

Access to Resources and Means of Production

Thematic Booklet

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Thematic Booklet

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Peasants and other people working in rural areas are often denied access to means of production and resources. The United Nations <u>Declaration</u> on the Rights of Peasants and other People Working in Rural Areas (UNDROP) defines a peasant as someone who does small-scale agriculture by themselves or in community, for themselves or for the market, who relies primarily on family or non-monetized labor and whose relation to the land is one of dependency and attachment.



Peasants and other people working in rural areas often live in poverty, suffering from hunger and malnutrition. Due to lack of access to <u>productive resources</u>, many cannot produce enough to feed themselves. Two thirds of smallholder, peasant farmers live on remote, marginal lands in environmentally difficult conditions, while good, fertile land tends to be concentrated in the hands of wealthy landowners. In addition, many cannot access land at all: about 20% of the world's hungry are landless, often working as tenant farmers or labourers.





Accessing resources is often difficult for peasants because resources have become commodities for capitalist exploitation.

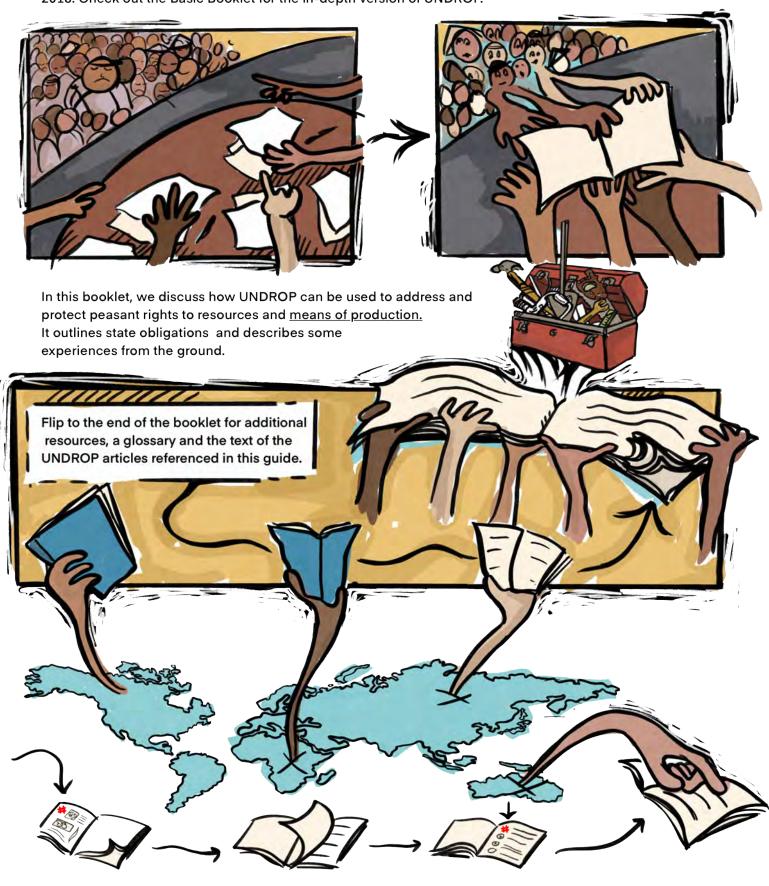


Examples: corporations acquire large areas of land for monocrop industrial agriculture or other extractive activities, water sources are depleted by transnational companies producing sugary drinks, transnational corporations' increasing control over patented seeds and demand payment for their use, or investment funds' large scale land purchases in search of profits.





These problems are among the reasons why the United Nations Human Rights Council (UNHRC) adopted the United Nations <u>Declaration</u> on the Rights of Peasants and other People Working in Rural Areas (UNDROP) in 2018. Check out the Basic Booklet for the in-depth version of UNDROP.



HOW CAN OUR RIGHTS TO RESOURCES AND MEANS OF PRODUCTION BE PROTECTED BY UNDROP? WHAT ARE THE OBLIGATIONS OF OUR STATES?





Equal access to,
use of, and control over
resources are essential for
us peasants to enjoy an
adequate standard
of living. Land, oceans,
rivers, forests, and
all of nature are also the
very basis of life,
culture and identity.
They fulfill crucial social,
cultural, spiritual and
environmental functions.







However, the right to access and control natural resources is frequently denied. When defending it, peasants are often persecuted, harassed and criminalized. Keep reading to find out how UNDROP addresses these rights and provides responses to threats that your community may be facing:



NONDISCRIMINATION FOR THE PARTY OF THE PARTY



UNDROP is based on the non-discrimination principle: no state or local government should discriminate against people, individuals and groups in rural areas. Access to land should not be dependent on gender, marital status, legal capacity or lack of economic resources.





Agrarian reform and the defense of land and territory have been essential to small- and medium- scale food producers in the world. This is because land concentration and land grabbing forces millions of peasants around the world to leave their farms and homes, their Indigenous territories, their waterways, grasslands, and forests. Lands are usually grabbed for industrial or extractive activities, which drive ecosystem destruction and climate change.







As we know, the impacts of exclusion and discrimination have been catastrophic throughout history.

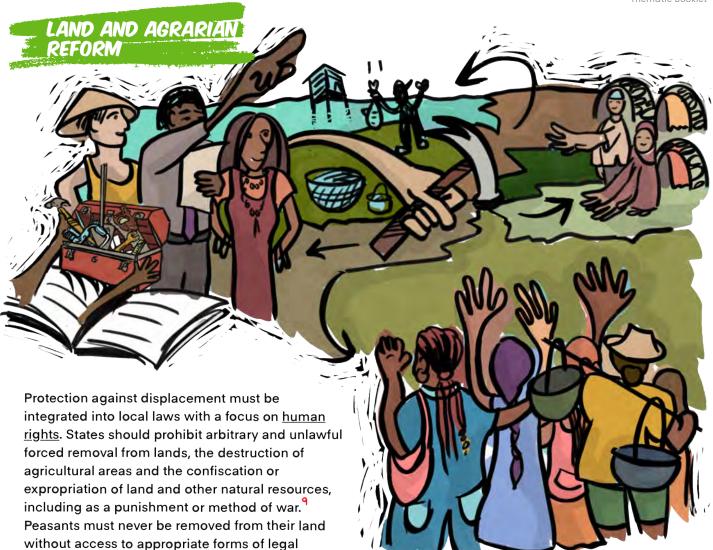


UNDROP recognizes the special relationship peasants and other people working in rural areas have with land, water, and nature on which they depend for their livelihoods. Peasants and other rural people need control over their lands in order to sustainably manage them and their ecosystems more broadly. Without this land sovereignty, rural people lose their identity and way of life.

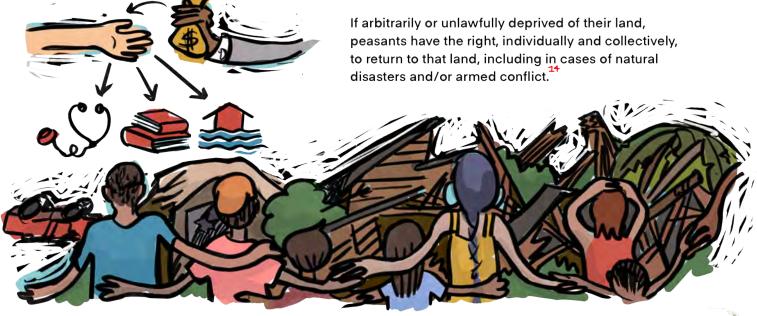








States are required to recognize and protect individual and collective <u>land tenure rights</u>, including tenure systems that are based on customary rights and are not currently protected by law. And it doesn't stop there: States must also implement measures to protect against <u>evictions</u>, unlawful displacement, and other threats to peasants' right to land.



protection. If <u>eviction</u> is inevitable, states must provide fair and just compensation for any material

or other losses. Peasants must always be guaranteed fair and timely access to justice. 2

SEEDS AND BIODIVERSITY

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Seeds have been grown, gathered, selected, and saved by peasants for thousands of years. Seeds are life: they are the foundation of our peasant food webs. But, our right to seeds is increasingly threatened and denied through excessively harsh intellectual property regimes, biotechnologies and digitalization. Over the last 100 years, humanity has lost 75% of agricultural crop varieties around the world, while four firms are now estimated to have control over 60% of global proprietary seed sales.

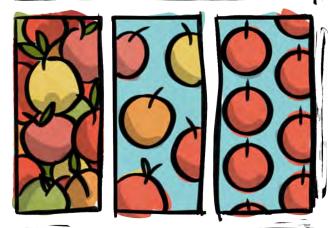
UNDROP reaffirms that we as peasants have the right to maintain, control, protect and develop our own seeds and traditional knowledge. States are required to recognize our right to use the seeds, crops, and species that we choose to grow and protect our seeds and seed systems from intellectual property laws.

The right to seeds is enshrined in UNDROP because the protection of peasant seed systems and the promotion of the use of peasant seeds and <u>agricultural biodiversity</u> are central to peasant farming, sustainable food production and resilience in the face of climate change. Peasant <u>agroecology</u> practices based on the right to seeds and preserving biodiversity also cool the planet.

It is not enough for states to recognize peasants' rights to seeds: states must make sure that peasants' own seeds of their choice, of sufficient quality and quantity, and that are available to peasants in time for planting and at an affordable price; they must also take measures to support peasant seed systems and promote the use of peasant seeds and agrobiodiversity.¹⁸

States must stop the severe loss of biodiversity by ensuring its sustainable use, promoting and protecting the <u>traditional knowledge</u>, innovation, and practices of peasants and other people living in rural areas that hold the keys to <u>agroecology</u>. ¹⁹



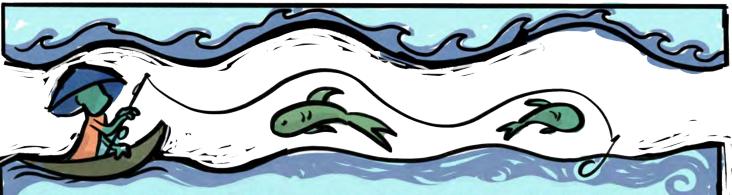












Water is fundamental to our survival. For us peasants, water is particularly crucial to secure the basic necessities of life while growing, producing and processing food. 80% of the world's 767 million extremely impoverished people live in rural areas and are dependent on rainfed agriculture. Unfortunately, it is often extremely difficult for peasants to have access to and control over sufficient and adequate water to cultivate crops and process their harvest. Additionally, access to safe drinking water for people in rural areas is often denied or restricted and water quality has deteriorated because of industrial wastewater pollution. The climate crisis is also making access to fresh water increasingly difficult for peasants.

Water lays the foundation for a healthy, productive and dignified life, which is at the core of all human rights." ²¹
UNDROP recognizes the human right to water in three important ways:



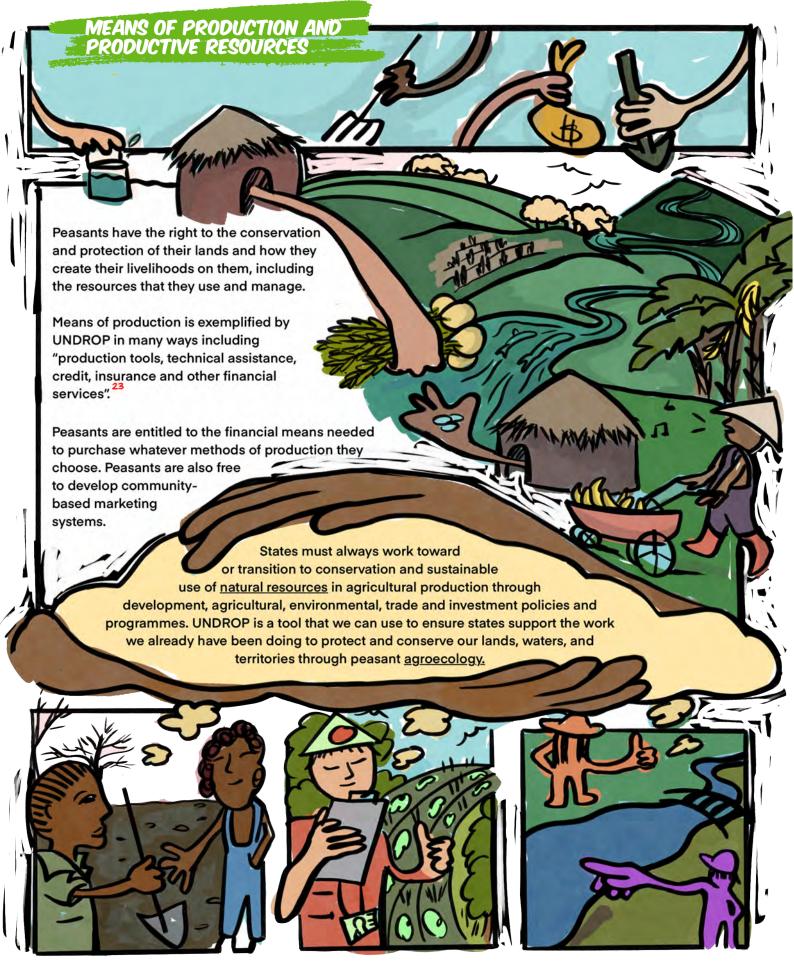
(1) the human right to safe and clean drinking water and sanitation, including quality water supply systems and sanitation facilities, affordable, physically accessible to all people without any discrimination and adapted to gender terms and culture,

(2) the human right to water for personal and domestic use, farming, fishing and livestock keeping and other livelihoods that depend on water, ensuring the conservation, restoration and sustainable use of water,

(3) the right to equal access to water and water management systems, and freedom from arbitrary disconnections or the contamination of water supplies.

What does your state need to do to protect local water supplies? What are some steps your organization or community can take to assert its right to water?





In every region, states should support the different ways peasants collectively use and manage their land including by collaborating between states to address transboundary harm.

affect your life, land,

or livelihood?



land and livelihoods.

South Korea: Peasant leaders in the Korean Women Peasants' Association, with help from allies across civil society, formed a 'UNDROP Forum' in 2021 to help implement and promote UNDROP at the national level. The grassroots forum was held for eight months and included policy discussions, workshops and investigations into the status of peasants' rights in order to better mainstream UNDROP into public policies.

Ecuador: Through their own advocacy strategies, both rural women's and youth peasant organizations are working to defend their rights. In a report, FIAN Ecuador analyzed the impacts of COVID-19 and lockdown measures in relation to the implementation of UNDROP: this report has created spaces for dialogue with the national human rights institution and UN agencies to call attention to the impacts of the pandemic on rural communities and how state policies should focus on peasant livelihoods and the wellbeing of small-scale food producers over agribusiness.

Indonesia: Serikat Petani Indonesia (SPI) is working to implement UNDROP through law reform by lobbying relevant government bodies. Due to this lobbying, in 2021 the Indonesian National Commission of Human Rights used UNDROP when referencing the right to land.

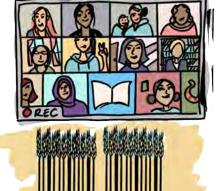
Canada: The financialization of land is a big problem for small-scale and family farmers. Financial groups have been buying up good, arable farmland, driving up its price, in turn raising farmer debts, dispossessing people from the land, increasing farmland concentration, and denying access to new farmers. The National Farmers Union and researchers are currently discussing the development of policy responses to this crisis using Article 17 in UNDROP as a reference for a rights-based approach.

Europe: Recent research by LVC allies focuses on the steps that should be taken by European Union (EU) member states to better protect the right to seeds as outlined in Article 19 of UNDROP, and integrate these rights in the revision of EU rules on seed marketing scheduled to take place in 2022. Intellectual property rights should not interfere with the operation of peasant seed systems, including locally and regionally adapted seed varieties.

Ghana: In 2021, Food Sovereignty Ghana (FSG) filed a case before the country's high court to challenge the constitutionality of a 2020 seed patent protection law that threatens to criminalize peasants for saving seeds. FSG told the court that the law violates human rights and hinders Ghana's obligations under the UNDROP.

Philippines: Organizations are using UNDROP to demand that land taken by a wealthy landlord through the Supreme Court be returned to Sariaya peasants. They say that the court's anti-peasant decision is regressive, ill-timed (during the ongoing COVID-19 pandemic), and violates state obligations under international human rights law. The group is calling on the Philippine government to respect peasants' right to land as outlined in Articles 5 and 17 in UNDROP.











Adequate standard of living: encompassess sufficient and safe housing, sanitation, electricity, water supply, transport and communications.

<u>Agrarian reform:</u> generally entails legal and policy measures that organize the redistribution and/or restitution of land within a given state.

<u>Agricultural biodiversity:</u> is a key component of the food system. The term refers to the constant relationship between people, plants, animals, other organisms and the environment, which is constantly evolving in response to changing conditions.³²

Agroecology: is a way of producing food, a way of life, a science, and a movement for change. "The production practices of agroecology are based on ecological principles like building life in the soil, recycling nutrients, the dynamic management of biodiversity and energy conservation at all scales."

<u>Declaration</u>: is a document under international law in which States declare certain aspirations without the intention of creating binding obligations. However, many of these aspirations are based on binding international legal principles and/or norms.

<u>Eviction:</u> is the permanent or temporary removal of individuals, families and/or communities from the homes and/or land which they occupy. Evictions can be established by law, or illegal evictions, in which case they are often called "forced evictions".

<u>Food sovereignty:</u> 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.

<u>Gender:</u> is a socially constructed identity that does not relate to sex at birth.

Human rights: are rights that belong to all human beings without distinction of class origin, ethnicity, sex, gender and nationality. Human rights cannot be taken away nor can they be renounced. Most importantly, human rights cannot be separated, the fulfillment of one human right necessarily entails the fulfillment of the rest. For example, the human right to life cannot be fulfilled unless the human right to adequate food is ensured.

<u>Land tenure</u>: "is the relationship, whether defined legally or customarily, among people with respect to land."

<u>Means of production:</u> whatever is necessary to produce goods in the way peasants manage their land.

<u>Natural resources</u>: any material or substance such as air, soil, sunlight, land and water.

<u>Participation:</u> entails taking part in the decisionmaking process, accountability for governments, and outcomes, dignified treatment in which no right is sacrificed for another.

Peasant: is any person who engages or who seeks to engage, alone, or in association with others or as a community, 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, and who has a special dependency on and attachment to the land. This definition includes artisanal or small-scale agriculture, crop planting, livestock raising, pastoralism, fishing, forestry, hunting or gathering, and handicrafts related to agriculture or a related occupation in a rural area.

Plant genetic resources: are all agricultural crops.

<u>Productive resources</u>: include land, water, seeds, microcredit, forests, fish and livestock.

Traditional knowledge: in the context of UNDROP, traditional knowledge refers to different ways of knowing developed throughout different generations by peasants, local and indigenous communities on the management and use of productive resources and biodiversity. It also speaks of the practices and innovations of traditional knowledge, pointing to the important role that peasants play as innovators, clarifying that traditional knowledge continues to evolve.

Below you can find a series of thematic booklets that specifically address some of the most important elements in UNDROP.

Access to resources and means of production.

Peasant food production.

Dignified life.

Peasants as political subjects.

You can also access UNDROP here: https://undocs.org/en/A/RES/73/165

And the illustrated version of UNDROP here:

https://viacampesina.org/wp-content/uploads/2020/04/UNDROP-Book-of-Illustrations-I-EN-I-Web.pdf

Visit www.viacampesina.org for more information on struggles on ground for food sovereignty and peasant rights.

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La Via Campesina is an international grassroots movement that defends small-scale sustainable agriculture as a way to promote social justice and dignity. It brings together millions of peasants, small and medium-size farmers, women farmers, landless people, indigenous people, migrants and agricultural workers and youth from around the world.

It strongly opposes corporate driven agriculture and transnational companies that are marginalizing people and destroying nature. The movement comprises 182 local and national organisations in 81 countries from Africa, Asia, Europe and the Americas.

FIAN International is an international human rights organization. Since it was founded in 1986, FIAN International has been advocating for the right to food and nutrition. FIAN supports grassroots communities and movements in their struggles against right to food violations. Through its national sections and networks, FIAN works in over 50 countries around the world.

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