



- 1. Significance
- 2. Integration
- 3. Genuine interpretation and implementation





# The significance of the Right to Land recognition in the UN system

### Past approach

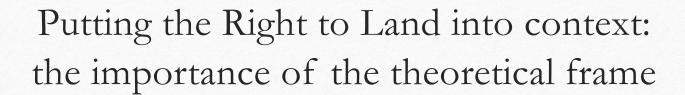
- Social justice (land to the tiller)
- National development
- Productivist paradigm
- Political agenda

#### **Current configuration**

- Codification
- Human rights framework
- Collective rights = collective capabilities
- Environmental justice
- Food sovereignty/agroecology
  - Peasants' agency and control
  - Land as enabling, co-dependent factor







## Land and Human Rights

Neutrality on structural power imbalances - Engrained in the dominant capitalistic system

# Land and the Green Economy

Land rights as procedural standards for business-as-usual investments

## Land and the Commons

# Commoning relationships

Food sovereignty as Commoning Practices

#### Dilemma

How to institutionalise a courter-hegemonic theory? Immediate implementation v. Conservation of transformative aim









# Integration of the Right to Land in other policies

# **Business and Human Rights**

LEGALLY BINDING INSTRUMENT TO REGULATE, IN INTERNATIONAL HUMAN RIGHTS LAW, THE ACTIVITIES OF TRANSNATIONAL CORPORATIONS AND OTHER BUSINESS ENTERPRISES (2021)

"To clarify and ensure respect and fulfillment of the human rights obligations of business enterprises"

# Land and Ecosystem Restoration

ICDD COP DECISION ON LAND 2019

IPCC CLIMATE CHANGE AND LAND 2020

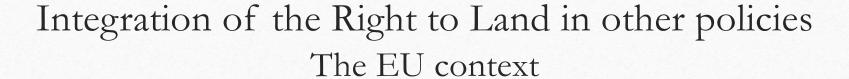
UN DECADE ON ECOSYSTEM RESTORATION - GLO 2022

"Rights-based approaches to land restoration involve inclusive governance, secure tenure, and environmental justice."









# EU draft Directive on Corporate Sustainability Due Diligence COM(2022)71

Annex – strong references to land rights

Risk: face-washing or business-driven interpretation of the right

# EU draft Regulation on Nature Restoration COM(2022) 304

Top-down, result oriented approach

Vague reference to participatory rights

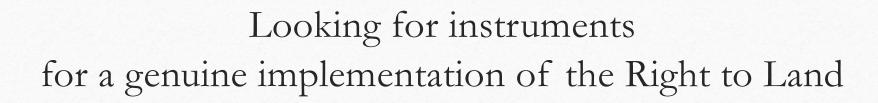
directive

Risks: overlook right-holders



EU CAP and Land Acquisition Initiative?





# A Landscape approach for the Right to land

Already explored and applied legal field

Globally Important Agricultural Heritage Systems (GIAHS) 2002 Council of Europe Landscape Convention 2000/2004

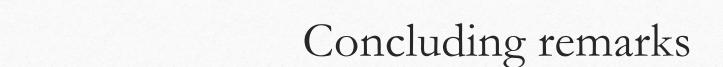
"The territorial dimension of human rights"

Bottom-up development involving multiple dimensions of land and natural resources visions and uses (e.g. *foodscapes*)

Landscape as spatial justice







- Right to Land supported by and supporting other UNDROP Rights
- Avoid implementation as mere procedural standard while promoting its diffusion
- How to maintain the significance of the 'commoning relationships' in the hegemonic green economy system?
- Landscape as interpreting instrument and regulatory space for a genuine implementation of the Right to Land









Thank you

