

30 YEARS  
SUPPORTING

# THE STRUGGLE FOR THE RIGHT TO FOOD & NUTRITION

## Indigenous Peoples

*The Right to Live Off Their Ancestral Lands*



### Who are the indigenous peoples?

Indigenous peoples are known as those who inhabited a geographical region at the time when people of different cultures or ethnic origins arrived. With time, the new arrivals became dominant through conquest, occupation and settlement. Indigenous peoples are the holders of unique languages, knowledge systems and beliefs and possess invaluable knowledge of practices for the sustainable management of natural resources. They represent the historical continuity with pre-colonial and/or pre-settler societies.

### What are their rights?

In view of repeated forced evictions and persecution, particularly throughout the peak of colonization, these communities started to stand up and organize themselves for their right to self-determination and autonomy. Such efforts have led to the creation of legal instruments that aim to ensure their protection, namely the [UN Declaration on the Rights of Indigenous Peoples \(UNDRIP\)](#) and the recently adopted [American Declaration on the Rights of Indigenous Peoples](#). Besides this, the [International Labor Organization's Convention n. 169](#), approved in 1989, has been the most relevant legally-binding instrument on the issue (although it has only been ratified by 22 States).

This Convention guarantees the protection of indigenous culture and their political organization, and foresees relevant mechanisms of consultation and participation of indigenous peoples when actions taken by States could have an impact on their livelihoods. National legislations have incorporated different provisions recognizing indigenous peoples' rights at constitutional level and domestic legislation accordingly, though the level of commitment has varied from country to country.

### ..and what about their right to food?

One cannot refer to the realization of the right to food without addressing the access to and control over natural resources, as human beings are dependent on nature for their livelihoods. With industrialization, the extent to which populations interact with natural resources in order to access adequate food has gradually changed over time.

For the indigenous peoples, who have historically maintained a holistic and organic relationship with nature, particularly within the lands where former generations grew and survived in their splendor, this logic has always remained. Also referred to as ancestral territory, their traditional lands are at the core of their identity, spirituality and beliefs, and any harm to or deprivation of these supposes a direct attack to their essence as indigenous peoples.

Growing food on their ancestral territory, as part of the mother earth or *Pachamama*, is not only an act of survival but a moral and cultural reaffirmation. They are the land, and the land is them. The traditional land is the natural resource they depend on for fulfilling all levels of their existence.

The right to food and nutrition can only be realized if the access to food that is nutritious and culturally acceptable is provided. This therefore allows one to understand why the right to food of indigenous peoples cannot be fulfilled under any circumstance unless the access to and control over their ancestral territory is ensured and an appropriate is guaranteed.



## Happening now

With colonization, the concept of land evolved as the *achievement of power*. This approach has not improved much with the current the socio-economic system, which favors profit over people. Emerging in the last decades of the 20th century, and becoming further entrenched in the beginning of the second millennia, land has been reduced to *profit*. The ancestral territories of indigenous peoples are increasingly treated as commodities, as illustrated by the numerous cases of business operations on indigenous lands the world over, and with inactive States remaining in the backstage.

Land grabbing and international programs that are carried out under the label of development, such as Alliance for a Green Revolution in Africa (AGRA) and the G8 New Alliance, are only some of the activities behind big business that severely impact on indigenous peoples' lives and the realization of their very basic right to adequately feed themselves.

The case of Belo Monte dam project in the Brazilian Amazon rainforest, where indigenous peoples have been forcibly evicted from their ancestral lands is a recent example. Despite international legal instruments, national processes of demarcation of indigenous territories seem to be queuing behind bureaucratic hurdles and appear to protect the interests of agribusiness and large landowners. The case of the **Guarani and Kaiowá** in the state of Mato Grosso do Sul, Brazil, illustrates how the State machinery has aggravated malnutrition, isolation and marginalization of the indigenous communities in the region. Although the long-lasting struggle of the Guarani and Kaiowá to get their lands back has been admirable, they have been facing a **dramatic wave of criminalization and violence**, against them, their leaders and any **organization** that support them. As happens in numerous cases around the world, the perpetrators of such crimes have often gone unpunished.

## What comes next?

The next series will look into the struggle of right to food defenders.

## Required Approaches

The access and control of indigenous peoples over their ancestral territories is interconnected with their right to food and nutrition. The ancestral territories nurture their communities and the communities ensure the sustainable maintenance of the environment. Any attempt to detach indigenous peoples from their traditional lands goes both against nature and international law.

States should implement an economic development model that does not conflict with their human rights obligations, including their obligation to respect, protect and fulfill indigenous peoples. On this note, States must design and implement policies that are aligned to international legislation and standards on indigenous peoples' rights. Indigenous movements should be included in any policy plan that affects them and the influence of business on national and international policy spaces ought to be prevented. If the rights of indigenous peoples are abused, States must ensure access to justice, facilitate investigation and guarantee redress. States have the responsibility to guarantee that there is no arbitrary use of criminal law to criminalize indigenous peoples.

Indigenous peoples' rights, including their right to self-determination, need to be reaffirmed. Their struggle contributes to the achievement of peoples' food sovereignty by protecting nature and acting ethically towards our future generations. Fighting back post-colonial politically and legally discriminatory structures to effectively respect, protect and fulfill indigenous peoples' rights is urgently needed.

Want to know more?

Contact [delrey@fian.org](mailto:delrey@fian.org)