



CONSULTA REGIONAL

tenencia de la tierra y otros recursos naturales

FINAL REPORT

FAO Regional Consultation for Latin America on Voluntary Guidelines on Responsible Governance of Tenure of Land and Other Natural Resources. South America and Mexico.

Brasilia, Brazil
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This assessment is based on the discussions and outputs of the Latin America regional consultation meeting on the *Voluntary Guidelines on Responsible Governance of Tenure of Land and other Natural Resources* held in Brasilia, Brazil 20-21 May 2010. The views expressed in this assessment are those of the participants of the consultation meeting and do not necessarily reflect the views of FAO.

Background

Land and other natural resources provide a platform for livelihoods and a basis for social, cultural and religious practices. Rights of access to these resources are increasingly affected by climate change, natural disasters, various expressions of violent conflicts, population growth, demand growth of land for large scale agriculture and others economic activities such as bioenergy, large enterprises projects for tourism, among others.

Weak governance of these resources hinders economic growth and sustainable use of the environment; in contrast, responsible governance of tenure can help to reduce hunger and poverty, support social and economic development, reform public administration, and positively address issues such as environmental protection and climate change.

FAO, along with other partners, is consulting different actors on Voluntary Guidelines on Responsible Governance of Tenure of Land and Other Natural Resources. The Voluntary Guidelines aim to provide practical guidance to states, civil society and the private sector on the responsible governance of tenure as a tool to alleviate hunger and poverty, positively address environmental issues, support equitable national and local economic development and reform public administration. By setting out principles and internationally accepted standards for responsible practices, the Voluntary Guidelines will provide a framework and a point of reference that stakeholders can use when developing their own policies and actions.

The voluntary guidelines will adopt a rights based approach and will further support another FAO initiative such as the *Voluntary guidelines to support the progressive realization of the right to adequate food in the context of national food security*. The voluntary guidelines will also be based on FAO long-term experience on improving secure access to land and other natural resources, including convening the 2006 International Conference on Agrarian Reform and Rural Development (*ICARRD*).

The guidelines will be built upon the recommendations jointly prepared by governments, civil society, private sector, academics and international organizations in each continent. They will draw on multi-stakeholder regional consultation meetings, civil society workshops and expert group meetings, wider consulting sessions, among others. Once a draft is made of all regional recommendations, the voluntary guidelines will be submitted for FAO member country approval. Upon adoption of the voluntary guidelines, FAO and its partners will support their implementation through national action plans and through the Organization's extensive partnership networks and related project activities.

This document reports on the regional consultation for Southern America (including Mexico), held in Brasilia on 20 and 21 of May 2010 with the support of the Government of Brazil and preceded by a civil society meeting composed of organizations integrating the International NGO/CSO Planning Committee for Food Sovereignty (IPC), whose recommendations have been annexed at this document.

The report is made up of two sections: the first section sets the context and the main discussions that followed the panels of the consultation (see annexed the programme of the meeting). It aims to represent the ambient in which the working groups operated. The second seeks to reflect as much transparently as possible the contributions made during the groups. These opinions reflect the positioning of their proponents, both of government or civil society.

I. Synthesis of the main issues identified

Southern America countries face different situations as regard to issues related to land and other natural resources and the capacity of the different states to address them varies widely. This entails that possibilities to generate political and social dialogues to address this issue are more or less complex depending on each country's reality. However each country presents experiences in terms of programs and policies for access to resources, but with different outcomes.

The main recommendations coming from discussion held during the Consultation refer to: Land and other productive resources are being affected by alarming processes of concentration as in terms of property as in use. In addition, growing foreign legal tenure in the majority of southern American countries aggravates these processes. This situation has affected mainly the development of family farming in the continent, bringing about, for instance, massive rural to urban migrations and loss of traditional rural ways of life. This situation calls on the State to play a more active role in shaping, execution and monitoring the accomplishment of the measures addressed at improving land governance and administration, and a central role in regulating sales and transfers of land to foreign firms. All these policies shall lean to protect family farming and, hence, food sovereignty in each country. Access to land and other natural resources for family farming and especially vulnerable groups such as youths, women and ethnic groups, shall be considered a right.

Voluntary Guidelines shall be binding, that is, they have not a voluntary character, and shall be adopted by FAO member states, in order to improve their effectiveness and protect their implementation.

II. Context

Land property concentration remains the main impediment for responsible governance of land and other natural resources in Latin America, since it is the basis for income inequality, land conflicts and rural exodus that, in turn, generates illegal and disordered patterns of land occupation. Unsustainable urbanization, the so-called "favelización", and the expansion of the agricultural frontier without public regulation of the use of soils, are both mainly the outcomes of land concentration patterns with no comparison in the rest of the world.

Land concentration results from the consolidation of transnational agro-industrial complex often more integrated with the world agro-food system than with internal markets. Also, it is caused by large-scale land grabbing with purely speculative purposes. Both phenomena are being fed by high international prices for food and raw materials.

This model has historically resulted in insufficient distributive and employment levels as well as shaped asymmetrical relations, economically, politically and socially, with family farmers, peasants, indigenous and traditional communities, at the mean time disputing with them over territory and natural resources.

In this sense, climate change, affecting especially indigenous populations, women and young people, deepen the outcomes aforementioned.

Against this scenario, over the past years the majority of the states have been regaining their capacity to regulate and intervene in the land markets, in order to establish sustainable system of production, use and land occupation, so as to guarantee food security and the right to food.

Redistributive agrarian reform as a mean to strengthen family farming, the peasants and the indigenous population, comes back as a strategic option for several national governments and the Social Function of the property is increasingly being incorporated into the countries' legislations.

Equally, because of the vulnerability of traditional fishery faced to industrial fishery, it is necessary to establish regulatory systems for the distribution and the management of sea resources. Moreover, the accomplishment of the rights of the agricultural workers must be guaranteed in the national constitutions.

The starting point of the Guidelines shall be Food Security and Food Sovereignty, whose principle are based upon human rights and the access to other rights such as, among others, the right to food, to culture, work. Access to land is a right in conformity with the obligations established upon the states to guarantee the human right to adequate food. This right has been developed in the framework of the "Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security", approved by FAO in 2004.

The Guidelines must take on the commitments arisen at the International Conference on Agrarian Reform and Rural Development (ICARRD) and established in its Final Declaration. Equally, the Guidelines must assert that the rights already established by national laws and international treaties can be claimed on. Civil Society asserted that the Guidelines have to be binding and not voluntaries.

The Guidelines should hold a human rights approach and make explicit reference to those instruments already existing in international treaties such as the Convention on the Elimination of all Forms of Discrimination against Women -CEDAW (chapter 8 on the access to land for rural women), the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the ILO Convention 169, the United Nations Declaration on the Rights of Indigenous People, among other treaties and covenants that establish rights, principles and very concrete standards related to the obligations of the states.

A call was expressed for the Guidelines not to remain on paper but that monitoring mechanisms be established. As regard to gender issues, mention was made on the important role played by mechanisms already established in the United Nations to pursuit the protection of rights at country level. Particular attention was called to the Human Rights Committee, the Committee for the Elimination of all Forms of Discrimination against Women and the Committee on Economic, Social and Cultural Rights.

Moreover, the Consultation stressed the important role of the Committee for World Food Security for the follow up of the Voluntary Guidelines, starting with the session to be held on 11 to 16 October 2010.

III. -Working Groups results

Participants formed five working groups:

Group 1; Land tenure, administration and use.

Group 2; Tenure of natural resources, agriculture and agricultural uses (export agriculture; forestry, mining, tourism).

Group 3; Gender, indigenous people, Women and young people.

Group 4; Land management, urban issues, development.

Group 5; Economy, markets and land value.

The outcomes of the discussion in each group were divided in analysis and recommended guidelines. The main issues worked up in each group are:

Group 1; Land tenure, administration and use.

ANALYSIS

One of the main aspects stressed is the strong unevenness in the distribution of the land. Without equity no adequate governance is possible.

Moreover, increasing land concentration in the hands of large firms is being witnessed in Latin America. These firms are sustained by some States and Governments that often support them – with direct resources and/or facilitating their access to state land - for their enterprises.

The phenomena aforementioned unchain strong rural to urban migrations, weakening the development of the peasantry. In summary, the land use with mere productive and economic purposes is jeopardising the most vulnerable groups.

GUIDELINES RECOMMENDED.

Explicit mention must be made that the land has a social, economic and environmental function based upon the rights to food and to life. This being, land has to be attached different values than those related the logic of the market. With this purpose, it is suggested to use the terms Territory and Mother Earth.

The States are recommended to revise their legal frameworks and promote new laws that take on this social, economic and environmental function of the property. To this aim, it is particularly relevant to guarantee the participation of civil society to control any management, administration and distribution of the resources. Another proposal in this direction is to entitle the communities with the power to resolve land conflicts and legalize land tenure, within the legal framework in force in each country. Agrarian Reform shall be placed at the centre of the political agenda of the countries, involving FAO and the social organizations in this process in each country. The elements to be considered within the process of Agrarian Reform shall focus on aspects such as gender equality, juridical pluralism

(recognising both individual and communal titles) and an explicit prohibition of the latifundia. Also, land market speculation and land sales to foreigners need to be regulated, as the land tenure for peasant and indigenous communities. Security of tenure by law must recognise the possession of land as a fundamental element of the property.

Moreover, the following recommendations are made:

- Public access to land information; participative land cadastres. Cadastres need to be upgraded and identify owner, area and use of the land.
- Create juridical instances for control, monitoring and sanctioning. Promote instances such as Observatories, Rapporteurs and Citizens' Courts.
- Encourage the creation of national land courts to secure the rights of the most vulnerable groups.
- Coordination between federal and provincial governments. FAO shall recommend the creation of legal framework and single administrative processes nationwide.
- Upgrade agricultural and livestock census and revise productivity index in order to improve diagnosis of land tenure situation in each country.
- Reduce monetary compensation for expropriation of latifundia, to avoid speculation.
- Sanction governments who do not execute with legal frameworks against violations of peasant and indigenous' rights of access land and other resources.
- Strengthen local governments to favour effectively the most vulnerable groups in the execution of public policies of land management.
- States shall re-invest on already utilized land instead of expanding the agricultural frontier.
- Promote change in the technological sources. It is difficult to pursuit agrarian reform without setting mechanisms to produce in sustainable ways, for instance, using agro-ecological techniques (without agrochemicals and OGM, etc.). To this aim, technical assistance is a key question. Moreover, it is recommended to improve technology transfer and agricultural research programs that allow peasant and indigenous communities and farmers to take part of their results.

Finally, FAO is requested to promote the transformation of these Guidelines into compulsory norms for the countries.

Group 2; Tenure of natural resources, agriculture and agricultural uses (export agriculture; forestry, mining, tourism).

ANALYSIS.

Despite the existence of a legal framework securing the right to land and to the natural resources pertaining to land, concerns are raised over problems in its effective implementation and execution.

Also there is the understanding that land and territory are not merchandises and that their administration should be dealt with a right-based approach.

Once big infrastructure investment are made by some states, causing negative effects, such as displacement of human settlements and destruction of natural resources, beneficiaries are not clearly identified, this leaving the impression that firms and other powerful groups are the greatest beneficiaries. Finally, these initiatives do not include evaluation of their environmental and social impact. As regard to other natural resources, mention was made on the existence of communities where traditional fishery is crucial. Certainly, nowadays, because of the search for natural resources, pressure is being put on these communities by estate agencies dealing with tourism and aquaculture, thus jeopardizing customary rights of this productive segment.

GUIDELINES RECOMMENDED

When speaking of tenure of natural resources and agriculture, it is more adequate refer to the concept of territory, the last being a wider definition. In the territory different actors' interests clash with each other. Hence, it is recommended to integrate this vision into the tenure of natural resources that function as capital goods for some productive activities.

Governance and tenure shall incentive that access to resources in the territory is addressed to guarantee food sovereignty and the right to food.

In this sense, it is recommended that governance would not emanate only from the State, but that governance emanating from the communities historically and ancestrally living in this territories be recognised. For instance, consultation and previous and informed approval of the communities on any investment initiative in the territory shall be promoted, thus respecting sovereignty of those who occupy traditionally this space, and not prioritizing those who pretend occupy it for the mere exploitation of its resources. Another perspective on this issue is that the States and the Governments must guarantee that the direct exercises of the rights of access to land and to its resources hold by the communities can be claimable when it has been violated.

As regard to land tenure policies, it is requested to recognise family farming as a fundamental actor for the preservation of biodiversity.

It is recommended to shape land tenure policies that takes on the economic and social function. In this respect, it is argued that the economic function cannot be observed as a form to discriminate productive practices of the indigenous communities dealing with large territories that could be qualified as non-

productive, or to compare without distinctive criteria levels of production of family farming with industrial agriculture's. The main goal of public policies on tenure of natural resources must be the strengthening of family farming.

It is recommended to promote the use of territorial planning policies in order to regulate land tenure and competition over natural resources among different productive activities. The realization of zoning with agro-ecological criteria is suggested in order to promote the development of public policies addressed to this type of production.

With regard to competition over natural resources among different productive activities:

It is recommended to clearly define how to face conflicts for natural resources, such as water, forest; as well as the negative impact of activities such as mining and tourism.

Mechanisms for control and appliance of civil and penal responsibility for firms that violate rights of indigenous communities as regard to tenure of natural resources shall be set. They shall include extra-territorial exigencies, so as to deal with transnational firms with no legal headquarters in the country where they run productive activities.

With regard to mining, it shall be promoted in a sustainable manner, without generating any negative impact on the surrounding communities.

With regard to tourism, de-territorialisation of rural communities following land purchases by tourism firms must be diminished. Mechanisms to turn small property viable have to be enhanced, giving value to local biodiversity and traditional production, as a way to retain the territory in peasant hands.

Finally, it is recommended that the State posit clear rules on distribution, tenure, use and protection of natural resources such as land and water.

Group 3: Gender, indigenous people, women and young people.

ANALYSIS.

Participants observed that while issues related to specific groups are approached in a segmented manner, they maintain a cross cutting character in the design and implementation of public policies.

Indigenous population has suffered for many years a situation of dispossession and today this situation is getting worst because of land purchases for mining, tourism and monoculture plantations. Facing this scenario, communities feel themselves obliged to migrate into cities, where they suffer social and economic discrimination, entering the ranks of marginal urban groups. Other rights, such as, for instance, the right to health and a dignified life has been affected by this discrimination.

On the other hand, women have been discriminated as regard to property of natural resources

(especially land) as a consequence of agrarian reform processes in which men were considered the head of the households.

The situation faced by young people, mainly caused by the dominant development pattern, do not create sufficient motivations for them to chose living in the countryside and working on the land as an option for life.

As a whole, climate change has affected especially indigenous populations, women and young people.

RECOMMENDED GUIDELINES.

It was argued that guidelines shall not be voluntaries but binding and for this reason they shall be ratified by states and lately incorporated in the policy framework at national level.

The Guidelines shall hold a human rights approach and make explicit reference to those instruments already existing in international treaties such as the Convention on the Elimination of all Forms of Discrimination against Women -CEDAW (chapter 8 on the access to land for rural women), the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the ILO Convention 169, the United Nations Declaration on the Rights of Indigenous People, among other treaties and covenants that establish rights, principles and very concrete standards related to the obligations of the states. Equally, Guidelines shall make explicit reference to other FAO documents particularly relevant as regard to access to natural resources and its impact on certain rights, particularly the right to food as well as make reference to the Conferences on Agrarian Reform and Rural Development of 1979 and 2006.

With respect to their implementation, it is requested that Guidelines may be supported with mechanism of monitoring and effective vigilance.

It is recommended that country legislation recognizes explicitly protection to indigenous territories and rights to land face to big investment projects, whether public or private. Mechanisms ensuring these rights must be enforced.

Within the domain of land administration, it was decided that the principle of *transparency about the management of information* should be observed, since that unawareness of firms owning land or of other types of tenure over large areas of land reigns in most of the countries. Population shall have access to this information and be consulted before the realization of investment. This means that governance of land and other resources must include a strong component of citizens' participation in its essence, especially when population with indigenous groups or other poor communities are involved

Monitoring mechanisms and resources must be ensured at national level to guarantee justice and protection of rights in case of violations. It is important to realize Agrarian Reform according to a participatory and integral perspective, especially involving the youths, indigenous and women.

It is recommended the use of the concept "natural goods" instead of "natural resources" since the first encompasses a vision more respective of nature and thus more sustainable. The role of women in

agriculture must be recognized and no more considered as a complementary support to the work of men. Women have always played a preponderant role in food production and preservation of biodiversity. An example of this is that they are in charge of preserving germ plasm by administering the seeds.

From a gender perspective, the concept of family farming is patriarchal and excludes women. It is recommended to use the term peasant farming, who integrates and give equal value to all components of the family group.

As regard to women's *access to land* and other resources, it is recommended that it should be *guaranteed* within each country's legislation. Joint title deeds of property – among men and women – shall be promoted at national level to avoid discrimination. By the same way, this process shall be approached from an integral perspective, ensuring access to the other productive resources for agricultural activities such as credit, public infrastructure for connectivity, among others.

On the other hand, young people shall be considered a group with strategic importance, since they cross all other groups: indigenous, non indigenous, women, etc.

It is necessary to change education system in the sense of promoting the role of the young people in rural development. Education has to be strengthened from a technical point of view, but also from a perspective of political participation. Youths shall be integrated in the political construction of rural development.

For example, governments are recommended to promote conditions to strengthen customary institutions of indigenous people, their cosmovisions and juridical systems.

It is suggested that traditional authorities of indigenous people could integrate environment institutions that take part in the administration of the territories, ensuring by this way a concrete and effective participation in the processes of governance of natural resources.

It was considered important that governments propitiate the recuperation of natural resources by the indigenous people, safeguarding a living cultural heritage and national human capital.

Finally, as a general recommendation, it is clearly understood that hegemonic land tenure patterns in Latin America obey to a capitalist model that has promoted individual interests. These Guidelines shall lean to recuperate collective interests and along with them the values of life upset by the present system.

Note of the working group:

Participants of the group declared they did not agree with the establishment of a specific commission to deal with these issues, since all other groups should have dealt with correct governance from multiples perspectives, men's, women's, young people's, etc. To isolate this issue only increase discrimination. Moreover, afro-descendants were not considered, they too constitute the diverse identity of Latin America.

Group 4: Land management, urban issues, development.

ANALYSIS.

Interrelation between rural and urban has become blurred face to progress and modernity: the rural-urban use to be concepts of life and space that have suffered processes of decomposition, because of a false conception of development urban biased. The countryside is getting blurred as a space of healthy nature, amusement and leisure, encounter with the landscape; degrading its aesthetic and spirituality.

Rural-urban interaction or, better, rural multi functionality, conditions the existence of three types of products of the countryside: food supply, environmental services (leisure, etc.) and cultural offer (rural culture). One of the big questions with the conceptualization of several governments is the definition of rural just by population criteria. Urban is defined according to various dimensions while rural exclusively by a quantitative term of population, a fact that determines the shaping and execution of policies in these spaces. Of course, rural can have influence on the cultural dimension independently of its demographic importance. But even more, since agriculture is fundamental for the economy, it is negative in various senses that the urban side loose this perspective and valorisation of such role in the economy.

In this context, compulsive and violent rural to urban migrations are taking place. Among their principal causes, there are lack of basic services, such as education, health, communications, support to production, lack of infrastructure for stocking and inadequate access to attractive markets. This is being aggravated by land concentration, and generally because of the effect of the agro-industrial model on agricultural production.

The outcomes of these migratory processes are, among others: rootlessness and lost of cultural identity; failed reproduction of communitarian models in the cities, disputes and conflicts between rural migrants and urban communities territorially organized.

Environment related complications are identified, such as water contamination because of lack of waste management, contaminating underground sources and surface affluent near to cities that are used as sources of irrigation. Also there is the problem related to planting practices close to urban spaces, turning complex the use of agrochemical products.

Some of the causes of this problem are lack of systemic state management and planning, whether at municipal or central government level. Responsibility lies upon governments and FAO, that promotes models highly disruptive such as agro-industry, that, according to the working group, represent a false solution to the problem of hunger. Also there is lack of environmental management in the territories.

Growth of cities and proliferation of poverty are decisions of neoliberal policies; to discipline and demobilize through assistance and clientelist policies generating dependence and lost of autonomy of people and communities.

GUIDELINES RECOMMENDED

Establish *regulatory frameworks and complementary policies addressing the necessities of urban-rural populations*, as a result of participatory processes involving different populations (indigenous people, afro descendants, family farmers, peasants, traditional fishers, herders, wage and rural workers, mangrove gatherers and others).

To sum up, promote the strengthening and the constitution of spaces and processes of participatory dialogue for territorial management and planning, involving organizations and civil society in general.

Municipalities and communes shall promote laws that provide themselves with rights and obligations, with the aim to improve the shaping and execution of policies that favour changes in the use of soils, spaces and territories.

In the same direction, rules and laws related to environment control must be complied with, and with sanctions in which the population participate and has access to self-regulatory mechanisms and social watch. State and governments shall guarantee the financing of the processes and the agenda of participatory planning, as well as establish bodies for mediations of conflicts among peoples and settlements.

It is suggested to promote a systemic approach as regard to organization and territorial distribution of use and destinations for land and other natural resources, especially in case of conflict of interest between urban and rural spaces.

With regard to recommended practices, it is proposed:

- Create green belt of family and communitarian urban agriculture.
- Strengthening and establishing new Local Markets that link directly food suppliers (rural space) with consumers (urban space). These instances constitute spaces of cultural interrelation between producers and consumers.

Also the group suggest some leading principles for government policies in this issue:

Recognising: rural and urban, as diverse and complementary ways of life whose relations should be based upon solidarity.

Recognising of the rural world as a space of life whose consolidation needs the presence of a population with respect for its roots. These populations need basic conditions for permanence, access and use of land and other natural resources being one of the most important.

Recognising that these territories and diverse populations (indigenous people, afro descendants, quilombolas,¹ peasants, traditional fishers, workers and rural wage workers among others) play a

¹ People living in *Quilombos*. *Quilombo* is a Brazilian portuguese term for communities of descendants of run away slaves when the slavery system was in force in Brazil. Slavery was abolished in 1888.

key role: supply the whole society with foods and contribute to the conservations of the environment and the natural and cultural heritage.

Support and incentive the development of fair trade practices that guarantee the urban population with healthy foodstuff coming from the rural population.

To summarize, it is asked to shape and implement public policies without an exclusive urban perspective and that count with the political support by the governments, giving them validity and rendering more efficient its accomplishment.

Group 5: Land concentration and foreign large scale land acquisitions.

ANALYSIS

The problem of land concentration is most often related to large-scale land purchases by foreigners for monoculture plantations, biofuels, among others. In other cases this phenomenon is associated with financial speculation trough concentrations of assets.

In the past, processes of land purchasing from foreigners was realized by individuals, whilst nowadays they are pushed by corporations and other juridical forms whose identity is not easy to identify and with no specific localization. This means that most of the governments do not have the strength to stop this process, faced to the strength of transnational capital investments.

Another characteristic of this phenomenon lies in that not always is it due to purchases, since there is also concentration via pooling of long-term leasehold contracts in the hands of a firm.

This shed lights over the fact that land property has a strong component of politics and relations of power. Some examples are: Ecuador, where the issue of land concentration is directly linked to the corruption of politicians and leaders, that results in abusive expropriation of traditional holders of the land. In Brazil and Argentina land concentration has a direct relation with politic power as well as with foreign capital. In Colombia concentration comes from violence and illegal displacement through processes of territorial occupation lead by groups in conflict with one another, guerrilla or narco-traffic. In Mexico there is no big interest on land investment, but indeed on the processes that aggregate value to the land. Today, peasants are left with only 10% of the total value of the final product.

Another basic issue is the fragmentation of territories, which are purchased in a disordered manner by buyers, tearing apart small farmers' communities. In Mexico peasant land was affected by heavy fragmentation. In Peru and Bolivia there is fragmentation and collective distribution measures are being put in place to face this phenomenon.

The issue of land value is directly linked to concentration and foreign large scale land acquisitions, since land speculation determines fictitious value of its price on the market. There is of course a discrepancy when land is priced since it should not have a monetary value, instead it should receive a value as a source of life. In this sense there are two important issues that are not taken into account in

the present system of marketing this resource; the first is the cultural and spiritual value of lands for its inhabitants. The other is the value of the services delivered by natural resources, not just in economic terms but also as regard to the environment and in terms of sustainability for the reproduction of family and local life as well as for the surrounding environment.

GUIDELINES RECOMMENDED:

The proposal to resolve the issues of concentration and foreign large scale land acquisitions consists in the affirmation of a national sovereignty expressed through public regulation, by setting measures able to identify the origin of transactions.

Moreover, in order to avoid financial speculation on land, it is proposed that such public regulations can get beyond national boundaries and be executed at transnational level, to discourage speculation by foreign interests on natural resources belonging to other countries. It is proposed to revise national and international treaties on investment promotion, under a human rights approach.

It is specifically proposed:

- Recognize land possession, in order to have transparency on those that acquire land.
- Hold transparent land acquisition cadastres and accessible by the public;
- Impose taxes on land sales and/or leaseholds; and
- Impose land ceilings on purchased lands

Moreover, include the principles underpinning the Agrarian and Forestry Revision Plan that is being executed by the Government of Bolivia, that is:

- Equal access to land;
- Title deeds to peasant families for family farming;
- Land as pillar of food; and
- Restrictions to land sales for foreigners.

It is recommended also that indigenous territories be excluded from land markets, under the terms of the ILO Convention N.169.

Not only economic productivity of natural resources should be considered to give value to land, hence it is recommended to set a method or a system to attach value to resources under a conservationist perspective. In case of expropriation, the value of compensation shall be discussed and agreed with the people living in these areas.