

ADVANCED VERSION

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**Draft UN Declaration on the Rights of Peasants and Other
People Working in Rural Areas**

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PREAMBLE

The Human Rights Council,

Affirming that peasants and other people working in rural areas are equal to all other people and, in the exercise of their rights, should be free from any form of discrimination, including discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, wealth, birth or other status,

Recognizing the past, present and future contributions of peasants and other people working in rural areas in all regions of the world to conserving and improving biodiversity and to ensuring food sovereignty, which are fundamental to attaining internationally agreed development goals,

Convinced that peasants and other people working in rural areas should be provided with the means to promote and undertake environmentally sustainable practices of agricultural production which support and are in harmony with Mother Earth, including the biological and natural ability of ecosystems to adapt and regenerate through natural processes and cycles,

Concerned that peasants and other people working in rural areas suffer disproportionately from poverty and malnutrition and from the burdens caused by environmental degradation and climate change, and that an increasing number of peasants and other people working in rural areas are forcibly evicted or displaced every year to make way for large-scale development projects,

Stressing that peasant women and other rural women perform a disproportionate share of unpaid work and often do not have equal access to land, productive resources, financial services, information, employment and social protection,

Deeply concerned about the pervasiveness of violence against rural women and girls in all its forms and manifestations worldwide,

Stressing that several factors make it difficult for small-scale fishers and fish workers to make their voices heard, defend their human rights and tenure rights, and secure the sustainable use of the fishery resources on which they depend,

Recognising that access to land, water, seeds and other natural resources is an increasing challenge for rural people; and stressing the importance of improving access to productive resources and investment in appropriate rural development, including agroecological approaches,

Considering further the hazardous and exploitative conditions under which labourers in agriculture, fisheries and other activities have to work, often lacking living wages and social protection,

Deeply concerned that human rights defenders working on land and natural resources issues face a high risk of being subject to different forms of intimidation and of violations of their physical integrity, including attempted killings, killings, attacks, assault and ill-treatment, criminalization and excessive use of force by the police and other private bodies during demonstrations,

Noting that peasants and other people working in rural areas often face difficulties in accessing courts, police officers, prosecutors and lawyers so that they are unable to seek immediate redress or protection from violence, abuse and exploitation,

Acknowledging that the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Eradication of Racial Discrimination, the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the Vienna Declaration and Program of Action, affirm the universality, indivisibility and interdependence of all human rights, civil, cultural, economic, political and social,

Recalling that in order to address the labour protection gaps and decent work deficits faced by peasants and other people working in rural areas, the International Labour Organization has developed an extensive body of Conventions and Recommendations and that these standards represent the minimum rights to which these workers are entitled,

Recognizing that, in order to guarantee peoples' food sovereignty, it is essential to respect, protect and promote the rights recognized in this Declaration,

Affirming that freedom of association is a key enabling right to ensure that peasants and other people working in rural areas can join together to access and freely exercise the rights contained in this Declaration,

Affirming that according to the United Nations Declaration on the Rights of Indigenous Peoples, indigenous peoples, including indigenous peasants and other indigenous people working in rural areas, have the right to self-determination in matters relating to their internal and local affairs,

Recalling the outcomes of the World Conference on Agrarian Reform and Rural Development (WCARRD) in 1979 and the Peasants' Charter, which emphasized the need for the formulation of appropriate national strategies for agrarian reform and rural development, and their integration with overall national development strategies.

Convinced of the need for increased protection of the human rights of peasants and other people working in rural areas and for a coherent interpretation and application of existing international human rights norms and standards in this matter,

Emphasizing that the United Nations has an important and continuing role to play in promoting and protecting the rights of peasants and other people working in rural areas,

PART I – DEFINITION AND FUNDAMENTAL PRINCIPLES

ARTICLE 1 – DEFINITION OF PEASANTS AND OTHER PEOPLE WORKING IN RURAL AREAS

1. For the purposes of this Declaration, the term peasant means any woman or man who engages in—or who seeks to engage in—small-scale agricultural production for subsistence and/or for the market and who relies significantly, though not necessarily exclusively, on family or household labour and other non-monetized ways of organizing labour.
2. This Declaration applies to any person engaged in artisanal or small-scale agriculture, livestock raising, pastoralism, fishing, forestry, hunting and gathering, and handicrafts related to agriculture or a related occupation in a rural area.
3. This Declaration also applies to indigenous peoples working on the land, transhumant and nomadic communities and the landless.
4. This Declaration also applies to salaried workers, regardless of their legal status, on plantations and large farms and in agro-industrial enterprises.

ARTICLE 2 – STATES' OBLIGATIONS

1. States shall respect, protect and fulfil the rights of peasants and other people working in rural areas, both in their territory and extra-territorially. They shall take legislative, administrative and other appropriate steps to achieve progressively the full realization of the elements of the rights of this Declaration that cannot be immediately guaranteed.
2. States shall transform the rights recognized in the present Declaration into legal entitlements and secure their realization through accountability mechanisms.
3. Particular attention shall be paid in the implementation of this Declaration to the rights and special needs of peasants and other people working in rural areas who are older persons, women, youth, children and persons with disabilities.
4. In the development and implementation of legislation and policies and in other decision-making processes concerning the rights of peasants and other people working in rural areas, including international agreements, States shall obtain free, prior and informed consent of peasants and other people working in rural areas, including through their representative organisations.
5. States must elaborate, interpret and apply relevant international agreements and standards in a manner consistent with their human rights obligations. Such obligations include those pertaining to international trade, investment, finance, taxation, environmental protection, development cooperation, and security.
6. States must take necessary measures to ensure that non-State actors which they are in a position to regulate, such as private individuals and organizations, and transnational corporations and other business enterprises, do not nullify or impair the enjoyment of the rights of peasants and other people working in rural areas.
7. States recognize the importance of international cooperation in support of national efforts for the realization of the purpose and objectives of the present Declaration, and will undertake appropriate and effective measures in this regard, between and among

States and, as appropriate, in partnership with relevant international and regional organisations and civil society, in particular organisations of peasants and other people working in rural areas. Such measures could include:

- (a) Ensuring that international cooperation, including international development programmes, is inclusive of and accessible to peasants and other people working in rural areas;
- (b) Facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices;
- (c) Facilitating cooperation in research and access to scientific and technical knowledge;
- (d) Providing, as appropriate, technical and economic assistance, including by facilitating access to and sharing of accessible technologies, and through the transfer of technologies.
- (e) Improving the management of markets at the global level, including information about and coordination of global grain stocks to limit price volatility and the attractiveness of speculation.

ARTICLE 3 – DIGNITY, EQUALITY AND NON-DISCRIMINATION

1. Peasants and other people working in rural areas are equal to all other people in dignity and rights.
2. Peasants and other people working in rural areas have the right to the full enjoyment, individually and collectively, of all human rights and fundamental freedoms recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and other international human rights instruments.
3. Peasants and other people working in rural areas have the right to be free from any kind of discrimination and any incitement to discrimination in the exercise of their rights, individually or collectively, in particular to be free from discrimination based on grounds such as race, colour, descent, sex, language, marital status, property, disability, nationality, age, political or other opinion, religion, or their economic, social, cultural and birth status, among others.
4. States shall take affirmative action in order to diminish or eliminate conditions which cause or help to perpetuate discrimination against peasants and people working in rural areas.

ARTICLE 4 – GENDER EQUALITY

1. States recognize that peasant women and other women working in rural areas often experience multiple and intersecting forms of discrimination, and in this regard shall take measures to ensure the full and equal enjoyment by peasant women and other women working in rural areas of all human rights and fundamental freedoms.
2. States shall take all appropriate measures, including special measures aimed at accelerating de facto equality between rural men and women, to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental

freedoms set out in the present Declaration and other international human rights instruments.

3. States shall ensure that gender identity is not a barrier to realizing the human rights and fundamental freedoms set out in the present Declaration and other international human rights instruments.

ARTICLE 5 - RIGHTS TO SOVEREIGNTY OVER NATURAL RESOURCES, DEVELOPMENT AND FOOD SOVEREIGNTY

1. Peasants and other people working in rural areas have the right to sovereignty over the natural resources in their communities. They have the authority to manage and control their natural resources and to enjoy the benefits of their development and conservation. They have the right to decide whether or not to grant access to the natural resources in their communities, and to obtain fair and equitable participation in benefits arising from their utilization.

2. Peasants and other people working in rural areas have the right to participate in decision-making in matters that would affect their rights, directly or through their representative organizations in accordance with their own customary laws and practices.

3. Peasants and other people working in rural areas have the right to determine and develop priorities and strategies for exercising their right to development.

4. Peasants and other people working in rural areas have the right to food sovereignty. Food sovereignty is the right of peoples to healthy and culturally appropriate food produced through socially just and ecologically sensitive methods. It entails peoples' right to participate in decision-making, and to define their own food and agriculture systems.

5. States shall elaborate, in partnership with peasants and other people working in rural areas and their organisations, and through international collaboration, public policies to advance food sovereignty, at the local, national, regional, and international levels as well as mechanisms for ensuring coherence with the other agricultural, economic, social, cultural and development policies.

6. States shall take measures to ensure that any exploitation of the natural resources peasants and other people working in rural areas traditionally hold or use, is only permitted if:

(a) a social and environmental impact assessment has been conducted by independent and technically capable entities with individual and collective involvement of peasants and other people working in rural areas;

(b) the free, prior and informed consent of peasants and other people working in rural areas has been obtained;

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

PART II – SUBSTANTIVE RIGHTS

ARTICLE 6 – RURAL WOMEN’S RIGHTS

1. States shall take into account the particular problems faced by peasant women and other women working in rural areas and the significant roles which they play in the economic survival of their families, communities, regions, and nation states, including their work in the non-monetised sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Declaration to women and girls.

2. States shall take all appropriate measures to eliminate discrimination against peasant women and other women working in rural areas in order to ensure, on a basis of equality of men and women, that they freely determine their political status and freely pursue, participate in, and benefit from their economic, social and cultural development. In particular, States shall ensure to such women the right:

a. to participate in the decision-making processes around, and the elaboration and implementation of development planning at all levels;

b. to be free from discrimination in the field of health care in order to ensure, on a basis of equality of all men and women, access to health care facilities, information, counseling and services, including those related to family planning, HIV/AIDS transmission prevention and treatment, pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy, lactation and across women’s life spans;

c. to autonomy, privacy, confidentiality, informed consent and choice in relation to their own bodies in all spheres of life;

d. to decent and productive employment and income-generating activities, including equal remuneration, benefits and treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work; particular attention should be given to the right to protection of health and to safety in working conditions.

e. to benefit directly from social security programmes, in particular for women who work without such benefits in enterprises owned by a family member;

f. to obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community, in order to increase their technical proficiency;

g. to organise self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;

h. to participate in all community activities;

i. to have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in access to and resettlement schemes regarding land and other natural and productive resources;

j. to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications;

k. to be free from gender-based violence, including domestic violence, sexual harassment, and physical, sexual, verbal and psychological violence, in particular taking into consideration that peasant and other women working in rural areas are at special risk because of traditional attitudes regarding the subordinate role of women that persist in many rural and peasant communities; particular attention should be given to gender-based violence during armed conflicts and post-conflict situations, which results in violations of the rights to productivity, livelihood, access to food and healthcare of peasant women and other women working in rural areas in addition to violations of basic human rights such as the right to life, safety and freedom of movement;

l. to be treated with equality and justice in marriage and in family relations both at law and in private regardless of whatever form the concept of the family takes and whatever the legal system, religion, custom or tradition within the country or region;

m. to be free from multiple forms of discrimination, in recognition that gender compounds other forms of discrimination based on sex, gender, ethnic origin, disability, levels of poverty, gender identity, migrant status, marital and family status, literacy and other grounds;

ARTICLE 7 – RIGHTS TO LIFE, LIBERTY, PHYSICAL AND PERSONAL SECURITY

1. Peasants and other people working in rural areas have the rights to life, physical and mental integrity, liberty and security of person.

2. Peasants and other people working in rural areas shall not be subjected to arbitrary arrest or detention, to torture or to cruel, inhuman or degrading treatment or punishment.

3. Peasants and other people working in rural areas shall not be held in slavery or servitude.

4. States shall provide effective mechanisms for prevention of, and redress for:

(a) Any action which has the aim or effect of depriving them of their integrity as peasants or other people working in rural areas, or of their cultural values or economic and social systems;

(b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources, or depriving them of their means of subsistence;

(c) Any form of forced sedentarization or population displacement which has the aim or effect of violating or undermining any of their rights;

(d) Any form of forced assimilation or integration;

(e) Any form of propaganda designed to promote or incite economic, social or cultural discrimination directed against them.

ARTICLE 8 – RIGHTS TO A NATIONALITY AND LEGAL EXISTENCE

1. Peasants and other people working in rural areas have the right to recognition everywhere as persons before the law. Peasant women and other women working in rural areas have equal rights with men to acquire, change or retain their nationality.

ARTICLE 9 – FREEDOM OF MOVEMENT

1. Peasants and other people working in rural areas have the right to freedom of movement and residence within the borders of the States in which they are working, as well as the right to return to their country. They have the right to freely choose their place of residence and to leave any country, including their own.

2. States shall cooperate to create the appropriate legal and political frameworks to allow for the seasonal migration across borders of peasants and other people working in rural areas.

3. States shall take appropriate measures, including by means of international agreements, to facilitate contacts and co-operation between peasants and other people working in rural areas across borders, including activities in the economic, social, cultural and environmental fields.

4. States shall cooperate to administer transboundary tenure issues affecting peasants, and other people working in rural areas, such as indigenous peoples and those related to rangelands or seasonal migration routes of pastoralists, and fishing grounds of small-scale fishers, which lie across international boundaries. Where appropriate, States should harmonize legal standards of tenure governance.

ARTICLE 10 – FREEDOMS OF THOUGHT, OPINION AND EXPRESSION

1. Peasants and other people working in rural areas have the rights to freedom of thought, conscience, religion, opinion, expression and peaceful assembly. They have the right to express their opinion, in accordance with traditions and culture, including through claims, petitions and mobilizations, at the local, regional, national and international levels.

2. Peasants and other people working in rural areas, individually or collectively, have the right to expression of their local customs, languages, culture, religions, literature and art.

3. Peasants and other people working in rural areas have the right, individually and collectively, to participate in peaceful activities against violations of human rights and fundamental freedoms. States shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.

ARTICLE 11 – FREEDOM OF ASSOCIATION

1. Peasants and other people working in rural areas have the same rights of association and combination as industrial and other formal sector workers and should not be excluded from labour legislation or other relevant legal protections.

2. Peasants and other people working in rural areas have the right to form and join organisations, trade unions, cooperatives, or any other organisation or association of their own choosing, for the protection of their interests. Peasant and other people

working in rural areas' organisations shall be independent and voluntary in character and shall remain free from all interference, coercion or repression.

3. States should adopt and carry out a policy of active encouragement to these organisations, particularly with a view to eliminating obstacles to their establishment, their growth and the pursuit of their lawful activities, as well as such legislative and administrative discrimination against such organisations and their members as may exist.

4. States shall support the establishment of cooperatives and other organisations of peasants and other people working in rural areas and provide them with support to reinforce their negotiation positions when engaging in contractual arrangements, in order to ensure that conditions and prices are fair and stable and do not violate the rights to dignity, decent life and sustainable livelihood of peasants and other people working in rural areas.

ARTICLE 12 – RIGHT TO PARTICIPATION AND INFORMATION

1. Peasants and other people working in rural areas have the right to active, free, effective, meaningful and informed participation, directly and/or through their representative organisations in the elaboration, implementation and assessment of policies, programs and projects that may affect their lives, lands and livelihoods.

2. States shall facilitate the creation and activities, on a voluntary basis, of strong and independent organizations of peasants and other people working in rural areas as an effective means of ensuring the participation of peasants and other people working in rural areas, and shall put in place mechanisms to ensure their full participation in decision-making on matters that affect their lives, land and livelihoods.

3. States shall ensure meaningful participation of peasants and other people working in rural areas in decision-making processes directly and/or through their representative organisations for scientific research and innovation. This includes participation in problem-identification, priority and direction-setting, resource allocation, data identification, research, resource allocation, analysis, and interpretation of findings.

4. Peasants and other people working in rural areas have the right to participate directly and/or through their representative organisations in the elaboration of, and compliance with, food safety, labour and environmental standards, whether by private or public actors.

5. Peasants and other people working in rural areas have the right to seek, receive, develop and impart information.

6. States shall ensure that peasants and other people working in rural areas have access to information relating to policies, programs and projects that may affect them, in a language and form and through means which ensure effective participation of peasants and other people working in rural areas.

ARTICLE 13 – RIGHT TO INFORMATION IN RELATION TO PRODUCTION, MARKETING AND DISTRIBUTION

1. Peasants and other people working in rural areas have the right to full, transparent, timely and adequate information about the factors that may affect the production, processing, marketing and distribution of their products.

2. Peasants and other people working in rural areas have the right to a fair and impartial system of evaluation of the quality of their products, locally, nationally and internationally.

3. States shall ensure that relevant information can be adequately disseminated and appropriated by peasants and other people working in rural areas, including where necessary, through their representative organisations.

4. States shall enact laws that support full disclosure of the economic, environmental, and social conditions behind production and distribution.

ARTICLE 14 – ACCESS TO JUSTICE

1. Peasants and other people working in rural areas have the right to access to, and prompt decision through, just and fair procedures for the resolution of disputes. States shall provide non-discriminatory access through impartial and competent judicial and administrative bodies to timely, affordable and effective means of resolving disputes and should provide effective remedies, which may include a right of appeal, as appropriate. Such remedies should be promptly enforced and may include restitution, indemnity, compensation and reparation. States shall respect and promote customary approaches and other alternative dispute resolution mechanisms used by peasants and other people working in rural areas to resolving conflicts in a manner that is consistent with human rights.

2. Peasants and other people working in rural areas have the right to effective remedies in case of violations of their rights. They have the right to a fair justice system and to have access to effective and non-discriminatory access to courts.

3. Peasants and other people working in rural areas have the right to legal assistance. States shall consider additional measures for peasants and other people working in rural areas who could not otherwise access administrative and judicial services. These measures should include inter alia affordable legal aid, the provision of services of paralegals and public advocates and mobile services for remote communities and mobile pastoralists, fishers and indigenous peoples.

4. States shall strengthen the mandates and the functioning of national human rights institutions in rural areas.

ARTICLE 15 – RIGHT TO WORK

1. Peasants and other people in rural areas have the right to work, which includes the right to freely choose the way they gain their living.

2. States shall create an enabling environment with opportunity for work and that provides remuneration allowing for an adequate standard of living for peasants and other people working in rural areas and their families. In countries facing important levels of rural poverty and in the absence of employment opportunities in other sectors, States shall establish and promote food systems that are sufficiently labour-intensive to contribute to employment creation.

3. Taking into account the specific characteristics of peasant agriculture and small-scale fisheries, States shall monitor compliance with labour legislation by devoting appropriate resources for an effective functioning of labour inspectorates in rural areas.

4. States shall, in consultation and cooperation with peasants and other people working in rural areas and their representative organisations, take appropriate measures to protect these people from economic exploitation. No one shall be required to perform forced, bounded or compulsory labour.

ARTICLE 16 – RIGHT TO SAFETY AND HEALTH AT WORK

1. Peasants and other people working in rural areas, irrespective of whether they are temporary, seasonal or migrant workers regardless of their legal status, have the right to work in safe and healthy conditions, to participate in the application and review of safety and health measures, to select safety and health representatives and representatives in safety and health committees, to receive adequate and appropriate protective clothing and equipment and health and safety training and to remove themselves from danger resulting from their work activity when they reasonably believe that there is an imminent and serious risk to their safety and health.

2. Peasants and other people working in rural areas have the right to work free from harassment, in particular sexual harassment.

3. States shall take appropriate measures to protect these rights, and in particular:

(a) designate the competent authority responsible for the implementation of the policy and for the enforcement of national laws and regulations on occupational safety and health in agriculture, agro-industry, and fisheries;

(b) establish mechanisms of inter-sectoral coordination among relevant authorities and bodies for the agricultural sector and define their functions and responsibilities, taking into account their complementarity and national conditions and practices.

(c) provide for corrective measures and appropriate penalties in accordance with national laws and regulations, including, where appropriate, the suspension or restriction of those agricultural activities which pose an imminent risk to the safety and health of peasants and other people working in rural areas, until the conditions giving rise to the suspension or restriction have been corrected;

(d) establish adequate and appropriate systems of inspection for rural workplaces and provide them with adequate means.

ARTICLE 17 – RIGHT TO FOOD

1. Peasants and other people working in rural areas have the right to adequate food and the fundamental right to be free from hunger. This includes the right to produce food and the right to adequate nutrition that guarantees the possibility of enjoying the highest level of physical, emotional and intellectual development.

2. Ensure that peasants and other people working in rural areas have the right to physical and economic access at all times to sufficient, adequate and culturally acceptable food, that is produced and consumed sustainably, preserving access to food for future generations, and that ensures a physically and mentally fulfilling and dignified life for them, individually and collectively.

3. Peasants and other people working in rural areas have the right to produce and have access to a adequate food that is culturally acceptable and, as a whole, contains a mix of nutrients necessary for physical and mental growth, development and maintenance and for physical activity, that is in compliance with human physiological needs throughout the life cycle and according to gender and occupation, including ensuring to women adequate nutrition during pregnancy and lactation.

4. States shall take appropriate measures to combat malnutrition of rural children, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious food. States shall also ensure that all segments of the society, in particular parents and children, are informed, have access to nutritional education and are supported in the use of basic knowledge of child nutrition, and the advantages of breastfeeding.

ARTICLE 18 – RIGHT TO DECENT INCOME AND LIVELIHOOD

1. Peasants and other people working in rural areas have the right to a decent income and livelihood for themselves and their families through the sale or use of their own production.

2. States shall organize, strengthen and support local, national and regional markets in ways that facilitate and ensure that peasants and other people working in rural areas have full access to these markets to sell their products at prices that allow them and their families to achieve an adequate standard of living. These prices shall be set through a fair and transparent process involving peasants and other people working in rural areas and their organisations.

3. Peasants and other people working in rural areas have the right to develop community-based commercialization systems. States shall facilitate direct farmer-to-consumer sales.

ARTICLE 19 – RIGHT TO LAND AND OTHER NATURAL RESOURCES

1. Peasants and other people living in rural areas have the right, individually or collectively , to the lands, water bodies, coastal seas, fisheries, pastures and forests which they need in order to make from them an adequate standard of living, to have a place to live in security, peace and dignity and to develop their cultures.

2. States shall remove and prohibit all forms of discrimination related to land tenure rights, including those resulting from change of marital status, lack of legal capacity, and lack of access to economic resources. In particular, States shall ensure equal tenure rights for women and men, including the right to inherit and bequeath these rights.

3. States shall provide legal recognition for land tenure rights, including customary land tenure rights, not currently protected by law. All forms of tenure, including tenancy, must provide all persons with a degree of tenure security which guarantees legal protection against forced evictions. States shall recognize and protect the natural commons and their related systems of collective use and management.

4. Peasants and other people working in rural areas have the right to be protected against being arbitrarily displaced from their lands and other natural resources or place

of habitual residence. States shall incorporate protections against displacement into domestic legislation, consistent with international human rights and humanitarian law standards. States shall prohibit forced eviction, demolition of houses, destruction of agricultural areas and the arbitrary confiscation or expropriation of land and other natural resources as a punitive measure or as a means or method of war.

5. Peasants and other people working in rural areas have the right to return to the land and have restored access to natural resources of which they were arbitrarily or unlawfully deprived, or to receive just and fair compensation when their return is not possible. States shall restore access to land and other natural resources to those that have been displaced by natural disasters and/or armed conflict.

6. States shall grant preferential access of small-scale fishers to fish in waters under national jurisdiction. States shall carry out redistributive reforms for social, economic and environmental reasons in order to facilitate broad and equitable access to land and other natural resources, particularly to the youth, and inclusive rural development. Redistributive reforms must guarantee equal access of men and women to land, fisheries and forests. Landless peasants and other rural workers should be given priority in the allocation of public lands, fisheries and forests.

7. States shall adopt measures for the long-term conservation and sustainable use of land and other natural resources including through agro-ecology; and ensure the conditions for re-generation of biological and other natural capacities and cycles.

ARTICLE 20 – RIGHT TO A SAFE, CLEAN AND HEALTHY ENVIRONMENT

1. Peasants and other people working in rural areas have the right to a safe, clean and healthy environment.

2. Peasants and other people working in rural areas have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall protect that right and take appropriate measures to ensure its full realization for peasants and other people working in rural areas, without discrimination.

3. Peasants and other peoples working in rural areas have the right to be free from any adverse impacts that climate change may have on their human rights. States shall comply with international obligations to combat climate change.

4. Peasants and other people working in rural areas have the right to contribute to the design and implementation of national and local climate change adaptation policies, including through use of practices and traditional knowledge.

5. States shall take effective measures to ensure that no storage or disposal of hazardous materials or substances shall take place in the lands or territories of peasants and other people working in rural areas without their free, prior and informed consent.

6. States shall ensure that studies are carried out, in co-operation with the peoples concerned, to assess the environmental, social and cultural impact on them of planned development activities. The results of these studies shall be considered as fundamental criteria for the implementation of these activities.

7. States shall cooperate to address the threats to the enjoyment of the rights of peasants and other people working in rural areas that result from transboundary environmental harm.

8. States shall take all necessary measures to ensure that peasants and other people working in rural areas receive information about the environmental effects of the use of and exposure to chemicals. These measures shall include:

(a) requiring manufacturers and sellers to provide information in appropriate forms and local languages;

(b) developing and implementing educational and public awareness programmes on the health and environmental effects of chemicals commonly used in rural areas, and on alternatives to these chemicals.

9. States shall protect peasants and other people working in rural areas against non-State actors' abuses, including by enforcing environmental laws that directly or indirectly contribute to the protection of the rights of peasants or other people working in rural areas.

ARTICLE 21 – RIGHT TO MEANS OF PRODUCTION

1. Peasants and other people working in rural areas have the right to the means of production they need to achieve a decent income and livelihood, in ways that respect their social, cultural and ethical values. They have the right to use traditional ways of farming, fishing and livestock rearing, individually or collectively. The means of production to which they are entitled include but are not limited to: credit and insurance, tools to produce, technical assistance, and access to the materials and production tools needed for their productive activities.

2. Peasants and other people working in rural areas have the right to the means of transportation, processing, drying, and storage facilities for selling their products on local, national and regional markets at prices that guarantee a decent income and livelihood.

3. States shall provide technical assistance to peasants and other people working in rural areas in adjusting to and climate change and other environmental stresses and system shocks, for example through integrated resource management and agroecologically-based extension and education programs. States shall stimulate agroecological, organic and sustainable production whenever possible, notably through support mechanisms, training programs, special credit lines and mechanisms of commercialisation.

4. States shall ensure that their rural development, agricultural, environmental, and trade and investment policies and programmes effectively contribute to reinforcing local livelihood options and to the transition to environmentally sustainable modes of agricultural production.

ARTICLE 22 – RIGHT TO SEEDS

1. Peasants of all regions of the world have made, and will continue to make, enormous contributions to the conservation and development of plant genetic resources, which constitute the basis of food and agricultural production throughout the world.

2. Peasants and other people working in rural areas have the right to conserve, use, maintain and develop their own seeds, crops and genetic resources, or those of their choice. They also have the right to decide which crops to cultivate.

3. Peasants and other people working in rural areas have the right to save, store, transport, exchange, donate, sell, use and re-use farm-saved seeds, crops and propagating material. States should take appropriate measures to respect, protect and fulfil these rights.
4. States should take measures to respect, protect and promote traditional knowledge relevant to plant genetic resources.
5. States should respect, protect and promote peasant seed systems, and recognize the validity of peasants' seed certification systems.
6. States should take steps to ensure that planting material of sufficient quality and quantity are available to peasants that need them at the right time for planting, and for an affordable price.
7. States should ensure that agricultural research and development is directed towards the needs of peasants and other people working in rural areas. To this end, in accordance with Article 12.3 above, and in accordance with peasants' rights to participate in making decisions on matters related to the conservation and sustainable use of plant genetic resources, States should ensure that peasants' experience and needs are effectively reflected when priorities for agricultural research and development are defined.

ARTICLE 23 – RIGHT TO BIOLOGICAL DIVERSITY

1. States recognize the enormous contribution that local, indigenous peoples and peasants of all regions of the world have made and will continue to make to the conservation and development of agricultural biodiversity, which constitutes the basis of food and agricultural production throughout the world.
2. Peasants and other people working in rural areas, individually or collectively, have the right to conserve, maintain and develop agricultural biodiversity, and their right to associated knowledge, including in crops and animal races. This includes the right to save, exchange, sell or give away the seeds, plants and animal breeds they develop. States shall recognize the collective use and rights to agricultural biodiversity and the right to associated knowledge established and managed by peasants and other people working in rural areas.
3. States shall ensure that peasants' seeds and livestock systems are protected from genetic contamination, biopiracy and theft. Peasants and other people working in rural areas have the right to maintain their traditional agrarian, pastoral and agro-ecological systems upon which their subsistence and their renewal of agricultural biodiversity depend.
4. Peasants and other people working in rural areas have the right to exclude from intellectual property rights genetic resources, agricultural biological diversity and associated knowledge and technologies that are owned, discovered or developed by their own communities.
5. Peasants and other people working in rural areas have the right not to accept certification mechanisms established by transnational corporations. They have the right to use certification mechanisms established or adopted by their governments. Guarantee schemes run by peasants' organisations with government support should be promoted and protected.

6. States shall ensure that peasants and other people working in rural areas are free to conserve and develop their knowledge in agriculture, fishing and livestock rearing.

7. Peasants and other people working in rural areas have the right to be protected from measures threatening biological diversity and traditional knowledge, including forms of intellectual property that might adversely affect their traditional knowledge and use of genetic resources.

8. Peasants and others working in rural areas have the right to participate in decision-making on matters related to the conservation and sustainable use of agricultural biodiversity.

ARTICLE 24 – RIGHTS TO WATER AND SANITATION

1. Peasants and other people working in rural areas have the human right to safe and clean drinking water and sanitation, that is essential for the full enjoyment of life and all human rights and the right to water for farming, fishing, livestock keeping and securing other water related livelihoods. They have the right to equitable access to water and water management systems, to be free from arbitrary disconnections or contamination of water supplies, and the right to a system of water supply and to sanitation facilities that are available, of good quality, affordable and physically accessible, non-discriminatory and acceptable in cultural and gender terms.

2. In order to realize the human right to water and sanitation of peasants and other people working in rural areas, States shall guarantee at all times the following conditions:

(a) access to the essential amount of water that is sufficient and safe for personal, domestic and productive uses to be able to conduct a life in dignity;

(b) access to safe drinking water and improved sanitation on a non-discriminatory basis, especially for disadvantaged or marginalized groups such as, inter alia, nomadic pastoralists, workers in plantations, migrants regardless of their legal status, and people living in irregular/informal settlements;

(c) physical access to water facilities or services that provide sufficient, safe and regular water;

(d) personal security, particularly of girls and women, is not threatened when having to physically access to water and sanitation;

(e) equitable distribution of all available water, including groundwater, and sanitation facilities and services;

(f) economic accessibility/affordability of water for domestic and productive uses. States shall provide water supply, sanitation and decentralized, small-scale and community-based irrigation services that are affordable;

(g) protection of natural water resources from overuse and contamination by harmful substances particularly by industrial effluents and concentrated minerals and chemicals that result in slow and fast poisoning.

3. States shall respect, protect and fulfil access to water particularly in customary and community-based water management systems. States shall prevent third parties from interfering in any way with the enjoyment of the right to water of peasants and other people living in rural areas. States shall prioritize water use for human needs, small-scale food production, ecosystem needs and cultural use before other uses.

4. States shall protect and ensure the regeneration of watersheds, aquifers and surface water sources, including wetlands, ponds, lakes, rivers and streams.

5. States shall cooperate and engage with upstream and downstream neighboring states in order to jointly safeguard the right to water of peasants and other people working in rural areas.

ARTICLE 25 – RIGHT TO SOCIAL SECURITY

1. Peasants and other people working in the rural areas have the right to social security, including social insurance.

2. With a view to ensuring progressively the full realization of this right, States should, in accordance with national circumstances, establish as quickly as possible and maintain their social protection floors comprising basic social security guarantees. The guarantees should ensure at a minimum that, over the life cycle, all in need have access to essential health care and to basic income security which together secure effective access to goods and services defined as necessary at the national level.

3. The social protection floors referred to in the previous paragraph should comprise at least the following basic social security guarantees for peasants and people working in rural areas:

(a) access to a nationally defined set of goods and services, constituting essential health care, including maternity care, that meets the criteria of availability, accessibility, acceptability and quality;

(b) basic income security for children, at least at a nationally defined minimum level, providing access to nutrition, education, care and any other necessary goods and services;

(c) basic income security, at least at a nationally defined minimum level, for persons of working age who are unable to earn sufficient income, in particular in cases of sickness, unemployment, maternity and disability; and

(d) basic income security, at least at a nationally defined minimum level, for older persons.

4. States should move progressively towards the full realization of these basic social security guarantees for migrant workers in rural areas, regardless their legal status.

5. Basic social security guarantees should be established by law. National laws and regulations should specify the range, qualifying conditions and levels of the benefits giving effect to these guarantees. Impartial, transparent, effective, simple, rapid, accessible and inexpensive grievance and appeal procedures should also be specified.

Access to grievance and appeal procedures should be free of charge to the applicant. Systems should be in place to enhance compliance with national legal frameworks.

ARTICLE 26 – RIGHT TO HEALTH

1. Peasants and other people working in rural areas have the right to the enjoyment of the highest attainable standard of physical and mental health.

2. Peasants and other people working in rural areas, in order to protect their right to health, have the right not to use or to be exposed to agro-chemicals or agricultural and industrial pollutants.

3. Peasants and other people working in rural areas have the right to their traditional medicines and to maintain their health practices, including the access to and conservation of their medicinal plants, animals and minerals. Peasant and other people working in rural areas also have the right to access, without any discrimination, all social and health services.

4. In order to realize the right to health of peasants and other people working in rural areas, States shall guarantee at all times the following minimum conditions:

(a) access to health facilities, goods and services on a non-discriminatory basis, especially for vulnerable or marginalized groups;

(b) access to essential medicines;

(c) equitable distribution of all health facilities, goods and services;

(d) access to reproductive, maternal (pre-natal as well as post-natal) and child health care;

(e) immunization against major infectious diseases;

(f) measures to prevent, treat and control epidemic and endemic diseases;

(g) education and access to information concerning the main health problems in the community, including methods of preventing and controlling them;

(h) appropriate training for health personnel, including education on health and human rights.

(i) appropriate national system for establishing and enforcing specific criteria for the importation, classification, packaging and labelling of chemicals used in agriculture and for their banning or restriction.

5. States shall take all necessary measures to ensure that peasants and other people working in rural areas receive information about the health effect of the use of and exposure to chemicals. These measures shall include:

(a) requiring manufacturers and sellers to provide information in appropriate forms and local languages;

(b) developing and implementing educational and public awareness programmes on the health and environmental effects of chemicals commonly used in rural areas, and on alternatives to these chemicals.

ARTICLE 27 – RIGHT TO HOUSING

1. Peasants and other people working in rural areas have the right to adequate housing. They have the right to gain and sustain a secure home and community in which to live in peace and dignity.

2. Peasants and other people working in rural areas have the right not to be forcibly evicted from their home, and to be protected against harassment and other threats.

3. States shall not proceed to permanent or temporary removal against their will of peasants and other people working in rural areas from the homes they occupy, without the provision of, and access to, appropriate forms of legal or other protection. When eviction is unavoidable, and necessary for the promotion of the general welfare, the State must provide or ensure fair and just compensation for any losses.

4. States shall guarantee the right to resettlement of peasants and other people working in rural areas, which includes the right to alternative housing that must satisfy the following criteria for adequacy: accessibility, affordability, habitability, security of tenure, cultural adequacy, suitability of location, and access to essential rights such as health, education and water.

5. In order to realize the right to housing of peasants and other people working in rural areas, States shall guarantee at all times the following minimum conditions:

(a) legal security of tenure, including protection against forced eviction;

(b) availability of essential services, materials, facilities and infrastructure;

(c) affordability, including for the poorest, through housing subsidies, protection against unreasonable rent levels or rent increases;

(d) habitability, including protection from cold, damp, heat, rain, wind or other threats to health;

(e) accessibility for disadvantaged groups, including older persons, children, the physically disabled and victims of natural disasters;

(f) a suitable location, far from sources of pollution while close to schools, health-care and other services.

ARTICLE 28 – RIGHT TO EDUCATION AND TRAINING

1. Peasants and other people working in rural areas have the right to education and training. Education and training programmes for peasants and other people working in rural areas shall be based on their economic environment, social and cultural conditions and practical needs, and shall incorporate their histories, knowledge, and value systems. These education and training programmes shall be developed and implemented in co-operation with peasants and other people working in rural areas.

2. Peasants and other people working in rural areas have the right to adequate training on topics that include but are not limited to: improving productivity, marketing, and ability to cope with pests, pathogens, system shocks, climate change and weather-related events. Training should be co-produced and co-conducted by peasants themselves, and shall be adapted to the specific agroecological, socio-cultural, and economic environments in which they find themselves.

3. Children of peasants and other people working in rural areas have the right to attend school and to be free from child labour.

4. States shall encourage equitable and participatory farmer-scientist partnerships such as farmer field schools, participatory plant breeding, and plant and animal health clinics to respond more appropriately to the immediate and emerging challenges faced by peasants and other people working in rural areas.

4. States shall invest in the provision of training, market information, and advisory services at the farm level to ensure that local, national and regional markets can function better and ensure that peasants and other people working in rural areas have a decent life and sustainable livelihood.

ARTICLE 29 – CULTURAL RIGHTS AND TRADITIONAL KNOWLEDGE

1. Peasants and other people working in rural areas have the right to enjoy their own culture, without interference or any form of discrimination. No one may invoke cultural rights to infringe upon human rights guaranteed by international law, nor to limit their scope.

2. Peasants and other people working in rural areas have the right to freely pursue their cultural development and knowledge and the right to maintain, control, protect and develop their cultural or traditional knowledge, including their technologies, genetic resources, seeds and medicines.

3. States shall respect and adopt measures to protect and curb discrimination against the traditional knowledge, practices and specific technologies of peasants and other people working in rural areas.

ARTICLE 30 – RESPONSIBILITY OF THE UN AND OTHER INTERNATIONAL ORGANISATIONS

1. The organs and specialized agencies of the United Nations system and other intergovernmental organisations shall contribute to the full realization of the provisions of this Declaration, including through the mobilization, inter alia, of development assistance and cooperation. Ways and means of ensuring the participation of peasants and other people working in rural areas on issues affecting them shall be established.

2. The United Nations, its bodies and its specialized agencies shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.