

---

Peasant Rights 1

Droits Paysans 11

Derechos Campesinos 23

---

# Peasant Rights



# Peasants of the World Need the Convention on the Rights of the Peasant

## I. Introduction

Most people in the world are peasants. Even in the high-tech world, people have to eat the food produced by the farmers. Farm agriculture is not just an economic matter but it means life for all of us. The safety of the population depends on the safety of the peasant and of agriculture. To protect human life, it's important to protect and fulfill the rights of the peasant. In reality, the ongoing number of violations of peasants' rights threatens human life.

## II. Violations of Peasants' Rights

- Millions of peasants have been forced to leave their farmland because of land grabs using national policies or by the hand of the military. We can see dam construction supported by the World Bank in Thailand, Indonesia, Brazil and many other countries. We also can see the development of plantations, planted exclusively with cash crops for export and industry. The development of hotels, golf courses and supermarkets has taken away land from the peasants.
- Governments of the least-developed countries and transnational corporations are responsible for the dumping practices, subsidies, and trade monopolies that are causing the disappearance of peasants and indigenous people.
- Today the peasant has lost many local seeds. Biodiversity is destroyed by the use of chemical fertilizers and genetically modified organisms, developed by the transnational corporations. Peasants receive inadequate income from their agriculture product.
- As the result of these violations of peasants' rights, today millions of peasants live in hunger and suffer malnutrition. This is not because there is not enough food in the world, but because food resources are dominated by the transnational corporations. This condition brings new problems for the peasant. The health of the peasants and their families and their access to education is diminishing. The peasant has no ability to protect and fight for their life and their political role in society is being erased.

## III. The policies of neo-liberalism worsen the violations of Peasants' Rights

The violations of peasants' rights are on the rise because of the implementation of neo-liberalism and the creation of the WTO as an institution which assumes the right to manage world trade. The WTO directly protects dumping practices and agriculture export subsidies for Europe and USA and also practices unfair agriculture trade. The WTO protects biopiracy and destroys the genetic resources and the biodiversity owned

by the peasant. The WTO also supports the trade in food that is not safe for human consumption or for planting by the peasant. This can be seen by the WTO's support for the development of GMOs.

We could also see that the International Monetary Fund (IMF) has implemented the structural adjustment program (SAP) to resolve the economic crisis in Thailand, Philippines, Indonesia, Mexico and Argentina. Under the SAP these countries could not get off the crisis, which primarily affects the peasants, because SAP forces the country to cut off subsidies for agriculture. The crisis forces the country to import agricultural products from other countries and reduces the import tariff. The countries in crisis are also forced to privatize their state companies including the company that supports agriculture and the company that should distribute to the peasant.

The policies of the World Bank such as building giant dams and their Land Market policy also violate peasants' rights.

#### **IV. The Struggle of the Peasants to Uphold and Protect Their Rights**

In facing reality, peasants all over the world have struggled for life. Most of their struggles failed. Many peasants died trying to protect their own land. The peasants are arrested, terrorized, tortured, and even killed. Another example that is still fresh in our minds happened on April 17, 1996 in Brazil. Nineteen peasants were shot to death by the military because they were protecting their land. And the same cases happened in other countries, thousands of peasant leaders are arrested and being processed by unfair justice because they were fighting for peasant rights. In Indonesia, 11 Peasant leaders are in jail because of the land struggle. In Thailand the peasants rejected the construction of the Pak Moon Dam and the long struggle is still going on in Philippines, Bangladesh and other countries.

The international instruments from the UN could not completely prevent human rights violations especially the rights of the peasants. We could see the limitation of the International Convention of the Economic, Social and Cultural right (ICESCR) as an instrument to protect peasants' right. Besides that, the Charter of the Peasant, produced by the UN in 1978, was not able to protect the peasants from international liberalization policies. The other International Conventions, which also deal with peasants' rights, could not be implemented either. The conventions are: ILO Convention 169, Clause 8-J Convention on Biodiversity, Point 14.60 Agenda 21, and Cartagena Protocol. Even the UN produces controversial policies that accommodate the interests of the transnational corporations, not the interest of the peasants worldwide.

#### **V. The Peasant Needs the International Convention on the Rights of the Peasant**

Because of the limitations of those conventions and resolutions, it is important to create an international policy to protect, fulfill, and uphold peasants' rights -- the International Convention on the Right of the Peasant (ICRP)

The pressure on the UN to produce this ICRP is the logical thing to do. There are already conventions to protect groups of people such as Convention on Indigenous People,

Convention on Woman, convention on Labor, Convention on the right of the child etc. The ICRP will contain the values of the rights of the peasant, which will have to be protected and fulfilled by governments and international institutions. The ICRP will be supplemented by other protocols to implement the values in it.

For the process of producing the ICRP, Via Campesina Regional South East Asia and East Asia has become the task force within Via Campesina to consider the importance of organizing the Regional Conference of Peasants' Rights.

During the Regional Conference on Peasants' Rights on April 2002, Via Campesina formulated the Declaration of the Rights of the Peasant through the process of a series of activities, including the Workshop on Peasants' Rights in Medan North Sumatra on 2000, the Conference of Agrarian Reform in Jakarta April 2001, the Regional Conference on Peasants' Rights, Jakarta, April 2002. The Declaration text was attached with this document. We are looking forward to the support of the people who are concerned about the peasants' struggle.

**Declaration of Via Campesina South East Asia and East Asia  
About  
The protection of the peasant right**

**Preamble**

The regional conference on peasant right Southeast Asia and East Asia on April 1-5, 2002 at Jakarta, Indonesia. Organized by Via Campesina and participated by landless peasant and peasant from the region south East Asia and East Asia.

*Acknowledging* base on the Universal Declaration of the Human Right, Peasant has right to enjoy the freedom of the civil-politic right and free from the frightened and this only can be reached if everyone can enjoy the Economic, Social, Civil-Politic and Cultural Right;

*Acknowledging* base on the International convention on civil-politic right, state should guarantee and respect all civil politic right of the peasant without any discrimination on nation, race, gender, language, religion, political view, or other opinion, ethnic or social, wealthy, birth or other;

*Acknowledging* base on the International convention on the economic, Social and Cultural right, state obligates the right of the peasant to achieved the proper living standard for ourselves and our family and right to be free from hunger through the action of the agrarian reform;

*Considering* that the agriculture condition now day has threaten the life of the peasant, worsening the environmental decreasing the peasant productivity and decreasing the welfare of the peasant;

*Considering* that the peasant condition become worse because the executive government exclude the peasant in their policies decision, by using the national military displace the peasant with violation and using TNC's to exploitative the natural resources;

*Considering* that capitalism globalization works on the agreement and international decision has tied the peasant life;

*Considering* that peasant will struggle for their life, for the environmental damage, for the weakness of their productivity, with our own resources or together with other group who support the peasant struggle.

*Desiring* to state the Peasant Right formulation to be uphold and protect

Have agreed as follows:

## **Article I**

### **Right to live and proper living standard**

1. Peasant man and woman and their family has right as other people, as guarantee in the United Nation Universal Declaration of Human Right.
2. Peasant man and woman and their family have right on the protection of the security of our live.
3. Peasant man and woman and their family have right to live in the proper way, welfare and dignity.
4. Peasant man and woman and their family have right to have enough food, healthy and nutritious.
5. Peasant man and woman and their family have right on the health service and other social service such as sport, entertainment, transportation, electricity, clean water, communication and reliable information.
6. Peasant man and woman and their family have right on good quality of the education and training.
7. Peasant man and woman and their family have right on the proper income to fulfil the basic need of themselves and their family.
8. Peasant man and woman and their family have right on the fulfillment of the proper housing and clothing.
9. Peasant man and woman and their family have right to consume their agriculture production properly for their family's basic need and have right to distribute their agriculture production to other people.
10. The right of the man and woman peasant on life and their basic need should be protected by the law, by the state or other national and international independence institution without discrimination on gender, age, religion, social and culture.

## **Article II**

### **Right to the agrarian resources**

1. Peasant man and woman and their family have right to own the proper land collectively or individually for their housing and farming.
2. Peasant man and woman and their family have right to toiling on their own land.
3. The right of the peasant man and woman and their family have right on the ownership of land or access to the agrarian resources and personal capacity in front of the law and do not discriminate the gender, religion, status, race and culture.
4. Peasant man and woman and their family has right to toiling and own the non productive state land which already become their economic income and the livelihood of the community.
5. Peasant man and woman and their family have right to the clean water.
6. Peasant man and woman and their family have right to use the water resources for their farming.
7. Peasant man and woman and their family have right to manage the water

resources in their region.

8. Peasant man and woman and their family have right to get support on the facilities, technology and fund from the state to manage the water resources.
9. Peasant man and woman and their family have right to manage, conserve, and take benefit from the forest.
10. Peasant man and woman and their family have right to reject all kind of land shifting for the industrial purpose.
11. Peasant man and woman and their family have right to have law protection on their farming land, their housing and other agrarian resources. Protection from claim of other community or institution and protection from the contamination and pollution because of the environment activities.

### **Article III Right on the seed and agriculture**

1. Peasant man and woman and their family have right to determine varieties of the plants they want to grow.
2. Peasant man and woman and their family has right to reject varieties of the plant which dangerous economically, ecologically, and culturally.
3. Peasant man and woman and their family have right to determine the system or how they want to do farming.
4. Peasant man and woman and their family have right to conserve and develop their local knowledge in the agriculture.
5. Peasant man and woman and their family have right to use the agriculture facilities.
6. Peasant man and woman and their family have right to choose their own product, varieties, amount, quality and the way to do farming individually or collectively in the way of democratic.
7. Peasant man and woman and their family have right to grow and look after their farming with their own technology or they technology they choose with the principle of human health and environmental conservation.
8. Peasant man and woman and their family have right to grow and develop their local varieties.

### **Article IV Rights For Capital and Means of Agricultural Production**

1. Peasant man and woman and their family have right to obtain funds from the state to develop agriculture.
2. Peasant man and woman and their family have right to the capital guarantee for agriculture.
3. Peasant man and woman and their family have right to get capital from unbinding side.
4. Peasant man and woman and their family have right to involve actively in



- planning, formulating, and deciding the budget for peasant and agriculture.
5. Peasant man and woman and their family have right to the irrigation means for agriculture.
  6. Peasant man and woman and their family have right to obtain the materials and tools for agriculture.
  7. Peasant man and woman and their family have right to the transportation facilities to market the agriculture product.
  8. Peasant man and woman and their family have right to choose the aid from other side to struggle for their right.

### **Article V**

#### **Right to access the information and agriculture technology**

1. Peasant men and women and their family have right to obtain the correct and balance information about capital, market, policies, prices, technology, ect, related with peasant's need.
2. Peasant men and women and their family have right to obtain the information about national and international policies.
3. Peasant men and women and their family have right to obtain the production tools and other efficient technology benefit to the peasant without ignoring the ethnic-social values.
4. Peasant men and women and their family have right to get complete and correct information about goods and services, in case of deciding what they want to consume and how they want to consume.
5. Peasant men and women and their family have right to get the sufficient and correct information in the national and international level, as individual or institutional in the shape of volunteer cooperation or with fair payment on various information and knowledge on agricultural and preservation on the genetics resources.

### **Article VI**

#### **Right for Freedom in Determining Price and Market for agricultural production**

1. Peasant man and woman and their family have right to prioritize their agricultural production for their family and society needs.
2. Peasant man and woman and their family have right to store their production for the family and for the seed at least for one season or as long as predicted by scientist will be harvest failure.
3. Peasant man and woman and their family have right for the fair market.
4. Peasant man and woman and their family have right to get beneficial price for their production.
5. Peasant man and woman and their family have right to determine the price individually or collectively.
6. Peasant man and woman and their family have right to obtain the market and

distribution guarantee for their agricultural product.

7. Peasant man and woman and their family have right to get reasonable payment for his working, to fulfill his family needs.
8. Peasant man and woman and their family have right to get proper price for their production.
9. Peasant man and woman and their family have right to process and store their production base to their skill and knowledge as long as not against the principle of the human health and environmental preservation.
10. Peasant man and woman and their family have right to conserve and produce local goods and services and control economically and use by generations in the community.
11. The right of peasant man and woman and their family can not be limited by the gender, religious, groups and culture.
12. Peasant man and woman and their family have right to market their production and this right must obligate by national and international law. And also obligation to get the material and tools for agriculture production process.
13. Peasant man and woman and their family have right to get guarantee of quality on goods and services of their agriculture product nationally or internationally.

### **Article VII Rights for protection of Agriculture values**

1. Peasant man and woman and their family have right to obtain the protection and appreciation of culture and local agriculture values.
2. Peasant man and woman and their family have right to develop and preserve local knowledge at agriculture.
3. Peasant man and woman and their family have right to reject all intervention which can destroy the local agriculture values.

### **Article VIII Rights for Biological Diversity**

1. Peasant man and woman and their family have right for the protection and preservation of biological diversity.
2. Peasant man and woman and their family have right to plant, to develop and conserve the biological diversity individually or collectively.
3. Peasant man and woman and their family have right to refuse all kind of patent on plants, food, medicine, culture and other biological diversity.
4. Peasant man and woman and their family have right for the protection of law concerning biological diversity from biopiracy, claims and environmental polluted.
5. Peasant man and woman and their family as a community have the rights to cancel the intellectual property right of goods and services own, maintain, discover, develop or produce by the local community.
6. Peasant man and woman and their family as family or collectively, have the right

to get protection of law nationally or internationally to maintenance, exchange, and preservation of genetic and biological diversity as the richness of resources from the local community and the indigenous community.

### **Article IX Rights for Environmental Preservation**

1. Peasants man and woman and their family have the right to get clean and health environment
2. Peasant man and woman and their family have the right to preserve the environmental based on the local knowledge.
3. Peasant man and woman and their family have the right to reject all forms of agrarian exploitation which cause the environmental damage.
4. Peasant man and woman and their family have the right to suit and claim for the environmental damage and get the compensation from the impacts of the environmental damage.

### **Article X Rights for Freedom of associates**

1. Peasant both man and woman as well as his family have the right to united, assemble and voice the opinion start from local, regional, national and international level
2. Peasant both man and woman as well as his family have the right to obtain the protection for all kinds of independent peasant's organization
3. Peasant both man and woman as well as his family have the right to free in application with other organizations
4. Peasant both man and women as well as his family have the right to obtain the protection and law-defense both in front of and outside of judgment
5. Peasant both man and women as well as his family have the right for a public column and public facility to state and express himself
6. Peasant both man and women as well as his family have the right to obtain the protection for extortion looting, manipulation and forcing from other people and the bigger institution for his autonomy and using of his creativity
7. Peasant both man and women as well as his family, individually or as a group have the right to obtain the protection of national and international law involve in expressed himself in the case of local and custom language, local culture, religious and idiom literature neither local art nor custom
8. Peasant both man and woman as well as his family have the right; freely without any obstacle from anyone, and nation to establish and organized organization and economic association for the importance of himself neither group nor importance of together