

**How to implement  
the United Nations Declaration  
on the Rights of Peasants and Other People  
Working in Rural Areas (UNDROP)  
at the European and national level  
to promote peasants' rights**



ECVC Policy Brief, September 2024





# Acknowledgements



The European Coordination Via Campesina (ECVC) is a confederation of 28 trade unions and organizations

of peasants, small and medium-sized farmers and agricultural workers across 21 European countries. Rooted in the right to food sovereignty, our main objective is to defend the rights of farmers and agricultural workers, promoting a diversified and sustainable peasant family farming.

## AUTHORS

Valeria Faraoni & Ivan Mammana

Written in coordination with the European Coordination Via Campesina (ECVC) Coordination Committee, the ECVC Peasants' Rights Working Group and ECVC Seeds Working Group. A special thanks to Antonio Onorati, Geneviève Savigny, Guy Kastler, Morgan Ody, Paula Gioia, Pierre Maison, Ramona Duminicioiu, Cloé Mathurin, and Olcay Bingol for their contribution and political guidance. Thank you to Christoph Golay and Dominik Gross for revising and providing feedback on some aspects of the document, to Alisha Sesum for the proofreading, and to Margret Müller for following the translation and graphic design of the document.

Finally, thanks all the ECVC staff for their support and guidance during the drafting process.

## TRANSLATION INTO FRENCH AND SPANISH

Leo Schwilden Pastor

## CONTACT

[info@eurovia.org](mailto:info@eurovia.org)

European Coordination Via Campesina (ECVC)

Rue Grisar 38, Anderlecht, 1070 – Brussels, Belgium

[www.eurovia.org](http://www.eurovia.org)

## CITATION

Faraoni V., Mammana I., 2024, *How to implement the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) at the European and national level to promote peasants' rights*, European Coordination Via Campesina, Brussels.

## GRAPHIC DESIGN

Ahmet M. Ogut

## COVER IMAGE

Rosanna Morris

[www.rosannamorris.com](http://www.rosannamorris.com)



Co-funded by  
the European Union

This publication was co-funded by the European Union. Its contents are the sole responsibility of the European Coordination Via Campesina and do not necessarily reflect the views of the European Union.



# Table of Content

<b>Acknowledgements</b>	<b>1</b>
<b>List of acronyms</b>	<b>5</b>
<b>Abstract</b>	<b>7</b>
<b>1. Introduction</b>	<b>8</b>
1.1 The origins of UNDROP: why a peasants' rights declaration?	8
1.2 Features of UNDROP	9
1.3 Special Procedure on UNDROP: the Working Group on the Rights of Peasants and Other People Working in Rural Areas	11
1.4 UNDROP in international human rights law and its applications	11
<b>2. Policy Recommendations</b>	<b>16</b>
2.1 For States, international and regional organizations and UN agencies	16
2.2 For EU Institutions	16
2.3 For States and local authorities	17
<b>Endnotes</b>	<b>19</b>



# List of acronyms

**AGRIFISH Council:** Agriculture and Fisheries Council (of the European Union)

**CAC:** Campesino-a-Campesino policy in Cuba

**CAP:** Common Agricultural Policy (of the European Union)

**CBD:** Convention on Biological Diversity

**CEDAW:** Convention on the Elimination of Discrimination Against Women & Committee on the Elimination of Discrimination against Women

**CESCR:** Committee on Economic, Social and Cultural Rights

**CFS:** Committee on World Food Security

**CSDDD:** EU Directive on Corporate Sustainability Due Diligence

**DEVAW:** Declaration on the Elimination of Violence Against Women

**DG-AGRI:** Directorate-General for Agriculture and Rural Development (of the European Commission)

**EC:** European Commission

**ECVC:** European Coordination Via Campesina

**EU:** European Union

**FAO:** United Nations Food and Agriculture Organization

**GMOs:** Genetically Modified Organisms

**IACHR:** Inter-American Court of Human Rights

**ICCPR:** International Covenant on Civil and Political Rights

**ICESCR:** International Covenant on Economic, Social and Cultural Rights

**ILO:** International Labour Organization

**ITPGRFA:** International Treaty on Plant Genetic Resources for Food and Agriculture

**LVC:** La Via Campesina

**NGO:** Non-Governmental Organization

**NHRI:** National Human Rights Institution

**NSP:** National Strategic Plans (of the CAP)

**OEWG:** Open-Ended Intergovernmental Working Group

**OHCHR:** Office of the High Commissioner for Human Rights

**SPI:** Serikat Petani Indonesia

**VGGT:** Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (of the CFS)

**VGSSF:** Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (of FAO)

**UN:** United Nations

**UNFFF:** United Nations Decade for Family Farming

**UNDRIP:** United Nations Declaration on the Rights of Indigenous People

**UNDROP:** United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas

**UNGA:** United Nations General Assembly

**UNHRC:** United Nations Human Rights Council

**UPR:** Universal Periodic Review





# Abstract

Small-scale farmers, artisanal food producers, pastoralists, fisher peoples, food and agricultural workers, landless workers, Indigenous Peoples and other people working in rural areas play a key role in our societies. Not only do they provide us with good quality food, but also help to protect the landscape and biodiversity of our territories, preserve the cultural identity of rural areas, and promote the local economy. At the global level, there are an estimated 510 million small-scale farms (smaller than 2 ha), out of a total of 608 million, while in the European Union (EU), small-scale farms represent the 70% of all farms. About 60 million people work in small-scale fishery and aquaculture and between 100 and 200 million pastoralists take care of around 25% of the global earth terrestrial surface. However, as highlighted by the Human Rights Council Advisory Committee, peasants and other people working in rural areas all around the world suffer from systemic and structural discrimination and severe human rights violations. Moreover, according to a study of the United Nations (UN) from 2023 on the link between extreme poverty and global food insecurity, 80% of the world's extreme poor live in rural areas. In Europe,

small-scale farmers are disappearing mainly due to the lack of generational renewal, market pressures, low incomes, unfair prices, an unfair distribution of the Common Agricultural Policy (CAP) subsidies, and climate change. Against this background, the adoption of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) by the UN Human Rights Council (UNHRC) and the UN General Assembly (UNGA) in 2018 represented a pivotal step to advance the protection and promotion of the rights of peasants and other people working in rural areas globally. Another fundamental step was achieved in October 2023 with the creation of a UN Special Procedure within the Office of the High Commissioner for Human Rights (OHCHR), in the form of a Working Group of independent experts with a mandate to push for the implementation of UNDROP. The UN Working Group started working in May 2024 and will hold its first online session in July 2024. This policy brief is thus addressed at policy makers at the European and national level and suggests different modalities in which the obligations outlined in the UNDROP can be concretely implemented.

# 1. Introduction

## 1.1 The origins of UNDROP: why a peasants' rights declaration?

According to a recent study conducted by the UN Food and Agriculture Organization (FAO), around 1.23 billion people work in agrifood systems globally. Of these, 857 million are employed in primary agricultural production and 375 million in the off-farm segments of agrifood systems<sup>1</sup>. About 60 million people work in small-scale fishery and aquaculture, representing 90% of all marine fisheries job in the world<sup>2</sup>. Between 100 and 200 pastoralists take care of around 25% of the global earth terrestrial surface<sup>3</sup>. The total number of farms globally is estimated at 608 million. Of these, small-scale farms (less than 2ha) represent around 510 million, they cultivate around 12% of all agricultural land and produce around 35% of the global food. Family farms “occupy around 70-80% of farmland and produce roughly 80% of the world’s food”<sup>4</sup>. In the EU, the total number of farms is 10 million, 70% of which are small. Small farms are on average around 5ha, although “two out of three EU farms with fewer than 5 ha actually operate fewer than 2 ha”. Small farms in Europe play a key role, that goes beyond food production. They help to protect the landscape and biodiversity, “maintain lively rural and remote areas”, “preserve the identity of regional production, and offer employment in regions with fewer job opportunities”<sup>5</sup>.

However, although they clearly contribute significantly to the economy by ensuring access to food to

many people, peasant farmers, small landholders, landless workers, fisher peoples, and hunters and gatherers all around the world suffer from systemic and structural discrimination and severe human rights violations. In 2011, the Human Rights Council Advisory Committee identified the following forms of discrimination and vulnerability: “(a) expropriation of land, forced evictions and displacement; (b) gender discrimination; (c) the absence of agrarian reform and rural development policies; (d) the lack of minimum wages and social protection; and (e) the criminalization of movements defending the rights of people working in rural areas”<sup>6</sup>. Moreover, according to a study of the UN from 2023 on the link between extreme poverty and global food insecurity, “80% of the world’s extreme poor live in rural areas”<sup>7</sup>. The situation at the European level is no less grim. Small-scale farmers in the EU are rapidly disappearing, the main reasons being the lack of generational renewal, market pressures, and climate change. Furthermore, a resolution of the European Parliament highlighted that in 2023 “agricultural income remains below the average for the rest of the economy in almost all Member States, standing at 47% of average gross wages and salaries in the EU economy”. “Farms run by managers aged 40 or younger have the lowest income on average at EU level, and farms run by women have lower incomes than those run by men”. In 2020, 57.6% of farm managers “were at least 55 years old and approximately only 12 % of farm managers were under 40 years old, with nearly half of those being between 35 and 39”.

Furthermore, for young farmers it is more difficult to obtain a loan “to start or expand their agricultural businesses [...] due to being perceived as a risky investment, their lack of banking history and their lack of assets to put up as collateral, especially for small farms and family farms”<sup>8</sup>. Furthermore, small-scale farmers remain largely excluded from CAP funds, meaning that “the distribution of this payment shows the same concentration pattern as agricultural land: 20% of beneficiaries receive 80% of total farm income payments”<sup>9</sup>. Against this background, existing international human rights instruments proved insufficient to fully protect the rights of peasants and other people working in rural areas worldwide and in Europe. For these reasons La Via Campesina (LVC) — a global social movement of peasants representing more than 200 million of peasants, small and medium-size farmers, women farmers, landless people, Indigenous People, migrants and agricultural workers and youth from 182 organizations in 81 countries<sup>10</sup> — started advocating for a new legal instrument to protect peasants’ rights, demanding the recognition of peasants and other people working in rural areas as a vulnerable group worthy of international human rights protection. According to international law, vulnerable groups “suffer from a lack of human rights protections, from discrimination and/or from marginalization of their legal status”. Therefore, granting them special protection “is not contrary but complementary to the principle of non-discrimination”<sup>11</sup>. The same approach has already been adopted in the past with other marginalised groups, such as women (see the Declaration on the Elimination of Violence Against Women — DEVAW<sup>12</sup> — and the Convention on the Elimination of Discrimination Against Women — CEDAW<sup>13</sup>) and Indigenous Peoples (see the UN Declaration on the Rights of Indigenous People — UNDRIP<sup>14</sup> and the Convention No.169 of the International Labour Organization — ILO<sup>15</sup>).

In the early 2000s LVC started to advocate for a declaration on peasants’ rights, based on the input of its Indonesian member Serikat Petani Indonesia (SPI) and with the support of non-governmental organizations (NGOs), other social movements and academia. This process, which eventually led to the adoption of UNDROP in 2018, has been defined as a “unique exercise in law-making from below”<sup>16</sup> since “it was initiated, framed and requested by” a social movement. Indeed, the first draft of the Declaration presented to the UNGA in 2009 was developed by LVC during its international conferences<sup>17</sup>. In September 2012, the UNHRC established an Open-ended intergovernmental working group (OEIWG) to negotiate, finalise, and submit a draft for a declaration. The OEIWG held five sessions at the UNHRC in Geneva and in September 2018 UNDROP was adopted by the UNHRC with 33 votes in favour, three against, and 11 abstentions<sup>18</sup>. Later that same year, in December 2018 in New York, UNDROP was also adopted by the UNGA and approved with an overwhelming majority (121 votes in favour, eight against and 54 abstentions)<sup>19</sup>. Since then, UNDROP has been part of international human rights law.

## 1.2 Features of UNDROP

UNDROP is a unique document for many reasons. First of all, peasants, alongside agricultural workers, fisher peoples and Indigenous Peoples, are both initiators and right-holders of UNDROP.

Secondly, among its 28 articles, UNDROP not only reaffirms existing human rights but also introduces new human rights specific to peasants and other people working in rural areas: among them, the right to food sovereignty (Article 15), the right to land and other natural resources (Article 17), the right to a safe, clean and healthy environment (Article 18), the

right to seeds (Article 19) and the right to biological diversity (Article 20). In particular, Article 15 includes a definition of food sovereignty based on the one launched by LVC in the 1990s<sup>20</sup> and by the Nyéléni food sovereignty movement in 2007<sup>21</sup> to advance a new conception of the right to food and food security. UNDROP defines food sovereignty as the right of peasants and other people working in rural areas “to determine their own food and agriculture systems, recognized by many States and regions as the right to food sovereignty. This includes the right to participate in decision-making processes on food and agriculture policy and the right to healthy and adequate food produced through ecologically sound and sustainable methods that respect their cultures”<sup>22</sup>.

Thirdly, UNDROP contains both individual and collective human rights. Although examples of collective human rights existed before UNDROP (see for example UNDRIP, and the International Treaty on Plant Genetic Resources for Food and Agriculture – ITPGRFA<sup>23</sup>), the human rights system remains to date mostly anchored to an individual conception of human rights. Therefore, the inclusion of collective entitlements in UNDROP is very important. Collective rights are based “on the rationale that certain entitlements are meaningless outside the group and that their justiciable character is dependent on the group’s continued existence and coherence”<sup>24</sup>. Given that individuals live together with others in communities and societies, “if we insist that human rights must be rights that people can hold only as independent individuals, our conception of human rights will not match the social reality of the human condition”<sup>25</sup>.

Fourthly, although UNDROP is a *soft law* instrument<sup>26</sup>, the text of the Declaration is very strong and it clearly defines obligations of States and of the UN, thus allowing courts to give reference to UNDROP in their rulings. Article 2 affirms that

“States shall respect, protect and fulfil the rights of peasants and other people working in rural areas” by taking “legislative, administrative and other appropriate steps to achieve progressively the full realization of the rights set forth in the (...) Declaration”. Besides, States “shall consult and cooperate in good faith with peasants and other people working in rural areas” and ensure their “active, free, effective, meaningful and informed participation” when implementing policies that affect them. Article 2 also stresses the importance for States to exercise due diligence and to promote peasants’ rights through international cooperation “between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, in particular organizations of peasants and other people working in rural areas”<sup>27</sup>. Regarding the obligations of the UN, Article 27 affirms that “the specialized agencies, funds and programmes of the United Nations system and other intergovernmental organizations, including international and regional financial organizations, shall contribute to the full realization of the present Declaration, including through the mobilization of, inter alia, development assistance and cooperation. [...] [and] shall promote respect for and the full application of the present Declaration and follow up on its effectiveness”<sup>28</sup>.

Lastly, the relevance of UNDROP lies in the fact that it establishes an ethical and political framework for agri-food policies at the international, regional, national and local level to ensure the respect of peasants’ rights. It does so by offering practical solutions to address current societal crisis such as climate change, biodiversity loss, the wealth gap, and rural development. Its implementation could thus concretely help achieve the UN Agenda 2030 for Sustainable Development<sup>29</sup> and the global climate objectives and reshape the future of EU agriculture.

### 1.3 Special Procedure on UNDROP: the Working Group on the Rights of Peasants and Other People Working in Rural Areas

After the adoption of UNDROP by the UNHRC and the UNGA in 2018, States in the UNHRC started working to create a UN Special Procedure to monitor its implementation. Indeed, a Special Procedure could fill “an important accountability gap” and catalyse important visibility and support for advancing the promotion and protection of the rights set out in UNDROP by clarifying the implications of the Declaration, sharing best practices and main challenges, and recommending concrete measures for States and others to adopt<sup>30</sup>. On 11 October 2023, the UNHRC adopted a resolution to establish a Working Group on the Rights of Peasants and Other People Working in Rural Areas. The resolution passed with 38 votes in favour, two against, and seven abstentions. Among European States, Belgium, Germany and Luxembourg voted in favour. In addition, Portugal and Spain, countries that did not have a seat in the UNHRC at that moment, also supported the establishment of the Special Procedure<sup>31</sup>.

A few months later, on the 5 April 2024, during the 55th session of the UNHRC, the five independent experts of the Working Group were appointed based on a balanced geographical representation. The members are: Geneviève Savigny (from Western European and other States, France), Ms. Uche Ewelukwa Ofofiele (from African States, Nigeria), Ms. Shalmali Guttal (from Asia-Pacific States, India), Mr. Carlos Duarte (from Latin America and Caribbean States, Colombia), Mr. Davit Hakobyan (from Eastern European States, Armenia)<sup>32</sup>.

The Working Group has an initial three-year mandate with the role to: promote the effective and comprehensive dissemination and implementation

of UNDROP; identify, exchange and promote good practices and lessons learned on the implementation of UNDROP; work in close coordination with the OHCHR, UN Special Procedures and other human rights mechanisms, treaty bodies, other relevant UN agencies, funds and programmes, international organizations, and regional mechanisms; facilitate and contribute to the exchange of technical assistance, capacity-building, transfer of technologies, and international cooperation; submit an annual report to the UNHRC and UNGA on its work and activities, containing its conclusions and recommendations, according to their respective programmes of work; conduct 2 country visits per year and communicate with States on specific issues<sup>33</sup>.

### 1.4 UNDROP in international human rights law and its applications

Since its adoption in 2018, UNDROP became part of international human rights law. However, several human rights enshrined in UNDROP come from existing instruments that are outlined in the following section. Table 1 explores existing human rights instruments and documents produced by FAO and by the Committee on World Food Security (CFS) that should be read in conjunction with UNDROP. Table 2 offers an overview of references to UNDROP by other human rights instruments and bodies. Finally, Table 3 provides examples of legal cases and public policies at the international, regional and national level that made reference to and contributed to the implementation of UNDROP and the promotion of peasants' rights.

**Table 1 – International law instruments and FAO reports to be read in conjunction with UNDROP**

<b>HUMAN RIGHTS LAW</b>	
<b>International Covenant on Economic, Social and Cultural Rights (ICESCR, 1976)<sup>34</sup></b>	Several rights protected in the ICESCR are related to UNDROP, in particular, Article 11 on the right to adequate food. Although the right to adequate food, as defined in ICESCR, “does not specifically address the agricultural production model, agricultural trade and international markets, all these aspects need to be aligned” with it. Thus, should “national and international agricultural trade and food policies hurt smallholder producers and lead to poverty and hunger” those policies should be revised in accordance with the right to adequate food <sup>35</sup> .
<b>General Comment No.12 on the right to adequate food of the Committee on Economic, Social and Cultural Rights (CESCR, 1999)<sup>36</sup></b>	General Comment No.12 stresses that hunger is not determined by the lack of food, but by poverty and difficulties in accessing it. Moreover, food should be economically and physically accessible; available in sufficient quantity and quality; adequate to the social, cultural, economic, and natural context in which it is consumed; sustainable; and free from toxic substances. To fulfil their obligations, States should adopt a strategy that addresses all aspects of the food system from production to consumption.
<b>FAO and CFS</b>	
<b>FAO World Food Security Compact (1985)<sup>37</sup></b>	This document is the output of the CFS 10 <sup>th</sup> session. As can be seen from articles 1 to 6, on the one hand, “governments of developing countries should promote domestic food production as the first line of attack on food insecurity” and “avoid [...] an excessive dependence on food imports”. On the other hand, “governments of developed countries should attach a moral as well as an economic and political importance to co-operation with developing countries, and with each other, in strengthening global food security”. The aim of trade “should be the development of a world food system characterised by stability and equity” in order to “strike an equitable balance between domestic interests and the good of the world as a whole” <sup>38</sup> .
<b>International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA, 2001)<sup>39</sup></b>	ITPGRFA is a legally binding treaty that protects both individual and collective rights of farmers. In particular, Article 9 affirms that States should “take measures to protect and promote Farmers’ Rights, including: a) protection of traditional knowledge relevant to plant genetic resources for food and agriculture; b) the right to equitably participate in sharing benefits arising from the utilization of plant genetic resources for food and agriculture; and c) the right to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of plant genetic resources for food and agriculture”. Moreover, the Treaty states that farmers have a right “to save, use, exchange and sell farm-saved seed/propagating material” <sup>40</sup> .
<b>FAO Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security (2004)<sup>41</sup></b>	The Voluntary Guidelines contain several important points that resonate with UNDROP. For example, States should pursue rural development policies and promote agrarian reforms to ensure that people working in rural areas earn a decent living, have access to land and natural resources, technologies and financial resources. Moreover, sustainable agricultural practices and the sustainable use of natural resources should be encouraged. Investments to revitalize the agricultural sector should devote particular attention to small-scale producers. And, lastly, in famine-prone countries, “donors should promote increased use of local and regional commercial markets to meet food needs” in order to reduce the dependence on food aid <sup>42</sup> .

<p><b>CFS Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT, 2012)<sup>43</sup></b></p>	<p>The VGGT are the first global, exhaustive tool on the tenure of land and natural resources produced and adopted by CFS with the participation of social movements. The VGGT provide guidance on how to improve the governance of systems of tenure that may be based on written policies and laws, as well as on unwritten customs and practices. The VGGT recognise the link between the right to food, access to land and other natural resources, rural development, environmental protection, and sustainable development. The VGGT also stress that not only States but also “non-state actors including business enterprises have a responsibility to respect human rights and legitimate tenure rights”<sup>44</sup>.</p>
<p><b>FAO Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (VGSSF, 2015)<sup>45</sup></b></p>	<p>The VGSSF aim at protecting the human rights of small-scale fishers, with particular attention to women, Indigenous Peoples and other vulnerable and marginalised groups. More specifically, the VGSSF emphasise the importance of ensuring tenure rights to small-scale fishing communities, promoting their participation in decision-making processes affecting them, and protecting the environment. According to estimates, “90% of all people directly dependent on capture fisheries work in the small-scale fishery sector”. Therefore, small-scale fishery plays a crucial economic, social and cultural role in local economies and helps achieving food security<sup>46</sup>.</p>

**Table 2 - UN treaty bodies and UN Special Procedures referring to UNDROP**

UN TREATY BODIES	
<p><b>Views adopted by the Committee under article 5 (4) of the Optional Protocol, concerning communication No. 2751/2016 - <i>Portillo Caceres and Others v. Paraguay</i> (Human Rights Committee, 2019)<sup>47</sup></b></p>	<p>The case brought before the Human Rights Committee in 2012 refers to the death of a peasant as a consequence of air pollution provoked by the extensive use of pesticides by a soy bean company in Paraguay. In 2012, when the authors (the family of the dead peasant) brought the communication before the Human Rights Committee, they invoked a violation of the right to privacy (Article 17 of the International Covenant on Civil and Political Rights — ICCPR). However, when the Human Rights Committee gave its view in 2019, the UN treaty body also made reference to UNDROP and, in particular, to the right to land and the special connection that farmers have with land.</p>
<p><b>General comment No. 25 on article 15: science and economic, social and cultural rights (CESCR, 2020)<sup>48</sup></b></p>	<p>General Comment No.25 makes reference to the right to food (Article 11 ICESCR) and the right to food sovereignty (Article 15 UNDROP). It states: “The right to participate in and to enjoy the benefits of scientific progress and its applications [...] constitutes an essential tool for the realization of other economic, social and cultural rights, particularly the right to food”. “Scientific and technological advancements have increased agricultural productivity, contributing to higher availability of food per person and reduction of famine. Nevertheless, the environmental impacts of certain technologies associated with the Green Revolution and the risks associated with increased dependency on technology providers has led, inter alia, the General Assembly to acknowledge that peasants and other people working in rural areas have the right to determine their own food and agriculture systems, recognized by many States and regions as the right to food sovereignty.” Accordingly, peasants have “the right to participate in and to enjoy the benefits of scientific progress and its applications in agriculture” and should be able to “to choose which technologies suit them best”<sup>49</sup>.</p>

<p><b>General Comment No.26 on the right to land in relation to economic, social and cultural rights (CESCR, 2022)<sup>50</sup></b></p>	<p>General Comment No.26 affirms that the right to land is essential to ensure several rights in ICESCR, such as the right to food and freedom from hunger and the right to an adequate standard of living. The General Comment also refers to other rights such as the right to a clean, healthy and sustainable environment, the right to development and the right to water. Finally, it links the right to land to peasants' rights and UNDROP.</p>
<p><b>General Recommendation No.39 on the rights of Indigenous Women and Girls (Committee on the Elimination of Discrimination against Women – CEDAW, 2022)<sup>51</sup></b></p>	<p>General Recommendation No.39 recalls the importance of Indigenous Women's right to land, territories and natural resources and reaffirms their right to food. Indeed, the "vital link between Indigenous women and their lands often forms the basis of their culture, identity, spirituality, ancestral knowledge and survival". In relation to the right to food, the CEDAW recommends States to "(a) Ensure adequate access of Indigenous women and girls to sufficient food, water and seeds, and acknowledge their contribution to food production, sovereignty and sustainable development"<sup>52</sup>.</p>
<p><b>UN SPECIAL PROCEDURES</b></p>	
<p><b>Special Rapporteurs on the right to food</b></p>	<p>Special Rapporteurs on the right to food referred several times to peasants' rights, food sovereignty and UNDROP in their reports. See the reports of the current Special Rapporteur, Michael Fakhri (2020-)<sup>53</sup>. See also the reports of former Special Rapporteurs: the report of former Special Rapporteur, Hilal Elver (2014-2020), on the relationship between food sovereignty, the CAP and the neoliberal trade system<sup>54</sup>; the reports of former Special Rapporteur, Olivier De Schutter (2008-2014)<sup>55</sup>; the report of former Special Rapporteur, Jean Ziegler (2000-2008), on the right to food and food sovereignty<sup>56</sup>. Finally, see the joint report by Elver, De Schutter and Fakhri on the need to interpret and implement the ITPGRFA in light of UNDROP<sup>57</sup>.</p>
<p><b>Other UN Special Procedures</b></p>	<p>References to UNDROP have also been made by other UN Special Procedures. In particular, the Special Rapporteur on the right to water and sanitation, the Special Rapporteur on human rights and the environment, the Special Rapporteur on adequate housing, the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of human rights, particularly economic, social and cultural rights, and the Working group on discrimination against women and girls<sup>58</sup>.</p>

**Table 3 – Examples of implementation of UNDROP around the world**

<p><b>NATIONAL LEVEL</b></p>	
<p><b>Superior Court of Justice of Ontario, Canada (2020)<sup>59</sup></b></p>	<p>In 2020, during the COVID-19 pandemic, the Ontario Superior Court of Justice released a decision based on Article 23 UNDROP to defend the right of migrant farm workers to the enjoyment of the highest attainable standard of physical and mental health. The relevance of the decision lays in the fact that in 2018, when UNDROP was adopted, Canada abstained. Despite that, judges cited UNDROP in this case, introducing it in Canadian case law.</p>



<p><b>Supreme Court of Honduras (2021)<sup>60</sup></b></p>	<p>“In November 2021, the Supreme Court of Honduras unanimously declared the Plant Variety Protection Law [Monsanto Law] unconstitutional, on the grounds that it violated the Constitution, various international treaties ratified by Honduras, as well as international standards”, including UNDROP (in particular, Article 19 on the right to seeds and Article 20 on the right to biological diversity)<sup>61</sup>.</p>
<p><b>High Court of Kenya (2022)<sup>62</sup></b></p>	<p>When the Kenyan government tried to lift a ban on Genetically Modified Organisms (GMOs), the Kenyan Peasant League filed a lawsuit in front of the High Court. The High Court ruled in favour of peasants, making reference to their right to participation (protected by the Kenyan Constitution and Article 10 of UNDROP) that had not been respected by the government.</p>
<p><b>Campesino-a-Campesino (CAC) Policy, Cuba<sup>63</sup></b></p>	<p>Public policy adopted by the Cuban government to promote agroecology and increase the ability of peasants to produce food for the population. “CAC is a participatory method based on agroecology practices, oriented by local peasants’ needs and culture. It is built upon peasants’ protagonism and knowledge, as a way of making use, fostering and socializing the rich agricultural knowledge”<sup>64</sup>.</p>
<p><b>REGIONAL LEVEL</b></p>	
<p><b>Inter-American Court of Human Rights (IACHR, 2020)<sup>65</sup></b></p>	<p>In February 2020, the IACHR handed down a ruling recognizing the right to land of both Indigenous Peoples and peasants, in accordance with UNDRIP and UNDROP. The case dealt with the restitution of lands that had been occupied by creoles, including peasant families, to Indigenous Peoples. In its ruling, the Court recognized the importance to respect the right to land of Indigenous Peoples but also the need to find a solution that would take into account the vulnerable situation of the soon to be displaced peasants (according to their rights under UNDROP). The case is a “first example of successful articulation between the two UN Declarations”<sup>66</sup>.</p>
<p><b>GLOBAL LEVEL</b></p>	
<p><b>State Recommendations on UNDROP and peasants’ rights under the Universal Periodic Review (UPR)</b></p>	<p>During the 2<sup>nd</sup> and 3<sup>rd</sup> cycles of the UPR, several States recommended that other States promote the rights of peasants and other people working in rural areas and to enforce UNDROP. Interestingly, States that abstained (e.g. Honduras, Denmark, Austria) or voted against (Australia) UNDROP in 2018 also supported recommendations on UNDROP and on peasants’ rights directed at them during the UPR<sup>67</sup>.</p>
<p><b>FAO’s work on the themes of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) (FAO, 2023)<sup>68</sup></b></p>	<p>The document is a FAO publication on its work to promote the implementation of UNDROP in its actions and to provide guidance to various stakeholders on how to promote peasants’ rights. The publication contains references to FAO tools, policy guidance and technical publications on six topics: family farming, youth and gender equality, right to decent income and livelihood, right to land and natural resources, right to seeds and biodiversity, right to adequate food.</p>

## 2. Policy Recommendations

### 2.1 For States, international and regional organizations and UN agencies

States and international and regional organizations shall disseminate UNDROP and promote the understanding of and the respect for its provisions. States and international and regional organizations shall provide or support technical training for government officials, members of the legislative branch, judicial authorities, National Human Rights Institutions (NHRIs), international and regional organizations, organizations of peasants and other people working in rural areas, NGOs, local authorities, schools, universities and all other relevant actors.

States and international and regional organizations should support by different means, including financially, the UN Working Group on the Rights of Peasants and Other People Working in Rural Areas, to ensure that the group can operate effectively during its mandate.

FAO regional offices and country offices should exchange experience on good practices for the promotion, use and application of UNDROP and to strengthen peasants' organizations at the national

and regional level in all FAO regions and sub-regions. Member States should regularly report on the implementation of UNDROP during the FAO Regional Conference for Europe.

### 2.2 For EU Institutions

The EU should ensure that all its laws and policies related to and affecting agriculture, on which the EU has competence, are consistent with UNDROP based on the principle that human rights norms have primacy in law hierarchy (UN Charter, art. 1.3, 55.c, 56, and 103)<sup>69</sup>. In this regard, ECVC developed specific policy proposals on how to ensure the consistency of EU laws and policies in the EU seeds law<sup>70</sup>, the proposal for a land directive<sup>71</sup>, agricultural market policy<sup>72</sup>, the CAP social conditionality<sup>73</sup>.

The EU should respect, protect and fulfil the rights of peasants and other people working in rural areas. Particular attention should be devoted to the implementation, monitoring and in-depth verification of the consistency of the CAP and of the National Strategic Plans (NSP) cross-compliance rules with UNDROP obligations related to working conditions.

The EU should ensure that the rights of peasants and other people working in rural areas in countries undergoing the ascension process to the EU are respected and that EU policies do not negatively impact the rights of peasants and other people working in rural areas in the aforementioned countries.

While implementing international food and agriculture related policies — such as trade policies, financial investments and cooperation projects — the EU should respect the commitment to Policy Coherence for Development as enshrined in EU treaties<sup>74</sup> and promote the respect for human rights in accordance with the EU Action Plan on Human Rights and Democracy 2020-2024<sup>75</sup>. In particular, the EU should respect and be consistent with the international provisions of UNDROP together with other relevant treaties related to agriculture such as ITPGRFA, the Convention on Biological Diversity (CBD), the FAO Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security, the CFS VGGT, the FAO VGSSF, UNDRIP and the ILO Declaration on Fundamental Principles and Rights at Work.

In the next 2 years, the EU should conduct an independent study to assess the level of coherence of EU laws and policies with UNDROP.

The EU should ensure the full and meaningful participation of representative organizations of peasants and other people working in rural areas in all its decision-making processes on agriculture, as recognised in Article 10 UNDROP. ECVC, as the only European peasant farmers organization, should be consistently consulted by all EU institutions dealing with agriculture. In particular, the Agriculture and Fisheries Council (AGRIFISH Council) should stop excluding ECVC from formal and informal meetings. Moreover, organizations representing small food

producers, fisher peoples, pastoralists, artisans and other relevant constituencies should be listened to and consulted by EU institutions<sup>76</sup>.

The EU, while developing legislation, should prioritise public interest over private interest. Within many European Commission (EC) consultation processes or political dialogue spaces, the EU uses a multi-stakeholder approach that is highly problematic. Businesses, civil society and rights holders cannot be treated as equals. Indeed, some actors and sectors are more vulnerable than others. Such an approach makes the debate non-democratic and unequal and it is an obstacle for a just transition.

The Directorate-General for Agriculture and Rural Development of the EC (DG AGRI) should establish a specific sub-unit responsible for Peasants' Rights and Human Rights in agriculture. This sub-unit should be responsible to ensure that a human rights-based approach is present throughout EU agricultural policies by cooperating with human rights institutions at the EU and at the national level. Moreover, DG-AGRI should provide the UNHRC with regular reports on UNDROP implementation at EU level.

## 2.3 For States and local authorities

States and local authorities should ensure the consistency of their laws and policies with UNDROP provisions based on the principle that human rights norms have primacy in law hierarchy (UN Charter, art. 1.3, 55.c, 56, and 103)<sup>77</sup>.

States and local authorities shall strengthen the role of NHRIs in promoting and protecting the rights of peasants and other people working in rural areas and the right to food for all. States who still do not have an NHRI should establish one.

States and local authorities shall respect and support the establishment and growth of strong and independent organizations of peasants and other people working in rural areas.

States shall exercise their duty of due diligence and take all necessary measures to ensure that the non-State actors they are in a position to regulate (such as private individuals and organizations, transnational corporations and other business enterprises) respect and strengthen the rights of peasants and other people working in rural areas.

When implementing the EU Directive on Corporate Sustainability Due Diligence (CSDDD)<sup>78</sup>, EU Member States should include the rights of peasants and other people working in rural areas as outlined in UNDROP among the human rights provisions that private actors should respect in their due diligence. Although the CSDDD is a step in the right direction, this law still has many limitations, notably in the area of application. This is why ECVC, together with the “Global Campaign to Reclaim Peoples’ Sovereignty, Dismantle Corporate Power and End Impunity”,<sup>79</sup> supports the adoption of a legally binding “International Treaty on transnational corporations and other business enterprises with regard to human rights”<sup>80</sup> which is now under negotiation in the UNHRC. This treaty should make specific reference to UNDROP and the rights contained thereof as basic human rights to be respected. Indeed, it is often transnational corporations that violate the rights of peasants directly or through their subsidiaries, mainly in countries of the global South.

Domestic courts should protect the rights of peasants and other people working in rural areas, by directly applying UNDROP, or by using it to interpret rights recognized in domestic law or other international instruments<sup>81</sup>.

Each national agricultural ministry should have a responsible unit on human rights and agriculture. This unit should be responsible for the implementation of UNDROP at the national level. In coordination with the ministry of foreign affairs, it should also provide the UNHRC and other relevant UN treaty bodies — such as the Human Rights Committee and the CESCR — with regular reports on the implementation of UNDROP.

States should develop National Action Plans and National Committees for Family Farming as requested within the UN Decade for Family Farming (UNDIFF). Those plans should put the implementation of UNDROP at the national level at the centre and promote a wider concept of family farming that goes beyond cis-hetero-patriarchy, embraces chosen families, a diversity of people and ways of living and working together, as well as all kind of small and artisanal food producers.

# Endnotes

- 1 FAO (2023), *Estimating global and country-level employment in agrifood system*. Retrieved at: <https://www.fao.org/newsroom/detail/almost-half-the-world-s-population-lives-in-households-linked-to-agrifood-systems/en>
- 2 FAO & UNDP (2022), *Small-scale producers in sustainable agrifood systems transformation*, p.6. Retrieved at: <https://openknowledge.fao.org/server/api/core/bitstreams/5ccb61ef-c051-4602-871f-3ba864f83d5c/content>
- 3 CBD (2010). *A good practice guide. Pastoralism, nature conservation and development*, p.1. Retrieved at: <https://www.cbd.int/development/doc/cbd-good-practice-guide-pastoralism-booklet-web-en.pdf>
- 4 Lowder S.K., Sánchez M. V., Bertini R. (2021), *Which farms feed the world and has farmland become more concentrated?* Retrieved at: <https://www.sciencedirect.com/science/article/pii/S0305750X2100067X>
- 5 European Parliament (2022), *Briefing - Small farms' role in the EU food system*, pp. 1-5. Retrieved at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733630/EPRS\\_BRI\(2022\)733630\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733630/EPRS_BRI(2022)733630_EN.pdf)
- 6 Human Rights Council Advisory Committee (2011), *Preliminary study on the advancement of the rights of peasants and other people working in rural areas*, pp.7-8. Retrieved at: [https://www.ohchr.org/sites/default/files/Documents/HRBodies/HR-Council/AdvisoryCom/Session6/A.HRC.AC.6.CRP.2\\_en.pdf](https://www.ohchr.org/sites/default/files/Documents/HRBodies/HR-Council/AdvisoryCom/Session6/A.HRC.AC.6.CRP.2_en.pdf)
- 7 UN (2023), *Extreme Poverty in Developing Countries Inextricably Linked to Global Food Insecurity Crisis, Senior Officials Tell Second Committee*, UN Meetings Coverage and Press Releases. Retrieved at: <https://press.un.org/en/2023/gaef3590.doc.htm>
- 8 European Parliament (2023), *European Parliament resolution of 19 October 2023 on generational renewal in the EU farms of the future (2022/2182(INI))*. Retrieved at: [https://www.europarl.europa.eu/doceo/document/TA-9-2023-0376\\_EN.htm#def\\_1\\_12](https://www.europarl.europa.eu/doceo/document/TA-9-2023-0376_EN.htm#def_1_12)
- 9 See European Parliament (2022), p.8.
- 10 LVC (2018). *Annual Report 2018*, p.46. Retrieved at: <https://viacampesina.org/en/la-via-campesina-2018-annual-report/>
- 11 Edelman M. (2014). *Linking the Rights of Peasants to the Right to Food in the United Nations*. Law, Culture and the Humanities, 10(2), 196, p.200. Retrieved at: [https://www.academia.edu/14291608/Linking\\_the\\_Rights\\_of\\_Peasants\\_to\\_the\\_Right\\_to\\_Food\\_in\\_the\\_United\\_Nations\\_Law\\_Culture\\_and\\_the\\_Humanities\\_10\\_2\\_June\\_2014\\_196\\_211](https://www.academia.edu/14291608/Linking_the_Rights_of_Peasants_to_the_Right_to_Food_in_the_United_Nations_Law_Culture_and_the_Humanities_10_2_June_2014_196_211)
- 12 United Nations Declaration on the Elimination of Violence against Women (1993). Retrieved at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-violence-against-women>
- 13 United Nations Convention on the Elimination of All Forms of Discrimination against Women (1979). Retrieved at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>
- 14 United Nations Declaration on the Rights of Indigenous Peoples (2007). Retrieved at: <https://www.un.org/development/desa/indigenouspeoples/declaration-on-%20the-rights-of-indigenous-peoples.html>
- 15 ILO Convention No.169 - Indigenous and Tribal Peoples Convention (1989). Retrieved at: [https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C169](https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169)
- 16 Edelman M., Claeys P. (2019). *The United Nations Declaration on the rights of peasants and other people working in rural areas*. The Journal of Peasant Studies, p.2. Retrieved at: [https://www.academia.edu/40796545/The\\_United\\_Nations\\_Declaration\\_on\\_the\\_rights\\_of\\_peasants\\_and\\_other\\_people\\_working\\_in\\_rural\\_areas](https://www.academia.edu/40796545/The_United_Nations_Declaration_on_the_rights_of_peasants_and_other_people_working_in_rural_areas)
- 17 Claeys P. (2019). *The rise of new rights for peasants. From reliance on NGO intermediaries to direct representation (in Transnational Legal Theory)*. Transnational Legal Theory, p.2. Retrieved at: [https://www.academia.edu/38126498/The\\_rise\\_of\\_new\\_rights\\_for\\_peasants\\_From\\_reliance\\_on\\_NGO\\_intermediaries\\_to\\_direct\\_representation\\_in\\_Transnational\\_Legal\\_Theory](https://www.academia.edu/38126498/The_rise_of_new_rights_for_peasants_From_reliance_on_NGO_intermediaries_to_direct_representation_in_Transnational_Legal_Theory)
- 18 United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas: resolution / adopted by the Human Rights Council on 28 September 2018. Retrieved at: <https://digitallibrary.un.org/record/1650694?ln=fr&v=pdf>
- 19 United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas: resolution / adopted by the General Assembly. Retrieved at: <https://digitallibrary.un.org/record/1661560?ln=en&v=pdf>
- 20 "Food sovereignty is the right of each nation to maintain and develop its own capacity to produce its basic foods respecting cultural and productive diversity. We have the right to produce our own food in our own territory. Food sovereignty is a precondition to genuine food security". See: LVC (1996), *The right to produce and access to land. Food sovereignty: a future without hunger*, p.1. Retrieved at: <https://viacampesina.org/en/wp-content/uploads/sites/2/2021/11/1996-Rom-en.pdf>
- 21 "Food sovereignty is the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems". See: Nyéléni (2007), *Declaration of Nyéléni*. Retrieved at: <https://nyeleni.org/en/declaration-of-nyeleni/>
- 22 United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (2018). Retrieved at: <https://digitallibrary.un.org/record/1661560?ln=en&v=pdf>

- 23 International Treaty on Plant Genetic Resources for Food and Agriculture (2001). Retrieved at: <https://www.fao.org/plant-treaty/overview/texts-treaty/en/>
- 24 Bantekas I., & Oette L. (2020). International human rights law and practice (Third edition). Cambridge University Press, p.363.
- 25 Jones P. (1999). *Human Rights, Group Rights, and Peoples' Rights*. The Johns Hopkins University Press, 21 No.1, 80–107, pp.80-81. Retrieved at: [https://www.jstor.org/stable/762737?searchText=the%20rights%20of%20peoples%20crawford%201988&searchUri=%2Faction%2FdoBasicSearch%3FQuery%3Dthe%2Brights%2Bof%2Bpeoples%2Bcrawford%2B1988%26so%3Drel&ab\\_segments=0%2Fbasic\\_search\\_gsv%2Fcontrol&refreqid=fastly-default%3Ac6ce3388cdc72b65a7a102c8d8ce47cc](https://www.jstor.org/stable/762737?searchText=the%20rights%20of%20peoples%20crawford%201988&searchUri=%2Faction%2FdoBasicSearch%3FQuery%3Dthe%2Brights%2Bof%2Bpeoples%2Bcrawford%2B1988%26so%3Drel&ab_segments=0%2Fbasic_search_gsv%2Fcontrol&refreqid=fastly-default%3Ac6ce3388cdc72b65a7a102c8d8ce47cc)
- 26 “The term soft law is used to denote agreements, principles and declarations that are not legally binding. Soft law instruments are predominantly found in the international sphere. UN General Assembly resolutions are an example of soft law. Hard law refers generally to legal obligations that are binding on the parties involved and which can be legally enforced before a court”. See: European Centre for Constitutional and Human Rights. Retrieved at: <https://www.ecchr.eu/en/glossary/hard-law-soft-law/>
- 27 See UNDROP Article 2, <https://digitallibrary.un.org/record/1661560?ln=en&v=pdf>
- 28 See UNDROP Article 27, <https://digitallibrary.un.org/record/1661560?ln=en&v=pdf>
- 29 United Nations Agenda 2030 for Sustainable Development. Retrieved at: <https://sdgs.un.org/2030agenda>
- 30 Golay C. (23 May 2023), *UNDROP in the Work of United Nations Human Rights Mechanisms*, Defending Peasants' Rights. Retrieved at: <https://defendingpeasantsrights.org/en/undrop-in-the-work-of-united-nations-human-rights-mechanisms/>  
For more information on peasants' rights and UNDROP, see the website Defending Peasants Rights, developed by La Via Campesina, FIAN, CETIM and the Geneva Academy: <https://defendingpeasantsrights.org/en/home/>
- 31 UNHRC (54th sess. : 2023 : Geneva), Working Group on the Rights of Peasants and Other People Working in Rural Areas: resolution / adopted by the Human Rights Council on 11 October 2023. Retrieved at: <https://digitallibrary.un.org/record/4025108?ln=en&v=pdf>
- 32 UNHRC, Appointments at the 55th session of the Human Rights Council (26 February to 5 April 2024). Retrieved at: <https://www.ohchr.org/en/hr-bodies/hrc/sp/hrc55>  
For more information please see the official webpage of the OHCHR for Special Procedures: <https://www.ohchr.org/en/special-procedures-human-rights-council/special-procedures-human-rights-council> and the webpage of the UN Working Group on peasants: <https://www.ohchr.org/en/specialprocedures/wg-peasants>
- 33 UNHRC (54th sess. : 2023 : Geneva), Working Group on the Rights of Peasants and Other People Working in Rural Areas: resolution / adopted by the Human Rights Council on 11 October 2023. Retrieved at: <https://digitallibrary.un.org/record/4025108?ln=en&v=pdf>
- 34 United Nations International Covenant on Economic, Social and Cultural Rights (1976). Retrieved at: <https://www.ohchr.org/sites/default/files/cescr.pdf>
- 35 Beuchelt T. D., & Virchow D. (2012). *Food sovereignty or the human right to adequate food: Which concept serves better as international development policy for global hunger and poverty reduction?* Agriculture and Human Values, 29(2), 259–273, p.268. Retrieved at: [https://www.academia.edu/79835108/Food\\_sovereignty\\_or\\_the\\_human\\_right\\_to\\_adequate\\_food\\_which\\_concept\\_serves\\_better\\_as\\_international\\_development\\_policy\\_for\\_global\\_hunger\\_and\\_poverty\\_reduction](https://www.academia.edu/79835108/Food_sovereignty_or_the_human_right_to_adequate_food_which_concept_serves_better_as_international_development_policy_for_global_hunger_and_poverty_reduction)
- 36 General Comment No. 12 of the Committee on Economic, Social and Cultural Rights (1999). Retrieved at: <https://undocs.org/Home/Mobile?FinalSymbol=E%2FC.12%2F1999%2F5&Language=E&DeviceType=Desktop&LangRequested=False>
- 37 FAO (1985), *Report of the tenth session of the Committee World Food Security - World Food Security Compact*, pp.11-18. Retrieved at: <https://openknowledge.fao.org/server/api/core/bitstreams/219e156e-73b1-4500-8668-91824e1bc0a6/content>
- 38 See FAO (1985), pp.11-18.
- 39 International Treaty on Plant Genetic Resources for Food and Agriculture (2001). Retrieved at: <https://www.fao.org/plant-treaty/en/>
- 40 See ITPGRFA (2001). It should be noted that the application of Article 9 is “subject to national laws”, as specified in Article 9.3. This reservation is subject to various interpretations, but has so far been used by the majority of contracting States to claim an unreserved commitment to UPOV, WIPO, etc. Peasant organizations therefore remain committed to obtaining the removal of this reservation.
- 41 FAO Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security (2004). Retrieved at: <https://www.fao.org/3/y7937e/y7937e.pdf>
- 42 See FAO (2004), p.27.
- 43 CFS (2012), Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security. Retrieved at: <https://www.fao.org/tenure/voluntary-guidelines/en/>
- 44 See CFS (2012), p.4.
- 45 FAO (2015), Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication. Retrieved at: <https://www.fao.org/voluntary-guidelines-small-scale-fisheries/en>
- 46 See FAO (2015), p.V.
- 47 ICCPR (20 September 2019), Views adopted by the Committee under article 5 (4) of the Optional Protocol, concerning communication No. 2751/2016. Retrieved at: <https://undocs.org/Home/Mobile?FinalSymbol=CCPR%2FC%2F126%2FD%2F2751%2F2016&Language=E&DeviceType=Desktop&LangRequested=False>
- 48 General comment No. 25 on article 15: science and economic, social and cultural rights (CESCR, 2020). Retrieved at: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-25-2020-article-15-science-and>
- 49 See CESCR (2020), p.14.
- 50 General Comment No.26 on the right to land in relation to economic, social and cultural rights (CESCR, 2022).

Retrieved at: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/ec12gc26-general-comment-no-26-2022-land-and>

- 51 General recommendation No.39 on the rights of Indigenous women and Girls, CEDAW (2022). Retrieved at: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no39-2022-rights-indigenous>
- 52 See CEDAW (2022), p.5 and 24.
- 53 See [A/75/219](#), [A/HRC/46/33](#), [A/HRC/49/43](#), [A/77/177](#), [A/HRC/52/40](#), [A/HRC/55/49](#)
- 54 See [A/HRC/43/44](#)
- 55 See [A/69/275](#), [A/HRC/25/57](#), [A/68/288](#)
- 56 Zigler J. (9 February 2004), *The right to food. Report submitted by the Special Rapporteur on the right to food, Jean Ziegler, in accordance with Commission on Human Rights resolution 2003/25\**. Retrieved at: <https://undocs.org/Home/Mobile?FinalSymbol=E%2FCN.4%2F2004%2F10&Language=E&DeviceType=Desktop&LangRequested=False>
- 57 Golay C., Peschard K., De Schutter O., Elver H., Esquinas J., Fakhri M. (September 2022), *Implementing the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) in light of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP)*, Aprebes and Geneva Academy. Retrieved at: [https://www.geneva-academy.ch/joomlatools-files/docman-files/Aprebes\\_BriefingPaper\\_9-22\\_final.pdf](https://www.geneva-academy.ch/joomlatools-files/docman-files/Aprebes_BriefingPaper_9-22_final.pdf)
- 58 See Golay C. (23 May 2023).
- 59 Defending Peasants Right (7 July 2023), *Interview of Jessie MacInnis, small-scale farmer in Canada and Peasants' rights activist*. Retrieved at: <https://defendingpeasantsrights.org/en/interview-of-jessie-macinnis/>
- 60 Peschard K. (7 February 2023), *Honduras: Supreme Court uses UNDROP article 19 on the right to seeds to declare unconstitutional the Monsanto Law*, Defending Peasants Rights. Retrieved at: <https://defendingpeasantsrights.org/en/honduras-supreme-court-uses-undrop-article-19-on-the-right-to-seeds-to-declare-unconstitutional-the-monsanto-law/>
- 61 See Peschard (2023).
- 62 Cidi Otieno (15 June 2023), *The legal fight of the Kenyan Peasants League against the lifting of the ban on GMO in Kenya*, Defending Peasants Rights. Retrieved at: <https://defendingpeasantsrights.org/en/the-legal-fight-of-the-kenyan-peasants-league-against-the-lifting-of-the-ban-on-gmo-in-kenya/>
- 63 CETIM (6 December 2023), *Universal Periodic Review of Cuba: CETIM highlights good practices on peasants' rights*, Defending Peasants' Rights. Retrieved at: <https://defendingpeasantsrights.org/en/universal-periodic-review-of-cuba-cetim-highlights-good-practices-on-peasants-rights/>
- 64 See CETIM (2023), p.5.
- 65 Montón D. (8 June 2023), *Inter-American Court of Human Rights: first case law on the links between the Declarations on the Rights of Peasants and Indigenous Peoples*, Defending Peasants Rights. Retrieved at: <https://defendingpeasantsrights.org/en/inter-american-court-of-human-rights-first-case-law-on-the-links-between-the-declarations-on-the-rights-of-peasants-and-indigenous-peoples/>
- 66 See Montón (2018).
- 67 See [\[Term:peasants\\)\]\(#\)](https://upr-info-database.uwazi.io/library/?q=(search-</a></p>
</div>
<div data-bbox=)

- 68 FAO (2023), *FAO's work on the themes of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP)*. Retrieved at: <https://openknowledge.fao.org/server/api/core/bitstreams/5168a00d-7ed8-4b8b-ae3c-ed7122262ad4/content>
- 69 United Nations Charter (1945). Retrieved at: <https://www.un.org/en/about-us/un-charter/full-text>
- 70 ECVC (19 October 2021), *Incorporating Peasants' Rights to Seeds in European Law*. Retrieved at: <https://www.eurovia.org/publications/publication-incorporating-peasants-rights-to-seeds-in-european-law/>
- 71 ECVC (7 November 2023), *Proposal for an EU Directive on Agricultural Land, Defending Peasants Rights*. Retrieved at: <https://defendingpeasantsrights.org/en/proposal-for-an-eu-directive-on-agricultural-land/>
- 72 ECVC, *Trade*. Retrieved at: <https://www.eurovia.org/working-groups/trade/>
- 73 ECVC, *Policy position - CAP – the Common Agricultural Policy*. Retrieved at: <https://www.eurovia.org/our-policy-positions/pos-3/>
- 74 See the Treaty of Maastricht (1992), the Treaty of Lisbon (2009) and the European Consensus on Development (2017). For more information, [https://international-partnerships.ec.europa.eu/policies/european-development-policy/policy-coherence-development\\_en](https://international-partnerships.ec.europa.eu/policies/european-development-policy/policy-coherence-development_en)
- 75 EU Action Plan on Human Rights and Democracy 2020-2024. Retrieved at: [https://www.eeas.europa.eu/sites/default/files/eu\\_action\\_plan\\_on\\_human\\_rights\\_and\\_democracy\\_2020-2024.pdf](https://www.eeas.europa.eu/sites/default/files/eu_action_plan_on_human_rights_and_democracy_2020-2024.pdf)
- 76 Indeed, small-scale farmers remain the absolute majority of European agricultural producers. See, European Parliament (2022), *Briefing - Small farms' role in the EU food system*. Retrieved at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733630/EPRS\\_BRI\(2022\)733630\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733630/EPRS_BRI(2022)733630_EN.pdf)
- 77 United Nations Charter (1945). Retrieved at: <https://www.un.org/en/about-us/un-charter/full-text>
- 78 Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937. Retrieved at: [file:///C:/Users/Admin/Downloads/COM\(2022\)71\\_0.pdf](file:///C:/Users/Admin/Downloads/COM(2022)71_0.pdf)
- 79 Global Campaign to Reclaim Peoples Sovereignty, *Dismantle Corporate Power and Stop Impunity*. Retrieved at: <https://www.stopcorporateimpunity.org/list-of-signatories/>
- 80 Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights. Retrieved at: <https://www.ohchr.org/en/hr-bodies/hrc/wg-trans-corp/igwg-on-tnc>
- 81 See the examples provided in Table 3 of this policy brief.



**Co-funded by  
the European Union**

This publication was co-funded by the European Union. Its contents are the sole responsibility of the European Coordination Via Campesina and do not necessarily reflect the views of the European Union.