



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

The process towards a Declaration on the rights of peasants and other people working in rural areas aims at 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 current draft declaration is the result of the work undertaken by La Via Campesina (LVC) over more than 15 years, supported by FIAN International and CETIM (Europe Third World Centre), with the support of other social movements. This process has a unique strategy: have the Declaration recognised by the UN, the international human rights governance system, based on issues coming from grassroots peasant movements. Indeed, small-scale peasants belong to the groups who are the most politically oppressed. They are increasingly at risk and are often victims of forced eviction, violence and harassment¹. Thus, a better recognition and protection of the rights of small peasants is a pressing issue.

1. CONTEXT

- The current **draft Declaration** is under negotiation with the Open-Ended Intergovernmental Working Group (OEIWG) on the rights of peasants and other people working in rural areas. This OEIWG is part of the Human Rights Council in Geneva and was created in September 2012.
- The 4th session of the OEIWG took place in May 2017 in Geneva. Under the leadership and coordination of the Bolivian Ambassador as Chair-Rapporteur, negotiations stimulated the participants' reflection on the contents of the declaration, as discussions got more elaborated on core legal issues. While some subjects continued to trigger controversy, States generally showed more willingness to negotiate and recognize the interdependent set of rights of the rural world.
- At the 36th Regular Session of the Human Rights Council (September 2017), the Chairperson-Rapporteur of the OEIWG will present the report of the working group and introduce a resolution in order to hold a fifth OEIWG session in April 2018.

2. 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 study² 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 and other natural resources³
- Agricultural policies skewed in favour of a tiny elite of farmers and of industrial agriculture

1 | Grassroots testimonies can be found in LVC's publication "Peasants Fighting for Justice – Cases of Violations of Peasants' Human Rights"

2 | 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

3 | Across Europe large-scale farms are spreading while small farms are disappearing. See the infographics on the state of land concentration in Europe.



There is no doubt at all that peasants and other people working in rural areas are victims of systemic discrimination and human rights violations and abuses. A UN declaration on the rights of peasants and other people working in rural areas is a first important step in overcoming systemic discrimination and ensuring substantive equality.

3. CRUCIAL RIGHTS⁴

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 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 can make the world safer.

4 | LVC with its allies already elaborated a number of useful resources about the Declaration.

