents are replete with pronouncements on poverty alleviation, improving agricultural production, and attaining food security. In fact, SAARC's Heads of State have agreed to put poverty at the center and adopt pro-poor strategies, pursuant to the call of the Independent South Asian Commission on Poverty Alleviation (ISACPA). This effort was pushed thus far by the formulation of SAARC's Development Goals in tandem with the Millennium Development Goals (MDGs).

In particular, SAARC's Development Goal on Livelihood, which was defined along with several others at a SAARC Workshop in Islamabad on 28 December 2006 recommends the distribution of land to the landless in the region.

This imperative to distribute land hinges on SAARC's targets for poverty alleviation. As outlined in the SAARC Development Goals (SDGs), which was adopted by SAARC's Heads of State and Government during the 13th SAARC Summit held in Bangladesh in January 2006, SAARC's Development Goal on Livelihood aims

to *reduce by half the number of poor people by 2010*. Two of the indicators under this target are the following: (1) proportion of population below the calorie based food plus non-food poverty line; and (2) distribution of state land to landless tenants. However, SAARC does not provide benchmarks nor targets for land distribution, giving the impression that the SAARC's declarations on land redistribution are mere lip service.

At the same time, although SAARC appears to recognize the importance of Civil Society Organization (CSOs) in its work, it has yet to provide for a mechanism to engage with CSOs in its policy documents. SAARC also fails to disclose its organizational structure, which could aid CSOs in understanding SAARC's implementation scheme.

This paper calls attention to the ambiguity of SAARC's position on the importance of land rights, as well as to the absence of an official declaration from SAARC on land rights and issues as these relate to farmers in the region. Judging by its official documents, SAARC has no clear profile of the poor in South Asia. At the minimum, SAARC needs to recognize the interrelatedness of poverty alleviation, agricultural production, food security and land rights/access to land. SAARC has yet to implement a program that reflects the links among these concepts.

Toward the end, this paper presents an advocacy program—with specific agendas and talking points—targeted at key structures within SAARC.

I. Assessing SAARC

On Social Development vs. Economic Development

The SAARC Social Charter identifies *specific areas of social concern* which it intends to address. However, land issues are not included in the list. This is disappointing since majority of the region's dwellers are rural poor farmers. The Social Charter also *[adopts] acceptable general approaches and strategies of implementation*, such as provision for basic needs; collective responsibility; participatory governance, especially the participation of civil society; and the need for accountability; among others.

On Poverty Alleviation, Agricultural Development, Land Rights, Food Security

SAARC's views on land rights and issues intersect with its perspectives on poverty alleviation, agricultural development and food security. This interconnection can be seen in the following:

Poverty Alleviation

At the 12th SAARC Summit held in Islamabad, Pakistan (4–6 January 2004) the Heads of State directed the Independent South Asian Commission for Poverty Alleviation (ISACPA) to submit to the 13th SAARC Summit “*a comprehensive and realistic blue-print setting out SAARC Development Goals for the next five years in the areas of poverty alleviation, education, health, and environment giving due regard, among others, to suggestions made in the ISACPA Report*”.

The SAARC Heads of State had accepted these warning signals when they endorsed and took up the recommendations of the Poverty Commission Report. The recommendations laid out an overall longer-term development strategy and a transitional shorter-term pro-poor strategy with social mobilization.

Land Rights

SAARC appears to recognize the significance of land distribution and the great number of the landless population in the region. The value it ascribes to land and its intent to distribute land could be gleaned from the results of the National Consultative Workshop on SAARC Development Goals in Islamabad, Pakistan on 28 December 2006. The Workshop provided the imperative for SAARC to *distribute land to the landless in the region*, specifically the SAARC Development Goal (SDG) on Livelihood.

The *Group on Livelihood* agreed that targeting poverty requires macro-economic and sectoral approaches to create assets for sustainable livelihood, encompassing: (1) natural capital [land, water]; (2) physical capital [basic infrastructure]; (3) financial capital [small credit, remittances]; (4) social capital [community networks, social mobilization]; and (5) human capital [skills, knowledge, good health].

Agricultural Development

One of the more significant bases for engaging SAARC on land rights and land issues is the declaration issued at the 14th SAARC Summit held last 4 April 2007, which recognizes the importance of *agricultural development*, particularly the *continuing decline in the availability of land*.

Food Security

Food security is also mentioned in SAARC's Social Charter as an issue. By linking land issues faced by farmers to food security, this provision may serve as a powerful tool for advocacy on land rights and issues.

At the Meeting of SAARC Agriculture/Food Ministers held in Islamabad on 14 December 2006, the challenges of *ensuring food security* and *nutritional security* were explicitly mentioned. The Meeting reiterated the challenges confronted by the countries of South Asia in ensuring food and nutritional security as well as in maintaining a vibrant rural economy for agricultural development. The Meeting also created the **Technical Committee on Agriculture and Rural Development (TCARD)** to address the *challenges of ensuring food security* and *nutritional security* at the level of Agricultural Ministers in the SAARC.

Regard for Civil Society

Taking its mandate from the 11th SAARC Summit Meeting in Colombo in 2002, the formulation of the Social Charter has *strengthened SAARC's position on social aspects of development*. It also confirms the *value SAARC places on civil society*. The Social Charter "re-affirmed the need to develop, beyond national plans of action, a *regional dimension of co-operation in the social sector*." It also *espouses principles that members of the civil society uphold*, such as: equity and social justice; respect for and protection of fundamental rights; respect for diverse cultures, and people-centered development. However, SAARC's official documents are silent on the accreditation of CSOs.

Summary of SAARC's Limitations: A Civil Society Perspective for Future Engagement

Dominance of the Growth-oriented Framework
SAARC's stated *objectives* seem to *uphold a better quality of life for the people, collective self-reliance and the development of linkages with international groups*.

However, the statement of these objectives fails to clarify the following issues: (1) Does SAARC put a premium on land rights and issues raised by farmers when it says that it aims to "improve the quality of life in South Asia"? (2) Does SAARC believe that South Asia can proceed with tackling other development projects without first solving land issues, which are faced by majority of its residents?

Furthermore, it is ironic that while the SAARC Charter appears to ascribe the same importance to social goals as to economic ones, the same document reflects its view that people's interests are *subservient to economic goals* and that people are the "engine for growth".

Land right advocates may find it difficult to get around the dominance of the growth-oriented framework in SAARC.

On Poverty Alleviation: Identification of Problems and Issues in the Region

While SAARC has identified poverty alleviation as a priority, its documents offer no clue as to how it has come to a determination of the magnitude of poverty in the region, or of how poverty alleviation programs will proceed.

The position paper on SAARC that was prepared by SUPRO, a CSO in Bangladesh, criticizes the SAARC Charter for such lapses.

It is also not clear in its Plan of Action on Poverty Alleviation whether the SAARC regards land as one of the resources to which the poor have no access.

SAARC's statement on poverty alleviation needs to be clarified, and to elaborate land rights and issues in its program on poverty alleviation.

On Agricultural Development and Land Rights

AWARENESS OF LAND AS A BASIC PROBLEM

SAARC acknowledges in its Charter the *common problems and aspirations* of peoples in South Asia.

However, this leaves us wondering whether: access to land and land rights *per se* are considered a main issue by the SAARC and its committees; how SAARC defines or perceives land issues; the priority given by SAARC officials to land issues, and whether they view land rights as an interrelated or separate issue; among others.

SAARC'S STAKEHOLDERS AND THE LANDLESS FARMERS AS AN INTEGRAL PARTY

SAARC seeks to "[provide] a platform for the peoples of South Asia to work together in a spirit of friendship, trust and understanding..."

The reference to "peoples" may imply that SAARC is "inclusive" and welcomes participation from different sectors. Nevertheless, advocates need to determine which groups SAARC is referring to, and how it intends to become a "platform for working together"?

Furthermore, while SAARC's Charter makes mention of the poor in the region, it *does not explicitly refer to farmers or land-based rural workers*. The Charter also acknowledges that there are common problems in the region, but *does not say which are the pressing areas of concern*.

THE PRIMACY OF AGRICULTURAL DEVELOPMENT AND THE NEED TO ENSURE FOOD SECURITY

The statements by SAARC on the primacy of agricultural development and their allusion to declines in land availability during its 14th Summit are welcome and significant. But a deeper analysis of the progressively declining biodiversity and available land is needed for SAARC to be able to establish the link between them. The SAARC also needs to identify its agricultural productivity targets as well as mechanisms for CSO participation in such discussions.

TARGETS FOR LAND DISTRIBUTION

In the formulation of its SDG goals and targets, it is noteworthy that distribution of state land to landless tenants is mentioned. However, the SAARC does not identify its targets for distributing land.

Role of Civil Society

SAARC has made several pronouncements on the role of civil society in their work. However, it is not clear: (1) how CSOs are categorized/recognized by the National Coordination Committees (NCCs), or what the process of official accreditation/registration with the NCC involves; (2) how NCCs plan to mobilize CSOs; (3) how CSO inputs are officially considered; (4) if NCC-CSO collaboration has been successful; and (5) whether land issues have been part of the Social Charter discussions.

Also, if SAARC recognizes that civil society members are among its stakeholders or as the "peoples" referred to in its Charter, then it should specify the mechanisms for regional cooperation within the body to involve different sectors in SAARC's discussion of important issues affecting these sectors, such as land.

Processes and Policies

SAARC as a Provider of an Enabling Environment

As a regional organization that aims to promote the welfare of the people in South Asia, SAARC should endeavor to provide an enabling environment toward improved well-being in the region.

How does SAARC define "enabling environments"? What factors does an enabling environment constitute? More importantly, what are SAARC's achievements and impacts to date?

Facilitation of Access to Basic Social Services Including Social Protection and Safety Nets

Access to resources and other basic services is an indispensable feature in the advocacy for land rights. In one of SAARC's conferences, it was recommended that SAARC's regional poverty eradication strategies should be able to facilitate access to basic services, including social protection and safety nets.

However, the following are not clear: (1) What does "facilitating access to basic social services including social protection and safety nets" mean? Does this include access to services for land management?; (2) How can SAARC ensure that country-members integrate their macro-economic and social policies for expanding the employment base and facilitating access?

SAARC's regional poverty schemes must clearly facilitate access to basic services as well as to productive resources.

Operational Enhancement

SAARC needs to work harder on its implementation scheme and its follow-up activities, including its reporting scheme. The current mechanism or reporting system by the Secretariat needs to be assessed. Moreover, SAARC should be clear on how the Secretariat monitors the implementation of its "Actionable Points".

The Social Charter "re-affirmed the need to develop, beyond national plans of action, a *regional dimension of cooperation in the social sector and espouses principles that members of the civil society uphold*". This declaration should be reflected in mechanisms that are implementable and can be assessed.

Structures to Engage

SAARC does not have a clear and official organizational structure, so advocacy on land rights and issues will have to start with dialogues with relevant structures, relying on their policy pronouncements.

SAARC Integrated Plan of Action (SIPA)

There is need for more research and information on the SIPA and how the plan outlines specific activities on agriculture and rural development within specific time boundaries. We also need to know how land-related issues can be tied to the sectors on agriculture and rural development. A Plan of Action should be able to define objectives, targets, and operational mechanisms. In the case of land issues and SAARC, this may be linked with its poverty alleviation strategies, agricultural development, and food security.

Technical Committee on Agriculture and Rural Development (TCARD)

It is important to find out SAARC's position/stand, through the TCARD, on the following land-related issues:

- Land rights;
- Agrarian reform (redistributive policies);
- Provision of access to productive resources, such as land;
- Tenurial rights;
- Sustainable use and management of common property resources (forests, water, seeds, genetic resources, biodiversity, land);
- Resettlement/relocation of people;
- Access to legal instruments for land disputes;
- Land registration and administration;
- Women's rights to land;
- Customary rights of Indigenous Peoples (IPs);
- Stakeholder participation in formulating agrarian reform policies;
- Monitoring commitments made at: WCARRD, World Food Summit, ILO 69 Agreement, conventions on biodiversity and desertification; and
- Agrarian reform in places of conflict/war.

Agriculture is the mainstay of the SAARC economy. Its contribution to Gross Domestic Product (GDP) ranges from about 24% in India and Sri Lanka, to 45% in Bhutan and Nepal. Similarly, the labor force engaged in agriculture varies from 47% in Pakistan to about 90% in Nepal.

South Asia is characterized by high population pressure on land and other resources to meet its food and development needs. With a total population of about 1.3 billion (in 1998),

these countries account for 21.8% of the world's population while sharing just 3% of the world's land area. The highest number of food insecure people and those suffering from malnutrition-related diseases are in South Asia.

As of 1988² the landless population in the following selected South Asian countries comprises at least one-fifth of the rural population: Bangladesh (20%); India (30%); and Nepal (18%).

The data above suggests that TCARD should have a program in place that focuses on how access to land and land ownership could be ensured and protected in the region and how the impact of such a program on the poor can be assessed.

Definitely, TCARD is an important node for engaging SAARC on land-related issues. Its functions, specifically of the Technical Committees, as well as the issues/agenda taken up by these committees, should be clarified.

National Coordination Committee

Discussions on land issues and the attainment of food security, targets for land distribution, etc. may also be followed up with the NCCs, aside from the ISACPA, as the 14th SAARC Summit meeting directed. It is important to find out who the contact/focal points are for each NCC.

Although the role of CSOs has repeatedly been recognized in the follow-up to the attainment of the SDGs, the SAARC does not currently have a well-laid mechanism for meaningfully engaging with CSOs.

II. Towards a Regional Dialogue with SAARC on Land Rights

Issues and Challenges

Based on the analysis of the processes and structures within SAARC as presented in this brief, the following views are recommended talking points for SAARC in a regional advocacy on land rights.

Social vs. Economic Development: Whose Land?

SAARC needs to put a higher premium on land rights and issues as these relate to farmers in the region. It should realize that unless access to land and land tenurial security are ensured, it will be difficult to proceed with equitable economic growth. This should come as a declaration in either a Specialized Ministerial Meeting, a Ministerial Meeting on Agriculture, or in a SAARC Summit Meeting.

Situation of Landless Farmers: Not Accounted for

It is commendable that SAARC has set for itself the goal of distributing land as a poverty alleviation target, and in part, to address food security. However, SAARC should account for landless farmers more accurately and set a timeline for its land distribution targets. Moreover, the security of tenure of landless farmers in the region should also be addressed.

The land tenure situation in the region should likewise be reckoned from a database which takes account of nuances, such as land encroachment and land conversion, among others. CSOs need to get involved in the formulation and organization of this database.

An Agenda for Land Rights

Strike while the iron is hot. An agenda for land rights should be tabled. The following are the proposed talking points:

- A special focus on landless and land poor farmers as part of the marginalized/vulnerable sector in the region
As reiterated at the Sixth South Asian People's Summit (New Delhi, 31 March–2 April 2007), there is an urgent need for land reforms and land rights for indigenous peoples, with special efforts taken toward the inclusion of the people affected by recent disasters, people from the coast and resource poor areas, including conflict zones.
The summit further calls for a Hunger Free South Asia and urges the SAARC State Parties to develop a collective strategy for South Asian rural investments and agricultural development to increase agricultural productivity.

Along with this demand should be the advocacy for landless and land-poor farmers. In this connection, the situation of land-poor farmers must be clearly defined in the Regional Poverty Profiles.

- The interconnectedness among poverty alleviation, agricultural development, food security and land rights in the region

The inextricable link between poverty alleviation, food security, agricultural development and land rights must be recognized and accepted by SAARC officials.

In a related context, the South Asian People's summit further calls for the following measures related to the Environment, Agriculture and Climate Change:

- > Protection for traditional agricultural systems and seed preservation;
 - > Agreement among SAARC countries to protect natural forests and wetlands, and agreement to reduce air and water pollution and carbon emissions;
 - > Commitment to stop the commercialization of agriculture and the use of genetically modified organisms (GMOs) in the SAARC region; and
 - > Commitment to protect indigenous knowledge and agriculture.
- Need to set and monitor targets
SAARC has not established benchmarks nor targets for land distribution in the region, presumably because it does not have the requisite data or research. Furthermore, SAARC has not made known how it intends to reach its land distribution targets. This should set the tone for engaging SAARC in discussing agriculture, land rights and land issues.
 - Best practices and experiences in land reform programs by civil society organizations in the region
CSOs, including ANGO, have enough documentation on success stories and experiences in pursuing land rights advocacies and programs. These experiences may be brought to the attention of SAARC as models for land-rights programs aimed at poverty eradication, agricultural productivity, food security and sustainable development.

Key Structures and Players to Engage and Expected Outputs

SAARC does not appear to have an official organizational set-up, although an organizational chart for SAARC's Human Resource Development Center (SHRDC) is available. This raises a fundamental concern in an advocacy program since advocates have no idea about which structures to engage. This brief proposes four major areas for advocacy given the present implicit set-up of SAARC³.

1. Summit Meeting

- Declaration on land as a priority for agriculture and rural development and poverty eradication.

2. Ministerial Meeting or Specialized Ministerial Meeting

- An agenda on land rights and issues;
- Inclusion/drafting of a statement linking poverty alleviation, agricultural development, land rights, environment and climate change towards food security/nutritional status; and
- Opening up dialogues with civil society movements and networks.

3. Technical Committee on Agriculture and Rural Development

- Regional action projects and programs on agricultural productivity/development and ensuring access to land and ensuring land ownership; and
- Support programs that link agriculture with other sectors and other aspects of program management (i.e., research, communication, extension).

4. SAARC Agricultural Information Centre

- A regional information system/database on land ownership, tenure status;
- A database on best practices in land mobilization programs by CSOs.

5. Independent South Asian Commission for Poverty Alleviation

- Interlinked regional-national-sectoral data on land distribution targets (benchmarks and targets);
- Monitoring scheme to follow up SDG goals on land distribution based on the interlinked targets and benchmark figures/data; and
- Clarified Two-Tier Poverty Alleviation Mechanism of SAARC.

6. National Coordination Committees

- NCCs identified in South Asian countries;
- Specific CSO roles in people-centered development programs formulated by Heads of State and focusing on land-poor farmers (as specified in the Social Charter);
- Concrete programs on poverty alleviation designed by CSOs; and
- Incorporation of regional database on land status in the Regional Poverty Profile and Country Poverty Profiles (in Country Poverty Reduction Strategy Papers).

Practical Outputs for a Regional Advocacy

In a regional campaign on land rights, the following may be targeted as practical outputs in engaging with SAARC. These outputs will guide CSO regional networks in monitoring improvements in the situation of land-poor farmers in the region:

1. Poverty Mapping, Land Mapping, Formulation of database;
2. Agenda-setting on land rights;
3. Program on sustainable agricultural development, poverty alleviation, food security, land rights;
4. Recognition of CSO contributions/advocate for a clear CSO accreditation mechanism;
5. Information/database creation on land access and ownership;
6. Ministerial dialogues at country focal points.

Endnotes

- ¹ Abridged from the paper prepared by Faina Lucero-Diola entitled "ANGOC Scoping Study on SAARC and Land Rights," 2008.
- ² Data compiled by the International Fund for Agricultural Development (IFAD) based on national agricultural census and processed by the Food and Agriculture Organization (FAO); there is also a dearth of recent and systematic information on how land and other productive assets are distributed amongst social groups (IFAD 2001).
- ³ At present, there is no official organizational chart given for SAARC, based on its official public documents, including their official website. Even international studies that looked into structures of international organizations including SAARC produced no organizational chart for SAARC.

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The International Land Coalition is a global alliance of civil society and intergovernmental organizations working together to promote secure and equitable access to and control over land for poor women and men through advocacy, dialogue and capacity building.



As the overseas development agency of the Catholic Church in Germany, MISEREOR works in partnership with all people of goodwill to promote development, fight worldwide poverty, liberate people from injustice, exercise solidarity with the poor and persecuted, and help create "One World".



ActionAid is an international anti-poverty agency whose aim is to fight poverty worldwide. Formed in 1972, it has been helping over 13 million of the world's poorest and most disadvantaged people to fight for their rights to food, shelter, work, education, healthcare and participation in 42 countries worldwide.



Founded in 1979, ANGO is a regional association of 20 national and regional networks of non-government organizations (NGO) in Asia actively engaged in food security, agrarian reform, sustainable agriculture, participatory governance and rural development. ANGO member networks and partners work in 14 Asian countries with an effective reach of some 3,000 NGOs and community-based organizations (CBOs). ANGO actively engages in joint field programs and policy debates with national governments, intergovernmental organizations (IGOs), and international financial institutions (IFIs). ANGO is a founding member of the International Land Coalition (ILC) and coordinator of the Land Watch Asia (LWA) campaign.

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LandWatch Asia (LWA) is a regional campaign to ensure that access to land, agrarian reform and sustainable development for the rural poor are addressed in national and regional development agenda. The campaign involves civil society organizations in six (6) countries—Bangladesh, Cambodia, India, Indonesia, Nepal, and the Philippines. LWA aims to take stock of significant changes in the policy and legal environments; undertake strategic national and regional advocacy activities on access to land; jointly develop approaches and tools; and encourage the sharing of experiences on coalition-building and actions on land rights issues.