



## Undemocratic Land Reform Bill threatens peasant access to land in Ukraine

**ECVC together with URDN, Bankwatch and EcoAction demand the Ukrainian government repeals the law and ensures any future process is subject to fair, open and democratic debate, in which the voices of small-scale farmers and Civil Society are consulted**

On 31 March, in the midst of the corona virus pandemic, the Ukrainian parliament passed a historic and potentially catastrophic Land Reform Bill which threatens the right to land for peasants in one of Europe's most trouble-stricken countries. The law lifts the historic ban on the sale of farm land, facilitating land concentration and land grabbing, despite tremendous opposition at national level<sup>1</sup>. Following pressures from IMF and the World Bank, the Ukrainian authorities opened the land market, taking advantage of the vulnerability and powerlessness of the population during the COVID-19 crisis. Large corporations and pre-existing oligarch powers are the real beneficiaries of this decision, whilst the rights of small-scale family farmers and regular citizens are destroyed. ECVC together with the Ukrainian Rural Development Network (URDN), Bankwatch and Eco Action denounce this situation and calls upon the EU and UN Institutions to play their role in ensuring justice is delivered.

In a time of desperate need and vulnerability, the Ukrainian authorities, coerced by the International Monetary Fund (IMF)<sup>2</sup> and financed by the World Bank<sup>3</sup>, took advantage of COVID-19 measures to drive forward their own liberal agenda and lift the long-standing ban to allow the sale of farmland in the country. For a country like Ukraine - a young democracy stricken by war and poverty, with considerable internal vulnerabilities - the risk of economic, social and political turmoil linked to COVID-19 is enormous<sup>4</sup>. At the end of March, the Ukrainian parliament held an emergency session to pass legislation, at the demand of the IMF, as a requisite of their request for financial aid to respond to COVID-19 crisis.

The impact of this decision is underlined when you consider the percentage of the Ukrainian population that are implicated by this decision. According to 2013 data<sup>5</sup>, 31.9% (14.54m) of the population lives in rural areas and 23.1% of the population is employed in agriculture. Just a few months ago, in December 2019, a peasant farmer was killed in clashes with the police during protests against the land reform bill<sup>6</sup>. In effect, despite mass public demonstrations against this controversial bill, the authorities have made use of the very moment when citizens are confined to their homes and unable to protest, in order to force it through.

However, the controversy of this law does not stop there. When analysing the content in any depth, it is evident that the newly approved bill will work in the favour of large-scale industry and already existing powers, facilitating land concentration and land grabbing and depriving many small-scale peasant farmers from fair access to land. One such example is the supposed pre-emption rights afforded to current users of land within

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<sup>1</sup><http://urdn.org/wp-content/uploads/2019/12/ANNOUNCEMENT.pdf>

<sup>2</sup><https://www.euractiv.com/section/europe-s-east/news/ukraine-opens-up-land-market-in-bid-for-8-bln-imf-package/>

<sup>3</sup><https://www.worldbank.org/en/news/opinion/2017/10/02/ukraine-can-boost-annual-output-us15-billion-with-land-reform> and <https://www.worldbank.org/en/news/loans-credits/2019/05/24/ukraine-program-for-results-on-accelerating-private-investment-in-agriculture>

<sup>4</sup> [https://www.eurovia.org/wp-content/uploads/2020/05/Analysis-land-reform-in-Ukraine-URDN\\_EA.pdf](https://www.eurovia.org/wp-content/uploads/2020/05/Analysis-land-reform-in-Ukraine-URDN_EA.pdf)

<sup>5</sup><http://www.fao.org/3/a-aq674e.pdf>

<sup>6</sup> <https://www.eurovia.org/not-a-day-to-celebrate-ecvc-condemns-the-death-of-a-peasant-farmer-in-ukraine-while-protesting-for-his-rights/>

the bill. These pre-emption rights are, in theory, designed to protect the current users of farmland, giving them priority to purchase. In reality, small-scale farmers are unlikely to be able to raise the necessary funds to buy this land, particularly given that parliamentary sessions scheduled to plan aid schemes to support this have already been cancelled and/or delayed. In addition, these pre-emption rights are transferrable to any other individual, leaving a gateway for powerful individuals and companies to acquire the pre-emption rights to buy huge quantities of farm land, seriously damaging and reducing small-scale family farming.

After adopting the bill that launches the sale of agricultural land, the attack on the rights of Ukrainian peasants to land is still ongoing. The pro-governmental fraction in the Ukrainian parliament initiated the consideration of another bill, increasing the tax burden for owners and users of agricultural land. If passed, the new bill will affect primarily small landowners and peasant family farms with small land plots. This will force smallholders to sell their land. At the same time, the new draft law allows large corporate-owned farms and industrial agrohholdings to mitigate such an additional tax burden.

In this context, we denounce the undemocratic nature by which the newly approved land law was passed by the Ukrainian parliament, as well as the deplorable role of the various financial institutions in this process. These actors are, in reality, going against the best interests on the population for their own self gain. We demand that the Ukrainian government repeals this law and ensures any future process is subject to fair, open and democratic debate, in which the voices of small-scale farmers and Civil Society are consulted.

Furthermore, this law and the process by which it was passed is a clear violation of the UN Declaration of the Rights of Peasants and UNDROP, which recognises peasants' right to land. We therefore ask the relevant UN bodies - such as the FAO and the OHCHR, as well as the Special Rapporteur on rights to food - to facilitate fair dialogue and debate, as a part of their role in protecting the human rights of the rural population, and implementing the Voluntary Guidelines on Tenure (VGGT).

Similarly, we ask the Delegation of the European Union to Ukraine to also encourage democratic dialogue with small-holders as part of this process. Given that European External Action Service identifies Ukraine as a 'priority partner for the European Union (EU)', and 'supports Ukraine in ensuring a stable, prosperous and democratic future for its citizens'<sup>7</sup>, it seems only essential that they move to act on this matter.

This is an urgent and critical matter which has the potential to shape the landscape of Ukrainian farming and food systems, as well as impact the wider agricultural landscape, in Eastern European countries and beyond. In the context of COVID-19, which continues to expose the vulnerability of our current food supply and agricultural system, we must take immediate action to prevent land grabbing and land concentration in Ukraine, in order to prevent further putting industrial interests above citizen well-being, and pave the path to a fairer, more sustainable future.

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<sup>7</sup> [https://eeas.europa.eu/headquarters/headquarters-Homepage/4081/eu-ukraine-relations-factsheet\\_en](https://eeas.europa.eu/headquarters/headquarters-Homepage/4081/eu-ukraine-relations-factsheet_en)