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**Comments and Textual Suggestions: Inclusion of Peasants and Other People Working in Rural Areas in the United Nations Convention on the Right to Development**

**29 June 2022**

**KEY MESSAGES**

* The United Nations (UN) General Assembly (GA) adopted the UN Declaration on the rights of peasants and other people working in rural areas (UNDROP) in 2018, after almost 20 years of mobilization by La Via Campesina, other rural people’s organizations and civil society organizations.[[1]](#footnote-1) CETIM, FIAN International and the Geneva Academy of International Humanitarian Law and Human Rights, which all sign this contribution with La Via Campesina, have supported this process. They are all promoting the UNDROP’s implementation.[[2]](#footnote-2)
* The UNDROP is based on several binding international human rights instruments, as well as on the UN Declaration on the Right to Development. The UNDROP has been adopted by a large majority of states at the UNGA. It provides that states, UN agencies and international organizations shall contribute to its implementation. In adopting the UNDROP, the UNGA invited “Governments, agencies and organizations of the UN system and intergovernmental and non-governmental organizations to disseminate the Declaration and to promote universal respect and understanding thereof”, without making any distinction according to states’ votes during this adoption.[[3]](#footnote-3) All states and the UN system should therefore promote UNDROP, and the rights of peasants and other people working in rural areas.
* The UNDROP specifies the rights of peasants, landless people, rural workers, herders, pastoralists, and fisherfolk, and their families, who represent three billion people. Particularly vulnerable and marginalized, these people represent 70% of those who live in extreme poverty and 80% of the world’s hungry.[[4]](#footnote-4) They are among the first victims of violations of the human right to development. It is therefore crucial that their rights are included in the UN Convention on the Right to Development.
* Peasants and other people working in rural areas are key in the provision of food, in particular in Southern countries where they provide up to 80% of the food consumed. They should therefore be placed at the centre of the elaboration of food and rural development policies, which are key for the right to development.
* The UNDROP’s Articles 2.3, 3.2 and 5.2 are particularly relevant for the inclusion of the rights of peasants and other people working in rural areas in the UN Convention on the Right to Development:

***UNDROP, Article 2.3***

*Without disregarding specific legislation on indigenous peoples, before adopting and implementing legislation and policies, international agreements and other decision-making processes that may affect the rights of peasants and other people working in rural areas, States shall consult and cooperate in good faith with peasants and other people working in rural areas through their own representative institutions, engaging with and seeking the support of peasants and other people working in rural areas who could be affected by decisions before those decisions are made, and responding to their contributions, taking into consideration existing power imbalances between different parties and ensuring active, free, effective, meaningful and informed participation of individuals and groups in associated decision-making processes.*

***UNDROP, Article 3.2***

*Peasants and other people working in rural areas have the right to determine and develop priorities and strategies to exercise their right to development.*

***UNDROP, Article 5.2***

*States shall take measures to ensure that any exploitation affecting the natural resources that peasants and other people working in rural areas traditionally hold or use is permitted based on, but not limited to:*

*(a)  A duly conducted social and environmental impact assessment;*

*(b)  Consultations in good faith, in accordance with article 2 (3) of the present Declaration;*

*(c) Modalities for the fair and equitable sharing of the benefits of such exploitation that have been established on mutually agreed terms between those exploiting the natural resources and the peasants and other people working in rural areas.*

**PROPOSED NEW ARTICLE ON PEASANTS AND OTHER PEOPLE WORKING IN RURAL AREAS IN THE UN CONVENTION ON THE RIGHT TO DEVELOPMENT**

Inspired by Article 17 on Indigenous Peoples of the Draft Convention on the Right to Development, and using agreed language taken from UNDROP’s Articles 2.3, 3.2 and 5.2, we propose the following new article for inclusion in the UN Convention on the Right to Development.

**New Article. Peasants and Other People Working in Rural Areas**

1. Peasants and other people working in rural areas have the right to determine and develop priorities and strategies for exercising their right to development.
2. In accordance with international law, before adopting and implementing legislation and policies, international agreements and other decision-making processes that may affect the rights of peasants and other people working in rural areas, States shall consult and cooperate in good faith with peasants and other people working in rural areas through their own representative institutions, engaging with and seeking the support of peasants and other people working in rural areas who could be affected by decisions before those decisions are made, and responding to their contributions, taking into consideration existing power imbalances between different parties and ensuring active, free, effective, meaningful and informed participation of individuals and groups in associated decision-making processes.
3. States shall take measures to ensure that any exploitation affecting the natural resources that peasants and other people working in rural areas traditionally hold or use is permitted based on, but not limited to:
4. A duly conducted social and environmental impact assessment;
5. Consultations in good faith, in accordance with the second paragraph of the present Article;
6. Modalities for the fair and equitable sharing of the benefits of such exploitation that have been established on mutually agreed terms between those exploiting the natural resources and the peasants and other people working in rural areas.

1. UN General Assembly, [UN Declaration on the Rights of Peasants and Other People Working in Rural Areas](https://undocs.org/A/RES/73/165), 17 December 2018. [↑](#footnote-ref-1)
2. For more information on the work of these organizations in supporting the UNDROP’s implementation, see the websites of [La Via Campesina](https://viacampesina.org/en/undrop-illustrations/), [CETIM](https://www.cetim.ch/factsheets-on-peasants-rights/), [FIAN International](https://www.fian.org/en/publication/article/peasants-rights-briefings-2690), and [the Geneva Academy of International Humanitarian Law and Human Rights](https://www.geneva-academy.ch/research/our-clusters/sustainable-development/detail/13-the-rights-of-peasants). [↑](#footnote-ref-2)
3. [Resolution 73/165 of the UN General Assembly](https://undocs.org/A/RES/73/165), adopted on 17 December 2018, §2. [↑](#footnote-ref-3)
4. UN Department of Economic and Social Affairs (2019). [Report of the Expert Group Meeting on “Eradicating Rural Poverty to Implement the 2030 Agenda for Sustainable Development”](https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2019/04/DraftReport-EGM-Rural-Poverty2019.pdf); C. Di Nucci et al. (2020). [To move the needle on ending extreme poverty, focus on rural areas](https://www.ifad.org/en/web/latest/blog/asset/41808748). IFAD. [↑](#footnote-ref-4)