

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

Information Note
October 2018

The adoption of the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas by the UN Human Rights Council (HRC) in its 39th session on 28th of September 2018 is a fundamental step towards addressing discrimination and re-emphasizing the obligation of the state in this international norm. It is, then, the task and obligation of the UN General Assembly to endorse the protection of the livelihoods of peasants and all small food producers feeding the world.

Small-scale peasants are increasingly at risk and are often victims of forced evictions, violence and harassment¹. Existing legal instruments worldwide are scattered in various texts, out of reach for the population concerned, and fail 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 long process towards a UN 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 UN Declaration was originally initiated by the international peasant movement La Vía Campesina (LVC) over 17 years ago, with other social movements, mainly supported by - FIAN International and CETIM (Centre Europe-Tiers Monde) within the UN.

WHY IS THE UN DECLARATION IMPORTANT FOR ALL REGIONS?

Peasants, small scale producers, fishers, pastoralists, and other people working in rural areas play a leading role in ensuring food security and food sovereignty of communities and the general population. Small-scale producers feed 70% of the people in the world. 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. According to the Human Rights Council Advisory Committee on the advancement of the rights of peasants and other people

working in rural areas, **Sub-Saharan Africa**, women are contributing up to 80% of labor for food production; **Asian** women produce 50% of food products and **Latin American** women contribute up to 40% of the internal market's agricultural supply². However, women in rural areas are still amongst the world's most hungry and disproportionately affected by malnutrition, poverty and food insecurity.

This UN Declaration is fundamental for the world, in Africa, Latin America, Europe and Asia which are the home to millions of peasants. Peasants and other people working in rural areas demand their governments to represent their rights and to adopt and implement the UN Declaration.

THE PROCESS

The food crisis 2007-2008 provided a context for the United Nations to recognise the discrimination against the peasants and other people working in rural areas. The UN HRC Special Session of 8 May 2008, followed by designation of the UN High Level Panel on Right to Food, together with the other processes in the UN Human Rights Council enabled the adoption of the Declaration process by the UN HRC.

The study of the UN Advisory Committee of the UN HRC stated that there are five root causes of discrimination against peasants and other people working in rural areas:

1. Expropriation of land, forced evictions and displacement
2. Gender discrimination
3. Absence of agrarian reform and rural development policies, including irrigation and seeds
4. Lack of a minimum wage and social protection
5. Repression and criminalization of movements protecting the rights of people working in rural areas”

The study³ further identified key patterns of the discrimination against peasants and other people working in rural areas and of their systematic discrimination, as:

- Unequal access and control over land, genetic resources and other natural resources.⁴
- 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.

The study of the Advisory Committee also took the key findings of treaty bodies on the monitoring towards implementation of the main human rights treaties, namely The Committee on Economic, Social and Cultural Rights (CESCR), The United Nations Human Rights Committee (CCPR), The Committee on the Elimination of Discrimination Against Women (CEDAW) and The Committee on the Elimination of Racial Discrimination (CERD). The monitoring, together with the Special Procedures of the Human Rights Council, had been collecting abundant evidence about the widespread and systematic discrimination against peasants and other people working in rural areas.

This study of the Advisory Committee then was adopted by the UN Human Rights Council in its 21st session (2012) and paved the way for the process of readings on the draft text. The session tasked the council 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*”.⁵ Thereafter, five sessions of negotiations were held: 2013 (first session), 2015 (second session), 2016 (third session), 2017 (fourth session) and 2018 (fifth session).

WAY FORWARD

The potential catastrophic impact of climate change, the UN Sustainable Development Goals (SDGs), the multilateral system and the “migration crisis” were all recurrent issues throughout the annual general debate on the opening week of the 73rd session (September 2018) of the United Nations General Assembly. It is also within this context, that a UN Declaration recognising the human rights of the rural people becomes more relevant than ever.

The rights enshrined in the Declaration are fundamental for the protection of a sustainable food production model that contributes to a healthy environment. In this sense, The UN Declaration on Rights of Peasants and Other People Working in Rural Areas further confirms the effort by UN Member States -which pursue the implementation of the Paris climate agreements and addressing the impact of climate change and the loss of biodiversity.

The -Third Committee of the UNGA has the mandate to work on matters that relate to social, humanitarian affairs and human rights

issues affecting people worldwide. On October 25th the Bolivian delegation presented to the Third Committee, the report of the inter-governmental working group of the Human Rights Council including adoption of the UN Declaration of this year’s UN HRC resolution on September 28th. On early November 2018, the Third Committee is expected to decide on deliberation towards formalising the UN Declaration.

Therefore, the General Assembly carries the mandate of the United Nations where the states take their obligation to develop international norms on human rights. The resolution to formalise the UN Declaration is to just do that.⁶

Peasants and other people working in rural areas of the world are claiming their rights to feed their families, their communities, and the world. The Declaration is the fundamental recognition of their rights in fostering sustainable food systems and to make the world safer.

1 Grassroots testimonies can be found in LVC’s publication “Peasants Fighting for Justice – Cases of Violations of Peasants’ Human Rights” (link: <https://viacampesina.org/en/wp-content/uploads/sites/2/2017/08/Peasants-Fighting-for-Justice-EN-Low-Res.pdf>)

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, \$22.

3 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

4 Across Europe large-scale farms are spreading while small farms are disappearing. See the infographics on the state of land concentration in Europe. See <https://handsontheland.net/infographics-the-state-of-land-concentration-in-europe/>

5 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>

6 See quote on UN News < <https://news.un.org/en/story/2018/09/1020662>>

