



No Land, No Life!

Land Conflicts and Struggles in Asia



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Foreword

PAN Asia Pacific (PANAP) has been actively involved in anti-land grabbing campaigns and in the promotion and protection of the human rights of small food producers in the region.

Under the *No Land, No Life!* campaign, PANAP and our partners have been helping to strengthen the capacity of rural communities and movement of farmers, farm workers, indigenous people, fisherfolk, rural women and youth in Asia in resisting land and resource grabbing and in asserting their food sovereignty through trainings, research and documentation, public information and education, and through campaigning and human rights advocacy.

This book is the product of a coordinated research initiative with our key partners in the *No Land, No Life!* campaign. It is part of our continuing efforts to monitor and understand global and regional trends and developments that drive land and resource grabbing; document the various cases of land conflicts in the region; document the socio-economic and human rights impacts of so-called development projects and investments on rural peoples and; learn from

and share the experiences of the courageous local communities who are pushing back against the attacks on their land and life.

We deeply thank our partners the Coalition of Cambodian Farmers Community (CCFC); Andhra Pradesh Vyvasaya Vruthidarula Union (APVVU) from India; Aliansi Gerakan Reforma Agraria (AGRA) from Indonesia; Roots for Equity and Pakistan Kissan Mazdoor Tehreek (PKMT); Kilusang Magbubukid ng Pilipinas (KMP) from the Philippines; and National Fisheries Solidarity Organization (NAFSO) from Sri Lanka for the case studies that they prepared.

Gathering the data and information for the case studies, particularly through field work, has been extra demanding, to say the least. The restrictive lockdown that governments implemented to contain the COVID-19 pandemic on top of the already repressive political environment in their areas even prior to the health crisis, not to mention the health risks posed by the coronavirus, presented many challenges to our partners as they carried out the field work. Without their courage and determination amid such difficult circumstances, the production of this book would have not been possible.

Ms. Sarojeni Rengam

Executive Director

PAN Asia Pacific

Introduction

In recent years, the sharp increase in private investment and interest involving significant use of agricultural land, water, grassland and forested areas has hastened land grabbing in developing countries in an unprecedented scale. Private investment in land and natural resources has become almost synonymous with a wide range of human rights violations, such as displacement, food insecurity, abrogation of existing rights, environmental damage, and even killings of resisting communities.¹

It has been observed that legality is often tilted in favour of foreign investors, including minimum international standards, breakdown of trade barriers, and changes in environmental and labour laws. National laws are amended to favour the private investors upon the “recommendation” of multilateral institutions like the World Bank and the Asian Development Bank (ADB). All these have reversed progress in human rights issues. Communities are not consulted; indigenous people are simply driven away from their ancestral lands; and the access of rural communities to natural resources is affected.²

Most of the land transactions in Asia remain in the spirit of neoliberal restructuring of agriculture, but are brought about this time by the current pursuit of a globally

integrated food-feed-fuel complex, renewed interest in natural resource extraction, or promotion of agri- or eco-tourism. They are new in the sense that looser forms of foreign control over natural resources such as joint venture, contract growing or even public-private partnership (PPP) may have to be amended to be more open to virtual foreign ownership.³

China's rise

Global and regional developments that create conditions for greater land and resource grabbing continue to emerge and fuel social conflicts and unrest in the rural areas. One of the major developments that has been driving land and resource grabs in Asia is the so-called Belt and Road Initiative (BRI). A centrepiece programme of China, the BRI is being dubbed as the “biggest overseas investment drive ever” and the “only large-scale multilateral development project in the twenty-first century”.⁴ The whole initiative now reportedly includes 123 countries in Asia, Africa, Europe, Latin America and Oceania, with the most common estimates of the total cost ranging from USD 1 trillion to USD 1.3 trillion.⁵

As part of the BRI, China plans on establishing “international agricultural parks”

in 10 countries. Three of those identified by Chinese authorities include an agriculture technology park in Laos, an agricultural products processing zone in Zambia, and a fisheries park in Fiji.⁶ While unclear if it is part of the 10 agricultural parks, a Chinese firm is also reportedly investing USD 2 billion to develop Cambodia's first special economic zone (SEZ) intended exclusively for agricultural processing and storage.⁷ While the parks themselves may require a relatively small portion of land (although still sizable especially in small countries with big rural population and landless people), the Chinese agro-industrial firms that plan to use them would demand massive areas. The agricultural SEZ in Cambodia, for instance, will be constructed on a 100-hectare land. Meanwhile, a Chinese company, one of the 17 that will use the SEZ, will develop 2,000 hectares of land near the agricultural park for pepper and chili production.

Several BRI-related projects are feared to cause, if not are already causing, the massive physical and economic displacement of rural communities. In Laos, for example, a railway project under the BRI is grabbing the land of 4,400 farming families. The affected farmers were not even compensated according to reports, and some have been forced to migrate to adjacent countries to look for livelihood.⁸ In Sri Lanka, on the other hand, the Colombo Port City has reportedly deprived at least 3,000 fishing families of livelihood after sand dredging destroyed

the fishing grounds. Fishers could no longer find reef fish, shrimp or crabs and their catch and income have drastically declined. The Colombo port project is considered a globally strategic part of the BRI, in particular the so-called Maritime Silk Road.⁹

Financialisation, liberalisation and pandemic

Another phenomenon that is driving these land deals and the consequent land grabbing is the financialisation of agriculture and food production. Especially since the 2008 financial crisis, more and more investment banks, hedge funds, pension funds and other financial entities (or the so-called institutional investors) are placing their capital in land not mainly to produce food or any agricultural products but based on the expectations that land values will continue to appreciate. Farmlands are seen as a solid asset and safe haven for capital that could bolster the portfolios of the financial investors.¹⁰

According to a recent study by the global advocacy group GRAIN, institutional investment in agriculture has been expanding in the past two decades - from just seven agriculture-focused funds in 2004 to more than 300 today. Most of these funds are focused on acquiring or operating farmlands while some are on the downstream side of the food and agriculture sector. In Asia, there are 111 such funds worth USD 41 billion.¹¹

Aside from the traditional financial entities, global agribusiness firms that have long monopolised food production, trading, processing, distribution and marketing are also setting up their own investment funds. For these agribusiness monopolies, acquiring lands through investment funds affords them greater control over the supply chain. Furthermore, such investments also provide them with extra opportunities for profit making through speculation on agricultural land and commodities. Cargill, for instance, established its own hedge fund called Black River Asset Management that has become one of the world's largest agribusiness private equity funds.¹²

Furthermore, the introduction of new free trade and investment agreements is also creating more risks of land grabbing and of displacement of rural communities. The recently concluded Regional Comprehensive Economic Partnership (RCEP), for instance, is feared to worsen land grabbing with rules that could facilitate the transfer of lands from farmers and other small food producers to agro-corporations. For instance, RCEP's rule on "national treatment", which requires the signatories to treat foreign corporations from RCEP countries as if they were domestic companies, implies that countries like Indonesia, the Philippines and Thailand may be compelled to liberalise their current restrictions on foreign ownership of farmlands. RCEP also prevents member-countries from reversing current policies that recently allowed foreign ownership of

lands like Laos, which could deprive them of a policy option to protect their farming and indigenous communities.¹³

The COVID-19 pandemic in 2020 created additional challenges for rural communities facing threats of displacement as observed by land rights advocates and campaigners. As governments imposed strict lockdowns - especially in Asia - to contain the spread of the novel coronavirus, farmers and indigenous peoples became more vulnerable to land grabbing.

With restrictions on movement, for instance, farmers are unable to tend to their fields while some indigenous people are kept from forests. This created a favourable situation for land grabbers like private businesses to encroach their lands. Along with the lockdowns, governments started implementing as well neoliberal reforms like relaxing state regulations that also tend to protect rural communities from land grabbing such as environmental norms for mining and industrial projects.¹⁴

Large-scale land acquisitions

One indicator that provides a glimpse of the extent of land grabbing are the land deals or large-scale land acquisitions or LSLAs (i.e., 200 hectares or more) that "entail a transfer of rights to use, control or ownership of land through sale, lease or concession" and "imply the potential conversion of land from smallholder

production, local community use or important ecosystem service provision to commercial use”, as described and monitored by the Land Matrix Initiative.¹⁵

Based on available information processed from the Land Matrix’s online database, there are about 4,459 concluded land deals covering almost 156.42 million hectares worldwide. These translate to an average of more than 35,000 hectares per land deal.

Foreign interests are the main drivers of massive land acquisitions. Of the total number of deals, 2,757 or almost 62%, are transnational deals or involve foreign entities (whether individual, company or state agency). Land deals that involve domestic buyers or investors comprise 38% of the total or 1,702 deals. Additionally, transnational LSLAs cover an area of almost 122.79 million hectares of agricultural lands, or almost 79% of the global total. Meanwhile, domestic LSLAs account for 21% of the total area or 33.63 million hectares.

For land deals with identified individual sector or intention, production of food crops has the greatest number of deals at 971 (of which more than 62% involve foreign interests). These deals cover a total area of 8.43 million hectares (of which more than 71% involve foreign interests). Mining operations ranked second in terms of number of deals with 485 (81% with foreign mining firms) and they also ranked second overall in terms of

area covered at 27.12 million hectares (more than 96% of which are controlled by foreign miners).

The distinction of controlling the largest area of agricultural lands through LSLAs belongs to renewable energy with 27.97 million hectares, of which practically all (99%) are under foreign interests. This despite the sector registering only a total of 69 deals (61% foreign). The biggest portion of the global LSLAs - more than 28% of the total number of deals and almost 27% of the total area covered - involves multiple sectors or combination of purposes.

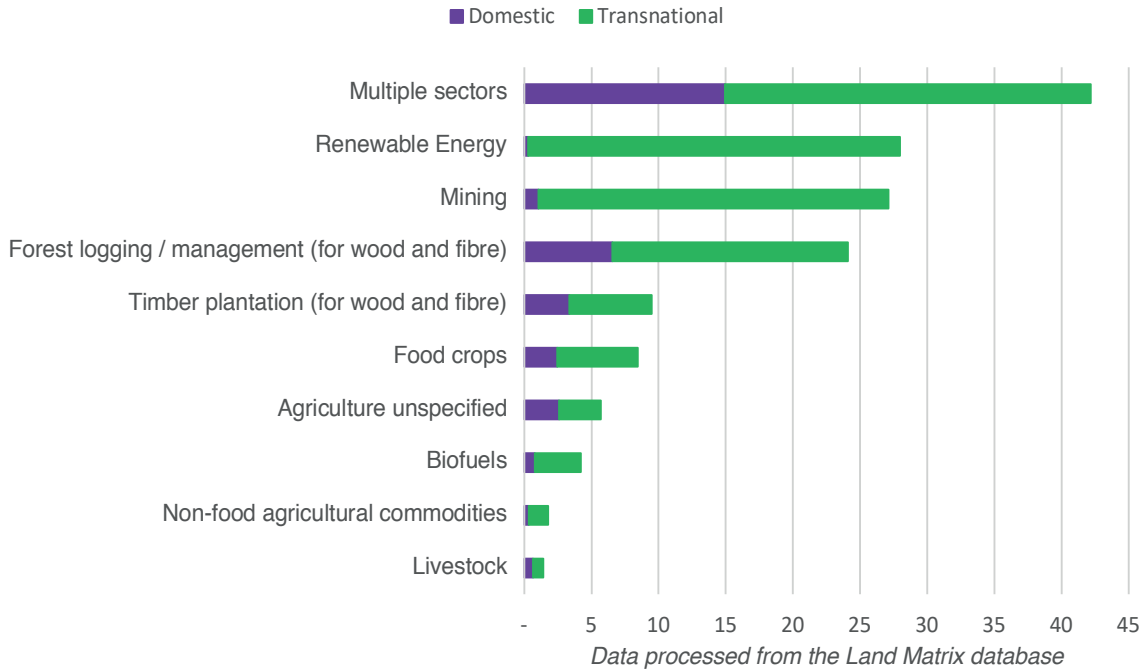
Chart 1 shows the summary of the top 10 sectors in terms of size the land deals worldwide. For a detailed breakdown of the data, see Annex 1.

Asian land deals

Focusing on Asia, the region accounts for more than 28% of the global land deals and 31% of the worldwide total area of such LSLAs. The average size of a land deal in the region is more than 38,400 hectares, higher than the global average.

Also, unlike in the global composition of land deals, the 1,263 land deals in Asia are almost evenly distributed between domestic (636 deals) and foreign (627). However, in terms of size, LSLAs with foreign interests account for an overwhelming 76% (or 36.71 million hectares) of the 48.58 million hectares of

**Chart 1. Top 10 sectors in terms of size of concluded land deals, worldwide
(in million hectares)**



agricultural lands included in such land deals in the region.

Several studies have also noted that land grabbing in Asia seems to have been initiated by the domestic elites who are represented in their respective governments, unlike in Africa for instance where the foreign corporation or government explicitly seeks to transact land deals. It appears thus that the new phenomenon of “cross-border mega land deals” is relatively less in Asia. On another note, it may also be the lack of transparency of transactions that has hidden the foreign governments from public scrutiny. Openly, Asian government officials,

including presidents and ministers, have gone on roadshows to pitch their agricultural and natural resource sectors to foreign investment.¹⁶

By sector or intention, renewable energy comprises the largest chunk (57%) of the Asian total in terms of area, with 27.51 million hectares. This also means that more than 98% of global LSLAs for renewable energy are in Asia, which include large hydropower projects. Meanwhile, forest logging/management deals account for the second largest area in Asia with 1.85 million hectares covered by 21 deals (all of which except one involve domestic players).

Similarly, domestic players control the majority of LSLAs for timber plantation, accounting for 54% (830,899 hectares) of the total 1.54 million hectares devoted for the said sector, which is the third highest in Asia. On the other hand, mining operations comprise 1.04 million hectares under 89 deals. While foreign miners are involved in just 34 of these deals, they nonetheless account for 83% (860,616 hectares) of the total area contained in mining LSLAs in the region.

Land deals for unspecified agricultural activities also account for a significant area in Asia with almost 3.21 million hectares under 158 agreements, almost evenly divided

among domestic and foreign players. As in the case of global land deals, LSLAs with multiple sectors in Asia account for the largest share both in terms of number of deals and area with 404 deals covering 10.85 million hectares (more than 22% of the Asian total). Domestic players are involved in more than 45% of these deals but accounting for 60% of the total area.

Chart 2 shows the summary of the top 10 sectors in terms of size of the land deals in Asia. For a detailed breakdown of the data, see Annex 2.

For specific countries in Asia that have a featured case study in this book, Table 1

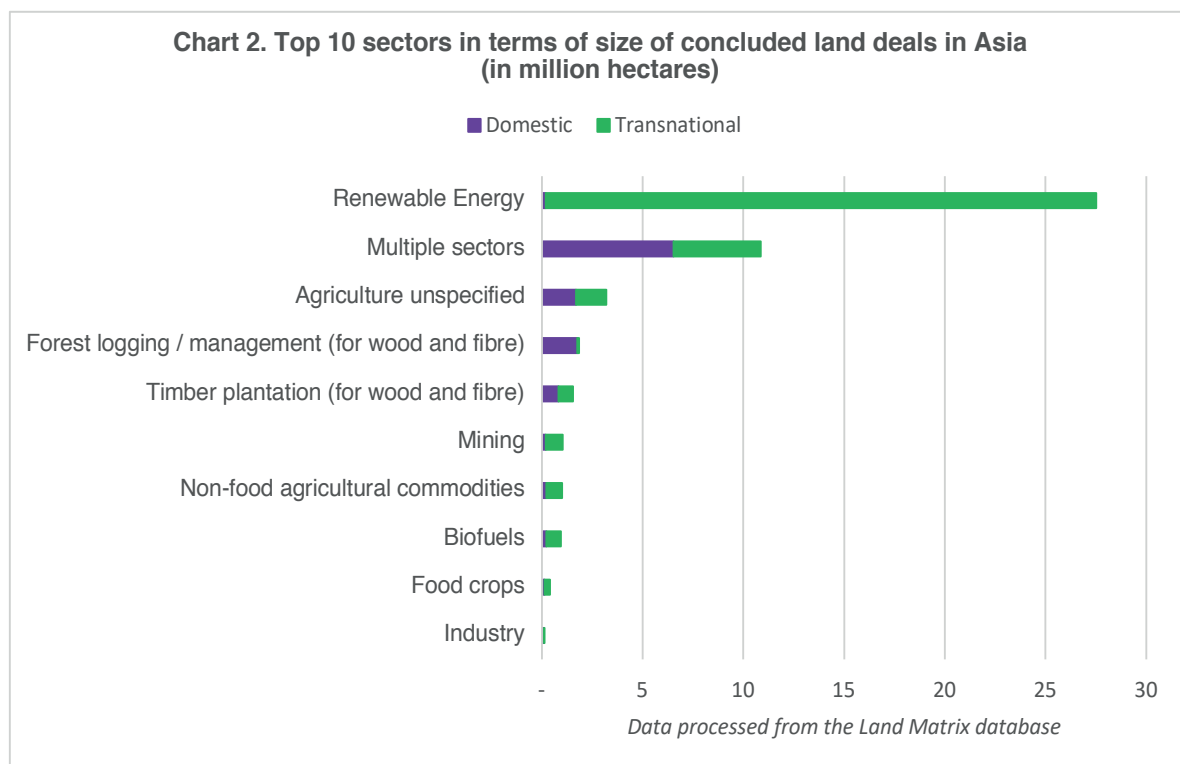


Table 1. Number and size of concluded domestic and transnational land deals in selected Asian countries, by intention of the land deals, as of October 2020

Country	No. of deals	Size of deals (in hectares)
Cambodia	257	2,151,498
India	83	137,691
Pakistan	5	28,930
Philippines	114	388,548
Sri Lanka	7	20,731

Data processed from the Land Matrix database

summarizes the number of land deals and the size of lands involved, by sector or intention. Cambodia registered the greatest number of deals with 257 as well as the largest area covered with 2.15 million hectares. The Philippines ranks second with 114 deals covering 388,548 hectares. Behind them are India, 83 deals and 137,691 hectares; Pakistan, five deals and 28,930 hectares; and Sri Lanka, seven deals and 20,731 hectares.

For a detailed breakdown of the data, including the sectoral distribution of the number and size of the land deals, see Annex 3.

Repression and resistance

Meanwhile, around the world, including in Asia, the continued rule of repressive regimes creates the environment of impunity in violating the human rights of the rural peoples and small food producers in order to pave the way for corporate, including

foreign, interests to take over lands and resources. Massive displacement of rural communities — including those carried out through military operations under the guise of counterinsurgency and national security or counter-terrorism — to clear lands for corporate plantations, big mining firms, economic zones and land concessions, transport, energy and other large infrastructure projects remains unabated.

Between January 2017 and October 2020, PAN Asia Pacific (PANAP) has monitored a total of around 592 cases of human rights violations that are related to land conflicts and struggles in at least 42 countries worldwide. These include 318 cases of killings; 157 cases of arrests, detention and/or legal persecution; 86 cases of threats, harassment and/or physical assault; and 31 cases of displacement.

Around 475 people were killed during the said period, of whom 207 were farmers and

farm workers; 153 indigenous people; and 106 land rights activists, with nine victims uncategorized in terms of sector. About 298 farmers and farm workers and 126 indigenous people were either arrested, detained or persecuted with trumped up charges as they asserted their right to land, along with 225 activists who support their struggle.

But even as land and resource grabs and the repression intensify, so is the resistance of affected rural communities through organized as well as spontaneous community mobilisations. By taking direct political actions and building solidarity, communities of farmers, farm workers, indigenous people, fishers, rural women and youth, are able to defend their rights

and aspirations. Advocates of the people's right to land and resources and for food sovereignty and genuine land reform must support and learn from these local struggles and build upon them to push for meaningful policy reforms both at the national and international levels.

The succeeding case studies in Cambodia, India, Pakistan, the Philippines and Sri Lanka describe in specific ways how large-scale land acquisitions through development projects and investments both by private business and government as well as foreign and local interests result to the displacement of rural communities, the particular socioeconomic and human rights impacts of these projects and investments, and how the people are responding to defend their rights.

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Peshawar Northern Bypass, pushing farmers to further destitution

Roots for Equity and Pakistan Kissan Mazdoor Tehreek (PKMT)

Introduction

Globally, imperialist powers have become assertive in dividing up nation-states in their run for control over raw material, markets and labour. An important element in the jostling of power is ensuring control over trade routes and networks, both by road and marine routes.

This jostling of power is clearly visible in Pakistan, especially with the agreement between China and Pakistan for the formation of the China-Pakistan Economic Corridor (CPEC), a part of the massive infrastructure project called the Belt and Road Initiative (BRI). Pakistan's geographical position not only offers itself connectivity to a number of important trade centres, it is also of geo-political interest as it borders with Afghanistan, Iran, India and China and is termed as a flagship project of BRI (See Images 1 and 2).

This research focuses on a particular segment of road that is being built in the northern city of Peshawar, namely the Peshawar Northern

Bypass. Though the Bypass is a very small stretch but it explicitly demonstrates the impact of imperialist resource grabbing, the collusion of local elite and the impact on local communities. The construction of the Peshawar Northern Bypass also clearly is a very important showcasing of the resistance being mounted by the people across semi-colonial, semi-feudal countries.

Peshawar Northern Bypass and its link to CPEC

Northern Bypass, Peshawar is a dual carriageway that will allow flow of heavy traffic such as trucks, trailers, and shipping containers to and from the southern side of



Image 1. China's trade interest: Land and maritime route

Pakistan, i.e. from Gwadar and Karachi ports to the very top of the top most province of Khyber Pakhtunkwa (Annex 2). According to sources, “the bypass is stretched across 32 kilometres and divided into three sections. Section one was inaugurated in 2015, and has numerous bridges and interchanges that connect to other important routes. The Northern Bypass has been touted to be neighbouring with “affluent societies. . . The communities and colonies offer a lucrative mix of residential plots and houses at affordable prices.”¹

The Bypass is part of a huge complex web of road routes that are being constructed across the country with the purpose of providing smooth trade passage, linking the country to, on one hand, its neighbouring countries and the other with its two ports cities Karachi and Gwadar, situated in the provinces of Sindh and Balochistan, respectively.

Major borders that it connects include the following (See Image 3):

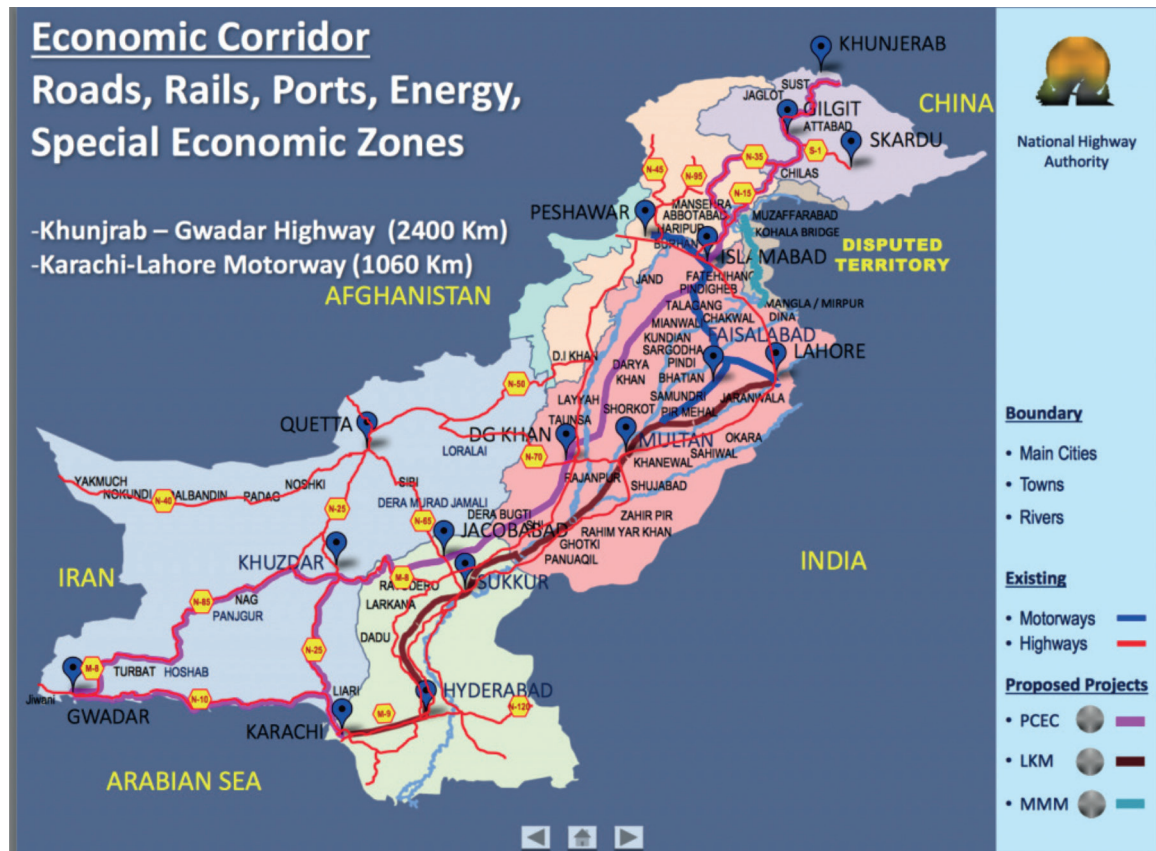


Image 2. China-Pakistan Economic Corridor

- **Afghanistan Border:** It connects to the Pakistan Afghanistan border in the northwest at Turkham, Khyber Pakhtukwa through the N-5, and Chaman, Balochistan in the southwest through the N-25.
- **Iran Border:** The Bypass also connects to Iran at the Taftan, Balochistan border through N-40, which in turn is connected through a series of other connecting highways.
- **Interconnectivity within:** The Bypass connects to N-55 Indus Highway, a critical major road route that runs through the country connecting three of the four provinces, Khyber Pakhtunkwa, Punjab and Sindh, as well as with M-1 that links Peshawar to the capital Islamabad. The N-55 also connects to the Gwadar port through the N-10/Makran Coastal Highway, and to Karachi port through the M-9.

MAP OF NATIONAL HIGHWAY NETWORK



Image 3. Major borders connected by Northern Bypass project

In the initial stages of BRI, Afghanistan had not been included in the vast network of infrastructure projects that are now connecting more than 80 countries globally. However, according to reports with North Atlantic Treaty Organization (NATO) troops withdrawing from Afghanistan, it has gained importance as link between Central Asia and CPEC.²

Recently, the Chinese Ambassador to Afghanistan, Ambassador Yu, and Pakistan's Foreign Minister Qureshi both have stressed the importance of CPEC to develop Afghanistan's markets and trade.³ According to Ambassador Yu, 'We will strengthen regional connectivity and extend

the China-Pakistan Economic Corridor into Afghanistan and towards Central Asian countries.⁴ The Pakistan-Afghanistan Trade and Investment Forum was held in Islamabad on October 27, 2020 where it was reaffirmed that "Pakistan is a natural trade partner of Afghanistan."⁵

Links between Northern Bypass and Central Asia Regional Economic Cooperation (CAREC)

Another major regional body that is of interest in relation to the Northern Bypass is the Central Asia Regional Economic Cooperation (CAREC). The CAREC is a regional cooperative program between 11 countries, namely Afghanistan, Azerbaijan,



Image 4. Khyber Pass Economic Corridor Project

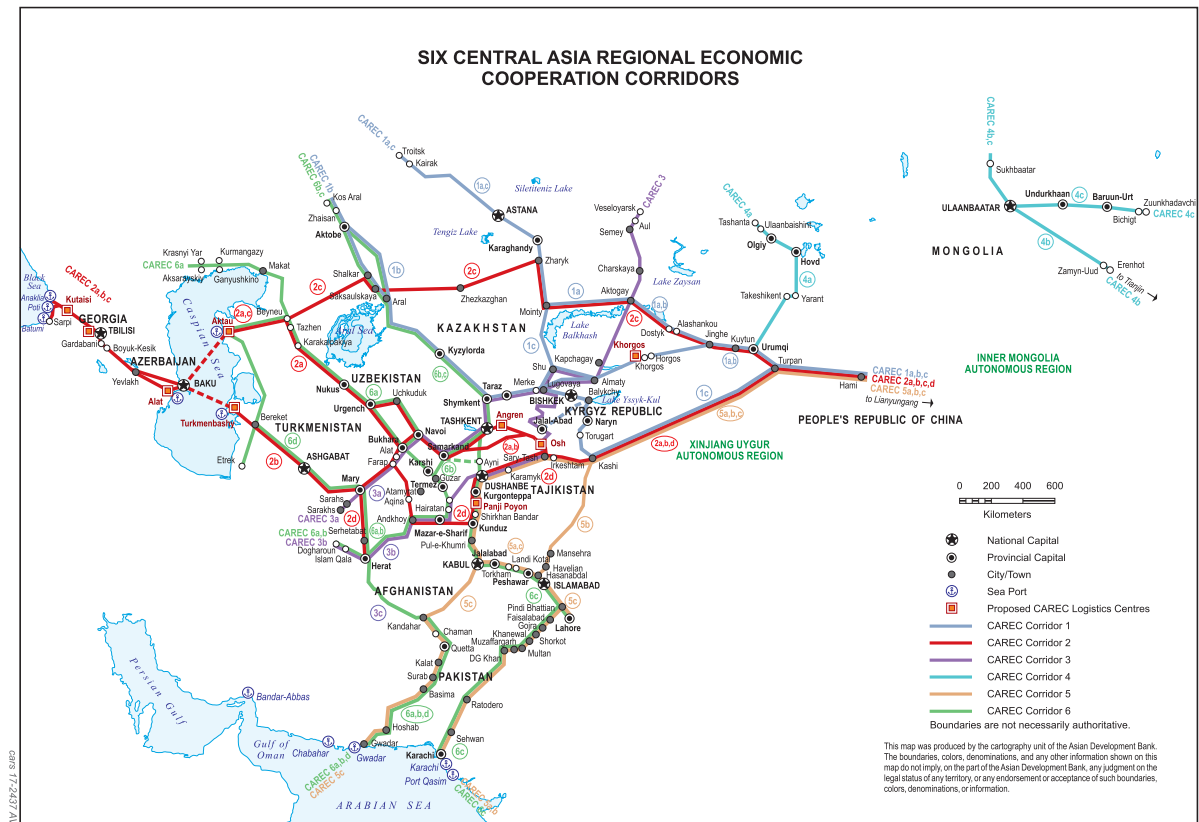


Image 5. Central Asia Regional Economic Cooperation (CAREC) corridors

Georgia, People's Republic of China, Kazakhstan, the Kyrgyz Republic, Mongolia, Pakistan, Tajikistan, Turkmenistan, and Uzbekistan (See Images 4 and 5). The Asian Development Bank (ADB) has served as its secretariat since 2001.⁶ CAREC has six multilateral donors, which include the World Bank, European Bank for Reconstruction and Development (EBRD), International Monetary Fund (IMF), Islamic Development Bank (IDB), and United Nations Development Programme (UNDP).⁷

Under CAREC, the World Bank is funding a particular project, the Khyber Pass Economic Corridor (KPEC) in Peshawar that is also based on providing increased connectivity and trade between Pakistan and Central Asian countries.⁸

According to the World Bank: "The KPEC connects Pakistan and Afghanistan with Central Asia through the Khyber Pass. This route has been integral to trade in South and Central Asia for hundreds of years. It is part of Corridors 5 and 6 of the CAREC

routes, which will provide the shortest link between Pakistan, Afghanistan, Tajikistan, Uzbekistan and the Arabian Sea.”⁹

The KPEC is based on two components, the first is the Torkham-Peshawar Expressway, and the second is “in conjunction with other projects, to alleviate the main constraints on the development of key regional value chains – particularly marble and horticulture - in the Greater Peshawar area to maximize the benefits of the Expressway for the region.”¹⁰ The Expressway also connects to the Northern Bypass.

It’s worth mentioning that in the past decade the US government had also provided grants for developing road infrastructure that links the Northern Bypass to Torkham. In September 2012, the US government provided Rs 5.6 billion (about USD 35 million)¹¹ for the construction of the Peshawar-Torkham Highway, which had been serving as the main supply route for NATO forces in Afghanistan.¹² According to the USAID, part of the objective of this project was to improve local economic opportunities, allow internal and international trade to flow more easily, offer employment opportunities for local workers, among others.¹³

The impact of trade routes on local communities

The preceding section demonstrates the interest of major capitalist countries

particularly China and the USA, and the so-called development agencies such as the World Bank, ADB and others to build vast trade routes that cut across not only communities but whole block of countries and continents. The CPEC is part of the BRI, which covers not only countries in Asia but aims to connect to the African and European continent.

Similarly, the presence of donors such as the World Bank, ADB, IMF and other donors, which are close allies of the US is a clear indication of the interest of capitalist countries and their corporations to exploit the abundant natural resources including fossil fuel in the region as well as to control the markets for their products.

Impacts of the Northern Bypass on communities: Case study Garhi Bajaz

The construction of the bypass was initiated in 2016, and it passes through the village of Garhi Bajaz, Union Council Haryana Bala, Peshawar.

Village Garhi Bajaz is in the suburbs of Peshawar, which is the capital of the northwest province Khyber Pakhtoon Khwa, a province which has undergone many years of extreme conflict as it has long porous border with Afghanistan.

The village is part of the Haryana Payan union council (though the villagers state that the village is now part of a new union council

Haryana Bala and this needs to be verified). The village consists of six extended families comprising of 21 households. In the past few months the recently widowed woman (part of one of the families) has come back and hence including her household, there are now 22 families. All households were tenant farmers of two big local landlords, Noor Alam Khan and his cousin brother Sher Alam Khan. The lives of the villagers have been heavily influenced by these landlords, of which Noor Alam Khan is also a Member of Parliament (MNA) and is part of the currently ruling political part Pakistan Tehreek Insaf. Arbab Wasim Hayat (another politician) is also influential in their area.

Noor Alam's ancestors had initiated the village in 1935. The ancestors of the families living in the village were the first settlers clearing the land for agricultural production. They have remained tenants of the landlord to this day and none of them have ever been given land deeds.

There is only one school Qadirabad High School which is located near Dera Shamas, quite far from the village. The girl's school is also located in another area far from the village; according to the villagers, only young girls up to seven years of age attend this school. There are clinics near the village and people have to access hospitals in Peshawar if they need any treatment.

Natural gas connection has not been provided to the village, though all the

surrounding areas have the facility; Noor Alam Khan does not allow gas connections to be installed. The general understanding is that if there are gas connections in the name of the villagers then this would be documented proof that they are residents of the village.

Agricultural land and production

The landlords and their ancestors have been exploiting the farmers in this village from its inception. The British during colonial times had provided the land to Noor Alam's paternal grandfather. It's not clear how much land was given; on the documents available at the moment only five acres belong to Noor Alam's father.

However, he controls approximately 60 acres of land, which is named after different people. Haryana Bala village residents have not seen these people. They believe that either these people are either employed by Noor Alam or he has forcefully taken control of this land.

So, the total land used by the villagers is 60 acres, which includes their living area. The living area is using just short of 5 acres. Before the construction of the Bypass, 40 acres of the land was used for sugarcane and wheat production, and farmers served as the landlords' sharecroppers.

The irrigation water is subsidised and the six families living on the land pay 40 kilograms

of wheat per family as water tax to the person in charge of looking after the water courses. They also have to pay to have the watercourses cleaned, annually.

The farmers preferred growing okra, which brings a very good market price but the landlords had forbidden it and instead sugarcane was grown. The reason for sugarcane production is that the cane was sold to sugar mills. The price for the cane was deposited directly in the bank account of the landlords, and they gave back the farmers' share in cash. This means that the landlords were able to hide the actual payment made in his bank account from the farmers and pay according to his own will. If okra was to be grown, it would be sold in the market and the actual sales amount would be known to all.

Of the remaining 15 acres of land, 3 acres was used for growing fodder for the animals and the farmers were paying a fixed lease for this land. From 2010-2013, the farmers had been paying a sum of Rs 8,000 (USD 50.13) per acre as lease. Then it was increased nearly every year to Rs 12,000 to Rs 24,000 (USD 75.19 to USD 150.39) per acre. In 2016, at the time that the conflict arising from the construction of the Bypass started, the landlord kept Rs 60,000 (USD 376) from the amount deposited in the bank from the cane harvest in lieu of the lease.

After this, the land has been taken away from them, and the farmers have not paid

any lease. It seems that the landlord knew about the possibility of the construction of the Bypass and hence had started creating problems for the Haryana Bala residents and farmers so that they would leave the land and Noor Alam could claim it as his own.

The remaining 12 acres of land was used on and off by the farmers for growing okra and other vegetables or fodder and there was no fixed pattern to the use of this piece of land.

The conflict

According to the villagers, road construction for the Northern Bypass was initiated in 2015. In the beginning, the engineer came for the survey along with the *Patwari* (a government employee who has land title records) in which their houses, land, school and others were inspected. Five farmlands were affected by this road. The engineer wrote down their names and said that they would be compensated for any damage that would ensue from the construction of the Bypass.

A second survey was carried out and the people whose houses would be affected were promised cash compensation. This time the Noor Alam's *munshi* (supervisor) was also present. (It seems that Noor Alam rarely comes himself and his supervisor is responsible for looking after the land. However, for Sher Alam's tenants – he

interacts with them directly.) The supervisor challenged the farmers on providing evidence that the homes or the land belonged to them. Five houses were going to be damaged or totally demolished in the construction of the Bypass.

According to the villagers the initial design of the Bypass would have gone through homes of the landlords and they deliberately changed the planned route to save their property and get compensation for the damage to and demolition of the villagers' homes.

The construction of the Bypass has resulted in loss of 7.5 acres of land, which has impacted three farmers. One home has been totally demolished whereas one home has been partially damaged. At the time that the land was taken, crops were also destroyed.

Farmers have not been compensated for the destruction and damage of the farmers' property, and loss of their crops. The compensation money was given to Noor Alam. In response, the farmers resisted the ongoing work on the Bypass and blocked further construction. As a result, the contractor gave Rs. 200,000 (USD 1,253.33) to the farmers even though Noor Alam had pocketed Rs. 400,000 (USD 2,505.79) that had been provided by the government authority, the National Highway Authority.

In the past two years, Noor Alam has seized the land from the farmers and they are unable to cultivate at all. They have lost their entire source of income. Another related impact has been on the livestock. Given the number of animals each family had they were highly dependent on the land to grow fodder. With no source of fodder, it has become very difficult for them to retain their animals. (See Annex 4).

The livestock was not only a source of milk, butter and butter oil but also a source of organic manure which is used by the household as source of cooking fuel. In the past years, the families have sold off a large number of animals, especially buffaloes as their fodder requirement is quite big and it's been very hard for the villagers to maintain them.

Women especially mentioned the loss of livestock as it impacts food intake at home as well a cooking item need. Milk in the market is about Rs 100 (USD 0.63) per litre and difficult for them to purchase.

With the construction of this road, pollution has spread in the area, the bypass basically run right in front of their homes. Agriculture land has been lost along with trees have been cut down as well. The short cuts that allowed them to access other villages were blocked, increasing their hardship. The

prices of the land in the area have gone up and made them even more destitute than before. According to the villagers, the modernisation is only benefitting the landlords and capitalists; for the farmers it's just increased oppression and destitution.

Current situation

As was stated before, in the past two years, Noor Alam has seized the land from the farmers and they are unable to cultivate at all. On September 14, 2019, Sher Alam filed a First Information Report (FIR)¹⁴ against the villagers saying that they were carrying out illegal construction on his forefather's land.

Consecutively, three more FIRs were lodged on September 23, 2019, November 2, 2019 and finally on June 28, 2020. The first two times six people went to jail, and the last time 16 people were sent to jail. They were released after 7-15 days. Now the next date is on November 2, 2020. They believe that the *patwari* will provide evidence that the land does not belong to Noor and Sher Alam.

However, it is not clear what will happen.

The cost of hiring lawyers to fight their case as well as to get those sent to jail out on bail costs Rs 6,000 (USD 37.59), which means that at least Rs 264,000 (USD 1,654.20) has been spent in getting the arrested farmers out of jail.

This is another reason that farmers have been selling their livestock so that they can continue with their case as well as maintain their families.

The farmers are determined to fight the case even up to the level of the High Court. They have also developed a strategy but it's not being shared at the moment. The strongest point in their favour is that there is no documented evidence that shows that the land belongs to Noor Alam and Sher Alam. However, given that Noor Alam is a very powerful political figure it remains to be seen how the case will be decided. It is clear that he does not want the case to be fought in his name as all FIRs have been filed by his cousin Sher Alam Khan.

(ENDNOTES)

- 1 <https://www.zameen.com/area-guides/northern-bypass-peshawar/>
- 2 Rehman, Zia ur, "China pushes Pakistan to open trade routes with Afghanistan." NIKKEI ASIA, August 24, 2020. Accessed on October 27, 2020 from <https://asia.nikkei.com/Spotlight/Belt-and-Road/China-pushes-Pakistan-to-open-trade-routes-with-Afghanistan>.
- 3 Ali, Shafqat. "CPEC can bring prosperity to Afghanistan: Pakistan FM." China Economic Net, September 30, 2020. Accessed on October 27, 2020 from http://en.ce.cn/main/latest/202009/30/t20200930_35847625.shtml.
- 4 Ibid.
- 5 Business Recorder. "India may use Afghanistan to foment unrest". Business Recorder, October 27, 2020, p.1.
- 6 ADB. "ADB Grant to help develop railways in CAREC countries." January 25, 2019. Accessed on October 27, 2020 from <https://www.adb.org/news/adb-grant-help-develop-railways-carec-countries>
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- 8 The World Bank. "Pakistan: Peshawar-Torkham Expressway Corridor Project (Trans-Khyber Pass – Gateway to Central Asia) Project Information Document/Integrated Safeguards Data Sheet PID/ISDS." October 4, 2016. Accessed on October 27, 2020 from <http://documents1.worldbank.org/curated/ar/902761478607999972/pdf/ITM00184-P159577-11-08-2016-1478607997041.pdf>
- 9 The World Bank. "Fact Sheet: Khyber Pass Economic Corridor (KPEC)." October 1, 2019. Accessed on October 27, 2020 from <https://www.worldbank.org/en/news/factsheet/2019/10/01/khyber-pass-economic-corridor-kpec>
- 10 The World Bank. "Peshawar-Torkham Expressway Corridor Project Safeguard Instruments, Executive Summary." January, 2018, p.5. Accessed on October 28, 2020 from <http://documents1.worldbank.org/curated/en/798631518104666751/pdf/Executive-Summary-for-Board-Peshawar-Torkham-Economic-Corridor-Project-V-1-02052018.pdf>
- 11 Based on an exchange rate of USD 1 = PKR 159.62 (XE Currency Converter, <https://www.xe.com>); succeeding conversions are also based on the same rate
- 12 Bureau Report Daily Dawn. "US to fund Torkham road reconstruction" September 2, 2012. Accessed on October 27, 2020 from <https://www.dawn.com/news/746526>.
- 13 USAID. "Peshawar-Torkham Road Rehabilitation." March 24, 2015. Accessed on October 27, 2020 from <https://www.usaid.gov/news-information/fact-sheets/peshawar-torkham-road-rehabilitation>
- 14 FIR is a document prepared by police organisations in Pakistan when they receive information about the commission of a cognisable offence.

Profile of contributing organisations

Coalition of Cambodian Farmers Community (CCFC). CCFC conducts advocacy activities in 40 farming communities across eight provinces in Cambodia on the issues of land, political intimidation, forced eviction, and natural resource destruction.

Andhra Pradesh Vyvasaya Vruthidarula Union (APVVU). The APVVU is a federation of 428 trade unions of rural informal workers from agriculture, fishing, forest; rural artisans, sharecroppers, marginal farmers, construction workers and shepherds. They have about 592,850 members, of whom more than half are women, in 14 districts of the Andhra and Telangana states in India.

Alliance of Agrarian Reform Movement (AGRA). AGRA mainly works on advocacy for genuine agrarian reform in Indonesia. It has a membership of about 25,000 small-scale farmers, agricultural workers and landless peasants including in the Merauke Regency and Merangin District in the provinces of Papua and Jambi, respectively.

Pakistan Kissan Mazdoor Tehreek (PKMT). PKMT is an alliance of small-scale farmers and landless peasants. PKMT is actively working on issues of agrarian reform, neoliberal globalisation and land grabbing by local landlords and foreign corporations.

Roots for Equity. Roots works with the most vulnerable, marginalised communities that include small and landless farmers, women and religious minorities in the rural and urban sector. It is committed to being an active part of communities' struggle to achieve political, social, environmental and economic justice.

Kilusang Magbubukid ng Pilipinas (KMP). The KMP is a national democratic mass movement of more than a million landless peasants, small farmers, rural youth and peasant women. KMP has long been campaigning against land and resource grabbing and fighting for genuine agrarian reform throughout the Philippines.

National Fisheries Solidarity Movement (NAFSO). NAFSO organises fisherfolk and coastal communities to defend their rights and to bring about good environmental practice in the coastal areas of Sri Lanka.

About PANAP

PAN Asia Pacific (PANAP) is one of the five regional centres of Pesticide Action Network (PAN). PANAP works for the elimination of harm caused by pesticides on human health and the environment. PANAP also promotes agroecology, helps strengthen people's movements in their assertion of rights to land and livelihood, and advances food sovereignty and gender justice.

As a network, PANAP is currently comprised of more than 100 partner organisations from the Asia Pacific region and has links with about 400 other regional and global civil society and grassroots organisations.



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