

## Scramble for land in Romania:

### Iron fist in a velvet glove

By Judith Bouniol\*

#### Introduction

Across Romania, natural resources have become the object of greed and massive investments. Regardless of the resource exploited, peasants' lands are being grabbed and transformed, with effects that are far-reaching and often irrevocable. Lands are being grabbed for many purposes – agricultural, mining, energy, tourism, water resources, speculation – and entail not only control of the resources but also the power to decide on their use. This process is weakening rural economies and preventing the development of a dynamic rural sector.

The impact of massive land investments throughout rural Romania is destroying long-term rural development. Land grabbing is understood as using large-scale capital to capture control of physical resources as well the power to decide how and for what purposes they will be used. It is closely linked to and reinforces the phenomenon of rural exodus. It is also part of land markets as well as the liberalisation of the agro-food industries. Rural areas are gradually being transformed into landscapes for the industrial production of agricultural raw materials, to the detriment of human-scale agriculture, which is still important in Romania in creating jobs and good quality food. The growing phenomenon of land grabbing is pushing up the price of land, putting it beyond the reach of smaller local farmers. It further poses a serious concern for the entire society, as lands, natural resources, wealth and information are gradually concentrated in a few hands. This concentration of power goes against Romanian political, economic and food sovereignty. In this sense, the impact of land grabbing goes way beyond the territory included in the land deals.

Land grabbing is complex. In Romania, people are not forced to leave their land. The rural population, elderly and vulnerable, is generally enthusiastic when massive investments arrive and agree to lease their land; agro-industrial corporations settle legally, through lease or purchase of land. However, the apparent legality is like a velvet glove disguising the aggressiveness of the iron fist driving the phenomenon. It is difficult to know how much of Romania's land is affected. Although there are no official statistics, it has been reported that around 700,000 to 800,000 hectares (ha), or 6% of Romanian farmland, could already be in the hands of transnational corporations (TNCs). This is probably an underestimate, given the diversity of capital and investment schemes. Furthermore, the issue cannot be viewed only in quantitative terms. It is more relevant to observe the patterns of firms' settlement in rural communities and their qualitative impacts, since these are what directly affect the population.

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In that sense, land grabbing is not directly dependent on the origin of the capital. Whether Romanian or foreign, corporations monopolising the land develop activities that, in addition to concentrating land ownership, are harmful to the local environment and to the economic wellbeing and socio-cultural development of rural communities. Moreover, they conspire with the government authorities to steer legislation and development programmes in their favour, exploiting the vulnerability of the population and institutional weaknesses.

Land grabbing in Romania is increasingly conditioned by national and European political and legislative frameworks that focus on productivist agriculture and the liberalisation of the food trade – providing the apparatus for large-scale land investments. Indeed, Romanian government policy is openly directed towards the development of productivist agro-export agriculture and the Treaty of Accession to the European Union (EU) requires Romania's land market to be open to foreign buyers. Land grabbing is also nurtured through the massive subsidies directed towards large-scale agriculture by the government and the EU. Given the lack of support for peasant agriculture and coherent rural development, the socioeconomic context of rural areas is attractive for large investments. Rural exodus is intense, and when an agro-investor finds a vulnerable and uninformed population, the latter is generally receptive to the idea of renting out land in return for additional income.

This chapter analyses land grabbing from the perspective of Romania's dualistic agrarian structure, permissive political and normative frameworks and socioeconomic conditions in the rural areas. Four case studies are used to illustrate some of the implications of this phenomenon for rural communities.

## **1. The convergence of enabling factors for land grabbing**

### **A dualistic agrarian structure between concentrated and fragmented land**

After the World War II, Ceaușescu's communist Romania collectivised land and labour. Between 1945 and 1949, State Farms (IAS) and Agricultural Production Cooperatives (CAP) were created through agrarian reforms. In Wallachia and Moldavia IAS were the main agricultural units while CAPs dominated the rest of the country, especially the plains of Banat and Transylvania. In 1989, state farms and cooperatives accounted for 90% of the used agricultural area (UAA). The national agricultural system was based on large-scale production units: the average size of IAS was around 5,000 ha. The communist period promoted urban and rural industrialisation. To achieve the production targets, rural workers were needed for the urban industries, fuelling a rural exodus. In the late 1980s, Romania was divided between urban areas inhabited by industrial workers, and rural areas, where large farm units employed people who had been dispossessed of their lands.

Following Romania's revolution of December 1989, which put an end to communism, decollectivisation led to the fragmentation and privatisation of land. Cooperatives and state farms were dismantled very quickly. Cooperatives, representing two-thirds of arable land in 1989, were dismantled by the Land Trusts law in February 1991. The land was divided into many small plots that were distributed to former owners and members of CAP. State farms were dismantled by law nr.15/1990, and became commercial companies. In their early years, these companies were formally private but enjoyed only limited managerial autonomy since the state owned 70% of their capital.

Thus, since the revolution, the agrarian structure has been organised around small-scale exploitation and individual plots on the one hand, and large units of production operated by 'state-owned private corporations' on the other. The former – individual farms or family associations across more than 20 million plots of land – accounts for 65% of the UAA. Romania's agriculture is thus polarised between

family farms and large-scale agro-industry. Today, 99.2% of farms have no legal status as they are individual or family subsistence plots. In 2010, the average size of such farms was 3.5 ha while the average size of exploitations with legal status was 191 ha (Agricultural General Census December 2010–January 2011).<sup>1</sup> At both ends of the scale, the smallest farms are less than a hectare while the largest cover tens of thousands of hectares. Between 2002 and 2010, the former dropped by 14% while the latter rose by 35% (ibid.).

Massive agro-industrial investments have been legalised since the 1990s, and since the land market was not yet opened to the rest of Europe, the first land grabbers were Romanian. Many IAS and CAP have been acquired by former (high-)ranking officials who were able to take advantage of the land-privatisation process to become landlords.

## Political and normative frameworks

**National legislation.** Romanian law appears to restrict the purchase of land by foreign companies and to date, European companies cannot directly acquire farmland. But the law has several loopholes. First, European companies can merge with a Romanian partner and thus invest their capital in land. In addition, Article 31 of Law nr. 359/2004 stipulates that if one partner decides to cease operations and withdraws from the commercial registry, the remaining partners inherit the portfolio. Should a Romanian company associated with a foreign firm decide to terminate its activities, the entire property would then be transferred to the foreign firm. It is also possible to create a Romanian company. As long as these firms, regardless of the source of the capital, are registered in the Romanian commercial registry there are no restrictions on their purchase of agricultural and forest land. As from 2014, when Romania must open up its land market according to its EU Accession Agreement, European companies will be able to compete on the same conditions as nationals.

Finally, when a firm, Romanian or foreign, leases land, it also benefits from favourable legislation. Foreign individuals and companies are allowed to lease land under law 247/2005, but compensation is not strictly regulated and is based on a bilateral negotiation between the owner and the tenant. In practice, the parties are unequal. Since the tenant prepares the contract this confers stronger bargaining power. In addition, many owners of land are older and unfamiliar with administrative procedures, often signing contracts without reading them (Batagoiu, 2013). Legislation on leasing agricultural land further protects the tenants by allowing them to request a proportionate reduction of the rent if any crops are destroyed before harvest.

**Political Support.** The government is openly oriented towards the development of agro-industry. In its programme, clearly stating its wishes to move towards agro-industrial export agriculture. Accordingly, Romanian agriculture must 'increase its competitiveness in order to compete with European and international markets', and the government must take 'measures for merging and reducing the number of agricultural exploitations'.<sup>2</sup> Such policies are encouraging the exodus from farming and are conducive to land concentration and grabbing.

Banks are likewise supporting the agro-industrial sector, and turning their backs on peasant farms. An influential Romanian think-tank, CEROPE, stated that the low productivity of Romanian agriculture was the result of the predominant share of small-scale subsistence farms (AGERPRES, 4 June 2012). The report also argues that 'the big food chain stores are tools to accelerate the fusion and the efficiency of agricultural activities – and should be among the objectives of the Europe 2020 Strategy'. The head of the foundation, also the Chief Economist of the Romanian National Bank (BNR), further declared

its intentions to get 'small subsistence farming out of Romanian agriculture'. He wants to establish 'punitive' taxes that would force small farmers to merge or sell their plots.<sup>3</sup>

**EU subsidies.** The European framework mainly benefits large-scale agri-businesses. From 2000 to 2006 Romania benefited from the Special Accession Programme for Agriculture and Rural Development (SAPARD) fund, designed to help new members to prepare their rural economy for EU accession. Romania then received €150 million of non-repayable subsidies to finance farmers' modernisation projects, most of which was directed towards larger production units. The first beneficiaries of SAPARD subsidies and Common Agricultural Policy (CAP) or European Agricultural Fund for Rural Development (EAFRD) funds for 'modernization and scale-up' have been Romanians taking over old state farms and cooperatives.

Since entry into the EU, Romanian farmers have benefited from CAP direct subsidies. In 2012, the direct subsidy per hectare paid by the EU was €120, while the Romanian state subsidy was €35.<sup>4</sup> It should be noted here that in Romania the subsidy covers the cost of renting land. Access to land by agri-business is thus to some extent funded by public money. Moreover, the CAP direct subsidies were very unevenly distributed. Less than 1% of farms of over 500 ha received half of the subsidies, the remaining 99% sharing the other half (Lucian, 2009). Besides this, Romanian farmers can also receive funds from EAFRD. Between 2007 and 2012, the EU and the Romanian state, under the agri-business-friendly measure 121 'Modernisation of Agricultural Holdings', measure 123 'Increasing the added value of the agricultural and forestry products' and measure 125 'Infrastructure related to the development and adaptation of agriculture and forestry', spent more than € 2.9 billion.<sup>5</sup> EAFRD funds also support mostly large-scale agriculture – another incentive for land grabbing.

### Favourable rural socioeconomic dynamics

Romanian soils, *chernozem*, are among the most fertile in Europe. The Wallachia, Banat and Dobrogea regions are particularly conducive to intensive agriculture, with grasslands, high quality soils and irrigation systems – a valuable target for agricultural investors. This interest is fuelled by the relatively low price of land. A hectare of agricultural land costs on average €2,000. In some areas, the agricultural non-buildable hectare is sold for €120 while in some strategic parts the price can reach €3,000 (Batagoiu, 2013). Compared to countries where the average price is €5,000 (France), €8,900 (Germany) or €35,000 (Netherlands), Romanian prices are attractive. These prices are the result of the 'potential availability' of land. As peasants are cultivating less land, and such farmers are easily influenced, investors can find large areas to rent or buy. Leasing is also very affordable, with the cost per hectare per year ranging from €80 to €100 or 300 kg and 700 kg of wheat.

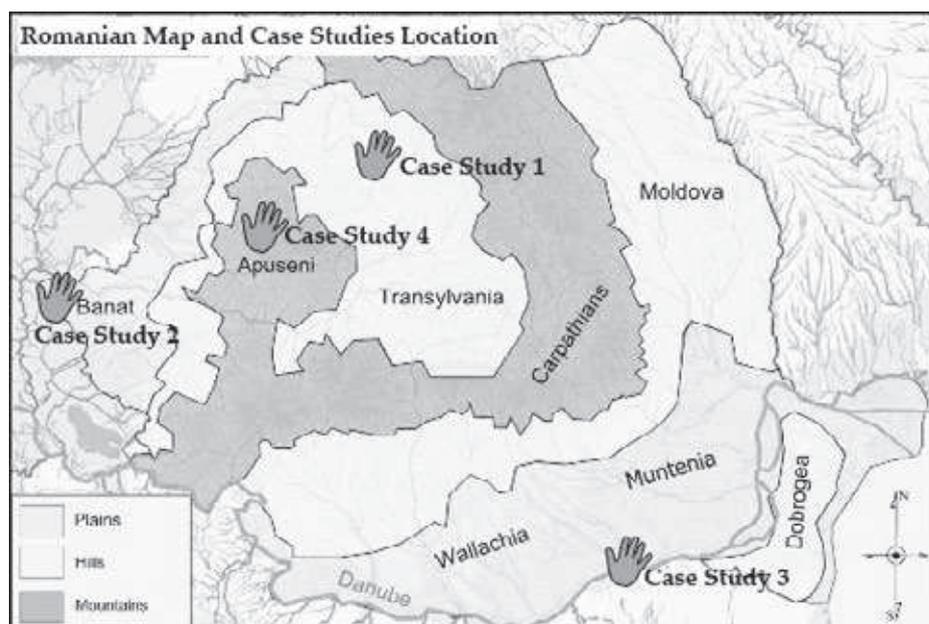
As mentioned earlier, the lack of support for small-scale farming in favour of large-scale agri-business had already led to a decline in peasant agriculture, easing the task for the land grabbers. Small farms are economically fragile – and farmers face many constraints on making any profit out of their activities even if they can meet their own food needs. The reasons are numerous; among them, it should be stressed that European standards for obtaining subsidies are very difficult to achieve, especially as access to finance is a major problem. The EAFRD funds are granted only if the applicant puts up half of the finance for the project. In general, farmers do not have sufficient funds of their own, nor do they have access to bank loans to pay their share in the costs of modernisation. Given that banks are reluctant to lend money, the investment capacity of peasant farmers is still further reduced. It is often impossible to acquire equipment to improve efficiency or to achieve up-to-code standards. This contributes to weakening small agriculture structures and to the 14% decline in the number of farms since 2002 referred

to earlier. Over the last decade, the number of agricultural workers dropped by 38% for exploitations without legal status (Agricultural General Census December 2010–January 2011).

Finally, there is a strong de facto rural exodus as young people are not going into farming. The population employed in agriculture is relatively old – in 2009, 36% was over 55 years of age according to the National Institute of Statistics (2010). While there are few young farmers starting out, there is a trend towards a resumption of farming among those aged 58 years and above. It is indeed for them a source of additional income as well as simple way to remain autonomous (Ghid, 2009). The economically active population migrates to Romania's towns or to other European countries, irrespective of the working conditions. The average urban wage is €135 compared to €95 in the countryside (Pocol, 2009) These inequalities are also reflected in retirement pensions and access to public services. If education and health services are well developed in the cities, they remain rudimentary in rural areas. Since the 1980s, the proportion of the rural population has fallen from 80% to less than 45%, (Rey, 2006), within the broader context of Romania having lost 12% of its population in the last ten years (Agricultural General Census December 2010–January 2011). The rural population is ageing, rural areas are losing their labour force and traditional cultures tend to be neglected: all of this points to a weakening of Romania's rural areas to resist land grabbing.

### Land grabs in Romania at a glance

In a nutshell, Romania's attractive natural endowments and suitable lands or associated resources for agricultural activities make the country attractive for land grabs. Capturing control over land, decision-making power concerning its use and the economic benefits from its exploitation, the first land grabbers in the 1990s were Romanian firms, often intertwined with the authorities. Since the early 2000s, foreign corporations joined in the takeover, supported once again by the authorities. They enforce a corporate model of large-scale agro-industrial export agriculture that pushes Romania's rural areas further away from a democratic development path. The ongoing and accelerating land grabbing in Romania is further stimulated by the liberalisation in 2014 of national land market to European actors.



This chapter offers four case studies, presenting the diversity of the phenomenon's aspects and impacts. The first involves a Romanian agro-food company, *Transavia*. Aiming to cultivate around 12,000 ha of cereals, it is leasing land around Cluj. Because of their precarious financial situation, lack of awareness and the fact that they are elderly, local people enthusiastically welcomed the firm's arrival. Its investment is, however, based on improper lease terms that will dispossess people of their land in the long term. The second case study is about a company with Italian capital, *Emiliana West Rom*. Located in a former state farm in Timis, the company has cultivated more than 10,000 ha since 2011. Beyond the monopoly over the land, *Emiliana West Rom* affects the natural and cultural heritage, including water. The third case study is an agricultural company, *Agro Chirnogi* whose main shareholders are Lebanese. It controls over 20,000 ha in the southeast of the country, despite having been charged with several infringements in the grain trade. Its activities are developed through close relations with the public authorities, local and national. Finally, the fourth case study concerns the Roşia Montană gold-mining project. *Roşia Montană Gold Corporation* is mainly Canadian. The project involves the destruction of four mountains and a village, including the construction of a massive retention dam for used water. Faced with local opposition, the firm has adopted aggressive propaganda strategies, and is supported and encouraged by the local, regional and national authorities.

## 2. *Transavia* is grabbing land in Transylvania

Given the prevalence of small-scale agriculture in Transylvania, in the northwest is not the first target of agro-industrial investments, but remains an area of interest, especially around Cluj, its most attractive city. Far from the media spotlight and public attention, land investments are conducted in a discreet way. Taking advantage of the ageing and vulnerable rural population, *Transavia* issues contracts that abuse these people by dispossessing them of their land. *SC Transavia Grup SRL* is currently beginning cultivation of over 12,000 ha of maize and wheat in Aiton and Tureni villages, part of Cluj district. In Tureni, contracts are being signed and farming has begun in Aiton. *Transavia*'s monopoly of the land does not benefit the local population, impedes long-term development and does not help the area to become more dynamic. Its activities are also endangering the natural environment.

### *Transavia*'s strategies

The first poultry agro-industrial company in Romania, *Transavia* generates an annual revenue of more than €150 million. Seventy-five per cent of the 50,000 tons of meat and 30 million eggs are destined for the domestic market, although the corporation aims to expand into the European market and is eyeing export opportunities to Saudi Arabia.

*Transavia*, following the dominant liberal economic rationale, attempts to control the entire production chain. The company grows horizontally. For instance, in 2007 it bought up 85% of *Avicola Brasov*, its main national competitor;<sup>6</sup> in 2008 it fully absorbed



#### ANNOUNCEMENT

Citizens owning land are asked to report to Tureni's medical clinic to sign a leasing contract with SC TRANSAVIA SRL.

Offer: 800 kg of cereals or €100 per hectare per year and payment of property taxes.

Necessary documents: copies of ID, land purchase or legacy act, land title and agricultural registry.

Opening Hours: Monday to Friday, 9:30 – 13:00

*CerealCom Alba*. Given the volatility of cereal prices, the firm has also integrated vertically and, since 2011, it invested more than €10 million to rent the necessary 12,000 ha of land to build a grain silo in Cluj District. The firm also planned a €17 million investment in a new factory, some of it funded through SAPARD, which in 2005 and 2006 awarded *Transavia* a €1 million subsidy to modernise a cereal processing plant.<sup>7</sup>

The decision to cultivate land in Aiton and Tureni, villages listed as 'located in a difficult geographical area, with an aging population and a precarious economy' (Rey, 2006) is based on the assumption that the local residents will put up no resistance. Aiton's 800 inhabitants have an average age of 70. The population willingly accepts the arrival of this new activity. The few young adults in the village are rarely informed of the firm's activities and do not necessarily feel concerned by these transactions. The company has overwhelming bargaining power compared to the three other agricultural companies operating in the area: *SC Basis SRL* and *SC Supliment SRL* each cultivate 130 ha of cereals while *SC Provac SRL* has 40 head of dairy cattle. Another criterion for choosing this area is the availability of land, as the plots outside the villages are no longer cultivated.

The company designed its operations very carefully. The advertisement for the land lease was pasted on the doors of every local grocery store, since these shops are frequented daily. The message is simple. The first sentence is almost an order. It says nothing about *Transavia's* intended activities nor does it state the terms of the land contracts. It shows only the advantages of leasing land. If they wish to respond to this announcement, owners go to the local clinic. Contracts are signed with an employee from *Transavia* in a small room on the ground floor. He is dressed in the same way as the local inhabitants. An older man, he used to work for the town hall in the 1980s. He is a well-known local, and is himself leasing 7 ha to *Transavia*. He has been chosen as the perfect intermediary to ensure that the locals favour the investment.

In the short term, the public and local politicians welcome the company simply because it meets the needs of the present inhabitants of these municipalities. Unworked land provides no benefit to the owners. Renting out a few hectares is of financial or material interest: everyone is pleased with the idea of receiving €100 or 800 kg of grain per hectare each year to feed their few livestock. *Transavia's* strategy relies upon enticing villagers on the basis of satisfying immediate needs with no regard for the long-term costs. Indeed, a more in-depth and long-term analysis reveals the regrettable consequences of *Transavia's* arrival in Aiton and Tureni villages.

## Wresting away people's control over their land

By signing the lease ('*contract de arenda*'), the owners commit to lease their land for €100 a year or 800 kg of cereals (equivalent to 67kg a month). *Transavia* offered this price to the uninformed population, who accepted it. Yet, beyond regular kitchen garden upkeep, it does not provide enough for investments such as house refurbishment, connection to the water grid or the purchase of more efficient tools.

The contract states that if the owners wish to cancel the lease before the end of the ten-year contract, they must pay 3,000 lei (€690) to *Transavia* for every year outstanding. For instance, if the owners decide to recover the land after eight years, they will have to pay €1,400 per hectare for the remaining two years, even though they had received only €800 a year for the previous eight years. The difference between the rental income and the cost of breaking the contract makes it impossible for owners to recover their land. If the owners' children wish to take over the land for a (non)agricultural project, they will face additional financial hardship. The terms of the *Transavia* contract thus dispossess owners of their land.

By monopolising all uncultivated land, *Transavia* deprives other farmers of the chance to extend and develop their activities. From now on, shepherds, who used to graze their herds freely, have access only to the 951 ha of remaining public land, which has been regrouped so as not to interfere with *Transavia*. The 3,000 head of livestock has to share this area from early spring to late autumn – less than 3 ha per animal. This area is insufficient and, according both to the local mayor and a shepherd, prevents the future development of pastoral activities.

Furthermore, the intensive agriculture practised by *Transavia* creates little direct employment and attracts no workers. Aiton's fields require only the work of a dozen employees, for tractor driving, surveillance and technical maintenance of equipment. It does not favour the flourishing of indirect jobs such as services, small shops, etc.

Finally, these maize and wheat monocultures will damage the environment. Replying to the question concerning pollution, the majority of people interviewed answered: 'Agriculture does not pollute. How can agriculture pollute?' Many people say they see no environmental risk in *Transavia's* activities. The population is not aware of the environmental dangers associated with some agricultural practices. This lack of interest in environmental risk has historical and cultural causes – although ignorance is also being maintained by systematic disinformation. In addition to the general lack of media coverage of the pollution caused by agriculture, there is no information regarding the ecological consequences of *Transavia's* operations.

A striking example is to be found in *Transavia's* irrigation system. While the water used by the residents for their daily needs is currently collected from groundwater through individual wells, they are not aware that the company uses products affecting the quality of water. They also learned about the application of chicken manure as fertiliser only when they saw it in the fields. *Transavia*, originally a poultry firm, uses chicken manure as a 'natural' fertiliser. But this spreads polluting elements. Indeed, used excessively and too rich in nitrogen and other products ingested by the poultry during breeding, the manure leads to ecosystem imbalance. Seeping through the soil, some components reach the groundwater. Inhabitants already complain that the water wells smell bad. *Transavia's* practices pose both environmental and health hazards.

Wheat and maize are tilled over thousands of hectares. This monoculture weakens biodiversity for several reasons. It destroys existing ecosystems, such as grasslands. Lands that were so rich in flora and fauna are now reduced to plots for pasture. Over-gazing is consuming their ecological richness. Deep ploughing, by destroying soil structure, increases the risk of erosion.

*Transavia's* operations have economic and environmental consequences that will not create greater dynamism in Cluj District. In the long term, these constraints will weaken existing agricultural enterprises, the main sources of existing jobs, as well as the opportunities for other economic initiatives. Besides dispossessing them of access to and control of their land, the company is also keeping the local population in ignorance.

### 3. Water grabbing in western Romania

Foreign investors have been targeting the western Banat region for several years. Following the revolution, and especially since the 2000s, many foreign corporations invested in large-scale land appropriations. The region, particularly Timiș district, is viewed as ideal for intensive agriculture and livestock production as the presence of *Smithfield* (USA), *Aton Transilvania* (Germany), *Ingleby* (Denmark) and *Crop* (Denmark) demonstrate. The area is suited to the cultivation of cereal due to its vast plains, the quality

of its soil and an irrigation system constructed during communist times. The region is economically dynamic and has several industries. In addition, its proximity to the rest of Europe – near the Hungarian border and a few hours away from Italy – coupled with a relatively good transport network, allow for fast international trade. As a result, intensive agriculture and livestock production is widespread.

This is why *Emiliana West Rom*, a Romanian firm fuelled by Italian capital from *Unigra*, has invested in Dudeștii Vechi, a village of 4,000 inhabitants. It cultivates nearly 11,000 ha of cereals – maize, wheat, sunflower, rape-seed, rye and barley. It also raises 1,200 Limousin beef cattle. In 2010, it had 99 employees. Dudeștii Vechi village, which welcomed *Emiliana West Rom* ten years ago, is now suffering the consequences. Locals saw their farming activities being undermined and had to bear the impact of *Emiliana's* intensive practices. The company's monopoly of land and agricultural activities is by no means favourable to local dynamism; local inhabitants feel strongly that they have been dispossessed of their land and control over their natural resources.



### Large-scale capital-intensive agriculture

Although it is not easy to trace the conditions of *Emiliana's* arrival, it mainly acquired land from a former state farm for between €100 and €150 per hectare. In 2012, it declared 10,500 ha in applying for direct subsidies.<sup>9</sup> It would then benefit from €1.3 million of EU and €365,000 of Romanian government subsidies. Its size far exceeds any other agricultural companies in the area. The Danish *Crop*, which rented land two years ago, now cultivates 2,000 ha of cereal, based in the buildings of the former Station for the Modernisation of Agriculture. The five largest local farms have about 100–200 ha each.

*Emiliana West Rom* uses advanced production technologies. The whole operating system is computerised and the agricultural machines are programmed. It is improving its yield using GPS analysis for detailed maps of land and soil types, aiming at 'agro-pedo' improvement measures (Kozak, 2011), that is to say changes in the physical structure and biological composition of the soil to facilitate the vertical infiltration of water and to correct soil acidity. Concurrently, the company also improves the irrigation system for a surface area of more than 6,500 ha. The project involves the renovation of channels, the upgrading of pumping stations and the installation of new irrigation systems.

### Monopolising land and opportunities

The locals seem lukewarm about the benefits created by firm. Part of the population remains indifferent or welcomes the income generated from renting out land. But others step back and reflect on the consequences of *Emiliana's* intensive agriculture. While some mentioned regrets about having sold their land, others spoke of the difficulty of expanding their farms or expressed their annoyance about the misuse of water and the destruction of the cultural heritage. Those who sold their land to *Emiliana Rom West* in the early 2000s now regret it because prices have increased ten-fold since then, so they could have made more money. Former owners or their children also now realise they could have benefited from EU subsidies for their plots. *Emiliana's* land monopoly is in this sense also a monopoly of opportunities and European subsidies.

Dudeștii Vechi lands have passed into the hands of foreigners. Apart from garden plots, *Emiliana West Rom* or *Crops* now manage the vast majority of the land, and very little is still available. When an owner decides to sell land and informs the town hall, the information is transmitted directly to *Emiliana West Rom*. Being given first refusal, it can purchase the land before other farmers even know it is for sale.

The loss of people's control over land use is even more obvious in the southwest area of the village, where the firm grows cereal crops at the expense of the area's cultural and natural heritage. By merging the land, the firm has destroyed archaeological remains and agricultural roads that were hundreds of years old, still used by farmers to get to Dudeștii Vechi market. To reach the village, it is now necessary to make a 14 km detour through Sannicolau Mare. The demolition of existing infrastructure weakens peasant agriculture, undermines the historical and archaeological research as well as its cultural development. In the same area, the Italian firm destroyed 2 ha of forest to expand crops – this was the village's only forest so its disappearance has impoverished local biodiversity.

### A water-grabbing dimension

Beyond its monopoly of the land, *Emiliana's* large-scale irrigation methods, using the Aranca River that runs through the village, is seriously affect people's access to water. In 2009, drought threatened the inhabitants of Timiș district. Grain crops in Dudeștii Vechi village were also at risk. *Emiliana West Rom's* maize fields, occupying 2,600 ha east of the village, was irrigated with water pumped from 'Plot Aranca Station', located upstream from the village. It was the only access point for both. *Emiliana West Rom* then blocked the water supply at the station to secure its needs, as maize requires a lot of water. The dam at the pumping station is a simple mud mount with a pipe through which water flows towards Dudeștii Vechi. This pipe is equipped with a valve controlled by the company, which can also destroy the mud mount during periods without irrigation and rebuild it when it wishes to pump water.



Pumping station - Plot Aranca Photo: Judith Bouniol - Dudeștii Vechi - April 2012

The 2009 summer period saw the channel supplying the village dry up. The people suffered greatly, especially for domestic water. The stagnant water also smelt foul and caused the death of fish in the river. The villagers could not fish, a popular activity during this season. Residents have filed complaints with the town hall, which have been forwarded to the *Garda de mediu* (the national agency specialised in finding and punishing infringements of environmental law). Two officials came to report the situation. At the headquarters of the National Agency for Land Improvement (*Agenția Națională de Îmbunătățiri Funciare*, ANIF) there was a 'confusion' in the contracts for the use of water among the various agricultural firms (Radu and Bordely, 2009). More than a one-off abuse, what is at stake is the control of public water resources by a private corporation.

While the situation remained unclear, residents of Dudeștii Vechi suffered the consequences of these irresponsible agricultural practices. As Luca, a local resident, observed: 'Agriculture has become nature's foe here. They use deep ploughs, pesticides, herbicides and fertilisers in large quantities. The ground is brutally exploited. They destroyed trees. And also many archaeological sites. I speak of dozens of hectares. They modified the roads that connected Dudeștii Vechi with the others surroundings villages. Centuries-old roads probably. Land belongs to foreigners and not any more to inhabitants. Unfortunately. I support neither intensive agriculture, nor those foreign investors. That's my opinion'.

#### 4. *Agro Chirnogi's takeover undermines rural development*

In southeast Romania, Lebanese companies have been investing in agri-business since the revolution. Through *Maria Trading* and *Agro Chirnogi*, both affiliated to *Maria Group*, they have developed industrial agriculture and livestock plants. *Agro Chirnogi* produces cereals in numerous districts, including Calarași. Covering more than 20,000 ha, *Maria Group's* agricultural activities are facilitated by close political connections, providing a clear case of 'control grabbing' over land and the decision-making processes concerning its use. At the local level, inhabitants are suspicious of the firm, but have little choice.

As in the previous case study, the Calarași district and the small town of Chirnogi provide what are perceived as ideal conditions for intensive agriculture. The country's biggest agri-business corporations are found in this area – taking advantage of the highly fertile ground and the proximity of the Danube for river transport. Chirnogi is characterised by having a large amount of good quality soil and an ageing population struggling to find work. Subsistence agriculture is gradually vanishing. There are few sources of employment – two factories contracting a few hundred people and three land cooperatives that offer hardly any jobs. The district's proximity to the capital city intensified the rural exodus. Since 2002, the district has lost 12% of its inhabitants,<sup>9</sup> and 60% of the 7,000 Chirnogi's rural dwellers are said to be over 60 years old. The resulting availability of land allows *Agro Chirnogi* to fully spread its activities.

##### **Patronage: *Agro Chirnogi's* way of conducting business**

Along with *Maria Trading*, *Agro Chirnogi* is part of *Maria Group*, a holding with Lebanese capital exploiting more than 20,000 ha in the region. Established in 2002 in the Calarași district near the Danube River, the two firms are running 11,000 ha around the Chirnogi village, approximately 70% of its land. This substantially outstrips the three local cooperatives, each holding between 800 and 1,200ha according to the town hall.



Locals report censorship on what happened between the revolution and 2002, when plots from the former state farm were granted to *Agro Chirnogi*. The firm grows grains – wheat, maize, rapeseed, barley, sunflower and alfalfa – using modern production systems. The products are mainly intended for export to countries such as Lebanon, Syria and Egypt. This large-scale agriculture is associated once again with large-scale capital. In 2012, *Agro Chirnogi* applied for direct subsidies for approximately 11,400 ha. It would have benefited from €1.3 million (€107/ha) from the EU and €400,000 (€32/ha) from the Romanian government. The same year, *Maria* also applied for direct subsidies for 10,000 hectares, and would have benefited from €1.2 million from the EU and €355,000 from the Romanian government. But above all, those agricultural activities have depended on the Lebanese business connections with Romanian political circles. At all levels, the heads of *Maria Group* are intertwined with the authorities, as shown below.

First, Lebanese agricultural companies benefit from endorsing bilateral political and economic policies. A cooperation agreement aimed at promoting development, diversifying trade and strengthening economic relations was signed between Romania and Lebanon and ratified in May 1996.<sup>10</sup> In 2003, the then Romanian prime minister from the Social Democratic Party (SDP), Adrian Nastase, went to meet with the Lebanese president and the prime minister in order to improve the trade between the two countries.<sup>11</sup> The two main shareholders of *Maria Group*, Jihad El Khalil and Youness Laoun, are known to be close to members of the Romanian government. *Agro Chirnovi* financed the election of Adrian Nastase<sup>12</sup> – and conveniently gained access to land from state farms in Chirnovi (Calarași district) and Prundu (Giurgiu district) when Adrian Nastase was in power (2000–2004). Lebanese businessmen are further related to the SDP through Oana Niculescu Mizil Stefanescu, former president of the party for the Calarași district (Topala, 2012). In addition, at the local level, *Agro Chirnovi* is known to have financed the campaign of the former mayor, Vasile Checui.<sup>13</sup> The corporation is also funding ‘Viitoru Chirnovi’, the local soccer team (Nitu, 2012).

El Khalid and Laoun have been accused by the Romanian agency investigating the Organized Crime and Terrorism (DIICOT) of being the cornerstone in a group practising tax evasion, smuggling and money laundering (DIICOT press release, 17 August 2012). In 2010 and 2011, the group exported grain, concealing its true provenance. Whereas grain came from Turkey or Lebanon, it was reported as having been produced in Romania and exported to a third group of countries in order to obtain illegal tax reductions from the Romanian state. The quantities of cereals exported were actually larger than those reported to customs, and the fraudulent scheme is estimated to have cost €30 million to government revenues (ibid.). Furthermore, the top managers of *Maria Group* are suspected of being close to Omar Hayssam, who was sentenced in 2007 for involvement in the kidnapping of three Romanian journalists in Iraq in 2005. Yet, in June 2006, he allegedly fled the country using the boat Mahmoud al-IV lea, registered in Syria and administrated by *Maria Trading*.<sup>14</sup>

### ***Agro Chirnovi*’s adverse incorporation**

Locally, *Agro Chirnovi* has adverse impacts on the daily life and socioeconomic dynamism of the village. Inhabitants are unanimous: the firm presents a nuisance for those living close to the grain silo. The silo emits a constant noise and the fans throw out maize dust. ‘Six months of the year we cannot breathe the air, we cannot open the windows of our home and our garden plots are covered with dust’. In addition, agricultural machines and grain trucks travel non-stop through the village.

The agro-holding employs between 600 and 700 people, 25% of whom are mainly local seasonal workers. They are contracted for a few months during the summer and are unemployed for the rest of the year. Agricultural workers are not told whether they will be hired the following season and so have no job or income security. Employees mention a trade union, but consider it to be ineffective due to the corruption within the company. The most striking observation is that people, employees or not, are fatalistic and wary of *Agro Chirnovi*. They feel powerless to improve the situation, because ‘here, they [the firm] are the leaders; they decide the future of our village’. Warnings such as ‘above all, do not say from where you got this information’ or ‘be careful if you are to meet with them’ are common. Some employees say that ‘if you protest, they fire you’. Chirnovi residents do not feel safe from the corporation.

The company still intends to expand and increase its monopoly of arable land. Many owners sell or lease their plots to *Agro Chirnovi* in exchange for the rent of between 650 and 850 kg of wheat or the equivalent in lei. The contract period is between five and ten years. If the owners wish to terminate it, they must give one year’s notice and also pay the costs of land improvement (levelling, irrigation, etc.)

undertaken by the company. Very few owners recover their land. *Agro Chirnogi* also benefits from the ageing population to expand its activities. Many small landowners or their heirs live elsewhere and are willing to give up their land, which the company purchases. As a result, agricultural cooperatives have seen a drop in membership and land area to *Agro Chirnogi*.

### Environmental impacts

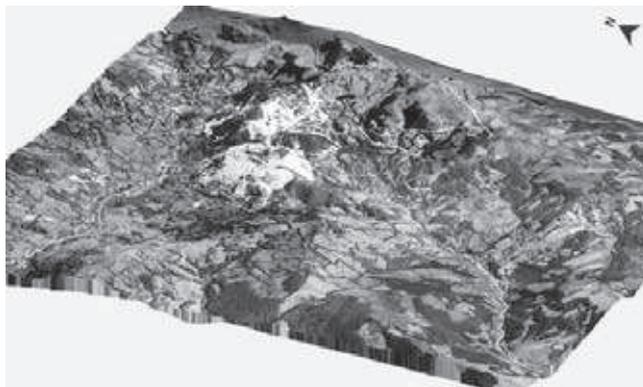
*Agro Chirnogi's* activities rely extensively on chemicals, which are destructive to the environment. The use of inorganic fertilisers, pesticides and fungicides tends to reduce biodiversity and threaten ecosystems. Before Romania's accession to the EU in 2007, the cultivation of genetically modified soya was allowed and *Agro Chirnogi*, like many other agri-businesses, cultivated it. Thus, in 2006, 4,700 ha of genetically modified soya were being cultivated around the village,<sup>15</sup> and in 2009 the company was still planting the genetically modified maize MON810 on 150 ha.<sup>16</sup>

Furthermore, along the Danube, 27% of the village lands are part of a 'Natura 2000' area for the protection of birds. However, 60% of the area (specifically zone ROSPA0038 'Dunare- Oltenita'), also touching upon Oltenia and Prundu villages, has been indexed as 'arable land for crops' and is being cultivated by *Agro Chirnogi*. As there is no management plan for the Natura 2000 area,<sup>17</sup> and arable lands and their ecosystems are not being protected.

## 5. Roşia Montană's mining project is grabbing resources

The case of Roşia Montană represents a different but blatant situation of land grabbing. The unprecedented scramble for natural resources in Romania, from silver and gold to shale gas and oil, is slicing up the country's map like a cake between corporations' exploration and exploitation licenses. Affecting both natural and social landscapes, these industrial projects are seizing parts of Romania's national treasures at the expense of the welfare of local communities.

This case concerns a foreign mining corporation that is in the process of opening the largest open-pit gold mine of its kind in Europe. The multi-billion-dollar project involves the grabbing of more than 1,500 ha, and implies the destruction of no less than four mountains, cultural forests, 740 farms, a village of 2,600 inhabitants,<sup>18</sup> ten

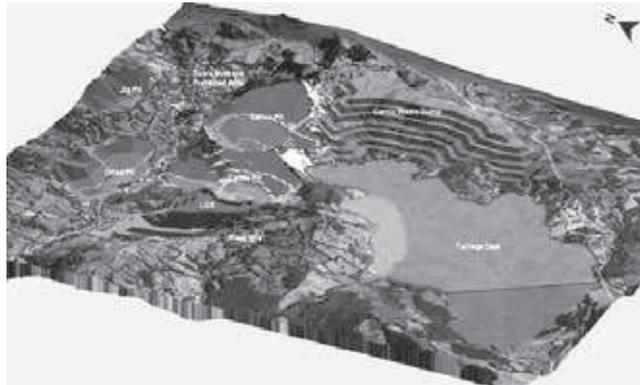


*Roşia Montană now*

churches, nine cemeteries, 50 buildings classified as historical monuments of national value, 7 km of ancient Roman roads, 80 km of mediaeval and contemporary mining galleries and other archaeological relics. Dispossessing the local population and farmers, the project flouts local communities' rights over their land and suppresses their opposition via a state-capital alliance. The corporation, *Roşia Montană Gold Corporation* (RMGC), a joint venture with 80% Canadian capital, is working hand in hand with corrupt local, regional and national authorities to enforce the realisation of the project.

## Ecological recklessness

If the project goes ahead, the mine would be located in central Romania, in the Transylvanian Apuseni Mountains. According to the company's Environmental Impact Assessment (EIA) report,<sup>19</sup> it would consist of four pits for gold and silver, two for construction material and several waste dumps, including a large-scale tailings management facility (TMF). At full production (24/7 operation), the mine would extract 500,000 tons each week. It would emit 134kg of cyanide per day and use between 13 and 15 million kg of cyanide per year during the 16-year life of the mine. While mining will take place at Roşia Montană, the Corna village in the adjacent valley would be turned into the TMF to hold 250 million tons of unconsolidated tailings. It is supposed to have a surface area of roughly 4 km by 2 km and the tailings would be contained by a rock fill dam over 1 km long and 185m high.



*What Roşia Montană would be if the project goes ahead*

The environmental risks are significant and imply water grabbing. According to EU regulations, the concentration of cyanide in the tailing pond should not exceed 10mg/l so the company promises a concentration of 5–7 mg/l. Even at this level, the possibility of an accident releasing this cyanide into the local water would produce an environmental disaster, also affecting Bulgaria, Hungary and Serbia. There are also concerns about the size of the tailing pond: with a storage capacity of 215 million tons of waste material and 12.3 million m<sup>3</sup> of used waters, the consequences of a dam failure due to slides or heavy rain would be disastrous. For instance, the town of Abrud, with over 6,000 inhabitants located 2 km downstream from the proposed tailing pond would be practically wiped off the map.

### ***Roşia Montană Gold Corporation's strategies for accumulating land***

Besides the approval of the Romanian authorities, the most important asset the company needs is land. So far, the Roşia Montană Gold Corporation (RMGC) has bought around 78% of the 1,600 ha of land needed to start the project. Since RMGC is a private company and not a public utility project, it is not entitled to use the forced expropriation process, which would make it possible to force people off their properties. This means the company needs to deal with each property owner in Roşia Montană and convince the person to sell up, in a so-called 'resettlement process', based on simple 'negotiation'.

The corporation started buying up houses in 2001. The purchasing of the land by RMGC was briefly described in its Relocation plan Report,<sup>20</sup> although not all sale-purchase contracts have not been disclosed despite repeated requests by various NGOs. RMGC has purchased and continues to purchase properties in Roşia Montană using the compensation principle. The average price for a property including a house with less than a hectare of land is roughly US\$30,000. There are severe drawbacks to the compensation principle, which offers only a single payment, not more than the capital held before, rather than being based on the owner's full livelihood patterns. As a result, people generally get much less than what they have surrendered.

Facing local opposition, the corporation resorted to psychological blackmail and intimidation to get people to sell. For example, representatives would come to people's doors with bags full of cash to entice them to sell, or invite them to take part in a 'relocation programme'.<sup>21</sup> This means that people are offered a new house in a neighbourhood of Alba Iulia, the biggest town in the county, 80 km away from Roşia Montană, in exchange for their property. Some people accepted, tempted by the city life and by the large amount of money, but many now regret having done so. Another approach is to hire one person from each family. In this way, the family will do whatever the company tells them to do, especially to promise that after the project starts they will move out.

The company is now moving to the next level through its political connections. In 2009, two politicians proposed a new law, which was being debated in parliament in early 2013, to allow private mining companies to undertake forced expropriation, giving the mining company from Roşia Montană the scope to evict all those resisting the project.<sup>22</sup> The proposal also includes simplifying the authorisation procedure for mining projects.

In 2008 the corporation achieved a major victory. At its specific request, the General Urban Planning for Roşia Montană of 2002 declared the zone 'mono-industrial', before the actual approval of the project. This means that henceforth mining will be the only economically legal activity in Roşia Montană, leaving no space for alternatives. This decision is in fact illegal.<sup>23</sup>

Finally, the property purchases in Roşia Montană are not restricted to houses, but also include public or commonly owned property such as pastures, forests, cemeteries etc. Usually, governments or companies do not compensate the loss of public or commonly owned property. In doing this, over and above physically alienating, dispossessing and impoverishing the local people, RMGC is breaking the social and physical bonds of the community by applying pressure exerted and depriving them of their assets.

### Stifling resistance through a public relations blitz

Irregularities have been inherent from the outset since the licenses for exploration and exploration delivered in 1999 infringed the Mining Law.<sup>24</sup> The corruption involved in approving the project is even more obvious in the light of the fact that RMGC is only paying US\$20,000 annual revenue to the Romanian state for a 520 km<sup>2</sup> concession. Furthermore, RMGC is often one step ahead in countering civil society's growing resistance.

Starting with *Alburnus Maior*, a community NGO founded in 2000 by the local villagers, the resistance expanded and went national with the campaign *Salvați Roşia Montană*, or Save Roşia Montană. Indeed, the approval of the Roşia Montană mining project would set a precedent for the other important players in the market for Romania's natural resources waiting for the outcome of the case.

Taking advantage of the presence of many historical relics dating back over 2,000 years, the citizens tried to get the landscape declared part of UNESCO World Heritage Patrimony. In 2010, however, the mayor of Roşia Montană, Eugen Furdui, became the first mayor in the world to vehemently reject UNESCO,<sup>25</sup> after members of the International Council on Monuments and Sites (ICOMOS) concluded that Roşia Montană deserved to be a part of it. In July 2011, the Minister of Culture, Kelemen Hunor, granted an – illegal – 'archaeological discharge Certificate' for the mountain in Roşia Montană, a procedure allowing the destruction of the site. The next step is to remove Carnic mountain from the list of historical monuments.

160 One of the most fervent promoters of the mining project has been the president of Romania, Traian Băsescu. He has publicly declared his support in the media and at various events and meetings,

continuously pressuring the responsible authorities in the evaluation process to come up with a favourable decision.<sup>26</sup> One of the arguments refers to absorbing unemployment in the area, somewhat cynical given that the government, at the request of the corporation, closed its mines in the region. A recent media campaign is '*Letter for Romania*'.<sup>27</sup> The actors in these commercials come from Roşia Montană and the surroundings and were paid 2000 Romanian Lei (about €500)<sup>28</sup> to beg TV viewers for help in getting a good job.

RMGC's publicity is very aggressive and relies on media manipulation, including an advertising campaign launched after the 2009 economic crisis saying '*What would you do with four billion dollars?*', implying that the project is the solution for the Romanian government to obtain more revenue. Shortly after this commercial appeared, it was forbidden by the National Council of Audio-visual. Meanwhile, in addition to having politicians sounding like 'Public Relation Men' for the company, the corporation is buying Romanian journalists to either support the project or avoid putting the spotlight on it. According to a report by a human rights organisation, 'The most blatant case of economic pressure made by a company in 2010 is related to the mining exploitation in Roşia Montană'.<sup>29</sup>

The RMGC mining project is a clear case of 'resource grabbing' and destroying cultural environment, with no long-term benefit for local residents, who are being pressured to sell their land and move out. This dispossession is achieved through the corporation's aggressive strategies and has the backing of the authorities at various levels.

### **Concluding thoughts: land grabbing is threatening rural development**

In Romania, land grabbing is hidden behind the harmonious image of accession to the EU. The country is ideal for investments in land and agro-industrial products. Its natural characteristics make it suitable for cereal crops, large areas are potentially available and land costs less than in the rest of Europe. Rural areas are emptying, leaving an ageing and vulnerable local population who readily accept the arrival of agro-industrial corporations. In addition, government legislation and support favours investors, who can also obtain EU subsidies. These 'investments' do not benefit the local inhabitants. Large-scale land deals are not a form of investment that meets the needs of today's rural population in Romania: on the contrary, land grabs are environmentally, economically and socially destructive. First, land grabbing leads to environmental degradation. The massive use by agro-industrial corporations of chemical fertilisers, pesticides and fungicides causes soil depletion, water pollution and the destruction of biodiversity. Mining projects also entail serious risks. Whether through the exploitation of gold, oil or shale gas, they destroy the landscape and their use of highly toxic chemicals endangers water resources.

Second, land grabbing accelerates the concentration of agricultural activities and undermines food sovereignty. In particular, it deprives Romanian farmers of access to land. It increases the price of land; between 2000 and 2008, prices in Romania have skyrocketed. There are many agri-business investors, Romanian and foreign, with significant capital. They are willing to buy land for a relatively high price compared to the country's standards, which in turn pushes up the average price of land. Despite this, land remains much cheaper than in Western Europe, so investing in Romania remains advantageous for foreign agri-business. Small local farmers are being priced out of the market given that their revenues are low and they have limited access to bank loans.

At the same time, land grabbing by large agri-businesses drives down the price of agricultural commodities. Local farmers are forced, at the expense of their profitability and economic survival, to lower their own prices to compete with the agri-business sector. The latter is helped by its economies of scale and

access to massive subsidies while the former are not supported or encouraged. Weakening the appeal of rural areas, this trend widens the rural–urban divide. Farmers' produce is abandoned in favour of the food produced by the agro-industrial system. This encourages an indirect consumption model, whereby the consumer chooses a product without knowing where it comes from or how it is made. Prices become the first criterion at the expense of quality and taste and land grabbing thus deepens the disconnection between consumers and producers. Agricultural models based on large land grabs divert consumers' attention away from concerns about food health safety and nutrition and push them towards products whose quality and benefits are very controversial.

Lastly, land grabbing plays a key role in the vicious circle of de-peasantisation and rural exodus. Against a background of existing rural exodus and the disappearance of peasant farming, large-scale agricultural investments, through their control, privatisation and dispossession of natural resources, have become an active factor in further weakening the socioeconomic vitality of the rural sector. Moreover, control of land is often linked to the control of water resources. By grabbing land, firms are (in)directly gaining a stranglehold on surface or groundwater, which immediately disrupts rural communities. In addition, as these firms practise highly mechanised, capital-intensive agriculture, they create few, usually precarious, jobs. Yet, employment is the first factor in ensuring local dynamism.

While land grabs are synonymous with the concentration of power, information, economic and natural resources go against Romanian political, economic and food sovereignty, there has been no real resistance to land grabbing so far. As mentioned before, the local population generally welcomes the arrival of massive agro-industrial investments. Farmers, whose livelihoods yield scant earnings, readily accept the arrival of agro-industrial corporations to boost their income in the short term by leasing some land. As productivist modern agriculture is publicised as promoting development, local residents and most of the urban population approve of such investments without being aware of their destructive impacts on rural communities. Yet, as few actors increasingly capture the control of Romania's future, jeopardising a sound, democratic and sovereign development pathway, there is an urgent need to incorporate an ethical dimension into food economics and political decision-making.

Although still modest, positive resistance is emerging throughout the country. Associations to support a Social Solidarity Economy based on dynamic social development in rural areas, peasant agriculture, local healthy food systems and the protection of biodiversity are more numerous and consistent. The association Eco Ruralis is launching a campaign in 2013 against farmland grabbing in Romania centred on three priorities: documenting, educating and lobbying. In line with the findings exposed in this chapter, Eco Ruralis calls for:

- A national and European policy respecting the Romanian rural reality, i.e. the existence of 4 million citizens depending on local-level, diversified and environment-friendly peasant agriculture, feeding one third of the national population.
- The immediate cancellation of the mining project Roşia Montană as well as all other extractive projects for underground resources.
- The extension of the deadline for opening agricultural and forest markets to the rest of the EU to 2024 (ten years).
- The end of current local, national and regional policies supporting productivist agriculture and the concentration of land.
- The establishment of policies promoting local agriculture, agro-ecological practices, short supply chains and food sovereignty at the European, national and local level.

- The design of a coherent and sustainable rural development vision based on access to decent health and education services, job-creation for rural local economies and respect for the natural and cultural heritage.

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