



CAP and the right to humus

“Greening” requires the dark matter called humus

rihumi - Right to Humus Initiative

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Summary

The current European Common Agricultural Policy (CAP) and its proposed reforms have been criticised for many different reasons. Within the EU, the CAP in its current- and proposed future- form has been mainly challenged because of its impact on the environment. So far, human rights concerns have merely been raised with regards to the human rights impact of the CAP in developing countries. This article argues that by adopting a “right to humus” perspective the CAP has a human rights relevance also within the EU.

Current state of the debate about the CAP and human rights

In October 2011, the European Commission launched the draft legal proposals for the Common Agricultural Policy (CAP) after 2013. According to the European Commissioner for Agriculture and Rural Development, Mr. Ciolos (2011): “today the European approach is compatible with the right to food”. However, from a right to food perspective, not only the current CAP but also the proposed reforms have been criticised because of its impact on farmers in developing countries. The central issue highlighted by the UN Special Rapporteur on the right to food, Olivier De Schutter (2011) and others (e.g. CONCORD, 2011) appears to be the effect of EU subsidies on the food security in developing countries. Not in the EU or other developed countries. Literature on right to food implications within the EU appears to be scarce to non-existent.

The right to food mainly finds a place in discussions related to hunger. While the right to food is already rare in the hunger-discourse, it remains absent where hunger is not imminent. Due to the fact that hunger is currently not a significant issue within the EU, the right to food of EU citizens does not appear to be a relevant topic for discussion either.

“Environmental externalities”

While some concerns have been expressed regarding challenges for the livelihood of small scale European farmers (Boussard and Trouve, 2010; FoodSovCap network, 2011) and the environmental impact (FOE, 2011), even in this context this has not been explicitly linked to the right to food or other human rights.

Soil degradation through soil sealing, soil erosion, desertification, salinisation, soil acidification, loss of biodiversity in soil, soil contamination, loss of organic matter, and land slides is increasing in the EU (EEA, 2010). Approximately 45% of mineral soil in Europe has a low content of organic matter (0 to 2% organic carbon) (EEA and JRC, 2010). The impact of EU agriculture on natural resources such as soil has received substantial research attention (Batjes and Bridges, 1993; European Commission, 2006; EEA, 2010; Van Lynden, 1997; Tóth et al. 2007). While the EU is aware of soil degradation and has even formed a Soil Thematic Strategy, soil degradation proceeds. Precious humus is lost every day.

Despite the fact that even the European Commission (2012) stresses that large scale, input intensive agricultural production methods generally have a negative long term impact on natural resources such as soil and water, it is mainly these production methods that have benefited from the CAP. As has been noted by Boussard and Trouve (2010) the CAP has tended to promote mainly large scale farms and will most likely continue to do so even with the implementation of the proposed reforms (European Greens, 2011; FOE, 2011).

While the so-called “environmental externalities” are clear, the European

Commission and proponents of the CAP stress the need to guarantee current levels of production and highlight the potential to lead to increased global food security. The large amount of agricultural exports is to be sustained. Production models such as organic farming seem to be appreciated for causing less negative externalities, but are not taken as serious competitors in terms of productivity. This is true, despite the fact that there is evidence suggesting that, in terms of productivity, small scale agroecological production systems can compete with large scale models (Altieri, 2009; Badgley et al., 2007; Ching, 2009; D'Souza and Ikerd, 1996; Pretty and Hine, 2001; Rosset, 1999).

The right to humus perspective

In other words, so far in terms of EU-internal CAP impact the debate has mainly revolved around “environmental externalities” and agricultural productivity. Omitting the interesting evidence regarding the productivity of small scale production models, the next paragraphs will propose a different approach.

First of all, the wording “externalities” itself is misleading. Independently from its official definition(s), it suggests some kind of external side effect. The term implies a side effect that is external and that takes place outside the identity or system causing the side effect. In this case EU agriculture has a side effect on humus, or soil. Calling the loss of humus an externality is misleading because agriculture and the productivity rates of agriculture depend on humus and are part of the same system.

In addition, the categorisation of soil degradation merely as an “environmental” issue or externality makes it worse. Just like “externality”,

also the term “environmental” suggests something “outside”. Humus is seen as something separate in our surrounding. We depend on agriculture for our nutrition and survival. Agriculture is intrinsically linked to- and dependent on humus and the so-called “environment”. Therefore, the loss of humus should not merely be seen as an “environmental” problem, but a “human” problem. It should be seen as something that affects us. Humus is a human rights issue (Colombaroli, 2013).

In a situation where farmers largely depend on subsidies allocated by the EU, it can be said that the EU is the main actor deciding what kind of agricultural methods are implemented. While it may be the sum of agricultural practices of single farmers causing a large proportion of soil degradation, these individual farmers are greatly affected by the Common Agricultural Policy of EU governments. If evidence suggests that the CAP is promoting agricultural practices that are causing a negative impact on humus, this is clearly not in line with the right to humus.

As formulated in the International Covenant on Economic, Social and Cultural Rights (ICESCR), the States Parties to this Covenant “recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food... and to the continuous improvement of living conditions”, and further made a commitment to “improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources”¹. In line with this formulation, also the EU agrarian system

1 Article 11 (2a), International Covenant on Economic Social and Cultural Rights 1996

CAP and the right to humus - „Greening“ requires the dark matter called humus should be reformed in such a way as to achieve the most efficient development and utilisation of the non-renewable natural resource humus. In order to be in line with the right to humus, the promoted agricultural practices need to protect and promote the formation of humus.

In an attempt to reduce negative environmental externalities, the proposed reforms foresee some percentage of “greening”. However, from a right to humus perspective, giving the current CAP a small layer of different paint will not suffice. For the CAP to become really “green” we need to give more attention to the dark matter called humus. The commonly adopted agricultural production models promoted by the CAP need to be compatible with the right to humus. It is time for the CAP to stop violating the right to humus.

Suggestions

There is an enormous amount of possible ways for the CAP to become more compatible with the right to humus. On the following pages a non exhaustive list of concrete suggestions will be listed.

- In order to demonstrate a serious commitment to the realisation of the right to humus, the CAP should be reformed radically. While due to practical reasons the reforms may perhaps not be implemented instantaneously, the goal and direction should be clearly set. Explicitly taking up a human rights wording in legislative texts may be a good way to do this.
- The Commission proposed to link 30% of the CAP direct payments to “greening”, we should aim for 100%. By going for 30% the Commission

CAP and the right to humus - „Greening“ requires the dark matter called humus would not merely allow a further deterioration of soil degradation, but actively promote it.

- Crop rotation should be obligatory for arable land. Plausible percentages should be set for the maximum limit of land used for a single crop and for the minimum amount of land used for leguminous crops.
- The ploughing of arable land on slopes over a specific steepness should be forbidden completely. Terrace farming and contour farming are good alternatives for these areas.
- Strip cropping should be promoted and could to some extent be made mandatory. This could be done by restricting the maximum size of land area that can be ploughed at once and/or used to grow one specific crop.
- Similar to strip cropping, wind breaks could be made mandatory.
- Well defined requirements for buffer strips along stream banks should be developed and implemented.
- Effective regulations regarding cover crops should be conceptualised and put into place.
- In order to avoid soil compaction considerations should be made regarding overall allowed maximum machine weight, size, tire width, and pressure. The same is true for maximum animal density per

CAP and the right to humus - „Greening“ requires the dark matter called humus grazing area, independently from soil types. Furthermore, specific regulations are required for particular areas.

- Stricter regulations that effectively couple the maximum number of animals to land size are required. Over-fertilization and soil contamination through “unhealthy” manure have to be stopped.
- Synthetic fertilizers are not a substitute for soil organic matter. While they may boost short term productivity, the systemic use of synthetic fertilizers threatens the right to humus and should be stopped.
- All pesticides that have a negative impact on soil health should be banned.
- CAP payments to farmers are already somehow linked to educational requirements. A certain standard of the training contents should be expected. Soil science, sustainable land use and soil protection should be part of the program. Every farmer should have a minimum knowledge of how to build up humus content, beneficial practices such as no till farming or mulching, and a practical knowledge about how to avoid soil compaction. An understanding of organic agriculture, agroecology and permaculture is a prerequisite if we want farming to become compatible with the right to humus. The findings of the IAASTD should not only be used in re-designing the CAP but also in educational programs. If the training of farmers focuses on maximum short-term productivity and the knowledge mentioned above can only be acquired by farmers actively seeking this information we should not be surprised about continuing soil degradation.

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