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Spokesperson and chairman of the social movement

The „Malser Weg“ The “Way of Mals”



A short outline, from the beginnings until October 2019

www.der-Malser-Weg.com

After years of efforts¹ to protect the environment and the health of the population of the area of Mals and the “Malser Haide”, and after that the peaceful co-existence of all farming practices has proven ineffective due to the fruit industry ruthlessly continuing to use its pesticides in a landscape area which is on one hand small-structured, and on the other hand haunted by the constant upper wind (‘Oberwind’, a special wind of the area), 2013 has become the founding year of a "**promoter committee for the pesticide-free municipality of Mals**" in the library of Mals: 47 citizens were present in person, 25 other citizens submitted power of attorney.

In this committee of the “Malser Weg”, a social movement, all age groups as well as all professional groups were represented; from dairy farmers, livestock farmers and grain farmers to university professors. Explicitly supportive groups were: *Hollawint, Adam & Epfl, Bioland / Demeter, organic farmers* of the municipality of Mals, *Naturfreunde Obervinschgau, Umweltschutzgruppe Vinschgau, Kornkammer* and the "*doctors / pharmacists / veterinarians / biologists of the manifesto of 30th July 2013*". Johannes Fragner Unterpertinger / Hans Perting, pharmacist in Mals, was elected spokesperson for the group.

“Social movements are collective actions attracting the attention of the broad mass of the population. They sensitise, educate and mobilise citizens, often over years and decades, to challenge powerful elites and society as a whole by addressing a social problem or grievance and by restoring fundamental social values". [...]

"Social movements can therefore be understood as an instrument for citizens to actively shape social change. They arise when fundamental social values are threatened, democratic ways of co-determination are blocked and powerful elites do not want to resign from their positions and offices.

Bill Moyer (2001, USA) and Carolin Holtkamp (2019, D), from "The Malser Way - Guide to Public Leadership" 2

¹ Some examples of these efforts are: "*Agreement 2010", see → Community brochure "KulturLandschaftLeben", *several meetings in 2011 of "Kornkammer", "Adam & Epfl", "Umweltschutzgruppe Vinschgau", "Bund alternativer Anbauer", "Arbeitsgruppe biodynamischer Landwirte" and concerned citizens, many AbCert residue measurements, up to *March 2012, where the Bezirks-Bauernbund, the Beratungsring and the experimental centre "Laimburg" unanimously refuse a public, objective discussion {see → "Promemoria" of the "Kornkammer" to the 31.03.12).

The principles of our project, the “Malser Weg”, concerning health, politics, society, ethics and ecology, are:

- the preservation and strengthening of the health of all
- a healthy development and the integration of all sectors of the economy into the project, in the interest of the common good, whereby we attach particular importance to the strengthening of a local, natural cycle
- the switch to ecological agriculture, within approximately 10 years, driven by different economic, social, ethical and cultural incentives
- the "marketing" of ecology as a quality feature for tourists (e.g. a brand "Obervinschgau"), because healthy, ecological and sustainable tourism will also be an important economic driver for agriculture, crafts and trade
- further strengthening of the identification of the local population with our project concerning health, politics, society, ethics and ecology and thus
- an attempt to change and strengthen the attitude and behavioural patterns of the population towards an environmentally conscious, social and ethical attitude

Because the “Malser Weg” tells us: Everyone has an influence on the creation and the environment. He must be aware of this and act and live responsibly, so that the next generation still has the basis of a livelihood and quality of life.

Future plans are future organizational charts, so the future must always be worked for in order to be able to create a basis for a future. That is why our project group works openly and transparently for a pesticide-free Malser community. Thereby, this project does not seek to provoke a political confrontation, but works for the development of a health policy and a social and ecological alternative that includes an adaptation period of several years.

Like cultural assets, landscape assets and their products are shifting increasingly into public interest and are becoming the subject of general interest and conservation.

This "Future Program" ranges from the *Solidarity Economy* to software development, from *Permanent Agriculture* to *Permanent Culture*, a *life-promoting culture* in the broadest sense.

The aim is to achieve higher value and higher and more substantial value certificates for a pesticide-free community area in Mals.

Food sovereignty is the population's right to determine its own food supply and agriculture. Food sovereignty places the people who produce, distribute and consume food at the centre of food systems, not the interests of markets and transnational corporations.

Declaration of the World Food Sovereignty Forum, Mali, February 2007

The Promoter Committee organised around 20 meetings until August 2014, in which experts provided scientific information on *pesticides* and their *dangers*, but the committee of promoters also presented the principles of its economical, social, ethical and ecological project to the municipality of Mals.

A voting booklet is published by the local government Mals, in which supporters and opponents can put forward their arguments in equal parts.

In spite of all the adverse circumstances, the mayor finally is able to set the election date. The referendum was chosen to be held from noon on the 22nd of August to the 5th of September 2014.

From around 12:00 on 5th of September 2014, the votes were counted with the result being announced around 7 pm:

-Electoral participation: 69.22% of the electorate

-Result: 75.68% YES for a pesticide-free community of Mals

24.32% NO, and invalidated votes.

However, the municipal elections of May 2015 will be needed in order to do approximately justice to the will of the voters. Within these local council elections, mayor Ulrich Veith is re-elected with 72% of the votes and his group, which promised before the election to execute the regulations decided in the binding referendum, obtains a 2/3 majority in the local council.

On 16 July 2015, the decisive council meeting in Mals was held: with a 3/4 majority (14 YES, 3 abstentions, 1 NO: 78% in favour), it is decided to adopt the new commune rate in accordance with the popular vote of September 2014.

On 29 March 2016, the Malser council unanimously (ie 12: 0 -12 to zero) introduced the new implementing provisions on the prohibition of pesticides.

The social movement "The Malser Weg" shares the visions of organic movements but goes beyond them by demanding the right to democratic co-determination in the design of the agricultural and food system and demands sovereign regional development. [...]

Carolyn Holtkamp, from "Der Malser Weg - Leitfaden zur öffentlichen Führung" („The Malser Weg - Guide to Public Leadership“)

Where is the "Malser Weg" in 2019?

Culturally: The different supporters of the "Malser Weg" regularly organize events, training courses, exhibitions, film screenings, workshops etc. on various topics. Daily updated information can be found in the blog → www.der-Malser-Weg.com ← In addition, every week, a circular letter is sent by the "Malser Weg", which offers a review and a preview. One can be registered free of charge for the mailing list.

Scientifically: The "Malser Weg" stands with many universities, research centers and **independent** scientists in connection, see the blog.

Economically: The social cooperative "vinterra" and the **citizens' cooperative Obervinschgau BGO² "da"** work constantly and are slowly making a profit. The BGO now has about 120 members, of which about 50 are companies. The BGO contributes to an ecologically and economically sustainable development of the "Obervinschgau".

Politically: At *community level*: Mayor Ulrich Veith and his group stand still behind the "Malser Weg". At *regional level*: The "Greens", the "Team Köllensperger" and the "Movimento Cinque Stelle" support the "Malser Weg". At *national and international level*: Numerous national (e.g. Legambiente) and international civil society organisations (e.g. Vandana Shiva's "Navdanja", Organisation for Biological and Cultural Diversity) support the "Malser Weg".

² **BGO - citizen cooperative Obervinschgau "da"** → www.bgo.bz.it ← ←

The BGO contributes to an ecologically and economically sustainable development of the "Obervinschgau". It supports individuals, initiatives and companies that rely on the valley's diverse potential and resources. To strengthen the regional cycles and the local added value. The BGO is supported by the citizens and entrepreneurs of the upper Vinschgau.

Juridically³:

- The question of municipal competence in health matters, and in particular in the area of plant protection, is one of the crucial questions in all current legal disputes.
- The **procedural situation** in 2019 is as follows:
 - o On the one hand, the ordinary courts are concerned with the legality of the referendum held in 2014. The municipality of Mals has appealed to the Higher Regional Court of Bolzano against the decision taken by the Regional Court of Bolzano in 2016 to its disadvantage. After a change of judges, the case will be called for discussion again in November 2019.
 - o At the same time and independently of this, the Administrative Court is also dealing with the legality of the "*Implementing Ordinance on the Application of Plant Protection Products in the Municipal Area*" issued by the Municipality of Mals in March 2016. On 7th of June 2017, the Administrative Court of Bolzano dismissed the appeal of the plaintiffs against the pesticide distance regulation of the municipality of Mals, but in June 2018 it suspended the validity and application of this regulation until the decision in the main case "temporarily". This decision in the main case will then only be made on 9th of October 2019, unfortunately to the disadvantage of the municipality of Mals. In our eyes, this represents a judgement, which is afflicted with many errors, which is why it will probably come to an appeal before the Council of State in Rome (status 16.10.19).
 - o In its judgement of 14th of March 2019, the judicial section of the Court of Audit of Bolzano considers the Mayor's approval of the referendum to be **lawful** and exempts him from all charges in merito.

So we are still in the eye of a legal cyclone, because the well-known lobbies and their political exponents are still fighting the "Malser Way" by all means and at all levels.

"The best climate protection is species protection. And species protection means ecological agriculture without pesticides.

Vandana Shiva - *Alternative Nobel Laureate, Mals, 11 April 2019*

**Donation account for the "Malser Weg" password "Malserweg
in the name of Fragner-Unterpertinger Johannes
Südtiroler Sparkasse, Branch N°27, Mals (BZ)
IBAN IT96 S060 4558 5400 0000 5002 537 --- BIC CRBZIT2B027**



³ **Legal actions:** It is not too repugnant for those in favour of pesticides and the opponents of the vote to sue the speaker of the promoter committee / the "Malser Weg", Johannes Fragner-Unterpertinger, both personally and in his function as spokesperson of the promoter committee. The promoter committee writes an armored press release in which it says: **"The human right to freedom of expression is one of the basic prerequisites for a successful democracy and for a free society. The promoters therefore regard this complaint as a humiliation of this democratic right, as a threat, and as an attempt at intimidation".**