

## **The UN Declaration on the rights of peasants and other people working in rural areas**

### **Introduction**

Peasants and people living in rural areas, such as small-scale fishers, pastoralists and rural workers, still represent almost half of the world's population. The great majority of them have to face massive and systematic violations of their rights: they suffer disproportionately from hunger and malnutrition, are being increasingly dispossessed from their lands, water bodies, fisheries, forests, seeds, and are being alienated from their sources of livelihood. They cannot maintain and develop their local economies and earn an income which allows them to live in dignity. They are often arbitrarily detained, harassed, easily criminalized, and even killed for defending their rights. Moreover, rural women carry out a disproportionate share of unpaid work, are often heavily discriminated against in the access to natural and productive resources, financial services, information, employment and social protection, and still face violence in manifold forms.

The international peasant movement La Via Campesina (LVC) has been championing the recognition of the rights of peasants in the international human rights system since 2001. After eight years of internal discussion, LVC presented in 2009 its own declaration on the rights of peasants – women and men – in which they succinctly expressed their aspirations and demands.<sup>1</sup> Shortly after, in 2010, the UN Human Rights Council (HRC) mandated its Advisory Committee to elaborate a study on ways and means to further advance the rights of peasants and other people working in rural areas.<sup>2</sup> The study recommends “(a) to better implement existing international norms, (b) to address the normative gaps under international human rights law, and (c) to elaborate a new legal instrument on the rights of people working in rural areas” (Par. 63). In September 2012, the HRC passed a resolution establishing an inter-governmental working group with the mandate to elaborate a draft UN Declaration on the Rights of Peasants and other people working in rural areas.

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<sup>1</sup> See: <http://viacampesina.net/downloads/PDF/EN-3.pdf>

<sup>2</sup> 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.

## Relevance of the Declaration

The former UN Special Rapporteur on the right to food, Olivier de Schutter, has stated that there are "four main reasons for adopting a new international human rights instrument on the rights of peasants and other people working in rural areas: it is needed in international law; it will improve the fight against hunger; it is a means of protecting small-scale, family-owned farms from the pressure of large, agro-industrial farms; and it will increase access to the means of production in rural areas." He has also underlined that "the adoption of a declaration on the rights of peasants and other people working in rural areas would increase visibility on the rights that are already recognized in international law, and help to recognize new rights, such as the rights to land, to seeds and to compensation for the losses due to food subsidies given to farmers in other countries".<sup>3</sup>

### ***Rallying for the rights of peasants, small-scale fishers, pastoralists and other people working in rural areas***

In countries like Indonesia or Colombia, peasants have historically faced deep entrenched discrimination and pervasive violence. The call for recognition of the rights of peasants has been able to capture the attention of people on the ground in these countries and has been instrumental in helping them assert their rights. It has also strengthened their organization and mobilization capacities as well as their initiatives towards policies and laws which protect and promote their rights. In recent years, several laws and policies specifically addressing the situation of peasants have been passed in Indonesia. Peasant and rural people's mobilizations and demands have been at the top of the national agenda in Colombia after decades of disastrous neglect.

## Way Forward

The inter-governmental working group elaborating the draft declaration held its second session in February 2015, whereby it presented an advanced version of the declaration.<sup>4</sup> Governments, organizations of peasants and other people working in rural areas, as well as other civil society organizations (CSO) are invited to comment on this advanced version and bring their proposals to the third session, which will take place from the **17<sup>th</sup> to the 20<sup>th</sup> of May 2016i**. La Via Campesina together with FIAN International and CETIM are facilitating the participation of CSOs.

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<sup>3</sup> Ibid. §70

<sup>4</sup> See all the proceedings and calendar of activities of this inter-governmental working group at <http://www.ohchr.org/EN/HRBodies/HRC/RuralAreas/Pages/2ndSession.aspx>

The support for this process is growing among governments. The last resolution of the HRC was passed with only one vote against (USA). The European countries continue abstaining whereas all African countries voted in favor. Bolivia, as chair of the working group, together with Ecuador, Cuba and South Africa continue being the core group of sponsors. Brazil, Switzerland and Indonesia are becoming a group of friends of the core group

Besides the importance of having a UN declaration asserting the rights of rural people, the process of drafting bears in itself the potential of becoming a vehicle to

- deepen the dialogue and alliance among different constituencies and groups of rural people; and
- raise awareness and contribute to capacity and movement building.

The recognition of the rights of rural people goes beyond the UN Human Rights Council. It can be demanded from other UN bodies and more importantly from local, national and regional authorities. It is up to all individuals, groups and organizations to join this struggle in their own creative ways.