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The Growing Centrality of UNDROP in the International Governance of the Rights of Peasants and Other People Working in Rural Areas

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The UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) is increasingly becoming a key normative and political tool for transforming food and agricultural systems, particularly in the Global South. In a context of growing corporate concentration, commodification, and external dependencies, UNDROP provides a framework for strengthening peasants' rights, food sovereignty, and democratic control over rural development.

Its growing influence results from both grassroots appropriation by peasant and rural organizations and its progressive integration into international and national legal frameworks. UN human rights mechanisms, courts, legislatures and public institutions are increasingly using UNDROP to interpret rights and develop policies concerning land, seeds, food, health, climate, and rural livelihoods. Recent developments in countries such as Honduras, Colombia, Kenya, Ecuador, and Brazil illustrate this shift towards practical implementation.

For the Global South, UNDROP offers a strategic opportunity to strengthen food and agricultural sovereignty, support agroecological pathways, protect biodiversity and traditional practices, and reduce dependence on concentrated global markets. Its effective implementation requires sustained political mobilization, institutional commitment and greater cooperation among States, human rights bodies, legal practitioners and rights holders.

La Déclaration des Nations unies sur les droits des paysans et des autres personnes travaillant dans les zones rurales (UNDROP) s'impose de plus en plus comme un outil normatif et politique essentiel pour transformer les systèmes alimentaires et agricoles, en particulier dans les pays du Sud. Dans un contexte marqué par une concentration croissante des entreprises, la marchandisation et les dépendances extérieures, l'UNDROP offre un cadre permettant de renforcer les droits des paysans, la souveraineté alimentaire et le contrôle démocratique sur le développement rural.

Son influence croissante résulte à la fois de son appropriation par la base, au sein des organisations paysannes et rurales, et de son intégration progressive dans les cadres juridiques internationaux et nationaux. Les mécanismes des droits de l'homme des Nations unies, les tribunaux, les assemblées législatives et les institutions publiques s'appuient de plus en plus sur l'UNDROP pour interpréter les droits et élaborer des politiques concernant la terre, les semences, l'alimentation, la santé, le climat et les moyens de subsistance ruraux. Les évolutions récentes dans des pays tels que le Honduras, la Colombie, le Kenya, l'Équateur et le Brésil illustrent cette évolution vers une mise en œuvre concrète.

Pour les pays du Sud, l'UNDROP offre une opportunité stratégique de renforcer la souveraineté alimentaire et agricole, de soutenir les voies agroécologiques, de protéger la biodiversité et les pratiques traditionnelles, et de réduire la dépendance vis-à-vis des marchés mondiaux concentrés. Sa mise en œuvre effective nécessite une mobilisation politique soutenue, un engagement institutionnel et une coopération accrue entre les États, les organismes de défense des droits de l'homme, les praticiens du droit et les titulaires de droits.

La Declaración de las Naciones Unidas sobre los Derechos de los Campesinos y de Otras Personas que Trabajan en las Zonas Rurales (UNDROP, por sus siglas en inglés) se está convirtiendo cada vez más en un instrumento normativo y político clave para transformar los sistemas alimentarios y agrícolas, en particular en el Sur Global. En un contexto de creciente concentración empresarial, mercantilización y dependencias externas, la UNDROP ofrece un marco para fortalecer los derechos de los campesinos, la soberanía alimentaria y el control democrático sobre el desarrollo rural.

Su creciente influencia se debe tanto a la apropiación de este instrumento por parte de las organizaciones campesinas y rurales como a su progresiva integración en los marcos jurídicos internacionales y nacionales. Los mecanismos de derechos humanos de la ONU, los tribunales, los órganos legislativos y las instituciones públicas recurren cada vez más a la UNDROP para interpretar derechos y elaborar políticas relativas a la tierra, las semillas, la alimentación, la salud, el clima y los medios de vida rurales. Los recientes avances en países como Honduras, Colombia, Kenia, Ecuador y Brasil ilustran este giro hacia la aplicación práctica.

Para el Sur Global, la UNDROP ofrece una oportunidad estratégica para fortalecer la soberanía alimentaria y agrícola, apoyar las vías agroecológicas, proteger la biodiversidad y las prácticas tradicionales, y reducir la dependencia de los mercados mundiales altamente concentrados. Su aplicación efectiva requiere una movilización política sostenida, un compromiso institucional y una mayor cooperación entre los Estados, los órganos de derechos humanos, los profesionales del derecho y los titulares de derechos.

《联合国关于农民和其他农村地区劳动者权利的宣言》(UNDROP) 正日益成为推动粮食和农业体系转型的关键规范性与政治性工具，特别是在全球南方国家。在企业集中度加剧、商品化趋势日益明显以及对外依赖不断加深的背景下，《宣言》为加强农民权利、粮食主权以及对农村发展的民主管控提供了框架。

其影响力的日益增强，既源于农民和农村组织在基层层面的积极践行，也源于该宣言正逐步融入国际和国家法律框架。联合国人权机制、法院、立法机构和公共机构越来越多地援引《宣言》来阐释权利，并制定涉及土地、种子、粮食、健康、气候和农村生计的政策。洪都拉斯、哥伦比亚、肯尼亚、厄瓜多尔和巴西等国最近的发展动态，都印证了这一向实际落实转变的趋势。

对于全球南方国家而言，《联合国发展权利宣言》提供了一个战略机遇，有助于加强粮食和农业主权、支持农业生态发展路径、保护生物多样性和传统实践，并减少对高度集中的全球市场的依赖。要有效落实该宣言，需要持续的政治动员、机构承诺，以及各国、人权机构、法律从业者和权利持有人之间的更紧密合作。

In the current international conjuncture, marked by a systemic and multidimensional crisis, food and agricultural systems have become strategic arenas where dominant economic actors - transnational corporations, the agribusiness sector and financial agents, taking advantage of an asymmetric international legal architecture governing trade and intellectual property - are pursuing strategies aimed at consolidating their influence and control over food chains. These strategies serve the primary objective of securing access to resources and markets within a broader framework of generalised commodification and the maximisation of commercial profits. Within this complex international landscape, however, there are also important grounds for cautious optimism. Notably, a discernible and growing trend points to the progressive consolidation of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) as a key normative reference at both national and international levels.

While the challenges to its integral and effective implementation remain considerable, it is equally evident that UNDROP is becoming a crucial anchor point for decisions, laws, public policies, debates, and even negotiations across various multilateral mechanisms and spaces. This growing relevance is not incidental; it is the result of a dynamic process of socialisation, promotion and capacity-building that goes beyond formal endorsement, transforming the Declaration into a living tool for advancing the rights it enshrines.

Social appropriation and bottom-up legitimacy

One of the main drivers of this progress is the process of appropriation of UNDROP by its own rights holders. This has strengthened its legitimacy and ensured that the Declaration functions as both a legal and political leverage to claim rights, monitor situations, and engage in meaningful dialogue with public authorities to orient national laws and public policies.

Far from being an abstract instrument, UNDROP is actively used by peasant communities and rural organizations as a normative framework to structure their demands and strategies. This dynamic reinforces its transformative character and its capacity to influence concrete realities and institutional frameworks. Thus, human rights cease to be abstract notions and instead become practical tools for action, grounded in the lived realities, knowledge, and collective forms of organization of communities.

The role of the international human rights protection mechanisms and bodies

The United Nations (UN) Working Group of Experts on UNDROP has played a central role in the Declaration's promotion, and in clarifying and advancing of its implementation. Through dialogue with States and other actors, the development of interpretative guidance, and the dissemination of its narrative in relevant multilateral spaces, this UN mechanism has significantly contributed to positioning the Declaration within the international human rights system.

Beyond the Working Group of Experts, several UN human rights mechanisms have contributed to strengthening the interpretation and visibility of UNDROP. For example, the Special Rapporteurs on the right to food have played a key role in integrating the Declaration's principles into broader debates on food systems, emphasizing rights to land, seeds, and food sovereignty^[1]. Similarly, the Special Rapporteur on human rights and the environment has highlighted the relevance of UNDROP in the context of climate change and environmental protection, reinforcing the role of peasants, small-scale fishers, pastoralists, nomadic communities and Indigenous Peoples as stewards of natural resources.

Treaty bodies have also advanced this process. In particular, General Comment No. 26^[2] of the Committee on Economic, Social and Cultural Rights on land reflects core UNDROP principles, including secure and equitable access to land and the recognition of customary tenure systems. More broadly, concluding observations increasingly address issues central to the Declaration, contributing to its normative consolidation within the international human rights system.

Similarly, the work of the Committee on the Elimination of Discrimination against Women (CEDAW) illustrates a gradual move toward convergence between women's rights and the rights of rural women. Although General Recommendation No. 34 on rural women (2016) preceded the adoption of UNDROP in 2018, it largely anticipates its concerns by emphasizing land rights, access to natural resources, and food security for rural women. Since the adoption of UNDROP, CEDAW has increasingly drawn on this instrument in its concluding observations addressed to States. In these instances, UNDROP serves as a complementary interpretative framework to strengthen States' obligations regarding non-discrimination, particularly with respect to rural women's access to land, livelihoods, and participation in decision-making processes. Thus, UNDROP is gradually becoming integrated into CEDAW's practice as a reference instrument, contributing to an expanded understanding of the rights of rural women.

From rhetoric to practice: jurisprudential and legislative developments

A growing number of States recognize the value of UNDROP as a practical tool to protect rural populations and fulfill their human rights obligations. This increasing openness is creating favorable conditions for its progressive integration into legal frameworks and public policies.

[1] See the latest reports of the Special Rapporteurs on the right to food (and in particular the reports on food systems, seeds and fisheries, among others): <https://www.ohchr.org/en/special-procedures/sr-food/annual-thematic-reports>.

[2] See <https://www.ohchr.org/en/documents/general-comments-and-recommendations/ec12gc26-general-comment-no-26-2022-land-and>.

Case law and jurisprudence

The consolidation of UNDROP is reflected in concrete jurisprudential developments across different countries. Courts are increasingly using the Declaration as a legitimate normative source to interpret domestic legislation and support judicial decisions. These positive institutional practices demonstrate how State apparatus as a whole are aligning its domestic frameworks with international human rights standards to protect the rights of peasants, food, biodiversity, health, etc[3].

The 2018 decision of the Supreme Court of Honduras represents a landmark in this regard. In declaring the so-called “Monsanto Law” unconstitutional, the Court relied explicitly on Article 19 of UNDROP (the right to seeds), affirming that peasant seed systems are protected under international human rights standards. The ruling emphasized that criminalizing the saving and exchange of seeds undermines both cultural practices and food sovereignty, marking one of the first direct judicial applications of the Declaration[4].

This jurisprudential trend has continued and expanded. In 2020, the Inter-American Court of Human Rights began to articulate the complementarity between the rights of Indigenous Peoples and those of peasants in Argentina, signalling an important evolution toward a more inclusive understanding of collective rights in rural contexts. This case[5] marks a milestone in this regard, as the Court explicitly engaged with both the UN Declaration on the Rights of Indigenous Peoples and UNDROP, establishing interpretative bridges between the two frameworks.

In Canada, an important development illustrates another case of how UNDROP is used as a persuasive interpretative tool. In 2020, the Ontario Superior Court of Justice relied on Article 23 of the Declaration (right to health) in a case concerning migrant farm workers exposed to unsafe and overcrowded living conditions during the COVID-19 pandemic. Significantly, the Court recognized UNDROP as part of the broader body of human rights norms that can inform the interpretation of domestic law. This case[6] demonstrates the Declaration’s practical legal relevance even in States that have not supported it and highlights its potential to support strategic litigation aimed at strengthening the protection of rural workers.

In Colombia, the Constitutional Court has broken new ground by linking peasants’ rights with climate change and environmental vulnerability. In a 2025 landmark decision[7] concerning peasants displaced by natural disasters, the Court recognized them as subjects of special constitutional protection and highlighted the State’s obligation to adopt differentiated measures addressing their specific vulnerabilities.

Finally, in Kenya, a landmark decision by the Supreme Court in November 2025 struck down provisions of national seed legislation that effectively criminalised traditional seed practices. The Court found that these measures violated constitutional protections and were incompatible with international standards, including UNDROP (article 19). Importantly, the ruling recognized peasant seed systems not merely as economic activities but as integral to cultural identity, biodiversity, and resilience[8].

Legislative and public policy innovations

In the legislative and public policy sphere, UNDROP is increasingly serving as a reference for the development of innovative legal frameworks.

[3] To further explore these developments, platforms such as Defending Peasants’ Rights offer valuable resources on case law, legal tools and practices aimed at supporting the effective implementation of the Declaration. See:

<https://defendingpeasantsrights.org/en/home/>.

[4] See <https://defendingpeasantsrights.org/en/honduras-supreme-court-uses-undrop-article-19-on-the-right-to-seeds-to-declare-unconstitutional-the-monsanto-law/>.

[5] See <https://defendingpeasantsrights.org/en/inter-american-court-of-human-rights-first-case-law-on-the-links-between-the-declarations-on-the-rights-of-peasants-and-indigenous-peoples/>.

[6] See <https://defendingpeasantsrights.org/en/interview-of-jessie-macinnis/>.

[7] See <https://defendingpeasantsrights.org/en/colombia-constitutional-court-decision-protects-peasants-displaced-by-natural-disasters/>.

[8] See <https://defendingpeasantsrights.org/en/landmark-victory-for-kenyan-peasants-and-seed-sovereignty/>.

In Colombia, the constitutional reform of Article 64 adopted in July 2023 represents a historic milestone. While maintaining the State's obligation to support access to land and rural development, the reform goes further by explicitly recognizing peasants as subjects of rights and of special protection. It affirms their distinct identity, rooted in their relationship to land, food production, and territoriality, and acknowledges them as political subjects. This achievement - resulting from long-standing mobilization by peasant organizations - creates a constitutional mandate to progressively align national laws and policies with provisions reflected in UNDROP[9].

In Ecuador, the National Assembly's ratification of UNDROP in 2023, following sustained advocacy by peasant and Indigenous movements, has strengthened its role as a guiding framework for legislative processes. This recognition facilitates the mainstreaming of peasants' rights across public policies and reinforces the Declaration's legitimacy within the domestic legal order[10].

In Brazil, the National Human Rights Council adopted in 2025 a significant resolution recognizing UNDROP as a key normative standard for the protection of rural populations. The measure calls for its cross-cutting implementation across public policies and encourages State institutions to align their actions with the Declaration, marking an important step toward its institutionalization at the national level[11].

In Cuba, various initiatives adopted since the Declaration reflect a systematic effort to translate its provisions into concrete public policies.[12] Similar processes, often driven from the grassroots, are also emerging in countries such as Nepal, Indonesia, Niger, Congo, and Senegal.

A strategic opportunity for the Global South

Taken together, these developments show that the UNDROP is emerging as an increasingly influential benchmark in the governance of rural and agrarian rights.

For countries in the Global South, this development represents a strategic opportunity that goes beyond mere human rights compliance. By integrating the UNDROP into national legal frameworks and public policies, States can strengthen the protection of local food systems and peasantry, thereby asserting greater sovereignty over food production and agricultural value chains. In a context marked by growing concentration of market power and external neocolonial dependencies, promoting the UNDROP as a guiding principle for agricultural and food policies will help reduce vulnerability to global shocks by expanding the scope for manoeuvre of national public policies. In other words, the aim is to mobilise this legal framework to advance the realisation of the Right to Development[13], understood here as the right of peoples to determine their own rural development systems and policies, in a self-determined manner.

At the same time, the UNDROP offers a coherent framework for promoting agroecological development pathways that are more equitable and sustainable in rural areas, in particular through its provisions on the right to seeds, environment, water and biodiversity. Supporting small-scale rural practices and traditions is not only a matter of social justice, but also a strategic lever for promoting environmental protection and encouraging adaptive responses to the climate crisis.

In this context, it is important to promote the multilateral fora as frameworks for strategic dialogue between States, as well as between independent experts, UN mechanisms and rights holders, in order to foster the exchange of experiences and good practices. In fact, a collective political dynamic is necessary to elevate and strengthen the political status of UNDROP at the national level, so that it can serve as a basis for judicial interpretation, particularly through capacity-building for judges, lawyers, and public officials, as well as the harmonisation of national legislation and public policies with its provisions.

[9] See <https://defendingpeasantsrights.org/en/colombia-recognition-of-peasants-as-subjects-of-rights-interview-with-martha-elena-huertas-moya/>.

[10] See <https://defendingpeasantsrights.org/en/ecuadorian-peasants-win-ratification-of-undrop-by-their-legislative-assembly/>.

[11] See <https://defendingpeasantsrights.org/en/brazil-national-council-for-human-rights-adopts-key-regulation-to-advance-the-implementation-of-undrop/>.

[12] See <https://defendingpeasantsrights.org/en/report-on-the-promotion-and-implementation-of-the-undrop-in-cuba/>.

[13] See <https://defendingpeasantsrights.org/en/the-right-to-development-a-leverage-for-food-sovereignty-and-the-un-declaration-on-the-rights-of-peasants-undrop/>.

In this sense, we can draw direct links between UNDROP and the broader historical demands for a New International Economic Order (NIEO) and the right to development. Realizing the rights of peasants and other people working in rural areas requires safeguarding the policy space of Global South States so that they can protect and strengthen local food and agricultural systems against the distortive effects of highly subsidized agricultural exports from the Global North. Such policy space encompasses the ability to regulate imports, provide public support to small-scale producers, maintain strategic food reserves, and pursue agrarian and rural development policies that respond to domestic priorities rather than to the imperatives of the transnational agribusiness sector and liberalized global markets.

From this perspective, social movements, civil society organizations and committed States can mobilize UNDROP not merely as a legal human rights framework, but also as a lever presupposing an international economic order capable of making those rights effective. Many of the structural constraints identified by NIEO advocates – including unequal terms of trade and asymmetries in decision-making power – continue to shape the conditions under which rural communities seek to exercise their rights. The implementation of UNDROP therefore raises questions that extend beyond domestic legal reform to the dominant architecture of international trade, investment and finance. Without addressing these structural inequalities, the rights enshrined in the Declaration risk remaining largely aspirational.

Conclusion

UNDROP has moved beyond being a declaratory instrument to become an operational tool across multiple levels. Its growing use in courts, legislation, and public policy reflects a process of progressive socialization and institutionalization that is redefining the place of the rights of peasants and other people working in rural areas within contemporary international law.

The implementation of the UNDROP is, by its very nature, a profoundly political and collective process. It is through the interaction between popular participation and institutional advocacy that a favourable balance of power – necessary to bring about tangible changes on the ground – is forged. In this context, the UNDROP must serve as an essential compass, a collective roadmap, in support of efforts to democratise food and agricultural systems, but only on condition that it is appropriated and actively championed by the communities themselves, in light of their concrete interests.

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