OUR LAND IS OUR LIFE
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PRESS KIT CONTENTS

PRESS RELEASE .................................................................................. 2
African Civil Society and Faith leaders Call for Urgent Action at the
African – European Agriculture Ministerial Conference ..................... 2

BRIEFINGS ON KEY ISSUES ................................................................ 4
1. The Pesticide push and its impact on African Food systems ............ 4
2. The Transition to Agroecology ......................................................... 5
3. Statement on Women Land Rights ................................................. 7
4. Land Rights .................................................................................... 9
5. UN Binding Treaty ......................................................................... 11
   Context of corporate power and impunity: ...................................... 11
   Key demands from social movements and affected peoples for the UN treaty
   text: .................................................................................................. 12
6. Care for our Common Home and Ensure African Community Voices .... 13

Key contacts ....................................................................................... 14
African civil society and faith leaders call on African and European Agriculture Ministers to ensure African people’s real concerns and needs are fully addressed in their Ministerial meeting of 22 June.

The Ministers’ conference brings together AU and EU agriculture ministers to discuss progress on the action agenda on agriculture adopted in July 2019, and the COVID-19 pandemic. Much of the 9-point agenda concentrates on creating a conducive environment for large business interests. Importantly, the OECD FAO Guidance on Responsible Agricultural Supply Chains calls for systematically identifying risks and potential negative impacts associated with agribusiness (i.e. pesticide poisoning of farmers, risk to land tenure rights and sustainable use of resources, including risk to biodiversity and farmers seed rights.) We are concerned that the agenda is not presently addressing the big issues facing Africa and would want to make suggestions to enable the agenda work better for Africa.

• The impunity of corporate capture of African natural resources and the damage this is doing to Africa’s food systems, to our environment, our soils and water, our biodiversity, our nutrition and health is a major concern.
  o “When the Ministers discuss increasing agribusiness trade (action1), food safety (action 5) and improving environmental sustainability (action 9), are they ensuring that European companies are not exporting highly hazardous chemical pesticides to Africa that are banned from sale in Europe? And that priority is given to African governments effectively regulating and prohibiting toxic pesticide use? There must be an end to pesticide poisoning whether working on farms or eating the produce on our plates” insists Anne Maina of BIBA/Kenya Biodiversity Coalition.

• The need for transformational change in agriculture and food production.
  o Dr Million Belay, General Coordinator of the Alliance for Food Sovereignty in Africa says: “Agroecology must be put on the Ministers’ agenda. Between 60 - 80% of Africans are small scale farmers. Agribusiness-food platforms (action1) and digital solutions (action 3) will not solve their problems. While there is proven track record of Agroecological approaches that show huge potential to create jobs for youth, contribute to healthy diets and more resilient farming communities.

• Land rights are the cornerstone of land justice and rural livelihoods.
  o “Women are tired of waiting. The challenge remains for political leaders to take account of the land rights injustice facing African women,” says Lungisa Huna, Co-Director of the Rural Women’s Assembly. FAO’s 2020 Africa food security report¹ finds that 256 million people remain hungry in Africa, with rural women -the main producers of food- the poorest and least well nourished.²

o “It is vital to secure the community’s land and natural resources – the foundation of local food systems and the primary spiritual link with nature. Without land security, there is no future for peasant communities,” says Massa Kone of the Global Convergence for the Struggle for Land, Water and Farmers’ Seeds (CGLTE).

o “We call for our governments’ full-fledged support to ongoing negotiations towards a UN Binding Treaty on transnational corporations as a much-needed tool to access justice, reparations and prevent future human rights violations by big powerful corporations who are often able to stay in impunity,” says Erika Mendes of Justiça Ambiental JA! - Friends of the Earth Mozambique.

• We need to care for our common home and ensure African community voices at the policymaking and negotiating tables.

o Father Germain Rajoelison of the Symposium of Episcopal Conferences of Africa and Madagascar (SECAM) shares the Pope’s urgent call to tackle the current ecological crisis by making a paradigm shift that will allow all human beings to live sustainably in dignity. He urges “the AU and EU to sincerely engage with African civil society and faith communities to ensure their meaningful participation in the Africa EU partnership process.”

ENDS

For further information or interviews, please contact:

• Anne Maina, BIBA/Kenya Biodiversity Coalition  anne.maina@kbioc.org
• Dr Million Belay, AFSA General Coordinator  million.belay@afsafrica.org
• Lungisa Huna, Co-Director, Rural Women’s Assembly, lungi@tcoe.org.za
• Massa Kone, Spokesperson, CGLTE. kmassa26@gmail.com
• Erika Mendes, Justiça Ambiental JA! - Friends of the Earth Mozambique erikasmendes@gmail.com
• Father Germain Rajoelison, SECAM, g.rajoelison@gmail.com

The Our Land is Our Life coordination group is composed of leaders of the Alliance for Food Sovereignty in Africa (AFSA), The Symposium of Episcopal Conferences of Africa and Madagascar (SECAM), Convergence Gllobe des luttes pour la terre et l’eau en Afrique de l’ouest (CGLTE), Rural Women’s Assembly (RWA), Africa Europe Faith and Justice Network (AEFJN), and The Pan-African Institute for Citizenship, Consumers and Development (CICODEV).

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1. THE PESTICIDE PUSH AND ITS IMPACT ON AFRICAN FOOD SYSTEMS

Summary for press conference, June 21st by Anne Maina, National Coordinator, Biodiversity and Biosafety Association of Kenya (formerly Kenya Biodiversity Coalition)

**BIO: Anne Maina** challenges false solutions being pushed in Africa like genetic engineering, the green revolution and toxic pesticides. She articulates these issues in the United Nations Framework Convention on Climate Change (UNFCCC) and the Convention on Biological Diversity (CBD). Anne is the National Coordinator of the Biodiversity and Biosafety Association of Kenya (formerly the Kenya Biodiversity Coalition)

The use of Highly Hazardous Pesticides (HHPs) has increased over the years. They contain particularly high levels of acute or chronic hazards to health and the environment. These HHPs have been proven to be mutagenic, carcinogenic and cause endocrine and reproductive disorders. Further, most have been found to be highly toxic to pollinators like bees and aquatic animals. These toxic pesticides are threatening the health of farmers, farm workers and consumers; and globally have caused 385 million unintended acute pesticides poisoning in 2019.

The impunity of corporate capture of African natural resources and the damage this is doing to Africa’s food systems, to our environment, our soils, lands and water, our biodiversity, our nutrition and health is a major concern. When the Ministers discuss increasing agribusiness trade (action 1), food safety (action 5) and improving environmental sustainability (action 9), are they ensuring that European companies are not exporting highly hazardous chemical pesticides to Africa that are banned from sale in Europe? And that priority is given to African governments effectively regulating and prohibiting toxic pesticide use. There must be an end to pesticide poisoning whether working on farms or eating the produce on our plates.

We welcome the FAO’s recommendation for the identification and review of the need to use HHPs and promote the use of alternative pest management strategies and promote research for development. FAO also recommends the substitution policy for HHPs and provision of sufficient advice and information to users.

This must also be an issue for African European partnership. Not only because pesticide products and active ingredients that are banned in the EU due to health or environmental concerns are exported out of the EU by agrochemical companies and sold in other regions of the world including Africa. We consider this a violation of due diligence obligations in terms of human rights. Agrochemical companies in Europe or Asia benefit from weaker regulations in the Global South and particular in Africa.

In Kenya for example, there was an increase in volume of imported insecticides, herbicides and fungicides doubled within four years from 6,400 tonnes in 2015 to 15,600 tonnes in 2018, with a growth rate of 144%. There is an urgent need to stop any trade of HHC, and to inquire into this illegitimate trade and put it high on the agenda in the African European partnership to work towards preventing any harm done to African people and their environment.
2. THE TRANSITION TO AGROECOLOGY

Million Belay PhD, AFSA General Coordinator  million.belay@afsafrica.org

BIO: Dr Million Belay is the General Coordinator of the Alliance for Food Sovereignty in Africa (AFSA) and a member of the International Panel of Experts on Sustainable Food Systems (IPES-Food). AFSA brings together small-scale farmers, pastoralists, fishers, indigenous peoples, faith communities, consumers, women and young people from across Africa to create a united voice for food sovereignty.

In Africa, food is a basic human right, not a commodity in the hands of a select few who determine prices through their food industries. Food defines our culture and heritage: a source of nutrition and health, a medicine, a ritual, a celebration.

In Africa, like much of the global south, agriculture is a mainstay of the economy and provides a livelihood and living space for the majority of its people. Agriculture is an important entry point for interventions that can potentially deliver an array of benefits, including improved food and nutrition security, environmental benefits and resilience to climate change. Agriculture also plays an important role in community cohesion and culture. The way that agriculture is considered through policy, funding and implementation has a profound impact on the economy, food systems, nutrition, social justice and the environment. We call upon European and African policymakers to enshrine the following imperatives in EU-AU strategy development:

- Recognize, value and support the huge potential of agroecology* to sustainably increase food security and food sovereignty, reducing poverty and hunger while conserving biodiversity and respecting indigenous knowledge and innovation.
- Recognize small-scale family farming as a viable structural model for the development of the agricultural sector.
- Accelerate the transformation to sustainable food systems through supportive policies and financial incentives that protect and enhance food producers’ access to land, seeds, water, credit, and local markets.
- Urgently rethink the approach to agricultural development in Africa, reverse the attachment to industrial farming systems and refocus on a holistic, sustainable and culturally appropriate model.
- Support and develop the concept of territorial food systems,5 decentralising value addition, stimulating the rural economy, localizing governance and strengthening the value chains where so much food is currently wasted.
- Stop the commoditization of Africa’s natural resources, bought and sold by multinational corporations and local elites. Future generations need enough productive land and living soil to nourish and provide livelihoods for their families and descendants, and maintain their cultural integrity.

*Agroecology is an integrative discipline that recognises the relationship between plants, animals, humans and the environment – the ecology of food systems.6 The European Commission’s

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4 In this paper the term ‘agriculture’ is used to encompass pastoralism, fishing, wild harvest, hunting and communal use and management of natural resources and ecosystems (wetlands, forests, savannahs etc.)
Knowledge Centre on Global Food and Nutrition Security\textsuperscript{7} recognises that agroecology can play a key role in enhancing resilience and illustrates the interlinks between agroecology and the achievement of the Sustainable Development Goals, citing the 13 principles of agroecology developed by the HLPE 2019 report on Agroecology\textsuperscript{8} and other innovations. Agroecology provides a transformative set of principles that farmers apply at any scale to reboot the land’s ecosystem to make it work efficiently and self-sufficiently.\textsuperscript{9} The High Level Panel of Experts of the UNCFS have shown that agroecological approaches are superior to others in terms of food and nutrition security.\textsuperscript{10} An analysis\textsuperscript{11} of 50 case studies of agroecology in Africa\textsuperscript{12} showed their strong contribution to meeting the ambition of the SDGs, with increased access to safe and nutritious food, higher productivity and incomes, sustainable production systems, and increased biodiversity.

\textsuperscript{7}https://ec.europa.eu/knowledge4policy/sites/know4pol/files/agroecology_brief_final_10102019.pdf
\textsuperscript{8}http://www.fao.org/3/ca5602en/ca5602en.pdf
\textsuperscript{10}http://www.fao.org/3/ca5602en/ca5602en.pdf
\textsuperscript{11}https://www.ileia.org/2016/09/22/agroecology-contributes-sustainable-development-goals/
\textsuperscript{12}https://afsafrica.org/case-studies-agroecology/
3. STATEMENT ON WOMEN LAND RIGHTS

By Lungisa Huna, Co-Director, Rural Women’s Assembly, lungi@tcoe.org.za

BIO: Lungisa Huna is a Social and Women Rights Activists. She is the Co-Director of the Rural Women’s Assembly, a regional women’s movement.

The Rural Women’s Assembly is a self-organised regional movement with just over 100 000 rural women members in ten countries within the SADC region. The member countries include Eswatini (Swaziland), Lesotho, Namibia, South Africa, Malawi, Mozambique, Mauritius, Madagascar, Zambia, and Zimbabwe. At the first Rural Women’s Assembly meeting in 2009, the reference leadership chose “We are the Guardians of Land, Life, Seeds and Love” as the slogan to guide our approach and relation to nature and humanity. For the RWA we have identified land not simply as an “economic factor” but as a place of belonging, as a common territory, as our identity, our heritage and most importantly as life and therefore we have started a process of redefining, reshaping and reimagining our relationship to the land. This relationship to the land is also at the centre of our challenge to patriarchy and power.

Land redistribution in most of the region is not a transparent process and one that leaves women marginalised due to the patriarchal hold to land ownership. Land made available to black women farmers remain prescriptive in terms of produce and its relationship to success. The AU Declaration on land issues and challenges in Africa 2009 and Malabo Declaration “on accelerated agricultural growth and transformation of 2014” which gave obligations to states to allocate adequate budget for policy development, implementation and tracking progress improving access and security of land tenure of land for women as key priority and 100% of farm household to have ownership or secure land rights by 2025. We want these declarations honoured by our governments.

In the region, RWA members are dealing with land grabs, access to productive land with water and violence against women land ownership. Some examples of these struggles are discussed below.

- Zimbabwe recently signed a Global Compensation Agreement to fulfil the Bilateral Agreement but the probability of this affecting women’s access to land is higher than before. Zimbabwe has also slowed down their land policy review due to COVID-19 and women are feeling the weight of not being able to own land and the process not moving as fast as it should be. Further to this, in some parts of Zimbabwe, communities are facing evictions at the hand of Chinese inventors and developers.
- South Africa is dealing with a slow land redistribution process and the key campaign in the country is centred around One Woman - One Hectare. In South Africa too, there are land grabs and evictions too.

At RWA, we believe that women know what kind of land access and land holding we require. As women, having access and control over land and territory gives us greater independence. We don’t have to stay in situations of abuse. Social grants are not enough on their own, we need land. In fact, social grants are an easy short-term option, it does not challenge the status quo, it does not challenge patriarchy or racial patterns of commercial agriculture.

We know that rural women have many constraints and problems which had been discussed and is highlighted again below:

- Women do not have the same rights to land as men;
- Women’s right to land are usually limited by cultural practices- their cultural rights are mediated through their marital status and men (fathers/next of kin/husbands/chiefs).
• Even if women have legal rights these are not always implemented due to conflicts with tradition and cultural practices.
• Rural women are being affected by land acquisitions and dispossessed of land. But even when negotiations occur women are not included.
• Women are marginalised and vulnerable
• Africa has made several commitments to women’s empowerment but our governments are failing to implement commitments

Our proposals for alternatives include:

• Women must have the same land and decision making rights, under community control, not controlled by chiefs alone. The AU, EU and SADC’s commitments to gender equality must not result in ‘paper policies’ and ‘paper rights’, but have to be implemented.
• We say “NO” to the commodification of land that converts what is by tradition a public common good into an asset that only elites and rich can afford.
• Our governments must provide subsidies that support women’s land rights and agricultural rights- prioritising food production.
• Access to land for production creates greater economic independence for women including seasonal workers and fishers.
• A Land Redistribution Act that prioritises women and the number of hectares for them.
• Arable land that is good for food production with water.

The RWA recognizes that we only have one home and that everything in our planet is connected through the web of life. Rural Women are building new ecologies and networks of solidarity as expressed in the evolving slogan of guardians of life, seeds, love, land and oceans based on protecting the source and developing systems of sufficiency.

RWA continues to place emphasis on the importance of globalizing this struggle, building hope and solidarity.
4. LAND RIGHTS

Land rights: land grabbing, an excessive violation of human rights, violating the dignity of communities and destroying their land under the guise of investments.

Massa KONE, spokesperson of the CGLTE OA

Since Dakar 2011, the need to converge our efforts has become apparent to us, social movements, especially those working on land, water, peasant agro-ecology, livestock and fisheries, in short all natural resources, because of the extent of the phenomenon of land grabbing. Hence the establishment of a dynamic called the Global Convergence of Struggles for Land and Water in West Africa (CGLTE WA). With the aim of:

- Bringing our common demands and proposals to regional and international institutions and also sensitising communities on the issues, policies and processes at stake.
- Supporting struggles and ensuring that collective rights are respected.

Talking about land rights will lead us to address the war between legitimacy and legality, whose strings are pulled by capitalists with a vision of commodification of land, especially arable land. Legitimacy is the customary right conferred on communities by the continuous use of natural resources and in a vision that respects the social function of the land. In other words, land is more than a commodity, it is the cultural identity, dignity and landmark of communities and even of a whole nation. Contrary to legality, which, with a piece of paper mostly acquired through corruption and the violation of human rights, is in a logic of excessive commodification of land with the introduction of a destructive model of agriculture, particularly of land and even of biodiversity.

For example, in the Segou region of Mali, within the framework of a public-private partnership under the guise of investment in agriculture supported by the African Development Bank (ADB), 20,000 hectares were granted to an economic operator (CAI SA), of which more than 800 hectares were dispossessed from the communities of Sanamandougou in inhumane conditions that led to imprisonment, deaths and several people leaving the countryside. These lands are adjacent to the various villages that have been affected, the populations are regularly sickened by the chemicals used by the operator and the ecosystem of the area is in danger of disappearing. This year, these villages have been the victims of floods never seen before in their history.

The other example concerns the San circle in the communes of N’Goa and Djeguena, in the context of the development of the Tallo Threshold. In the same policy of investment in agriculture by the ADB. The communities of seven villages geographically located in the plain have been victims of atrocious police violence, with deaths, granaries and several properties burnt, and 48 people imprisoned on the grounds that the communities must comply with the administrator's decision and the conditions of the investment.

In conclusion, the investment policy in agriculture and other partnerships needs a huge change. In the sense that this policy has only led to conflict, disintegration and migration. It contributes nothing
to local and sustainable development and nothing to the respect of human rights and dignity. It does not benefit rural communities as they do not adapt to their way of life and work.

Finally, why not support the communities with adapted tools to enable them to ensure food sovereignty and sustainable land management in peasant agroecology?
5. UN BINDING TREATY

by Erika Mendes, Justiça Ambiental JA! - Friends of the Earth Mozambique. Email: erikasmendes@gmail.com

BIO: Erika Mendes is a social and environmental activist and member of Justiça Ambiental - Friends of the Earth Mozambique, where she coordinates the corporate impunity and human rights project. She is the regional co-coordinator for Africa of the Economic Justice Resisting Neoliberalism program at Friends of the Earth International.

Demanding strong binding legislation at international level to halt the corporate capture of African’s natural resources and food systems – the process towards a UN treaty on transnational corporations and human rights

Context of corporate power and impunity:

- Huge asymmetry of power between African governments and the global transnational corporations. Many of these TNCs have larger budgets than entire African nations and are able to influence, shape and water down existing national laws and policies that supposedly aim to regulate them, as they pressure governments to flexibilize and weaken their environmental, labor and fiscal regulations;

- Complex and multi level global value chains of TNCs makes it harder to adequately regulate them at national or even regional level – they have opaque structures of control and the ability to hide behind a local domestic subsidiary and avoid appropriate responsibilization for harms caused;

- Architecture of international and EU bilateral trade with Africa also grants corporations unprecedented powers – such as the power to sue governments through the Investor-State Dispute Settlement mechanism contained in many Free Trade Agreements and Bilateral Investment Treaties, whenever these governments regulate against the company’s interests.

- Overwhelming evidence that these corporations are being able to profit from these violations in the continent and stay in impunity, from the oil pollution caused by Shell in Nigeria to the major agribusiness landgrabs of Green Resources and SIAT, that impoverish rural communities and exacerbates food insecurity, and contributes to huge loss of agrobiodiversity (at global scale).

The way forward from an agricultural point of view → support and protect agroecology, subsistence farming (and prospects of rural livelihoods), community forest management and community land tenure in order to empower and employ rural communities in Africa, reduce hunger and inequality and march towards more sustainable and healthy food production and consumption habits.

But how to achieve this in a context of corporate capture, and corporate-led models of development that dispossess rural communities of their land and forces them to use GMO seeds and subsidized pesticides, while criminalizing the exchange of native seeds?

These issues are deeply related to points 5, 6, and 9 of the African European agricultural action agenda adopted in July 2019, as they aim to strengthen food safety governance (point no.5), strengthen farmers’ organisations (point no. 6) and improve environmental sustainability, climate resilience and agrobiodiversity in the agricultural sector (point no. 9).

To deal with the global corporate capture and impunity that has been strongly impacting the agricultural sector, and the overwhelming challenges of our times including the food, biodiversity
and climate crises, social movements and affected peoples from across the world – especially from the global South, where the most brutal violations are happening – have been demanding a global binding agreement that can provide an avenue to pursue justice, reparations and guarantees of non-repetition of violations, even when local governments are unable or unwilling to do so.

The process of negotiating a UN binding treaty on TNCs and HR is ongoing since 2015, and can provide this much-needed tool to address corporate impunity, if it delivers a strong mechanism that can be effectively enforced. For that to happen, governments from all regions need to step in and participate constructively in the process, not only from the regions that are most badly affected by corporate impunity as it has been happening thus far. The EU has been largely absent from the actual negotiations – even though stating its support to the process. And the treaty negotiations are absent of the AU EU partnership agenda.

The EU must start engaging proactively in support of the UN binding treaty, in order to push for a global framework regulating the activities of TNCs, many of them headquartered in Europe. The EU must also recognize the leading role that southern governments and affected peoples need to have in shaping the future treaty, as they have been experiencing firsthand the obstacle to justice when trying to pursue justice from corporate crimes.

**Key demands from social movements and affected peoples for the UN treaty text:**
1. The scope of the treaty must be on transnational corporations;
2. It must reaffirm the primacy of human rights over trade and investment agreements;
3. It must include direct legal obligations for corporations, not only for States;
4. It must ensure the joint and several responsibility of all companies across global value chain, and actors involved, including financiers;
5. It must establish an international court to judge and sanction corporations involved or complicit with human rights violations, as an effective implementation mechanism that does not rely on weak domestic jurisdictions;
6. The rights, voices and demands of affected peoples must be at the center of the process of negotiations and implementation;
7. The future treaty must be protected from corporate capture at all stages of negotiation and implementation.

**For more materials and documents:**
- The website of the Intergovernmental Working Group in charge of negotiating the UN treaty – https://www.ohchr.org/EN/HRBodies/HRC/WGTransCorp/Pages/IGWGOnTNC.aspx
- List of materials, articles, policy papers and proposals from Friends of the Earth International around the UN treaty process - https://www.foei.org/un-treaty-tncs-human-rights
- A series of short videos to explain why we need a UN binding treaty and our 7 key demands - https://www.youtube.com/playlist?list=PLzH35chqcNP7N_6PFkFcHjAtunquebFp3
- A full treaty proposal prepared by the members of the Global Campaign, which contains the concrete proposals that social movements and affected peoples have been advocating for at the UN treaty process - https://www.stopcorporateimpunity.org/wp-content/uploads/2017/10/Treaty_draft-EN1.pdf
6. CARE FOR OUR COMMON HOME AND ENSURE AFRICAN COMMUNITY VOICES

Father Germain Rajoelison: SECAM, g.rajoelison@gmail.com

Deputy Secretary General of SECAM and Director of SECAM’s Justice, Peace and Development Commission. SECAM is the Symposium of Ecclesiastical Conference of Africa and Madagascar.

I begin my intervention by reminding everyone of a key learning for all of us from the current pandemic "no one is saved alone". In the same vein, the reality of a systemic crisis that threatens our Common Home which Pope Francis has delicately elaborated needs to be addressed with a truly transformative cooperation, solidarity, a model of partnership able to put the livelihoods of the most vulnerable communities at the center of analysis as well as at the core of identifying solutions (this counts for environmental, social, economic crisis etc...).

Notwithstanding the message of equal partnership by EU leaders, there is a huge asymmetry of (institutional) power dynamics between the AU and EU. This difference in power has contaminated whatever has been the outcome of this partnership. We equally fear that it would continue to contaminate the outcomes of future EU-Africa partnership’s strategies unless there is an intentional effort on the part of the EU to put appropriate mechanisms in place to address this head-on in the partnership’s very foundation.

In principle, the partnership envisages to promote prosperity for the two neighbours and improve Africa’s food and nutrition security but Africa’s experience through the decades of the collaboration shows the reverse. This is what we tried to articulate and express in a December 2020 joint statement which we in SECAM along with other faith-based actors issued together with multitudes of secular CSOs in our informal platform which we call “Our Land is our Life”. While encouraging you to take some time to study the content of the statement; permit me here to underline one way the power imbalance manifests itself in the implementation of the 9-point agenda that the ministers of Agriculture agreed upon a few years ago.

We have been looking at the on-going implementation of the 9-points agenda adopted by the AU EU Agricultural Ministers in July 2019, and we contest with grave concern that the local communities that we and the Civil Society groups represent have not had a meaningful place in the process. We are of the opinion that the EU-Africa partnership must be about its people and not run top-down defined priorities and agenda by the EU and AU institutions. We are worried that only agri-business people are part of the implementation process and farming communities engaging in improving and sustaining their rural livelihoods are left out. Meanwhile, it is they that the partnership is meant to serve. As a Church connected to the local communities, we would like to see an inclusive approach specifically creating spaces for meaningful participation of the local rural communities. We insist that sharing of power is the key to allow the agency of local communities to be part of the political process. As affected communities, they must be sitting at the negotiation table, not be reduced to recipients only of top-down policies and end products of a process. MISEREOR has just published a new report showing that under which conditions and how these community farmers are engaging and are the real champions of Africa’s food and nutrition security; and sustainable agroecological food systems.

Finally, we are extremely thankful that the office of the H.E. Josefa Leonel Correa Sacko, the Commissioner for Agriculture, Rural Development, Blue Economy and Sustainable Environment who has given us opportunity to meet with her delegate after this Ministerial meeting on June 28. We need more of such spaces to listen to the voices of the communities and ordinary people. Listening
to the local communities may be the missing link to the transforming technocratic paradigm and to universal friendship which Pope Francis talks about in his encyclical Laudato SI and Fratelli Tutti, respectively.

**KEY CONTACTS**

Anne Maina, BIBA/Kenya Biodiversity Coalition  
anne.maina@kbioc.org

Dr Million Belay, AFSA General Coordinator  
million.belay@afsafrica.org

Lungisa Huna, Co-Director, Rural Women’s Assembly  
lungi@tcoe.org.za

Massa Kone, Spokesperson, CGLTE  
kmassa26@gmail.com

Erika Mendes, Justiça Ambiental JA! - Friends of the Earth Mozambique  
erikasmendes@gmail.com

Father Germain Rajoelison, SECAM,  
g.rajoelison@gmail.com