Rights to Water and Land, a Common Struggle

Dakar to Tunis: Declaration of the Global Convergence of Land and Water Struggles

We, social movements, grassroots organizations and civil society organizations engaged in the defence of the rights to land and water, gathered in October 2014 in Dakar at the African Social Forum. We are fighting and protesting against natural resource grabbing, especially water and land grabbing of our Commons, and against the systematic violations of the associated human rights. Sharing our ideas led to acknowledgement of the essential linkage between our struggles, given the inextricable nature of land and water grabbing. We met again at the World Social Forum in Tunis in March 2015 to continue this dialogue with movements and organizations from all over the world in order to broaden this convergence.

To date, more than 200 million hectares of land have been grabbed globally by private firms, governments, elites and speculators, often with the support of the World Bank, the International Monetary Fund, the G8 and other institutions and consortiums. The minority's appropriation of our Commons leads to concentration, forced evictions and the oppression of peoples. This is implemented in the name of environmental protection, the prevention of climate change, the production of “clean” energy, mega-infrastructure projects and/or so-called development, often promoted by Public-Private partnerships, such as the New Alliance for Food Security and Nutrition in Africa. Entire areas and territories are thus dispossessed and local populations evicted, while the loss of identity and ecosystems makes life impossible! Communities whose rights and dignity have been abused find themselves with broken up families, or obliged to become refugees, forced to migrate, lose their rights, and are impoverished and starving. It is estimated that 3.000 persons die each day due to lack of water. The access to and management of spaces of community life are destroyed by military and armed groups that perpetuate war and occupation, criminal State authorities, supported by economic, financial and political elites. This undermines local food systems and many local producers who feed the majority of the world’s population. When people resist they are criminalized, jailed and killed.

The huge profits of elites are thus built on the systematic violation of human rights of the majority of peasant farmers, informal settlement and slum dwellers, fisher folk, pastoralists, indigenous peoples and communities, nomads, rural and urban workers and consumers, especially youth and women, who are dispossessed of their land and livelihoods through violence, intimidation and torture. Land grabbing always goes hand-in-hand with water grabbing, and takes different forms: cases of unsustainable water-consuming farming, through the privatization and management of water utilities (stealing this vital resource from those who are unable to pay for it), contamination of aquifers caused by unregulated mining, the change of river courses and waterways through the construction of dams and the resulting eviction of communities, the militarization of access to water points, the dispossession of pastoralists and fisher communities of their livelihoods through practices such as coastal sand mining.

The criminalization of activists fighting for the protection of the Commons has become widespread, albeit hidden by the authorities. Land and water resources are increasingly scarce, and therefore critical to the security of societies and the sovereignty of States. However, the

scarcity underpinning the water, land and food crises is not a given; it is a political, geo-strategic and financial construct.

In response to these threats to our lives and wellbeing, we are fighting back, asserting our rights and providing real solutions. We believe that peoples' access to and control of land and water is essential to peace, to stopping climate change, as well as to fulfilling fundamental human rights and guaranteeing a dignified life for all. Equal distribution of land and water, and gender equality are central to our vision of food sovereignty, based on agroecology (as outlined in the Declaration of the International Forum for Agroecology in Nyéléni, in February 2015), local food systems, biodiversity, control of our seeds, and respect for natural water cycles. This vision applies to rural, urban and peri-urban populations and includes respectful producer - consumer relationships of mutual solidarity and cooperation.

Our solidarity, grounded in our commitment as activists, is built upon the following principles and convictions that unify our struggles:

1. That the human rights to water, food and land are fundamental, and crucial for life. All people, men, women, adults, children, rich, poor, rural and urban dwellers, are entitled to them.
2. That water and land are not only vital natural resources, but are also part of our common heritage, whose security and governance must be preserved by each community for the common good of our societies and the environment, now and for future generations.
3. Water, land and seeds are Commons, and not commodities.
4. We recognize that States are legally and constitutionally mandated to represent peoples' interests. States are therefore duty-bound to oppose any policy and international treaty that undermines human rights and their own sovereignity, such as Investor-State Dispute Settlement schemes as included in the Transatlantic Trade and Investment Partnership and the majority of investment treaties.
5. Land water management policies should promote the achievement of social justice, gender equality, public health and environmental justice.
6. We take a firm stand against foreign occupation and domination in all forms.

We therefore jointly with civil society organisations from around the world,

pledge to:

* Raise awareness, educate and organize communities in rural and urban areas in order to build a strong and united movement struggling for the recognition and enforcement of our human rights to food, water and land and territories

* Always defend the right of citizens and communities to free, prior and informed consent and full participation in the governance of natural resources in citizens' legal institutions

* Build synergies between civil society actors across constituencies struggling against land and water grabbing in order to build national and regional platforms that support the building of an international convergence of land and water struggles

* Reclaim our lands, waters and seeds; reclaim the legitimate political spaces that we as rights-holders have fought for, such as the Committee on World Food Security and Nutrition; and oppose co-optation of our language in a way that supports false solutions such as “climate smart agriculture”

* Express our solidarity with and support for human rights defenders and those who resist land and water grabbing, especially when they are criminalized

* Oppose national policies and international treaties promoting the privatization and commodification of natural resources, as well as land and water grabbing, including prepaid meters, automatic tariff adjustments and the Economic Partnership Agreements (EPAs) between the EU and ACP countries, for both goods and services

* Denounce the World Bank’s “business” climate ranking and biodiversity offsetting systems, that are drafted solely to support speculation and foster land and water grabbing, while completely neglecting human rights and social and environmental standards.

We call on international governmental organizations, States and Local Authorities to:

* Recognize the indivisibility of human rights and their international obligations towards their realization, especially for vulnerable and marginalized groups, women and youth. They must systematically apply the human rights approach, stop violations and prevent and prosecute human rights abuses

* Implement adequate policies of agrarian reform, land reform, genuine land restitution, equitable redistribution and sustainable management of land, water and other natural resources

* Adopt coherent policies including on development that benefit communities' empowerment rather than economic and geopolitical interests

* Respect, protect and fulfil the human right to water and sanitation that was recognized and made explicit by the UN General Assembly resolution 69/2010, and adopt the constitutional and legislative regulatory frameworks that guarantee everyone the availability and accessibility of water and sanitation, as well as the effective justiciability of the human right to water

* Recognize, respect and protect the collective customary rights regulating the access, security and governance of land and water, our Commons, by ensuring womens’ rights

* Strictly uphold their obligations not to recognize illegal situations, including and especially prohibited acts by occupying powers, and not to cooperate or transact with any parties that engage in, or benefit from illegal situations

* Guarantee peoples' free, prior and informed consent and full participation when decisions are made about the management of land, water, and other natural resources. And not just hear us, but address our demands, including our right to say No to land and water grabbing

* Implement the International Labour Organization Convention 169 on the Rights of Indigenous and Tribal Peoples and the UN Declaration on the Rights of Indigenous Peoples

* Explicitly endorse the promotion of human rights, including the human rights to water, food and land, as part of the Sustainable Development Goals of the UN post-2015 Agenda

* Implement the CFS/FAO Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests, and the FAO Guidelines for Securing Sustainable Small-Scale Fisheries immediately and with our full participation as rights holders; and enact national laws that make their provisions upholding peoples' rights fully justiciable

* Support and adopt the UN Declaration on the Rights of Peasants and other People working in rural areas as currently being developed in the Human Rights Council

* Adopt and implement a Binding Treaty to prevent and prosecute crimes committed by transnational corporations and other business enterprises

* Adopt the relevant measures and instruments of international law, especially in the framework of the International Covenant on Economic, Social and Cultural Rights (ICESCR) of the United Nations, in order to effectively strengthen the human right to water and sanitation, and to clarify and specify its content and States' obligations, and to prevent any form of water grabbing

We call upon civil society, social movements, grassroots organizations, workers' unions and NGOs of the world to engage in this discussion, to strengthen this declaration and support its claims by all available means. We need to foster the solidarity of our struggles, including the struggle for our rights to the essential resources required for life, we need to make civil society's voice heard in the negotiations towards the adoption of the Sustainable Development Goals of the UN Agenda post-2015, in the application of international and regional guidelines on land and natural resources, and the COP 2015 in order to stop climate change.

As we continue to build this convergence, we recognize and appreciate our diversity, and welcome diverse initiatives that are emerging and which we will debate and discuss. To do this we commit to disseminating this declaration widely. We will take it to our territories and communities in order to involve them further in the process of shaping this Convergence.

Water and land: same plight same fight!

Tunis, 28 March 2015