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# **DRAFT REPORT**

on the New Alliance for Food Security and Nutrition  
(2015/2277(INI))

Committee on Development

Rapporteur: Maria Heubuch

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the New Alliance for Food Security and Nutrition (2015/2277(INI))

*The European Parliament,*

- having regard to the United Nations Summit on Sustainable Development and the outcome document adopted by the General Assembly on 25 September 2015, entitled ‘Transforming our world: the 2030 Agenda for Sustainable Development’, and in particular to Goal 2 of the Sustainable Development Goals (SDGs) set out therein, namely to end hunger, achieve food security and improved nutrition and promote sustainable agriculture,<sup>1</sup>
- having regard to the Paris Agreement of the parties to the United Nations Convention on Climate Change, adopted on 12 December 2015,<sup>2</sup>
- having regard to the Comprehensive Africa Agriculture Development Programme (CAADP) agreed by the African Union (AU) in 2002,<sup>3</sup>
- having regard to the summit of AU Heads of State held in Maputo in 2003, at which the AU governments agreed to invest more than 10% of their total national budget allocations in the agricultural sector,<sup>4</sup>
- having regard to the AU Assembly of Heads of State and Government of July 2012, which declared the year 2014 to be the ‘Year of Agriculture and Food Security in Africa’<sup>5</sup>, marking the tenth anniversary of the adoption of the CAADP,
- having regard to the declaration on ‘Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods’, adopted on 27 June 2014 by the summit of AU Heads of State held in Malabo, whereby the AU governments recommitted to allocating at least 10 % of public spending in to agriculture,<sup>6</sup>
- having regard to the L’Aquila Food Security Initiative of the G8 of 2009,<sup>7</sup>
- having regard to the Framework and Guidelines on Land Policy in Africa (F&G), adopted by the Joint Conference of Ministers of Agriculture, Land and Livestock held in April 2009 in Addis Ababa<sup>8</sup>, as well as to the declaration on ‘Land Issues and Challenges in Africa’<sup>9</sup> adopted by the AU Heads of State at the summit held in Sirte in July 2009, urging effective implementation of the F&G,

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<sup>1</sup> UN General Assembly resolution A/RES/70/1

<sup>2</sup> UN FCCC/CP/2015/L.9/Rev.1

<sup>3</sup> <http://www.nepad.org/system/files/caadp.pdf>

<sup>4</sup> Assembly/AU/Decl.7(II)

<sup>5</sup> Assembly/AU/Decl.449(XIX)

<sup>6</sup> Assembly/AU/Decl.1(XXIII)

<sup>7</sup> <http://www.ifad.org/events/g8/statement.pdf>

<sup>8</sup> <http://www.uneca.org/publications/framework-and-guidelines-landpolicy-africa>

<sup>9</sup> Assembly/AU/Decl.1(XIII) Rev.1

- having regard to the Guiding Principles on Large Scale Land Based Investments in Africa, adopted by the AU Joint Conference of Ministers of Agriculture, Rural Development, Fisheries and Aquaculture, meeting in Addis Ababa on 1 and 2 May 2014,<sup>1</sup>
- having regard to the declaration by African civil society organisations, ‘Modernising African agriculture - Who benefits?’, of May 2013,<sup>2</sup>
- having regard to the Djimini Declaration by West African smallholder organisations of 13 March 2014,<sup>3</sup>
- having regard to the FAO’s ‘Voluntary Guidelines to support the progressive realisation of the right to adequate food in the context of national food security’, of 2004,<sup>4</sup>
- having regard to the report by the International Assessment of Agricultural Science and Technology for Development (IAASTD), ‘Agriculture at a crossroads’, of 2009,<sup>5</sup>
- having regard to the International Covenant on Civil and Political Rights of 1966,<sup>6</sup>
- having regard to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 1979,<sup>7</sup>
- having regard to the African Charter on Human and Peoples’ Rights of 1987,<sup>8</sup>
- having regard to the UN Declaration on the Rights of Indigenous Peoples of 2007,<sup>9</sup>
- having regard to the UN Basic Principles and Guidelines on development-based evictions and displacements of 2007,<sup>10</sup>
- having regard to the 2011 Guiding Principles on Business and Human Rights, endorsed by the UN Human Rights Council in 2011,<sup>11</sup> as well as to the OECD’s Guidelines on Multinational Enterprises, updated in 2011,<sup>12</sup>
- having regard to the 2011 Busan Partnership for Effective Development,<sup>13</sup>
- having regard to the 2012 Voluntary Guidelines on Responsible Governance of Tenure

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<sup>1</sup> <http://www.uneca.org/publications/guiding-principles-large-scale-land-based-investments-africa>

<sup>2</sup> <http://acbio.org.za/modernising-african-agriculture-who-benefits-civil-society-statement-on-the-g8-agra-and-the-african-unions-caadp/>

<sup>3</sup> [https://www.grain.org/bulletin\\_board/entries/4914-djimini-declaration](https://www.grain.org/bulletin_board/entries/4914-djimini-declaration)

<sup>4</sup> <http://www.fao.org/docrep/009/y7937e/y7937e00.htm>

<sup>5</sup> <http://www.unep.org/dewa/Assessments/Ecosystems/IAASTD/tabid/105853/Defa>

<sup>6</sup> [https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg\\_no=IV-4&chapter=4&lang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-4&chapter=4&lang=en)

<sup>7</sup> <http://www.un.org/womenwatch/daw/cedaw/>

<sup>8</sup> <http://www.achpr.org/instruments/achpr/>

<sup>9</sup> [http://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

<sup>10</sup> <http://www.ohchr.org/EN/Issues/Housing/Pages/ForcedEvictions.aspx>

<sup>11</sup> <https://www.unglobalcompact.org/library/2>

<sup>12</sup> <http://www.oecd.org/corporate/mne/oecdguidelinesformultinationalenterprises.htm>

<sup>13</sup> <http://www.oecd.org/development/effectiveness/busanpartnership.htm>

of Land, Fisheries and Forests (VGGT),<sup>1</sup>

- having regard to the International Convention for the Protection of New Varieties of Plants of 1991 (UPOV Convention),<sup>2</sup>
- having regard to the International Treaty on Plant Genetic Resources for Food and Agriculture of 2001,<sup>3</sup>
- having regard to the Convention on Biological Diversity of 1992 and its Cartagena Protocol on Biosafety of 2000 and Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization of 2010,<sup>4</sup>
- having regard to the African model law on Biosafety,<sup>5</sup>
- having regard to the resolution on land legislation for food sovereignty, adopted by the Parliamentary Assembly of La Francophonie on 12 July 2012,<sup>6</sup>
- having regard to the resolution on the social and environmental impact of pastoralism in ACP countries, adopted by the ACP-EU Joint Parliamentary Assembly in Addis Ababa on 27 November 2013,<sup>7</sup>
- having regard to the Commission communication ‘An EU policy framework to assist developing countries in addressing food security challenges’,<sup>8</sup> adopted on 31 March 2010, and to the Council conclusions on the policy framework adopted on 10 May 2010,<sup>9</sup>
- having regard to the Council conclusions of 28 May 2013 on food and nutrition security,<sup>10</sup>
- having regard to the Commission’s Action Plan on Nutrition of July 2014,<sup>11</sup>
- having regard to its resolution of 27 September 2011 on an EU policy framework to assist developing countries in addressing food security challenges,<sup>12</sup>
- having regard to its resolution of 11 December 2013 on resilience and disaster risk reduction in developing countries,<sup>13</sup>
- having regard to its resolution of 13 March 2014 on the role of property rights, property ownership and wealth creation in eradicating poverty and fostering sustainable

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<sup>1</sup> <http://www.fao.org/nr/tenure/voluntary-guidelines/en/>

<sup>2</sup> <http://www.upov.int/upovlex/en/conventions/1991/content.html>

<sup>3</sup> <http://www.planttreaty.org/>

<sup>4</sup> <https://www.cbd.int/>

<sup>5</sup> <http://hrst.au.int/en/biosafety/modellaw>

<sup>6</sup> [http://apf.francophonie.org/IMG/pdf/2012\\_07\\_session\\_58\\_Resolution\\_Regulation\\_du\\_foncier.pdf](http://apf.francophonie.org/IMG/pdf/2012_07_session_58_Resolution_Regulation_du_foncier.pdf)

<sup>7</sup> [http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C\\_.2014.064.01.0008.01.ENG](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2014.064.01.0008.01.ENG) -

<sup>8</sup> COM(2010)0127

<sup>9</sup> [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/114357.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/114357.pdf)

<sup>10</sup> [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/EN/foraff/137318.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/137318.pdf)

<sup>11</sup> SWD(2014)0234

<sup>12</sup> Texts adopted, P7\_TA(2011)0410.

<sup>13</sup> Texts adopted, P7\_TA(2013)0578.

development in developing countries,<sup>1</sup>

- having regard to its resolution of 12 March 2015 on ‘Tanzania, notably the issue of land grabbing’,<sup>2</sup>
  - having regard to its resolution of 30 April 2015 on ‘Milano Expo 2015: Feeding the Planet, Energy for Life’,<sup>3</sup>
  - having regard to its resolution of 21 January 2016 on the situation in Ethiopia,<sup>4</sup>
  - having regard to the public hearing on the New Alliance for Food and Nutrition Security (NAFSN) organised by its Committee on Development on 1 December 2015,<sup>5</sup>
  - having regard to the study ‘New Alliance for Food and Nutrition Security in Africa’ by Professor Olivier de Schutter, commissioned by its Committee on Development and published by its Directorate-General for External Policies in November 2015,<sup>6</sup>
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Development and the opinion of the Committee on Agriculture and Rural Development (A8-0000/2016),
- A. whereas the New Alliance for Food Security and Nutrition in Africa (NAFSN) aims to engage private partners to invest in African agriculture; whereas the participating countries have negotiated Country Cooperation Frameworks (CCFs) setting out commitments to facilitate private investment;
- B. whereas large public-private partnerships (PPPs) risk creating dominant positions for large agricultural companies in African agriculture which crowd out local businesses;
- C. whereas family farmers and smallholders have been largely excluded from NAFSN;
- D. whereas so-called ‘growth poles’ aim to attract international investors by making land available to large private companies at the expense of family farmers;
- E. whereas monocultures increase dependency on chemical fertilisers and pesticides, lead to massive land degradation and contribute to climate change;
- F. whereas different forms of land tenure exist (customary, public and private), but NAFSN almost exclusively refers to land titling to address tenure rights;
- G. whereas land titling does not guarantee protection from land expropriation and resettlement, while the evidence suggests that titling schemes often increase inequalities;

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<sup>1</sup> Texts adopted, P7\_TA(2014)0250.

<sup>2</sup> Texts adopted, P8\_TA(2015)0073.

<sup>3</sup> Texts adopted, P8\_TA(2015)0184.

<sup>4</sup> Texts adopted, P8\_TA(2016)0023.

<sup>5</sup> <http://www.europarl.europa.eu/committees/en/deve/events.html?id=20151201CHE00041>

<sup>6</sup> [http://www.europarl.europa.eu/RegData/etudes/STUD/2015/535010/EXPO\\_STU\(2015\)535010\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2015/535010/EXPO_STU(2015)535010_EN.pdf)

- H. whereas farmers' right to multiply, use, exchange and sell their own seeds should be protected;

### **Agricultural investment in Africa and fulfilment of SDGs**

1. Notes that several CCFs focus on the development of special economic areas with the goal of maximising investments through initiatives ranging from road or energy infrastructure to tax, customs or land tenure regimes;
2. Observes that agricultural investment policies tend to encourage large-scale land acquisitions and focus on export-oriented agriculture that is usually unrelated to local economies; accordingly, questions the ability of mega-PPPs to contribute to poverty reduction and food security;
3. Notes with concern that NAFSN promotes intensive agriculture that heavily relies on chemical fertilisers and hybrid seeds, with consequences affecting local communities such as soil erosion, ecological and health risks and biodiversity loss;
4. Warns against replicating in Africa the Asian 'Green Revolution' model of the 1960s and ignoring its negative social and environmental impacts; recalls that the SDGs include the goal of promoting sustainable agriculture, to be achieved by 2030;
5. Urges the EU Member States to strive to transform NAFSN into a genuine instrument of support for family farming and local economies in sub-Saharan Africa (SSA), recalling that family farmers and smallholders produce about 80 % of the world's food and provide over 60 % of employment in SSA;

### **Governance, ownership and accountability**

6. Calls on the parties to NAFSN to incorporate the FAO's 'Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security', to commit to implementing international standards that define responsible investment in agriculture, and to abide by the Guiding Principles on Business and Human Rights and the OECD's Guidelines on Multinational Enterprises;
7. Calls on the participating countries to commit to implementing international standards that regulate investment via a human-rights based approach, including the AU's Framework and Guidelines on Land Policy in Africa and its Guiding Principles on Large Scale Based Investments in Africa;
8. Calls for all letters of intent within the CCFs to be published in full; stresses the need for strong institutional and legal frameworks to ensure a fair sharing of risks and benefits; calls for the revision of the CCFs to involve civil society organisations, farmers and end-users in order to sufficiently monitor and regulate PPPs;
9. Stresses that private companies involved in multilateral development initiatives should be accountable for their actions; calls on the parties to NAFSN, to this end, to set up a strict accountability mechanism, including an appeal mechanism for local people and communities;

10. Calls for the CCFs to be revised so as to effectively tackle the risks of contract farming and out-grower schemes for small-scale producers by ensuring fair contract provisions, including pricing arrangements, and appropriate dispute settlement mechanisms;

#### **Access to land and security of tenure**

11. Warns that a pure focus on land titling often leads to insecurity for small-scale food producers and indigenous people, especially women, who lack legal recognition of their land rights and are vulnerable to unfair land deals, expropriation without consent or lack of fair compensation;
12. Welcomes the inclusion in all CCFs of the 2012 Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT); calls for the effective implementation and systematic assessment of compliance with the VGGT within the review process for the CCFs;
13. Calls on African countries to recognise all legitimate rights to land, including customary tenure rights;
14. Calls for NAFSN to be subject to an ex ante impact study regarding land rights and to be conditional on the free, prior and informed consent of the local people affected;

#### **Food security, nutrition and sustainable family farming**

15. Stresses the need to protect agricultural biodiversity; calls on EU Member States to invest in agro-ecological farming practices in developing countries, in line with the conclusions of IAASTD, the recommendations of the UN special rapporteur on the right to food, and the SDGs;
16. Urges African governments to invest in local food systems in order to boost rural economies and guarantee local people's rights of access to and control over resources;

#### **Regulatory reform in the seed sector**

17. Recalls that farmers' rights to produce, exchange and sell seeds freely underpins 90 % of agricultural livelihoods in Africa, and that seed diversity is vital in building resilience of farming to climate change; deplores the corporate requests to strengthen plant breeders' rights in line with the 1991 Union for the Protection of New Varieties of Plants (UPOV) Convention, which prohibits the majority of such informal arrangements;
18. Notes with concern that patenting of certified seeds in Africa increases smallholder dependence, makes indebtedness more probable and erodes seed diversity;
19. Urges the Commission to ensure that the commitments made to farmers' rights made by the EU under the International Treaty on Plant Genetic Resources for Food and Agriculture are reflected in all technical assistance and financial support for seed policy development; calls for the EU to support intellectual property rights regimes that enhance the development of locally adapted seed varieties and farmer-saved seeds;
20. Urges the G8 member states not to support GMO crops in Africa;



21. Recalls that the African Model Law on Biosafety sets a high benchmark for biosafety; believes that all assistance from foreign donors in developing biosafety at national and regional levels should be framed accordingly;

### **Gender**

22. Regrets that the CCFs largely fail to define precise commitments on gender budgeting or monitor progress through disaggregated data;
23. Urges governments to eliminate all discrimination against women in terms of access to land and microcredit schemes and services, and to effectively involve women in the design and implementation of agricultural research and development policies;

### **Funding agricultural investment in Africa**

24. Stresses the need to ensure the transparency of all funding granted to private sector companies and that such funding must be made public;
25. Calls on donors to align Official Development Assistance (ODA) with the development effectiveness principles, to focus on results with a view to poverty eradication, and to promote inclusive partnerships, transparency and accountability;
26. Believes that the funding provided by G8 member states to NAFSN contravenes the objective of supporting domestic local companies which cannot compete with multinationals that already benefit from a dominant market position and are often granted business, tariff and tax privileges;
27. Recalls that development aid should serve the goal of poverty reduction, not the interests of EU trade policy; believes that ODA should focus on direct support to small-scale farming, rather than on co-investments with large companies based in donor countries;
28. Stresses the need to revitalise public investment in African agriculture and to prioritise investment in agro-ecology, so as to sustainably increase food security and food sovereignty and reduce poverty and hunger while conserving biodiversity and respecting indigenous knowledge and innovation;
29. Calls on the EU to withdraw its support to NAFSN as long as the deficiencies outlined above are not duly addressed;
30. Instructs its President to forward this resolution to the Council, the Commission and the parties to NAFSN.

## EXPLANATORY STATEMENT

The New Alliance for Food Security and Nutrition in Africa (NAFSN) was launched in 2012 under the auspices of the G8 as a large public-private partnership (PPP) that aims to leverage private investment in agriculture in order to improve food security and nutrition in Sub-Saharan Africa. It includes the members of the G8, the African Union (AU), the New Partnership for African Development (NEPAD) and its Comprehensive Africa Agriculture Development Programme (CAADP), the governments of Burkina Faso, Benin, Cote d'Ivoire, Ethiopia, Ghana, Malawi, Mozambique, Nigeria, Senegal and Tanzania as well as local and international companies. Specific G7 partners have been assigned responsibility for coordinating the implementation of the initiative in a given African country. The EU is in charge of the coordination for Cote d'Ivoire and Malawi.

Each participating African country adopted a **Country Cooperation Framework (CCF)** setting out the commitments of each of the parties involved. These commitments concern legislative reforms in the respective African countries, funding intentions of G7 donors and pledges by the 180 companies involved to invest a total of USD 8 billion. Two companies stand out in terms of their share of agricultural investments: the Swiss seed company Syngenta and the Norwegian fertiliser company Yara International.

The rapporteur acknowledges the need of African countries to invest in agriculture. Although the objective of NAFSN is sound, many deficiencies exist.

NAFSN aims to replicate in Africa the model of the 1960s/1970s Asian '**Green Revolution**', based on monoculture, mechanisation, biotechnology, dependence on fertilisers, long distribution channels and the production of export crops. The limits of this approach are well known, particularly the associated environmental risks.

Moreover, the agreed policies in host countries are meant to create a *business-friendly environment* through reforms of infrastructure, tax, land or trade policies; easier access to 'idle' land for long-term lease; and regulatory reforms in the area of seeds to strengthen intellectual property rights of plant breeders.

Strikingly, smallholders were barely consulted in the creation of the CCFs although they are supposed to be the ultimate beneficiaries of NAFSN. Consequently, NAFSN has been heavily criticised by civil society, public figures like the UN Special Rapporteur on the Right to Food and by African small-scale farmers themselves. They warn that NAFSN risks facilitating land grabs, to further marginalise small-scale producers and women, while supporting unsustainable farming.

The EU and Member States have a key role to play in transforming NAFSN into a genuine instrument of support for family farming and local economies in Sub-Saharan Africa in order to combat poverty and food and nutrition insecurity. To this end, it is of primary importance to address the following challenges:

### 1. **Governance and ownership**

Large-scale foreign companies and donors require strong governance structures in the respective partner countries to ensure the fair sharing of risks and benefits between parties

involved. They also need adequate institutional and legal frameworks to sufficiently regulate PPPs and prior consultation with multiple stakeholders and end-users. However, the voices of producer organisations and local groups are largely missing within the NAFSN. Mega-PPPs are inherently risky in Sub-Saharan African countries –where governance is often poor– and provide opportunities for corruption.

The rapporteur is concerned that the CCFs only refer selectively to existing international standards for responsible investment in agriculture. For instance, the CCFs neither refer to the FAO 2004 Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security nor to the duties of private investors regarding human rights obligations, such as the Guiding Principles on Business and Human Rights or the OECD Guidelines on Multinational Enterprises (2011).

The rapporteur deems that participating countries shall clearly commit to effectively implementing international standards that regulate investment following a human-rights based approach, including the AU's Framework and Guidelines on Land Policy in Africa and the AU's Guiding Principles on Large Scale Based Investments in Africa.

## **2. Accountability framework**

The CCFs are not fully available, which hinders local civil society from conducting sound monitoring. Moreover, participating companies do not follow a common format or qualitative indicators to allow for project evaluations.

The rapporteur demands publication of all letters of intent in their entirety and for the inclusion of strict monitoring mechanisms and performance indicators in all CCFs. Furthermore, an appeal mechanism for affected local people and communities needs to be put in place. Local civil society needs to be closely involved in NAFSN monitoring and evaluation.

Contract farming is a central element in integrating smallholders in value-added chains. However, the CCFs should be revised in order to improve contract provisions between buyers and local suppliers and to provide an enabling legal framework in terms of, i.a. price arrangements, respect for women's rights, support to sustainable agriculture, establishment of appropriate dispute settlement mechanisms and a strengthening of farmers' organisations to improve their bargaining position in the negotiations of farming contracts.

## **3. Promoting sustainable family farming**

The 2030 Agenda for Sustainable Development and the Paris Agreement on climate change of December 2015 both highlight the importance of developing a model of agriculture that improves resilience and creates sustainable food systems. Family farmers and smallholders are the main investors in African agriculture, and provide over 60% of employment in Sub-Saharan Africa<sup>1</sup>. They have demonstrated their ability to increase food production sustainably (often through agro-ecological practices), to diversify production, to contribute to rural development, to increase incomes and, in turn, to help reduce poverty.

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<sup>1</sup> FAO Statistical Yearbook 2012, p.18

Instead of supporting NAFSN's model of 'modern', 'business-oriented' agriculture based on large-scale industrial farming, your rapporteur, in line with recommendations of UN Special Rapporteur on the Right to Food and the 2009 International Assessment of Agricultural Science and Technology for Development (IAASTD), calls on African governments to invest in family farming and agroecology.

#### 4. Access to land and security of tenure

While different forms of land tenure exist in Africa (customary, public, private) the CCFs almost exclusively refer to land titling (or certification of land) to address tenure rights.

Evidence suggests that land titling does not automatically lead to tenure security for local communities. In fact, the abolition of customary or communal tenure systems and a focus on land titling often leads to more insecurity regarding land rights for the poor, women in particular. Small-scale food producers and indigenous people usually lack legal recognition over their land rights, thereby making them vulnerable to inadequate land deals, expropriation without consent or lack of fair compensation, especially in the context of poor governance and incomplete land reform. Moreover, investors and local elites involved in land deals tend to describe the land for sale as 'idle' or 'under-utilised', often ignoring or concealing pastoralist activities.

These risks are well illustrated with the development of so-called 'growth poles' (e.g. the PROSAVANA project in Mozambique) which aim to attract international investors to Africa by making land available to large private companies at the expense of family farmers, often in very fertile regions.

Consequently, the rapporteur urges the participating African countries to respect communities' traditional land rights and to fully implement the 2012 Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests. Investment made in the remit of the NAFSN should be subject to ex-ante impact studies on land rights and be submitted to free, prior and informed consultations with the local communities.

#### 5. Seed legislation

Farmers' rights to produce, exchange and sell seeds freely underpin up to 90% of agricultural livelihoods on the African continent<sup>1</sup>. The rapporteur is worried about corporate's request to strengthen plant breeder's rights by harmonising African seed legislation on the line of the 1991 UPOV Convention, which prohibits most of these informal practices. This could jeopardise seed diversity which is vital for climate change adaptation and food security. In addition, the patents associated to the increased sales of certified seeds in Africa increase smallholder dependence and the likelihood of falling into debt.

As control, ownership and affordability of seeds are of crucial importance to food security and the resilience of poor farmers, the rapporteur deems that donors should support farmers' seed systems in order to permit a degree of **independence** from the commercial seed sector and because genetic seed variety better ensures seed suitability to local agro-ecological

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<sup>1</sup> Olivier De Schutter (2009): ' ', p.23.

conditions.

## **6. Gender**

Until recently, support provided to agriculture has often concentrated on male-managed export crops, leaving women largely in charge of handling the task of producing food for the sustenance of the family.

The 2014 NAFSN progress report points out that only 21% of small farmers taking part in New Alliance projects are women. However, they represent up to 50% of family farmers in Sub-Saharan Africa<sup>1</sup>. By paying scant attention to gender, NAFSN contributes to increasing inequality and further marginalising African women.

Specific indicators should measure the impact of NAFSN on gender. Likewise, priority should be given to removing all discrimination towards women in access to land; to improving access of women to microcredit schemes and services; and to effectively involving women in the design and implementation of agricultural research and development policies.

## **7. Funding of agricultural investment in Africa**

The rapporteur has strong reservation about supporting agricultural investment in Africa through mega-PPPs, such as NAFSN.

The main private actors of NAFSN are multinationals, which already benefit from a dominant position in the market and are often granted business, tariff and tax facilitation in host countries. The planned investments are based on the notion that smallholders can be 'lifted' out of poverty by integrating them in the value-added chains of the food industry. In reality, the overwhelming majority of producers lack sufficient market proximity, the capacity to produce the volumes required and the technical training necessary to be able to fulfil the high demands in terms of management of production, accounting, hygiene measures and investment. In addition, huge asymmetries of power exist between multinational agribusiness companies, regional and national players and smaller firms in African countries.

Official Development Aid (ODA) should serve the goal of poverty reduction, not the interests of EU trade policy. The rapporteur believes that the EU should not use ODA to support transnational companies operating as monopolies or in cartels which contribute to undermining the local private sector, thus endangering family farmers and smallholders.

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To conclude: The rapporteur severely questions the ability of mega-PPPs such as NAFSN to contribute to poverty reduction and food security, as the poorest communities risk to bear the brunt of social and environmental risks associated with it. Given the existing deficiencies, the rapporteur believes that the EU and its Member States should stop its current support to NAFSN. Instead, both donors and national governments should invest in a model of agriculture which is sustainable, pro-smallholder farming, pro-women, and which unlocks the

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<sup>1</sup> FAO (2011): The State of Food and Agriculture. Women in Agriculture. Closing the gender gap for development

potential of domestic and regional markets so as to benefit family farmers and provide quality food for consumers at accessible prices.