



THE UNITED NATIONS DECLARATION ON THE RIGHTS OF PEASANTS AND OTHER PEOPLE WORKING IN RURAL AREAS

Small-scale peasants are increasingly at risk and are often victims of forced evictions, violence and harassment¹. Existing legal instruments in Europe and worldwide are not enough to protect peasants and rural workers from on-going systematic discrimination and abuses, with rural women particularly affected. Thus, greater recognition and protection of their rights is a pressing issue. Addressing this is precisely the goal of the process towards a Declaration on the rights of peasants and other people working in rural areas: creating an international human rights instrument, improving the promotion and protection of their rights and drawing attention to the threats and discrimination suffered by peasants and people involved in small-scale food production across the world. The Declaration was originally initiated by the international peasant movement La Via Campesina (LVC) over 16 years ago, supported by international organizations such as FIAN International and CETIM (Europe Third World Centre), and other social movements.

1. WHY IS THE DECLARATION IMPORTANT FOR EUROPE?

Europe is a region of the world where agriculture has become particularly industrialized. Yet in all countries, within and outside the European Union, peasants, small scale producers and other people working in rural areas play a leading role in ensuring the food security and food sovereignty of communities and the general population. The peasant model of production is the basis of quality food, creates the majority of rural employment and manages natural resources in a sustainable way, addressing climate change issues. However, farms are rapidly disappearing with the expansion of huge agricultural complexes, earnings below living wage, land grabbing and the lack of effective support from public authorities.

Europe is also particularly affected by the refugee crisis. People, who are driven from their lands by climate disruption and armed conflicts, find themselves traveling in appalling conditions to the unwelcoming front door of European states. There is no doubt that securing access to the means of production and local markets to allow producers in the global South, as well as in the North, to live off the land, would help mitigate these massive displacements, which can lead to instability across regions. To give peasants' at the end of their rope, their confidence back and to protect all rural workers, it is urgent to have a Declaration gathering all the rights of peasants. The commitment of European countries to this end would have a strong and positive impact.

In Eastern Europe, home to the majority of Europe's peasants, this Declaration is of particular great relevance. Considering the advanced state of negotiations, the participation of Eastern European countries is crucial.

Tens of millions of peasants need their governments to represent their rights and to constructively support the adoption and implementation of this Declaration.

It is crucial that states reaffirm their commitment to respecting and promoting human rights, otherwise the very governance and sovereignty that makes up its backbone risk of being undermined by corporations, financial institutions and other private interests.

2. THE INSTITUTIONAL PROCESS

The process for a [Declaration](#) is nearing its end and this last stage must include constructive participation and firm engagement from all governments.

• SHORT HISTORY

The United Nations Human Rights Council (OHCHR) began to address the issue of peasants' rights in 2008. In September 2012, an Open-Ended Intergovernmental Working Group (OEIWG) was created, with the "mandate of negotiating, finalizing and submitting to the Human Rights Council a draft United Nations declaration on the rights of peasants and other people working in rural areas"². Since then, four sessions of negotiations have taken place: 2013 (1st session), 2015 (2nd session), 2016 (3rd session) and 2017 (4th session).

• GOVERNMENTS SUPPORT THE PROCESS

In September 2017, at the 36th regular session of the Human Rights Council, member states decided to continue the negotiations for the Declaration by organizing a 5th session of the OEIWG, for the spring of 2018. The decision was adopted through a resolution³ with the following

¹ Grassroots testimonies can be found in LVC's publication "[Peasants Fighting for Justice – Cases of Violations of Peasants' Human Rights](#)"

² Human Rights Council Resolution A/HRC/RES/21/19, page 2, decision point 1: <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/RES/21/19&Lang=E>

³ Human Rights Council Resolution A/HRC/36/L.29 from 29 September 2017, page 2, decision points 1,2: http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/36/L.29

recorded votes: 34 votes in favour including Portugal and Switzerland, 11 abstention votes, including some EU states and only 2 votes against from the UK and the USA.

• WHAT HAPPENS NEXT?

The 5th session of the OEIWG will take place from 9 to 13 April 2018 in Geneva. Under the leadership and coordination of the Bolivian Ambassador as Chair-Rapporteur, the working group is expected to finalize the negotiations in 2018 and to submit the final text of the Declaration for adoption by UN member states.

Regular sessions of the Human Rights Council in 2018 at which a vote is likely to take place: 38th session 18 June - 6 July 2018 or 39th session 10 - 28 September 2018.

The final step will be the adoption of the Declaration by the UN General Assembly that takes place each year in September in New York.

Recalling strict respect for the purposes and principles enshrined in the Charter of the United Nations, all governments are expected to participate in all stages of the process at Geneva and subsequently in New York.

3. PEASANTS AND OTHER PEOPLE IN RURAL AREAS ARE VICTIMS OF SYSTEMATIC DISCRIMINATION

The treaty bodies monitoring the implementation of the main human rights treaties, namely IESCR, ICCPR, CEDAW and CERD, have collected abundant evidence about the widespread and systematic violations of the rights of peasants and other people working in rural areas as have the Special Procedures of the Human Rights Council. The Advisory Committee's study⁴ also identifies key patterns of the human rights violations committed against peasants and other people working in rural areas and of their systematic discrimination:

- Unequal access and control over land, genetic resources and other natural resources⁵
- Restricted access to markets and means of production to ensure a decent livelihood
- Agricultural policies skewed in favour of a tiny elite of farmers and of industrial agriculture

4. CRUCIAL RIGHTS⁶

The recognition of crucial rights of peasants is essential for the object and purpose of the Declaration to be fulfilled.

The **right to land** is about access, use and management of land, necessary for the realization of the rights to an adequate standard of living, to health and to participate

in cultural life, as well as the right to be free from forced evictions or from contamination and destruction of water bodies and fisheries. It involves freedoms and entitlements, crucial for the fulfilment of rural people's rights.

The **right to seeds and biodiversity** includes right to use, grow, reuse, store, develop, exchange, transport, give and sell seeds. By developing their seeds, peasants build more resilient and sustainable farming systems, able to feed others in spite of climate change. Thus, we want States to promote and support peasant seed banks and their conservation in situ, prohibit GMOs and limit the use of industrial seeds, respect extraterritorial obligations with specific reference to the regulation of non-state actors like transnational companies. These provisions should also be applied to animal breeding.

By **the right to food sovereignty**, we refer to the right to a development model in which peasants can not only choose but also develop their own means of production, processing, distribution and consumption, in such a way that it values and improves the social and working conditions within agricultural and food systems. In this development model, peasant men and women have the right to manage common goods and participate in public policy in order to better regulate agricultural and food systems. Even here in Europe, peasant organisations are not always listened to by policy-makers. Thus, we also claim the right to access to justice and we ask for an ending to the repression and criminalisation of peasant organisations and trade unions.

The **right to decent income and means of subsistence** basically means the right to a decent standard of living. States would have the obligation of regulating markets, prohibiting dumping and monopolies, guaranteeing fair and profitable prices for agricultural production, protecting access to markets, direct sale, and traditional means of production, exchange and processing of peasant produce, differentiated and adapted rules. We claim the right to set prices and choose markets.

Collective rights corresponds to the way in which rural communities operate, especially in relation to the use, access and management of their resources, since most of them are socially defined and organized collectively. As echoed during the session, an exclusively individual rights approach could actually be detrimental to communities and contribute to antidemocratic practices within them, which would be contrary to the object and purpose of the Declaration itself.

The world's 2 billion peasants and other people working in rural areas are claiming their rights to be able to continue to feed their families and communities. The Declaration on the rights of peasants and other people working in rural areas would be a clear signal of recognition of the fundamental role of small scale food producers. This would give them concrete prospects for decent working and living conditions. The world needs this Declaration to foster sustainable food systems all over the planet and to make the world safer.

4 Final study of the Human Rights Council Advisory Committee (on the advancement of the rights of peasants and other people working in rural areas), UN doc. A/HRC/19/75, 24 February 2012, §43-62

5 Across Europe large-scale farms are spreading while small farms are disappearing. See the [infographics on the state of land concentration in Europe](#).

6 Useful [resources](#) about the Declaration