



FOOD SOVEREIGNTY AS A CONSTITUTIONAL RIGHT: Evolution, Achievements, and Challenges of the Food Sovereignty Movement in Nepal

Part 2

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History of Constitutionalization of Food Sovereignty in Nepal

In countries like Nepal, where feudalism, structural adjustments, and more recently neoliberal reforms have severely impacted and destabilized agriculture, resistance and organized movements have been robust. Amidst neoliberal interference, displacement, and marginalization of peasants, food sovereignty emerged as a chosen alternative and a peasant-led solution [1]. Consequently, Nepal stands out as one of the few nations where Food Sovereignty is not only constitutionally enshrined (2015) but also supported by formulated laws (2018) and ordinances (2024) aimed at its implementation.

This paper aims to provide a very brief documentation of the food sovereignty movement in Nepal and outlines the challenges that lie ahead in achieving it for the Nepalese people.



The Geopolitical Historical Context of the Peasant Movement in Nepal

Nepal is a beautiful mountainous country in South Asia in the lap of the Himalayas. The comparatively small country with 29 million population [2] and a 147,151 Square KM area is landlocked by two giant emerging economies with billions of people, India and China. Nepal is known for its Himalayas, mountains, rivers, biodiversity, and natural beauty. The uniqueness of Nepal lies in its diversity and 125 languages are spoken in Nepal by various ethnic/indigenous groups, castes, and communities. Peaceful co-existence of many cultures, ethnicities, and religions in the sacred land of the birthplace of Gautam Buddha. Many documents also reflect that Nepal is one of the countries with a distinct history of more than 3,000 years and was never colonized by external colonial powers and emperors. It is also the youngest republic which has a unique history of people's struggles.

Organizations and political parties were formally established in Nepal during the 1930s as part of the struggle for democracy in the country. Nepal achieved its first period of democracy in 1950, ending the 103-year-old autocratic Rana Rule. However, this initial democratic phase was short-lived. From 1960 to 1990, Nepal experienced a *partyless panchayat* system during which political and social movements were prohibited. The political changes of 1990 brought about the reestablishment and reorganization of social movements and mass organizations.

The organized peasants' movement in Nepal began in 1951 with a call to end the brutal feudal system and grant land to the tillers, marking a historic struggle for political rights and democratic freedoms. The All Nepal Peasants' Federation (ANPFa) has been at the forefront of advocating for agrarian reform and peasants' rights since its establishment in 1951. Initially formed during a period when political activities, especially by left-wing parties, were banned, the peasants' movement served as a platform for political mobilization.

Over the past six decades, peasants' associations have played a crucial role as mass organizations aligned with political parties. Despite facing divisions due to internal disputes within left-wing political parties, peasants' organizations have managed to collaborate on common agendas.

ANPFa has been the foremost organization advocating for food sovereignty in Nepal, although many other organizations, forums, and networks have also played significant roles. Over the past 25 years, ANPFa has prominently



championed food sovereignty, actively mobilizing the masses for democratic freedom, peasants' rights, and land reform. Its illustrious history and contributions to various movements, including democratic peasant uprisings and the restoration of people's sovereignty in Nepal, have culminated in the constitutionalization of food sovereignty and other policy reforms.

Entry of Food Sovereignty in Nepal

ANPFa was present at the second conference of La Via Campesina (LVC) in Mexico, where initial discussions on the concept of food sovereignty took place. ANPFa also participated in the parallel forum against the World Food Summit held later that year in Rome, where the concept was officially launched. While ANPFa formally became a member of LVC at a later date, it had been actively opposing neoliberal policies and the World Trade Organization regime at regional and continental levels through forums such as the South Asian Peasants Coalition (SAPC¹) and Asian Peasants Coalition (APC) since 1993. ANPFa was the founding member and founding Chair of those two platforms.

At the national level, ANPFa created Nepal's National Peasants' Coalition (NPC) comprised of 17 progressive and democratic peasants organizations which unitedly fought against the autocratic regime (during the coup of 2003–2006) as well as for the common agendas of agriculture and peasantry. Food Sovereignty was an important binding element. Similarly, ANPFa along with other CSOs created a right-to-food network, Nepal (RtF, Nepal) which was a massive platform with more than 85 member organizations and individuals. RtF, Nepal, SAAPE², SAPC, NPC along FIAN Nepal³ work together at national and regional levels to popularize food sovereignty. At the national level, platforms like Food Sovereignty Network, Nepal, and, at the regional level, South Asia Alliance for Poverty Eradication (SAAPE) campaign, Food Sovereignty Network South Asia, among others, played important roles in popularizing food sovereignty. The incorporation of Food Sovereignty into Part Three, Article 18 (3) of Nepal's Interim Constitution was the result of continuous and extensive mobilization by

¹Established in 1993 South Asian Peasants Coalition (SAPC) and Asian Peasants Coalition (APC) was chaired by ANPA in the founding years and both networks promoted Food Sovereignty.

² South Asian Alliance for Poverty Eradication is another progressive network of mass organizations and civil society organization in South Asia. One of the core theme of SAAPE is Food Sovereignty.

³ Food First International Nepal Chapter is also very active in the area of right to food and food sovereignty.



ANPFa and its allies, in coordination with left-wing and democratic political parties in the country. Understanding this success requires a historical analysis of ANPFa's struggle within Nepal, supported by regional and international alliances.

Leaders within Nepal and networks outside the country played pivotal roles in achieving this milestone. Furthermore, international mobilization had a direct impact. Nepali delegates also participated in international events, including with Evo Morales, former President of Bolivia, during the Cochabamba Conference, where global environmental concerns resonated deeply with the Nepalese struggle [3].

Key Moments in the Constitutionalization of Food Sovereignty

The National Peasants Coalition played a crucial role in amplifying Nepalese Peasants' voices during the 2006 people's movement. With major peasant organizations united under a common voice, lobbying with major political parties became more effective. Prior to the final mobilizations in 2006, left-wing and democratic peasant organizations collaborated to establish their shared agendas, with food sovereignty being a key point of focus. ANPFa also conducted numerous local and regional conferences and campaigns to garner support from grassroots organizations.

Among many, "*The People's Caravan for Food Sovereignty*," was a historic event organized in 2004, involved a long march of peasants across many countries in Asia and Europe. This nearly 20,000-strong march aimed to raise awareness and exert pressure on the issue of food sovereignty. In Nepal, a Culmination program was organized, preceded by a successful conference on Food Sovereignty as an alternative to corporate globalization. The Culmination program in Nepal included a public rally and mass meeting on September 30th 2004, following extensive organizational efforts. Nearly all NPC members and other organizations joined the organizing committee of the People's Caravan for Food Sovereignty [3].

The culmination program held in Kathmandu was a significant event, attended by numerous dignitaries and food sovereignty activists. Among them were also peasant organizations and movements such as South Asian Peasants' Coalition, All India Kisan Sabha, Society for Rural Education and Development (SRED) India, Agricultural Workers Union (APVU) India, La Via Campesina, Brazilian Landless Workers Movement, Voluntary Action



Network India (VANI), Consumers Union USA, and All Nepal Women Association, all of whom emphasized the urgent need for food sovereignty realization. [3]

Prominent Nepalese political leaders representing various parties were also in attendance. Many of the intellectuals of the peasantry class as well as prominent figures in civil society organizations also joined the event. This event, therefore, exemplifies how food sovereignty gained traction among political parties, top leaders, and civil society organizations in Nepal [3].

ANPFa, alongside its allies, founded national and regional platforms such as the Food Sovereignty Network Nepal and the Food Sovereignty Network South Asia (FSNSA). In 2009, ANPFa collaborated with IMSE (Institute for Motivating Self Employment, International Planning Committee for Food Sovereignty in India) to create FSNSA. This platform facilitated programs on Millennium Development Goals, Voluntary Guidelines on Right to Food (VGRF), and International Conference on Agrarian Reform and Rural Development (ICARRD), among others. ANPFa also partnered with members of the South Asia Alliances for Poverty Eradication to launch campaigns on food sovereignty and climate justice in South Asia.

After the People's Movement II in 2006, Nepal transitioned into federal republicanism and held two constituent assembly elections to draft its constitution. Throughout this period, ANPFa persistently lobbied political parties to enshrine food sovereignty into law. They organized conferences with lawmakers and disseminated informational materials in local languages despite facing numerous attempts to thwart these efforts, including attempts to divide the peasants' movement.

Despite challenges, Constituent Assembly members influenced by ANPFa played a pivotal role, resulting in the inclusion of food sovereignty as a fundamental right in Article 36.3 of the Constitution of the Federal Democratic Republic of Nepal in 2015. Subsequently, efforts focused on drafting legislation, which was passed by parliament in 2018 under the Right to Food and Food Sovereignty Act. However, political instability and government reluctance delayed the drafting of regulations. It was not until 2024, after continued efforts by ANPFa, FIAN, and NPC with Minister Beduram Bhusal, that the regulations were finally enacted. With all legal frameworks in place, the focus now shifts to implementing food sovereignty.



Impact of Food Sovereignty Law on National Policies and Programs

While the full impact of the food sovereignty law on the general population is yet to be realized, there have been some initiatives aligning with its principles. One significant initiative is the Agriculture Development Strategy (ADS) for 2015-2035, a long-term vision document. Peasant organizations played a crucial role, with representatives actively participating in its drafting.

The ADS aims for a self-reliant, sustainable, competitive, and inclusive agricultural sector that fosters economic growth and enhances livelihoods, as well as ensuring food and nutrition security towards achieving food sovereignty. Although it is considered a compromised document lacking a stringent implementation framework, the ADS incorporates Peasants' Rights as one of its five key pillars.

The most important achievements in Nepal by farmers' organizations towards food sovereignty are restrictions of foreign direct investment in primary production, restrictions on genetically modified organisms, and many programs towards organic promotions. The Foreign Investment and Technology Transfer Act 2019 has banned foreign investment in primary production sectors. However, in 2021 there was an attempt to amend this act through ordinance, but the court issued an interim order against the amendment. Therefore at least in the production sector, no multinational corporations are working in Nepal legally.

In 2014, Nepal's Supreme Court ordered a complete ban on genetically modified crops until the government formulated a comprehensive policy on the import, cultivation, and management of genetically modified organisms (GMOs). However, in 2021, there was an attempt to lift the ban on GMO imports, influenced by US soybean exporters. This move sparked significant protests from scientists, lawyers, and peasant organizations. These instances illustrate that the struggle for food sovereignty is complex and multifaceted, it involves continuous resistance against neoliberal capitalism and imperialism.

Nepal's government has taken significant strides towards promoting organic agriculture, which aligns closely with the principles of food sovereignty. There are over a dozen guidelines and programs aimed at supporting this initiative. These include the National Standards for Organic Agricultural Production and Processing, initially introduced in 2064 BS⁴ and

⁴Nepal follows the Bikram Sambat (B.S) and B.S. calendar is around 57 years ahead of AD.



revised in 2065 BS, along with the Organic Fertilizer Subsidy Directory of 2068 BS. In a notable move, Karnali Province⁵ declared its intention to become an organic agriculture-oriented province in 2018. Subsequently, the province launched the Organic Production Promotion Mission Program and formulated the Organic Agriculture Act in the same year. Furthermore, initiatives such as pesticide residue testing for imports and the ban on more harmful pesticides contribute significantly to agroecology and food sovereignty. Karnali Province has been particularly proactive in this regard, implementing the comprehensive Organic Karnali Mission over the past few years.

Conclusion

The path to constitutionalizing food sovereignty in Nepal was fraught with challenges. Eventually, laws and regulations were established to guide its implementation. ANPFa's political alliances and extensive national and international networking played pivotal roles.

However, for many activists, intellectuals, and peasants, food sovereignty remains a technical and political concept. Peasants' movement still lacks a comprehensive framework to implement it. ANPFa is divided and there is a lack of coordination among all stakeholders.

Nepal's state apparatus largely adheres to neoliberal principles, dominated by financial, comprador, and bureaucratic capitalism. Consequently, agriculture does not receive prioritization, and there is a persistent push to commercialize agriculture, inviting both national and international investments. The government promotes mechanization, industrialization of agriculture, the establishment of chemical fertilizer industries, and the availability of hybrid and GMO seeds. In such a context, the road ahead for implementing food sovereignty faces significant challenges.

The food sovereignty movement in Nepal primarily operates in a top-down manner, necessitating further debate before its full implementation. Some food sovereignty activists believe that ensuring minimum support prices, redistributing land to the landless, and promoting organic over chemical fertilizers are initial steps towards achieving food sovereignty. However, these actions lack a clear vision and definitive starting and ending points.

⁵Karnali Province is one of the province in Nepal out of seven provinces. This province has been declared organic and implementing a complete Organic Karnali Mission for the last five years.



In theory, food sovereignty is touted as a solution to address the ecological crises exacerbated by the Anthropocene and Capitalocene eras. Yet, in practice, it remains unclear how food sovereignty can effectively ensure income, employment for peasants, and transform agriculture. Nepal, as a low-income country heavily reliant on foreign aid and markets, and committed to liberal policies, faces significant challenges in moving towards implementing food sovereignty.

The partial triumph of Nepal's peasants stands as a beacon for movements like La Via Campesina and inspires millions of peasants globally.

References

- [1] Pramesh Pokharel, 2021. 25 Years of People's Food Sovereignty.
<https://english.ratopati.com/story/22253>
- [2] Central Bureau of Statistics. National Population and Housing Census 2021.
- [3] ANPFa, 2004. Proceedings of the international conference on Food Sovereignty by ANPFa organized in 2004 and 2007.