

International Seminar Peace and conflict resolution in rural areas: Challenges for the implementation of *UNDROP*

KEY CONCLUSIONS FOR *UNDROP*'S ADVOCACY AND LEGAL RESEARCH



The Declaration on the Rights of Peasants (*UNDROP*), officially United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, is a United Nations General Assembly Resolution 73/175 on Human rights with universal understanding, adopted in 2018.

At the GEORG-AUGUST-UNIVERSITÄT GÖTTINGEN, INSTITUTE OF AGRARIAN LAW, peasant leaders, academics, former judges and NGO members, law students and members of the German legal community, met to discuss how *UNDROP* can improve peasant and workers' lives and achieve peace in rural areas.

The 2-day seminar was organized around central lectures on the social, economic and political rights of peasants, the safety of peasant leaders, gender equality, land rights, biodiversity and healthy environment, food security, the role of the state, UN agencies and peasant movements.



Panel 1:

The rights of peasants and rural workers and their contribution to sustainable development, conflict prevention and sustaining peace

Participants:

Meghan Campbell (Birmingham Law School)

Natalia Ruiz Morato (Göttingen University)

Jose Martinez (Göttingen University)

- There are currently new land conflicts worldwide because of the land competition between agriculture and energy projects.
- In Latin America, the effects of the COVID-19 pandemic increased rural poverty and the high concentration of rural land in few hands.
- In order to guarantee sustainable development, conflict prevention and peace in the territories, access to agrarian justice is essential so that peasants can solve their problems and demand reparations when their rights are violated.
- Access to justice is a human right.
- The education of lawyers and the training of judges on the rights of peasants, rural workers and indigenous people must be improved.
- For peasant dignity it is important to overcome erroneous stereotypes.
- In 2022, a constitutional reform is being discussed in Colombia to incorporate the UNDROP. However, this is not enough if the rules and procedures are not adapted to the needs of peasants. This makes legislative and public policy work essential to create a clear, concrete and effective offer of justice to peasants' communities.



Panel 2:

Social, economic and political rights and safety aspects of peasant leaders

Participants:

Xiaojun Chen (Guangdong University of Foreign Studies)

Sergio Coronado (CINEP)

Amanda Lyons (University of Minnesota Law School)



- Peasant social movements in some countries have achieved the constitutional recognition of their rights, especially the human right to access to land.
- State recognition of the access to productive rural land for peasants and indigenous peoples has been fundamental to overcoming the criminalization or illegal status of their land occupation and tenure.
- In Colombia it is fundamental to guarantee the safety of peasant leaders who risk their lives as they do not have the basic guarantees to exercise their political rights.
- Increased engagement with the *UNDROP* by researchers, policymakers, and advocates is an important way to ensure that it comes into the fold of the most important debates.
- The *UNDROP* and its provisions creates additional leverage for the rural social movements themselves to continue their engagement at the local, national and international level.
- The UN Human Rights Committee and the UN Committee on Economic, Social and Cultural Rights should apply the *UNDROP* in their observations.

Panel 3:

Enforcing land rights, biodiversity and a healthy environment as a tool of peace and sustainability

Participants:

Christophe Golay (Geneva Academy of International Humanitarian Law and Human Rights)

Armando Tolosa (Ex magistrado Corte Suprema Justicia Colombia)

- The UNDROP contains the right of access to natural resources, the right to collective and private land, the protection against arbitrary and illegal displacement and the right to return after arbitrary or illegal deprivation of land.
- The States have the obligation to adopt measures for the conservation and sustainable management of land.
- The anthropocentric approach of considering nature as something which humans arbitrarily used, must be changed, as it has led to the climate crisis and loss of biodiversity.
- In the experience of the Colombian Courts, the rights of nature and animals have been granted, which changes the concept from legal assets to legal subjects with their own rights.
- In the rights to a healthy environment, citizen participation is fundamental. The legal education must be updated, so it includes the rights to nature, climate and environmental justice.



Panel 4:
Gender equality in the *UNDROP*

Participants:

Paula Gioia (Vía Campesina)

Priscilla Claeys (Coventry University)

Meghan Campbell (Birmingham Law School)

Natalia Ruiz Morato (Göttingen University)

- In the experience of the peasant movement La Via Campesina, it has confronted the patriarchal structures that still exist locally and in the United Nations System.
- the *UNDROP* was not progressive enough in protecting women, nor did it integrate gender diversity.
- With the COVID-19 pandemic, it became evident that women, despite their contribution to family farming, suffer from domestic violence, are not guaranteed income, inheritance rights to rural property and health and reproductive rights. Discrimination against peasants with diverse gender identities also continues.
- Recognition at the local level that women can inherit and have access to rural land by changing customary-based systems of inheritance or collective land to new systems of access to land based on the realities of women's work and their use of land.
- Affirmative participation policies must be used in decisional bodies of public agricultural policy and land governance, where a minimum representation of women and LGBT peasants are guaranteed.
- In countries that have laws that protect rural women, they are not enforced and there is a setback in the recognition of women's reproductive rights.
- Therefore, the efforts of social movements, academics, jurists, politicians and government officials must be increased in order for the *UNDROP* to be fulfilled through intersectional public policies for peasant women and to another gender identities as well.



Panel 5: Food Security, Right to Food and Food Sovereignty

Participants:

Priscilla Claeys (Coventry University)

Christophe Golay (Geneva Academy of International Humanitarian Law and Human Rights)

Roman Herre (FIAN International)

Bernd van der Meulen (Copenhagen University)

Leticia Bourges (European Council for Rural Law)

- It was emphasized that *UNDROP* is innovative in recognizing the right to food sovereignty as a collective right and complements the right to food, because it is concerned with those who produce food and not only with consumers.
- Although food security can be interpreted as a political rather than a legal obligation, the Article 15 of the *UNDROP* Declaration establishes that peasants and other people working in rural areas have the right to adequate food and the right to be free from hunger.
- The right to food means having permanent access to adequate food, i.e. sufficiently nutritious, safe and culturally accepted.
- The States must therefore establish mechanisms to ensure the consistency of their agricultural, economic, social, cultural and development policies with the realization of the rights contained in this declaration.
- The *UNDROP* Declaration has a goal to mobilize farmers and marginalized groups to participate in the debate on democratizing food production and improving global food supply chains.
- Farmers and consumers must be included in the decisions of how food production is carried out.
- The European Food Security Preparedness and Response Mechanism (EFSCM) must improve the way it addresses the challenges of climate change and lacks a vision for the future food supply and the future role of small farmers, scientists and the regulatory framework.
- The right to seeds requires States to ensure that seed policies, PVP laws and other intellectual property laws respect and take into account the rights, needs and realities of small farmers and other people working in rural areas. Currently, the Supreme Court of Honduras has declared unconstitutional a law that goes against the principles of *UNDROP*.



Panel 6:

**Challenges in the role of states, UN agencies and peasant movements
in the implementation of *UNDROP***

Participants:

Paula Gioia (Vía Campesina)

Priscilla Claeys (Coventry University)

Roman Herre (FIAN International)

Miguel Angel Martin Lopez (Universidad de Sevilla)

- La Via Campesina has translated the Declaration into several languages and has conducted advocacy campaigns to make people aware of the UNDROP.
- Germany promotes human rights but has no commitment to the implementation of UNDROP.
- The UNDROP Declaration has the potential to become customary international law. This requires continuous practice and legal conviction. It is therefore particularly important that many countries incorporate the UNDROP into the legal system.
- The seminar made it clear that UNDROP must be applied in the Global North because the poorest populations are farmers, ethnic communities and rural workers, and this declaration is a route on how to overcome this situation.
- UNDROP Legal training programs must be created for several actors: woman, LBGT peasants, rural workers, judges, government officials and in Law Faculties.



The conference explored the relationship between the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) and rural conflict resolution. It invited practical and theoretical approaches to overcome current conflicts in rural territories between global North and South. The relevance of this conference responds to the need to update legal systems, legal knowledge and advocacy with the human rights for rural populations in the pursuit of sustainable development and durable peace.

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