



Defending the Rights of Peasants: for a United Nations Declaration¹

Assassinations of peasant trade unionists in Latin America, suicides by Indian farmers unable to reimburse their debts due to lack of decent income, eviction of peasants from their land in Africa... Peasants are among those whose rights are the most massively violated. Moreover, 80% of the victims of hunger are rural inhabitants, mainly smallholder farmers.² Faced with this situation movements are mobilizing to see that a United Nations declaration on the rights of peasants is adopted.



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1. Violations of peasant's rights

Violations of the rights to seeds and to land, discriminations against peasants, etc.: peasants' rights are infringed in many ways.

The right to seeds at risk

Without seeds, there is no farming. Traditionally, peasants produce, sow, trade and sell their seeds. This right is increas-

ingly called into question by rules favouring industrial seeds commercialized by multinationals, at the expense of peasant seeds. The revision processes concerning seed laws are being accelerated by new international initiatives to raise private capital for agricultural investment³ and by recent free-trade agreements.

This is what happened in Colombia, where the 2010 implementation of the free- trade agreement with the United States led the Colombian Agriculture and Livestock Institute

1. This issue is an update of the Coordination SUD document, C2A Notes No. 23, "Defending the rights of peasants: For a UN Declaration", 2015

2. UN Human Rights Council, *Final study of the Human Rights Council Advisory Committee on the advancement of the rights of peasants and other people working in rural areas*, 2012

3. Action contre la Faim, CCFD-Terre Solidaire, Oxfam France, *La faim, un business comme un autre*, 2014



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to adopt Resolution 9.70, which stipulated that only certified seeds – and therefore industrial seeds often produced by US companies – could be used. Offenders faced the destruction of seeds and harvests, fines, and even prison. The Colombian authorities were brutal in their application of the resolution. In 2012, for example, in the small town of Campoalegre, the army attacked rice warehouses and trucks and destroyed 70 tons of rice. Faced with peasant mobilization, the government eventually decided to suspend the application of Resolution 9.70, in September 2013.⁴

Defending land rights: a struggle with great risks

A report published in December 2014 by the International Federation for Human Rights and the World Organisation Against Torture revealed that 43 land rights activists were assassinated between 2011 and 2014.⁵ This already huge figure is actually smaller than reality. Indeed, this report presents only cases for which sufficiently precise information is available. And in addition to these murders there are other forms of violence such as threats, physical assaults and arbitrary arrests.

In Honduras, for example, members of the peasant organization Marca (Movimiento auténtico reivindicador campesino del Aguán) have been fighting since 1994 to recover their land in the Bajo Aguan valley. They are regularly attacked, both by the government and by “security guards” hired by big landowners. In 2012, the lawyer representing Marca was killed. A year later, it was his brother’s turn, for making the mistake of being “too” obstinate in asking for a serious investigation to identify the killers and get them convicted. The investigation has still not made any headway, and no suspect has been identified.⁶

Discrimination against rural women

In developing countries, 60 to 80% of peasants are... women! They are doubly discriminated against: as peasants but also as

women. In some countries, it is very complicated for them to access farming resources, be it loans or ownership rights to the land they farm. Hilal Elver, Special Rapporteur to the United Nations on the Right to Food, highlighted these problems in her first official report.⁷ Some national laws sometimes validate this situation. In Guatemala, for example, labour regulations consider rural women as assistants to male farm workers and not as workers in their own right, entitled to a wage.⁸

Inheritance inequalities between male and female peasants

“Felitus Kures is a widow. She lives in Kapchorwa, in northeast Uganda. After her husband died she had to raise their children alone. To provide for their needs, she depended on a small plot of land that she used to farm with her husband. But a few months after his funeral, her in-laws sold the plot of land without her knowledge. ‘We only realised it when the buyer came to evict us’, she explained. She managed to recover use of this plot thanks to legal aid from the Uganda Land Alliance, a civil society group. Although she was more fortunate than most other women, Ms Kures’s situation is common in Africa. After getting divorced or losing their husband, many women lose their ownership rights and/or access to land that belonged to the couple”.⁹

4. GRAIN, *Colombia farmers’ uprising puts the spotlight on seeds*, 2013

5. Centre Europe - Tiers Monde, *The Right to Land*, 2014

6. Observatory for the Protection of Human Rights Defenders: *“We Are Not Afraid” - Land rights defenders: attacked for confronting unbridled development*, 2014

7. United Nations General Assembly: *Interim Report of the Special Rapporteur on the right to food (A/69/275)*, 2014

8. UN Human Rights Council, *Final study of the Human Rights Council Advisory Committee on the advancement of the rights of peasants and other people working in rural areas*, 2012

9. AgriCultures Network, *Femmes africaines et foncier : un accès précaire et limité*, AGRIDAPE, Volume 28, No.1, 2012

2. Peasants mobilizing to defend their rights¹⁰

The international peasant movement La Via Campesina is a coalition of over 160 organizations in 73 countries. Since 2001, it has been mobilizing for the adoption of a UN Declaration on the rights of peasants, with a view to ensuring that these rights are respected better. In 2008, after several years of internal consultations, La Via Campesina adopted a draft Declaration.

The aim of the Declaration is to make States, companies and peasants themselves more fully aware of peasant rights. It has two objectives:

- To merge, into a single document, rights recognized in several major documents, such as the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Rights of the Child and the Declaration on the Rights of Indigenous Peoples.
- To recognize new rights, such as the right to land, the right to seeds and the right to food sovereignty. These are emerging rights based on existing documents. Examples are the Voluntary Guidelines on the Responsible Governance of Land Tenure (with regard to land rights); the UN Convention on Biological Diversity (with regard to the right to seeds); and the constitutions of Bolivia, Ecuador and Nepal (with regard to the right to food sovereignty).

A Declaration can have significant political influence, even without being legally binding. Indeed, international recognition of peasant rights would give greater power to peasant organizations in their work to fight the discrimination suffered by farmers.

3. Decision by the UN to write a Declaration on the Rights of Peasants

La Via Campesina's advocacy prompted the United Nations Human Rights Council to commission its Advisory Committee of independent experts to draw up two reports on the subject. In September 2012, following the Committee's recommendations, the Human Rights Council decided to draft a Declaration on the Rights of Peasants and Other People Working in Rural Areas.

A working group comprised of State and civil society representatives has met four times since 2013 to work out the text of the Declaration.

4. Bringing about change in the French and EU positions

While in September 2012 most African, Asian and Latin American countries voted in favour of drafting the Declaration or else abstained, the Member States of the European Union and the United States voted against it.

France justified its opposition to the project on the basis of the principle of the universality of human rights. In other

words, human rights are founded on common values inherent to human beings. These values concern everyone, including peasants. Drafting a new Declaration to establish rights specific to peasants would go against this principle of universality. And while Coordination SUD supports this principle, it does not preclude recognizing rights specific to peasants. In the past, France has actually supported or even initiated the drafting of conventions and declarations concerning

Draft text of the Declaration

In March 2017, the draft version of the Declaration¹¹ included the following points:

- Article 1: Definition of peasants and other people working in rural areas
- Article 2: General States' obligations
- Article 3: Equality and non-discrimination
- Article 4: Rights of peasant women and other women working in rural areas
- Article 5: Rights to natural resources, right to development
- Article 6: Rights to life, liberty, security of the person
- Article 7: Freedom of movement
- Article 8: Freedoms of thought, opinion and expression
- Article 9: Freedom of association
- Article 10: Right to participation
- Article 11: Right to information in relation to production, marketing and distribution
- Article 12: Access to justice
- Article 13: Right to work
- Article 14: Right to safety and health at work
- Article 15: Right to food and food sovereignty
- Article 16: Right to a decent income and livelihood and the means of production
- Article 17: Right to land and other natural resources
- Article 18: Right to a safe, clean and healthy environment
- Article 19: Right to seeds
- Article 20: Right to biological diversity
- Article 21: Rights to water and to sanitation
- Article 22: Right to social security
- Article 23: Right to health
- Article 24: Right to adequate housing
- Article 25: Right to education and training
- Article 26: Cultural rights and traditional knowledge
- Article 27: Responsibility of the United Nations and of other international organizations

10. Christophe Golay, *Les droits des paysans et des paysannes*, 2010

11. UN Human Rights Council, *Draft Declaration on the Rights of Peasants and Other People Working in Rural Areas*, 2017 and Christophe Golay, *Negotiation of a United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas*, Geneva Academy, 2015

particular categories of people.¹² These documents build on the common core rights and complement them, based on the specific situations of children, women or wage employees vis-à-vis employers, to mention just a few examples. Each one was designed to take into account the particular forms of discrimination suffered by certain groups, in order to fight them more effectively. Peasants and other individuals working in rural areas fit these criteria.

But with regard to the vote against the recognition of these new rights, there are probably reasons which are not expressed officially. Protecting peasants' right to seeds, for example, would limit the overwhelming power of European and US companies in this industry.¹³ Indeed, the United States and the European Union actively protect and promote their interests, particularly in free trade agreements, as the Colombian example shows.

On 26 June 2014, civil society's advocacy work began to pay off. At the vote on the renewal of the mandate of the working group in charge of drafting the Declaration, most EU countries, including France, decided to abstain instead of voting against it. Further progress has been made since 2015: each time the working group has had to be renewed, only the United States has voted against, and all EU countries have abstained. The latter now need to be persuaded to support this process and to contribute positively to drafting an ambitious Declaration to improve the protection of peasants' rights.

Coordination SUD and several of its members actively participate in the French collective for the Declaration on Peasant Rights, alongside FIAN-France. This collective is co-facilitated by the Confédération Paysanne and the Comité Français pour la Solidarité Internationale.



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12. For example: the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the International Labour Organization's Declaration on Fundamental Principles and Rights at Work

13. Coordination SUD, *The Right to Seeds: a fundamental right for small farmers*, 2017

Coordination SUD

Solidarité Urgence Développement

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As part of its mission to support the collective advocacy of its members, Coordination SUD has set up working committees. The Agriculture and food Commission (C2A) brings together international solidarity NGOs working to realize the right to food and increase support for smallholder farming in policies that impact world food security: ActionAid France, Action contre la Faim, AEFJN, aGter, Artisans du Monde, AVSF, CARI, CCFD-Terre Solidaire, CFSI, Commerce Équitable France, CRID, Gret, Inter Aide, Iram, ISF AgriSTA, MADERA, Oxfam France, Secours Catholique-Caritas France, SOL and UNMFREO.

The C2A is in charge of the representation of Coordination SUD to institutions dealing with agriculture and food, such as the Interministerial Group on Food Security (GISA) and the Civil Society Mechanism (CSM) for the Committee on World Food Security (CFS).

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