

RESEARCH BRIEF

THE UNITED NATIONS WORKING GROUP ON THE RIGHTS OF PEASANTS AND OTHER PEOPLE WORKING IN RURAL AREAS

KEY MESSAGES

In October 2023, the Human Rights Council created the Working Group on the rights of peasants and other people working in rural areas, composed of 5 independent experts. The Working Group started its activities in May 2024.

The Working Group is mandated to promote the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) adopted in 2018, to identify gaps in its implementation, to disseminate good practices, to facilitate exchanges and international cooperation, and to report to the Human Rights Council and to the General Assembly.

The Working Group is mandated to collaborate with States, UNDROP's rights holders and their representative organizations, specialized agencies, funds, programmes, bodies and organizations of the UN system, international, regional and national human rights mechanisms, international and regional organizations, civil society and academia.

The Working Group can act as a catalyst for UNDROP, by providing visibility and support to advance the promotion and protection of the rights enshrined in the Declaration, by clarifying the implications of the Declaration, by identifying key challenges, and by recommending concrete measures to be adopted by States and other actors.

The Working Group and all actors engaged in UNDROP's implementation should guarantee the right of peasants and other people working in rural areas to active and free participation in all decision-making processes that may affect their lives, land, other natural resources and livelihoods, enshrined in UNDROP's article 10. There will be no implementation nor monitoring of UNDROP without the full participation of peasants and other people working in rural areas.

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INTRODUCTION

The United Nations (UN) General Assembly adopted the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) on 17 December 2018.¹ Four years later, in October 2023, the Human Rights Council decided to create the UN Working Group on the rights of peasants and other people working in rural areas to promote UNDROP's implementation. This Working Group of 5 independent experts started its work in May 2024, for a first period of 3 years. Like other UN special procedures, it can have several successive mandates of 3 years, and its members can exercise their mandates for a maximum of 6 years.

This publication aims to present this new mechanism, and to promote its collaboration with duty bearers and rights holders. It describes the Working Group's creation and composition, mandate and activities, and provides examples of the work of other UN human rights mechanisms.

CREATION AND COMPOSITION OF THE WORKING GROUP

At the end of its 54th session, on 12 October 2023, the Human Rights Council adopted its resolution 54/9 through which it created the Working Group on UNDROP, composed of 5 independent experts, with balanced geographical representation. The creation of the Working Group was approved by 38 States voting in favour, 2 States voting against, and 7 States abstaining.²

At the end of Human Rights Council's 55th session, in April 2024, the following mandate holders from the five UN regions were appointed for 3 years, after the same selection process used for the other UN special procedures.³

- Ms Geneviève Savigny (France)
- Mr Carlos Duarte (Colombia)
- Ms Uche Ewelukwa Ofodile (Nigeria)
- Ms Shalmali Guttal (India)
- Mr Davit Hakobyan (Armenia)

During the first internal session of the Working Group, Geneviève Savigny, a former peasant woman from La Via Campesina, was elected as the Chair-Rapporteur of the Working Group (for the first year). Carlos Duarte, Professor at the Javeriana University of Cali, member of the Commission of experts that developed the concept of peasantry in Colombia, was elected as the Vice-Chair (for the first year). Uche Ewelukwa Ofodile, Professor of Law at the University of Arkansas School of Law, and a Senior Fellow at the Harvard Kennedy School, was elected as Vice-Chair and focal point for communications. The other members of

the Working Group are Shalmali Guttal, from India, who works with Focus on the Global South and is a member of the International Panel of Experts on Sustainable Food Systems (IPES-Food); and Davit Hakobyan, Senior Researcher at the National Academy of Sciences of Armenia, who served as Chairman of the State Commission for Constitutional Reform established by the Prime Minister of Armenia.

MANDATE OF THE WORKING GROUP

The Human Rights Council resolution 54/9 gave the following mandate to the Working Group:

“(a) To promote the effective and comprehensive dissemination and implementation of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, while identifying challenges and gaps in its implementation at the national, regional and international levels, and to make recommendations in this regard;

(b) To identify, exchange and promote good practices and lessons learned on the implementation of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, and to seek and receive information from all relevant sources, including Governments, the rights holders as defined in article 1 of the Declaration, national human rights institutions, civil society, other relevant special procedures of the Human Rights Council, the treaty bodies, the Office of the United Nations High Commissioner for Human Rights, specialized agencies, funds, programmes, bodies and organizations of the United Nations system, and regional mechanisms;

(c) To work in close coordination with the Office of the High Commissioner, the special procedures and other human rights mechanisms, the treaty bodies, other relevant United Nations agencies, funds and programmes, international organizations and regional mechanisms;

(d) To facilitate and contribute to the exchange of technical assistance, capacity-building, transfer of technologies and international cooperation in support of national efforts, actions and measures to better implement the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, in consultation with the rights holders as defined in article 1 of the Declaration;

(e) To submit an annual report to the Human Rights Council and to the General Assembly on its

work and activities, containing its conclusions and recommendations, according to their respective programmes of work”.⁴

The Human Rights Council also called upon “Governments, specialized agencies, bodies and organizations of the United Nations system, intergovernmental and non-governmental organizations to promote the effective and comprehensive dissemination and implementation of the rights of peasants and other people working in rural areas, and the implementation of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas”.⁵

It called upon “all States and all stakeholders to cooperate fully with the Working Group on the rights of peasants and other people working in rural areas in the performance of its mandate and to consider implementing the recommendations made by the Working Group in its reports submitted under the mandate”.⁶

And it requested “the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Working Group with all financial and human resources necessary to enable it to carry out its mandate fully and effectively, and to provide all the support necessary to facilitate, in a transparent manner, the convening of the Working Group”.⁷

ACTIVITIES OF THE WORKING GROUP

The Working Group on UNDROP presented its first report to the Human Rights Council in September 2024.⁸ In this report, it provided a brief analysis of the situation of peasants and other people working in rural areas and a historical overview on the adoption of UNDROP and on the establishment of the Working Group. It also presented an initial conceptual framework elaborated to guide its interpretation and implementation of UNDROP, and it ended by giving an overview of the methods of work that it will use.

ANNUAL SESSIONS

The Working Group held a first internal online session in July 2024, and a second session in Geneva in October 2024, during which it met with States and civil society.⁹ In the future, it will hold three sessions of five working days per year, two in Geneva and one in New York. The sessions will be held in person and conducted in closed meetings. During these sessions, time will be dedicated to meet with various stakeholders, and to organize consultations with rights

holders, days of general discussion on a specific topic or public consultations with States and other stakeholders.¹⁰

THEMATIC REPORTS

In 2024, the Working Group on UNDROP presented the same first report to the Human Rights Council in September and to the General Assembly in October.¹¹ In the future, it will have to write and present two different thematic reports to the Human Rights Council and to the General Assembly, both in Autumn. The aim of these reports will include assisting “States and non-State actors in implementing the Declaration at the national level by clarifying the content of the rights set out therein and the corresponding obligations of States and other entities”.¹² The Working Group said that prior to the preparation of these thematic reports, it may seek input from States and other stakeholders through a call for input.¹³

In its first report, the Working Group presented an initial conceptual framework that it elaborated to guide its interpretation of UNDROP as well as UNDROP’s implementation at the national, regional and international levels. In this framework, it put emphasis on the definition of peasants and other people working in rural areas, non-discrimination and peasant women.¹⁴

The Working Group asked States to disseminate and implement UNDROP. For the Working Group, States need to take measures for “the dissemination of the Declaration, its translation into local languages and the organization of educational and awareness-raising activities on the Declaration”. It also stated that “a crucial first step in the implementation of the Declaration is its dissemination among State officials, policymakers, rights holders (...), academics, research institutions, private sector enterprises, civil society organizations and the general public”.¹⁵

The Working Group explained that in its work in supporting UNDROP’s implementation, it will follow a number of principles: a multi-constituency approach to reflect the fact that peasants and other people working in rural areas do not constitute a homogeneous group, to prevent any competition or conflict between different rights holders and their demands and to foster dialogue and cooperation among them; particular attention given to the rights and special needs of specific groups of peasants and other people working in rural areas that are particularly vulnerable to discrimination and abuse, including older persons, women, youth, children and persons with disabilities; participation and consultation of rights holders and their representative organizations in the making of

recommendations on how to implement the different rights set out in UNDROP.¹⁶

Before its second session in October 2024 in Geneva, the Working Group issued a call for input to receive information from all relevant sources on the progress made and difficulties encountered in UNDROP's dissemination and implementation at the national, regional and international levels. In this call, it asked specific questions to States, human rights mechanisms and international organizations, and civil society, which includes rights holders and their representative organizations. In response, it received contributions from 10 States, 10 national human rights institutions, the Special Rapporteur on human rights and climate change, an academic institution and more than 50 civil society organizations and social movements.¹⁷

These responses will help the Working Group to identify the priority issues to focus over the next years.¹⁸ It will also help to identify good practices, such as the inclusion of UNDROP in national law in Ecuador, and the recognition of peasants as subjects of special protection in the Constitution of Colombia.¹⁹

COLLABORATION WITH HUMAN RIGHTS MECHANISMS

In its first report, the Working Group announced that it will collaborate with special procedures and treaty bodies – to increase attention to the rights of peasants and other people working in rural areas in their work, discuss issues of common interest and possible modes of cooperation, avoid duplication and ensure a consistent approach in UNDROP's implementation – and with the Office of the High Commissioner for Human Rights (OHCHR) and other human rights mechanisms, including regional human rights organizations and expert mechanisms.²⁰

On the occasion of UNDROP's first anniversary on 17 December 2019, nine special procedures and four treaty body members released a joint statement in which they committed to protect the rights of peasants and other rural workers, to integrate these rights in the exercise of their mandates, and to provide guidance to States on how they can implement them.²¹ On 16 December 2022, twelve special procedure mandate holders released a joint statement in which they stated that “UNDROP provides a framework to enable a just transition to a food system where biodiversity and human rights flourish. (...) UNDROP provides not only a recognition of peasants' and rural workers' rights and contributions, but also serves as a roadmap for States, the UN, business enterprises and other stakeholders to take concrete actions on the ground”.²²

In 2024, the Working Group started its collaboration with other special procedures in issuing joint statements on human rights violations and genocidal attacks in Gaza, and on the famine in Sudan, calling in both cases for an immediate ceasefire, a political solution to end the atrocities, and an immediate provision of life-saving humanitarian assistance.²³

Following the example of the Special Rapporteur on the right to food, who included UNDROP in at least four of its reports – on fisheries, conflict, seeds, and the Covid-19 pandemic – and the example of the Special Rapporteur on human rights and climate change, who included peasants' rights in its first two reports presented in 2024 to the Human Rights Council and General Assembly, all special procedures should include UNDROP in their work.²⁴ Having very broad mandates, including the protection of economic, social and cultural rights (ESCR), civil and political rights, human rights defenders, the rights of women, persons with disabilities, migrants, older persons and minorities, the promotion of international solidarity, and the effects of foreign debt on ESCR, special procedures are very well placed to promote UNDROP's implementation.²⁵

Following the examples of the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination Against Women and the Human Rights Committee, all treaty bodies should include UNDROP in their examination of state parties' periodic reports and of communications, and in their general comments or recommendations.²⁶ The fact that treaty bodies can monitor UNDROP's implementation in so many States parties, from the perspective of ESCR, civil and political rights, racial discrimination, and the rights of women, children, persons with disabilities and migrant workers puts them in an ideal position to do so.²⁷

The UN Secretary General, the High Commissioner for Human Rights and OHCHR are other strong allies for the Working Group. In their reports on right to food and climate change presented in 2023 and 2024, the Secretary General and the High Commissioner for Human Rights included references to UNDROP and asked States to promote and protect the rights of peasants and other people working in rural areas.²⁸

Outside of the UN system, it is essential that the Working Group collaborates with regional organizations and human rights bodies, including the Inter-American Commission on Human Rights, the Inter-American Court on Human Rights, the African Commission on Human and Peoples' Rights, the African Court on Human and Peoples'

Rights, the European Court on Human Rights, the European Committee of Social Rights, the Association of Southeast Asian Nations Intergovernmental Commission on Human Rights, and the Arab Human Rights Committee.²⁹

These regional human rights mechanisms should follow the example of the Inter-American Court on Human Rights³⁰ and include UNDROP in their work. The African Commission on Human and Peoples' Rights should establish a Working Group on peasants and other people working in rural areas in Africa, and the Inter-American Commission on Human Rights should create the mandate of a Rapporteur on the rights of peasants and other people working in rural areas.³¹

The Working Group on UNDROP should also collaborate with national human rights institutions, who should monitor UNDROP through awareness raising activities, the analysis of the compatibility of laws with the Declaration, creating mechanisms to receive and review complaints about violations of the rights enshrined in UNDROP, and the production of reports on UNDROP's implementation for national, regional and international bodies.³² The fact that several national human rights institutions sent contributions to the Working Group in 2024 shows their interest in doing so.³³

At national level, following the example of the Supreme Court of Honduras³⁴, it is also essential that courts protect the rights of peasants and other people working in rural areas, by directly applying UNDROP, or by using it to interpret rights recognized in domestic law or other international instruments.

The Working Group could support the inclusion of UNDROP in international, regional national case law by submitting amicus curiae briefs. Amicus curiae briefs were for example sent by the former Special Rapporteurs on the right to food, O. De Schutter and J. Ziegler, respectively to the Inter-American Court on Human Rights and to the High Court of South Africa.³⁵

COLLABORATION WITH UN AGENCIES AND OTHER INTERNATIONAL ORGANIZATIONS

The Working Group will collaborate with specialized agencies, funds, programmes, bodies and organizations of the UN system, and with other relevant international organizations.

This collaboration will be facilitated by UNDROP's article 27, which provides that specialized agencies, funds and programmes of the UN system, and other intergovernmental organizations, including international

and regional financial organizations, shall contribute to the full realization of UNDROP, including through the mobilization of development assistance and cooperation.³⁶

In the UN system, a key partner of the Working Group is the Food and Agriculture Organization (FAO), which in 2023 published a study and organized a side event at the Human Rights Council on its work in relation to UNDROP.³⁷ In this study, FAO presented its engagement on six themes central to UNDROP: family farming; youth and gender equality; the rights to a decent income and livelihood; the right to land and other natural resources; the rights to seeds and biodiversity; and the right to food. FAO regional office in Budapest also supported a project to promote UNDROP in Eastern Europe and Central Asia, coordinated by Eco Ruralis, through which public authorities, academics and civil society organisations were trained in several countries of the region. This project created an online platform and published a Manual to promote UNDROP's implementation in Eastern Europe and Central Asia.³⁸

In collaborating with FAO, it is important to link UNDROP to the UN Decade on Family Farming³⁹ and to the International Treaty on Plant Genetic Resources for Food and Agriculture adopted at FAO in 2001 (International Plant Treaty). In 2022, the Geneva Academy published a briefing paper with APBEBES, written with the current and the last two Special Rapporteurs on the right to food, to explain that UNDROP complements the International Plant Treaty and to stress the importance of taking UNDROP into consideration when implementing International Plant Treaty's article 9 on farmers' rights.⁴⁰

In the conclusion of this briefing paper, the authors stated that "UNDROP and the International Treaty are complementary and their joint implementation is essential for the realization of farmers' and peasants' rights. It would be highly beneficial to increase cooperation between FAO and the International Treaty Secretariat, on the one hand, and UN human rights bodies, on the other, to promote and facilitate the implementation of the International Treaty in line with international human rights instruments, such as the ICESCR, CEDAW, UNDRIP and UNDROP".⁴¹

In line with this briefing paper, a resolution on the implementation of the International Plant Treaty's article 9 on farmers' rights, adopted at the 9th Governing Body of the International Treaty in 2022, requested the Secretary of the Treaty to "strengthen, to the extent feasible, collaboration between the International Treaty and other units and partners that work for the promotion of Farmers' Rights within and outside FAO, and the broader United Nations

including with international human rights bodies, in order to promote the realization of Farmers' Rights".⁴² In the future, it will be important for the Working Group to collaborate with the International Plant Treaty's Secretariat.

In the UN system, another key partner of the Working Group is the Committee on World Food Security (CFS). In October 2024, the Chair-Rapporteur of the Working Group, Geneviève Savigny, participated in a side event of the 52nd session of the CFS on the implementation of the right to food guidelines and UNDROP in Africa and Europe.⁴³ During the same session, the CFS decided that Colombia will take the lead in organizing the Second Conference on Agrarian Reform and Rural Development, ICARRD +20 in 2026.⁴⁴ The Working Group should participate in the future work of the CFS, collaborate with the civil society and Indigenous Peoples' mechanism for relations with the CFS (CSIPM)⁴⁵, and support this initiative led by Colombia.

In her response to the call of the Working Group on UNDROP, the Special Rapporteur on human rights and climate change encouraged the Working Group to participate in the UN Climate Conference, the UN Biodiversity Conference, and the UN Ocean Conference.⁴⁶ In these fora, the Climate Action Network – a global network of almost 2'000 civil society organizations in more than 130 countries – can be an important ally.⁴⁷

In 2024, the Working Group issued a statement for the 16th Conference of Parties (COP16) to the Convention on Biological Diversity (CBD), which took place in Cali, Colombia in October 2024. For the Working Group, COP16 provided "a vital platform for advancing the rights of peasants and other rural populations in the context of biodiversity conservation. By integrating the provisions of UNDROP and ensuring that NBSAPs [National Biodiversity Strategies and Action Plans] are updated to reflect the participation of rural communities, states can make significant strides toward more inclusive and effective environmental policies. Peasants, with their deep knowledge of and connection to the land, are crucial actors in the fight to conserve biodiversity".⁴⁸

In November, the Working Group also issued a joint press release with other special procedures, as the 29th meeting of the Conference of the Parties to the UN Framework Convention on Climate Change (COP29) began in Baku, Azerbaijan. In this press release, they called on States to prioritise the protection of human rights with truly ambitious climate action to 2030, and agree to sufficient, transparent and legitimate funding. They also called for the need to ensure direct financial access, including for loss

and damage, for Indigenous Peoples, peasants and rural workers, Afro-descendants, women and children, and people in poverty most affected by climate risks.⁴⁹

Finally, the Working Group should also engage with other international organizations to make sure that the international instruments that they adopt or apply are elaborated, interpreted and applied in a manner consistent with the rights of peasants and other people working in rural areas, as provided in UNDROP's article 2.4. These include the World Trade Organization (WTO), the World Intellectual Property Organization (WIPO) and the International Union for the Protection of New Varieties of Plants (UPOV), with which the Working Group should engage to protect the rights enshrined in UNDROP, including the right to seeds.⁵⁰

COLLABORATION WITH RIGHTS HOLDERS, CIVIL SOCIETY AND ACADEMIA

The Working Group already collaborates with UNDROP's rights holders and their representative organizations, as well as with civil society and academia. To promote more participation of rights holders in the UN system, it should recommend to the UN General Assembly to establish a UN Voluntary Fund for peasants and other people working in rural areas.⁵¹ A similar fund exists since 1985 to support the participation of Indigenous Peoples in the activities of the UN system.⁵²

During its session in Geneva in October 2024, the Working Group met with rights holders' representatives and civil society organizations, including La Via Campesina, CETIM, FIAN International and Fastenaktion/Action de Carême.⁵³ In the last few years, La Via Campesina, CETIM and FIAN International produced popular manuals, training sheets, briefings and books on UNDROP, and they organized training sessions at local, national, regional and international levels.⁵⁴ They also published a Factsheet on the Working Group on UNDROP.⁵⁵ The European Coordination Via Campesina (ECVC) published a policy brief on how to implement UNDROP at national and regional levels in Europe.⁵⁶ FIAN sections, including in Belgium, Germany, Ecuador, Paraguay, Burkina Faso, Indonesia and Nepal, also promote UNDROP's implementation.⁵⁷

Together with the Geneva Academy of International Humanitarian Law and Human Rights (Geneva Academy), La Via Campesina, CETIM and FIAN International have created a website on UNDROP to provide a common platform to facilitate knowledge-sharing and connect different organizations and movements.⁵⁸ This website was created with the support of a number of partners, including Rosa-Luxemburg-Stiftung, Fastenaktion/Action de Carême,

HEKS/EPER and DKA Austria. It contains translations of UNDROF into several languages and it has a specific entry on the Working Group on UNDROF.⁵⁹

In 2024, three members of the Working Group on UNDROF participated in a webinar in which they presented the Working Group.⁶⁰ The Chair-Rapporteur of the Working Group, Geneviève Savigny, also participated in an online training on the Working Group organized by the Geneva Academy, Fastenaktion/Action de Carême and the RAISE project, and she made a video to introduce the Working Group.⁶¹

CETIM, FIAN Switzerland, Uniterre (Swiss member of La Via Campesina), the Geneva Academy, Fastenaktion/Action de Carême, HEKS/EPER, Swissaid and Alliance Sud created in 2019 the coalition of the friends of UNDROF in Switzerland. This coalition published a study on UNDROF and Swiss foreign policy and it sent a contribution on this topic to the Human Rights Council for Switzerland's Universal Periodic Review in 2023.⁶² A similar coalition of the friends of UNDROF has also been created in Luxemburg.⁶³

The project Rights-based and Agroecological Initiatives for Sustainability and Equity in Peasant Communities (RAISE) launched in 2022, with support from the Swiss Agency for Development and Cooperation (SDC), promotes the agroecological transition and UNDROF's implementation in India, Nepal, Kenya, Niger, Mali, Burkina Faso and South Africa. Fastenaktion/Action de Carême is coordinating this project, in collaboration with Rural Women Assembly, Vétérinaires Sans Frontières Switzerland, DKA Austria, Center for Minority Rights Development, Réseau Billital Marobee and the Social Work Institute.⁶⁴ The Geneva Academy is a strategic partner in this project.⁶⁵

If we look at the contributions sent to the Working Group in response to its call for inputs, and at the website on UNDROF, without being exhaustive, we can say that in Africa, Rural Women Assembly, which is present in 10 countries, La Via Campesina Southern and East Africa, which is present in 7 countries, the West African Caravan on UNDROF, the African Centre for Biodiversity, Masifundise and Coastal Links in South Africa, the Kenyan Peasants League, the National Coordination of Peasant Organizations in Mali, and the network for sustainable development in Cameroon are among those particularly active in promoting the implementation of UNDROF.⁶⁶

In Asia, civil society organizations engaged in activities promoting UNDROF include Focus on the Global South and the Southeast Asia Regional Initiatives for Community Empowerment (SEARICE).⁶⁷ In Europe, these include the European Coordination Via Campesina

(ECVC), Eco Rurális, Gradina Moldovei, the Ukrainian Rural Development Network, Urgenci and the French collective (Copil) on UNDROF.⁶⁸ A new civil society proposal – the European Citizens' Initiative on the right to food – also aims at protecting the rights of peasants and other people working in rural areas in the European Union.⁶⁹ In Belgium, a collective adopted a Peasant Towns Charter to promote UNDROF at local level.⁷⁰

Among the academic institutions doing research on UNDROF, which include the Centre for Agroecology, Water and Resilience (CAWR) at Coventry University with P. Claeys⁷¹, and Hunter College and the Graduate Center of the City University of New York with M. Edelman⁷², the Geneva Academy occupies a key position. After having provided academic support to UNDROF's negotiation, the Geneva Academy supports UNDROF's implementation via publications, conferences, expert seminars and training courses.⁷³ These include guidance on UNDROF's implementation in the 7 countries of the RAISE project, in Cambodia and Switzerland – for Switzerland both in domestic law and foreign policy – as well as on the need to protect the right to land, to ensure precedence of the right to seeds over intellectual property rights, including in Europe and Africa, and to integrate UNDROF in the UN Decade on Family Farming and in the implementation of the International Plant Treaty.⁷⁴

COUNTRY VISITS

Country visits are a unique opportunity in the UN human rights system and an essential tool for both promoting and protecting the rights enshrined in UNDROF on the ground. Along the years, visits have been made by special procedures to diverse countries, in the Global North and the Global South, in conflict and post-conflict zones, in countries with strong or weak UN presence, and with an effervescent or weak civil society.

The usual procedure for undertaking a country visit starts with an invitation of a government or the request of the Human Rights Council and it ends with the presentation of the mission report to the Human Rights Council. More than 120 UN Member States and 1 non-Member Observer State have extended a standing invitation to all thematic special procedures, including the Working Group on UNDROF.⁷⁵ Special procedures can also send requests to countries of interest to be invited. A visit usually last 2 weeks.

After the visit and the presentation of the report, follow-up processes represent a great way of increasing the impact of a country visit and ensure that recommendations

are being implemented.⁷⁶ Such processes include follow-up reports of the special procedures based on information submitted by different actors; follow-up visits undertaken by the special procedures; implementation monitoring by field officers of OHCHR (when present in the country) and/or UN country teams; and monitoring by national human rights institutions, rights holders and civil society. The Universal Periodic Review system of the Human Rights Council helps raising attention on the need for States to implement recommendations from country visits' reports.

Some special procedures have also undertaken visits to international organisations and transnational corporations in addition to country visits. The first Special Rapporteur on the right to health, P. Hunt, undertook innovative visits to the World Trade Organization (WTO) and to the pharmaceutical company GlaxoSmithKline.⁷⁷ When he was Special Rapporteur on the right to food, O. de Schutter visited the WTO in 2009 and FAO in 2012.⁷⁸

In a study in which we evaluated the impact of UN special procedures, we concluded that, if the legal frameworks developed are clear, the goals of the mission set, contacts and working relations with all stakeholders established, and indeed if they are benefitting from 'a window of opportunity', visits by special procedures can be successful and can contribute to the realisation of human rights nationally and internationally.⁷⁹ The Working Group should make use of the opportunities provided by these visits to promote UNDROP's implementation in countries, international organizations and transnational corporations.

COMMUNICATIONS

To protect the rights of peasants and other people working in rural areas, communications are an important tool available to the Working Group on UNDROP.

Individual and collective cases of alleged violations of the rights enshrined in UNDROP can be submitted to the Working Group by the victims or by third parties, including civil society organizations "claiming to have direct or reliable knowledge of those violations substantiated by clear information."⁸⁰ To submit these claims of violations, there is no obligation for victims and their representatives to exhaust domestic remedies.⁸¹

The Working Group can use the information that it receives to send communications to States and other stakeholders, including international organizations and transnational corporations. These communications are initially confidential until the summary of the letters and the received replies are made public.

Communications sent by the Working Group can take several forms such as letters of concern, letters of allegation or urgent appeals. Ultimately, the aim of these letters is to create a dialogue with the States, international organizations or transnational corporations. The Working Group can send urgent appeals in cases where the alleged violations "are time-sensitive in terms of involving loss of life, life-threatening situations or either imminent or ongoing damage of a very grave nature to victims".⁸² In the absence of satisfactory responses to communications and when finding a remedy is an urgent matter, the Working Group could make use of naming-and-shaming techniques by appeal to the media.⁸³

In 2024, the Working Group on UNDROP started to send communications, including two joint communications with other special procedures to the Philippines and to the company Litton & Co., Inc. on the basis of information received concerning the alleged criminalization of land rights movements and peasants struggling for the recognition of their right to land and for the implementation of the Comprehensive Agrarian Reform Program (CARP) in the Philippines. In these letters, the Working Group gave an exemplary case of this pattern with Barangay Sumalo, where it is alleged that peasant communities face forced evictions, housing demolitions, restriction of access to cultivated land and prohibition to cultivate the land, and that community leaders and human rights defenders suffer attacks and criminalization, leading to arbitrary arrests and the killing of one community member, in relation to the land conflicts with Litton & Co., Inc. and Riverforest Development Corporation (allegedly funded and run by Litton & Co., Inc.).⁸⁴

CONCLUSION

The adoption of UNDROP in 2018 has been completed by the creation of the Working Group mandated to monitor its implementation in 2023. Now that the Working Group started its activities, it is essential that States, rights holders and their representative organizations, specialized agencies, funds, programmes, bodies and organizations of the UN system, international, regional and national human rights mechanisms, international and regional organizations, civil society and academia collaborate with the Working Group. It is also important that the Working Group uses all its powers to promote and protect the rights of peasants and other people working in rural areas.

RECOMMENDATIONS

- The Working Group should collaborate with special procedures and treaty bodies, the UN Secretary General, the High Commissioner for Human Rights and OHCHR, in order to promote and protect the rights of peasants and other people working in rural areas.
- The Working Group should systematically seek input from States and other stakeholders, including rights holders and their representative organizations, prior to the preparation of thematic reports and country visits. In its thematic reports, the Working Group should aim at including analysis and recommendations on all rights enshrined in UNDROP, and in relation to all rights holders protected by UNDROP.
- The Working Group should conduct country visits and visits to international organizations and transnational corporations. The dialogues that it will be able to initiate during these visits, coupled with specific recommendations, will be extremely valuable to evaluate if the visited States, international organizations or transnational corporations adequately support UNDROP's implementation.
- The Working Group should send communications to States and other stakeholders, including international organizations and transnational corporations, to protect the rights enshrined in UNDROP. In the absence of satisfactory responses to communications and when finding a remedy is an urgent matter, the Working Group could make use of naming-and-shaming techniques by appeal to the media.
- The Working Group should collaborate with UNDROP's rights holders and their representative organizations, civil society and academia. It should encourage all of them to contribute to its activities, including its annual sessions, thematic reports, country visits and communications.
- The Working Group should recommend to the UN General Assembly to create a UN Voluntary Fund for peasants and other people working in rural areas to support their participation in the activities of the UN system.
- The Working Group should collaborate with specialized agencies, funds, programmes, bodies and organizations of the UN system, and with other relevant international organizations. These include the FAO, the Governing Body of the Plant Treaty, the CFS and the UN Climate, Biodiversity and Ocean Conferences. It should support the Second Conference on Agrarian Reform and Rural Development (ICARRD +20), which will take place in Colombia in 2026.
- The Working Group should engage with other international organizations to make sure that the international instruments that they adopt or apply are elaborated, interpreted and applied in a manner consistent with the rights of peasants and other people working in rural areas. These include the WTO, WIPO and UPOV, with which the Working Group should engage to protect the rights enshrined in UNDROP, including the right to seeds.
- The Working Group should collaborate with regional organizations and human rights bodies, including the Inter-American Commission on Human Rights, the Inter-American Court on Human Rights, the African Commission on Human and Peoples' Rights, the African Court on Human and Peoples' Rights, the European Court on Human Rights, the European Committee of Social Rights, the Association of Southeast Asian Nations Intergovernmental Commission on Human Rights, and the Arab Human Rights Committee.
- The Working Group should collaborate with national human rights institutions, who should monitor UNDROP through awareness raising activities, the analysis of the compatibility of laws with the Declaration, creating mechanisms to receive and review complaints about violations of the rights enshrined in UNDROP, and the production of reports on UNDROP's implementation for national, regional and international bodies.
- The Working Group should support national courts which should follow the example of the Supreme Court of Honduras, and protect the rights of peasants and other people working in rural areas, by directly applying UNDROP, or by using it to interpret rights recognized in domestic law or other international instruments.
- The Working Group should support the inclusion of UNDROP in international, regional national case law by submitting amicus curiae briefs.

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