



## **Webinar Report**

### **Commemoration of the Day of Adoption of UNDROP**

**17 December 2025**

Seeds Institute of Research and Consultancy – Africa

December 2025

## **Report of the Webinar on Commemoration of the Day of Adoption of UNDROP held on 17 December 2025<sup>1</sup>**

### **1. Background**

On 17 December 2025, the Kenyan Peasants League (KPL) held a Webinar to Commemorate the Day of the Adoption of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas<sup>2</sup> (UNDROP) which was adopted on 17 December 2018 by the United Nations General Assembly (UNGA) under resolution A/RES/73/165.

The Webinar, held exactly seven years since the adoption of UNDROP with the theme: “Rights of Peasants Seven Years After Adoption of UNDROP” attracted 42 participants with 84 registering for the webinar and other 35 following through various platforms like YouTube.

### **2. Objectives of the Webinar**

1. To Highlight the importance of UNDROP in attainment of Rights of Peasants
2. To Highlight the Purpose, Mandate and Role of the UN Working Group on the Rights of Peasants in attainment of the Rights of Peasants
3. To Highlight Key Recommendations of UN Working Group Annual Report on Global Trends and Challenges Undermining Rights in UNDROP<sup>3</sup> published on 25 August 2025
4. To Highlight how to File Complaint with the Working Group
5. To Highlight the status of the rights of implementation of at least three UNDROP articles of interest to the panellists from the perspective of their work, similar laws & policies in their countries; laws challenging the articles and actions in their countries that violate the UNDROP articles
6. To share the Resolutions of Counter COP30 that was held in Limuru, Kenya from 19 to 21 November 2025

### **3. Panelists**

1. Prof Uche Ofodile – Africa’s Representative to the UN Working Group on the Rights of Peasants Rights and Law Scholar at University of Arkansas, USA
2. Rachael Mwikali (She/Her) – Co-founder Coalition for Grassroots Human Rights Defenders Kenya (CGHRD-K) and Pussy Power Movement

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<sup>1</sup> KPL UNDROP Celebration, LVC SEAf. Available from:<<https://www.youtube.com/watch?v=h57orYEpGuc>>. [22 December 2025]

<sup>2</sup> United Nations Digital Library, United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas: resolution/adopted by the General Assembly. Available from:<<https://digitallibrary.un.org/record/1656160?ln=en>>. [21 December 2025]

<sup>3</sup> United Nations General Assembly, Human Rights Council, Sixtieth session. Available from:<<https://docs.un.org/en/A/HRC/60/33>>. [21 December 2025]

3. Hakim Balinaire – National Chairperson, Eastern & Southern Africa Farmers Forum Uganda (ESAFF Uganda) & Member, Board of Directors, Alliance for Food Sovereignty in Africa (AFSA)
4. Ngoni Chikowe – Peasant Practitioner & Activist with Zimbabwe Smallholder Organic Farmers Forum (ZIMSOFF)
5. Harry May – Member of the Food Sovereignty Campaign (FSC) in South Africa

The Webinar was moderated by David Otieno – Peasant Agroecologist & General Coordinator, Kenyan Peasants League (KPL) & Presiding Convener, Civil Society Reference Group Kenya

## **Presentations**

### **4. Prof Uche**

#### ***4.1. Importance of UNDROP in attaining of Rights of Peasants***

- Noted that Africa has over 33 million smallholder food producers who contributes to over 70% of total food hence the UNDROP was very critical in addressing the violations targeted at the peasants.
- A majority of smallholder food producers are women
- Climate change impacts violate rights of peasants and even more on women, people with disabilities, youth, elderly and the sick
- Article 1 of UNDROP gives formal recognition to the subjects who are peasants including fisherfolk, pastoralists, migrant workers, rural workers etc with article 4 specifically addressing the rights of peasant women
- Each article of UNDROP has obligations of the states with article 2 and 27 addressing the obligations of state and responsibilities of united nations and other international organizations respectively

#### ***4.2. The Purpose, Mandate and Role of the UN Working Group in attainment of the Rights of Peasants***

- The main mandate of the working group is to ensure dissemination and implementation of UNDROP including identification of challenges & gaps in dissemination and implementation, identification of good practices from member states through via an annual Call for Inputs by the working group on various themes targeted at states, peasants, civil society organizations and peasant movements.
- The working group also builds partnerships with other Treaty bodies, OHCHR, Africa Commission, EU Human Rights Council, National Human Rights Institutions among others
- The working group also builds capacity, promotes exchange visits and provide technical assistance to different groups

- This is done through annual reports on different thematic areas; conducting country visits on states invitation; consultations; speaking arrangements and capacity building
- There is no robust response to Call for Inputs from Africa groups and a majority of Africa states do not respond to letters from the working group
- Africa CSOs and peasant groups are asked to take advantage of the working group to report; urge their states to invite the working group through the NHRIs; push for formal recognition of UNDROP within the national laws
- There is no disaggregated data on peasant rights in Africa making it difficult to monitor implementation of UNDROP commitments and provisions

#### ***4.3. Key Recommendations of UN Working Group Annual Report on Global Trends and Challenges Undermining Rights in UNDROP published on 25 August 2025***

- The report focused on land, water, gender, climate change, labour exploitation, unfair trade, seed rights among others
- The report address issues of territorial rights of peasants including fisherfolk & pastoralists; land grabbing by agribusiness corporations; green grabbing in the form of carbon markets system by UAE in Tanzania and Zimbabwe and eviction of the Ogieks in Kenya; neoliberal reforms; financialization of land; conversion of land ownership; grabbing of the fisher commons like the lack of recognition & criminalization of inland fisherfolk communities by tourism corporates & pollution of rivers by mining corporations in South Africa; ocean grabbing through blue economy; forceful evictions; gender discrimination etc
- The report also captures positive actions by the states that include the Mali Land Act that was developed through peasant participation & has village land committees, guarantees women right to land; Land Reforms in Namibia; Agricultural Development Areas in Togo; Redistribution & Land Audits in Zambia; Reinstatement of the Ban on GMOs in Kenya based on the abuse to the Right to Participation in UNDROP; Ghana Land Act among other

#### ***4.4. Highlighting how to File Complaint with the Working Group<sup>4</sup>***

- There is a Special Procedures of the Human Rights Council composed of independent human rights experts with mandates to monitor, report and advise on human rights from a thematic or country specific perspective and can act on complaints of alleged human rights violations or abuses by sending communications
- Communications are letter sent by the Special procedures, either individually or jointly, to governments, and also to non-state actors such as business enterprises,

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<sup>4</sup> United Nations Office of the High Commissioner, Special Procedures of the Human Rights Council, What are Communications? Available from:<<https://www.ohchr.org/en/special-procedures-human-rights-council/what-are-communications>>. [21 December 2025]

military or security companies and intergovernmental organizations about allegations of human rights violations by governments, and/or abuses by non-state actors

- There are three types of communications; Urgent Appeals, Letters of Allegation and Other Letters
- Urgent Appeal address on-going or potential human rights violations 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 an extremely grave nature of the victims
- Letters of Allegations address past, on-going or potential human rights violations in cases where the alleged violations do not involve loss of life, life-threatening situations or imminent or ongoing damage of a grave nature
- Other Letters address bills, legislations or policies in cases of concern that bills, legislations, policies or practices do not comply with human rights law and standards
- The purpose of communication is to draw the attention of governments and other actors to allegations of human rights violations and abuses; establish a dialogue with the relevant government authorities and other stakeholders; ask concerned and stakeholders to investigate and address alleged violations and report on results and actions taken and give visibility to the case and report to the Human Rights Council on communication sent
- The communication procedure is not a judicial process that can replace a judicial proceeding; it does not establish facts or pass judgement but draws attention to credible allegations and cannot enforce their recommendations
- There are three steps in the communication procedure; Submission of Information, Sending Communication and Publication of Communication

#### ***4.5. Submission of Information***

- The submission should contain a factual description of the alleged violation of human rights; based on reliable, detailed and concise information and should not be exclusively based on reports disseminated by mass media
- It is not a requirement that the concerned state has ratified an international or regional human rights treaty or the alleged victim has exhausted domestic remedies
- Anyone, including individuals, groups, civil society organizations, national human rights bodies can submit information to the Special Procedures mandate holders
- Information can be submitted by the direct or indirect victims, or any other persons, groups or organizations who have reliable knowledge about the alleged violations; must provide their contact details, however that information will remain confidential and cannot act on anonymous submissions

- It is important that the alleged victims and/or their families or legal representatives indicate in their submissions whether they DO or DO NOT consent to:
  - Special Procedures mechanisms taking action on the allegations presented
  - The victim's name is disclosed in a letter that may be sent to the Government, or others, such as businesses, military or security companies
  - The names of the victims appearing in a public report to the Human Rights Council
  - Protection measures may be applied and names may be redacted if requested
- Information should whenever possibly include where the alleged violations involve non-state actors and if it concerns a business enterprise, it should include as much information as possible about the organizational entity, especially contact details and information on headquarters/ownership
- It should have the date, time, location and a detailed description of events and legislations & policies where relevant; victims; alleged perpetrators of the violations; circumstances of the alleged violations; any action taken by the victims and/or their legal representatives and possible outcomes; any action taken by relevant authorities to remedy the situation and possible outcomes
- Information can be submitted in English, French or Spanish through an online portal <https://spsubmission.ohchr.org>.

#### ***4.6. Sending Communication***

- The information contained in the submissions is analysed and assessed by the Special Procedures who can decide to send a Join Communication

#### ***4.7. Publication of Communication***

- Letters of Allegations and Urgent Appeals are publicly available 60 days after the send date while Other Letters available 2 days after send date
- Three times in a year, a report summarizing the communications and any responses received are presented to the Human Rights Council and are available on the Special Procedures' communication microsite: <https://spcommreports.ohchr.org/Timesearch/TMDocuments>
- due to number of submissions received, and the confidential nature of the procedure in the initial phase, it is not possible to provide status updates on submissions
- When the mandate holders believe the situation so warrants, they may decide to follow up with press releases; meetings with government authorities; meetings with business or other relevant actors; request country visits and any other follow up activity they may find useful

## 5. Rachael Mwikali

- UNDROP means Peasants and rural workers have human rights; Rights to land, seeds, food, water, livelihoods, culture and dignity; Governments must respect, protect and fulfil these rights
- UNDROP was adopted globally in 2018 and was won through a long peasant struggle
- UNDROP matters because of Land grabbing by corporations; Climate change is hurting small farmers; Criminalization of peasants & land defenders; Women are being excluded from land ownership; Indigenous seeds replaced by corporate seeds like the issue of mung bean<sup>5</sup> in Machakos County and Peasants are rights holders, not beneficiaries
- There is fragmentation of the movement where same funders are supporting contradicting issues like SRH Rights on one side and GMOs on the other side.
- There should be South to South conversation among the UNDROP right holders in spaces since transnational problems require transnational solutions by building transitional movements
- Women grow over 70% of food in rural Africa; Women rarely own land; have limited decision-making power; face gender-based violence & exclusion.
- Peasant rights = Women's rights
- Opportunities include a Stronger peasant movements & networks in the region; Increased awareness of peasant rights; UN Working Group monitoring violations; Women peasants organizing across borders; Counter narratives to corporate agriculture in Kenya, Uganda, Zimbabwe, Tanzania & South Africa
- Challenges include Land ownership denial to women; Seed criminalization; Unpaid care work; Gender-based violence and Femicide targeting peasant women farmers; Leadership exclusion yet women protect seeds, feed communities & defend land; UNDROP not translated into national laws; Corporate capture of agriculture; Climate policies excluding peasants; Shrinking civic space and Criminalization of defenders
- Peasants protect biodiversity; Indigenous farming cools the planet; Industrial agriculture fuels climate crisis hence no climate justice without peasants
- Recommendations to Governments: turn UNDROP into law; protect women's land rights; stop criminalization
- Recommendations to Donors and UN: Fund grassroots movements eg KPL
- Recommendations to Movements: popularize UNDROP locally and Centre women & youth

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<sup>5</sup> The Mung Bean Bill, 2022, The Senate Bills (Bill No. 13 of 2022). Available from: <<https://www.parliament.go.ke/sites/default/files/2024-03/The%20Mung%20Beans%20Bill%202022%20Senate%20Bill%20no13%20of%202023.pdf>>. [22 December 2025]

## **6. Hakim Balinaire**

The key UNDROP articles of interest to Uganda are article 11 (Right to information); article 17 (Right to land) and article 19 (Rights to seeds)

### **6.1. Article 11 (Right to information) of UNDROP**

#### **6.1.1. Three Key Policies or Laws in Uganda that have similar provisions to the Article 11 (Right to information) of UNDROP**

- Article 41(1) of the Constitution of Uganda<sup>6</sup> on Right of citizens to access information in possession of the state which provides the constitutional foundations for peasants' access to land, agriculture, investment and information compensation
- Sections 5(1) and (2) of the Access to Information Act<sup>7</sup> (2005) providing that every citizen has a right to access information and records in the procession of a public body or a private body where the information is required for the exercise or protection of any rights and that a person's right of access to information is not affected by any reason the person gives for seeking access
- Paragraph 66 of the National Land Policy<sup>8</sup> that obligates the government to ensure that land information is accessible, transparent and affordable to all citizens and prohibits customary law from impeding transmission of land to women and children

#### **6.1.2. Three Key Policies or Laws in Uganda that challenge the provisions to the Article 11 (Right to information) of UNDROP**

- Sections 24(1) of the Access to Information Act<sup>9</sup> (2005) that places restrictions on types of information that can be accessed like cabinet records, defence security or international relations. In practice, land deals, oil related land acquisition and investment contracts affecting peasants are often classified under these exemptions

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<sup>6</sup> NGO Bureau, Constitution of the Republic of Uganda, 1995. Available from:<[https://www.ngobureau.go.ug/sites/default/files/laws\\_regulations/2020/12/Uganda%20Constitution%201995.pdf](https://www.ngobureau.go.ug/sites/default/files/laws_regulations/2020/12/Uganda%20Constitution%201995.pdf)>. [21 December 2025]

<sup>7</sup> Uganda Judiciary, The Access To Information Act, 2005. Available from:<<https://judiciary.go.ug/files/downloads/access%20to%20informatioinformation%20Act2005.pdf>>. [21 December 2025]

<sup>8</sup> Republic of Uganda, Ministry of Land, Housing and Urban Development, The Uganda National Land Policy. Available from:<<https://mlhud.go.ug/wp-content/uploads/2015/10/The-Uganda-National-Land-Policy-February-2013.pdf>>. [21 December 2025]

<sup>9</sup> Uganda Judiciary, The Access To Information Act, 2005. Available from:<<https://judiciary.go.ug/files/downloads/access%20to%20informatioinformation%20Act2005.pdf>>. [21 December 2025]



- Sections 151, 152 and 153 of the Uganda Petroleum (Exploration, Development and Production) Act<sup>10</sup> 2013 on availability of information to the public, confidentiality of data and prohibition against disclosure of information by providing that a person shall not disclose information obtained unless authorised by the minister

### **6.1.3. Three Key abuse of Article 11 (Right to information) of UNDROP**

- Land grabbing in the Albertine Graben (Hoima/Kikuube) where communities have been displaced for oil projects
- Large scale plantation leases where peasants learn about evictions when they are taking place
- Failure of government land offices to respond to community information requests

## **6.2. Article 17 (Right to Land) of UNDROP**

### **6.2.1. Three Key Policies or Laws in Uganda that have similar provisions to the Article 17 (Right to Land) of UNDROP**

- Article 26(1) and (2) of the Constitution of Uganda<sup>11</sup> on protection from deprivation of right to property providing that every person has a right to own property either individually or in association with others and that no person shall be deprived of property except where the taking of possession is necessary for public use and subject to prompt payment of fair and adequate compensation
- Sections 8, 29(1) and 32 of the Uganda Land Act Cap 227<sup>12</sup> recognizing lawful and bona fide occupants providing that a lawful occupant include a person who entered the land with consent of the registered owner
- Paragraph 50 of the Uganda national Land Policy<sup>13</sup> leasehold tenure

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<sup>10</sup> Uganda Chambers of Energies and Minerals, The Uganda Petroleum (Exploration, Development and Production) Act 2013. available from:<<https://ucem.ug/the-petroleum-act-exploration-development-production/>>. [21 December 2025]

<sup>11</sup> NGO Bureau, Constitution of the Republic of Uganda, 1995. Available from:<[https://www.ngobureau.go.ug/sites/default/files/laws\\_regulations/2020/12/Uganda%20Constitution%201995.pdf](https://www.ngobureau.go.ug/sites/default/files/laws_regulations/2020/12/Uganda%20Constitution%201995.pdf)>. [21 December 2025]

<sup>12</sup> Republic of Uganda, Ministry of Land, Housing and Urban Development, Chapter 227, The Uganda Land Act. Available from:<[https://mlhud.go.ug/wp-content/uploads/2019/03/Land-Act-Chapter\\_227.pdf](https://mlhud.go.ug/wp-content/uploads/2019/03/Land-Act-Chapter_227.pdf)>. [21 December 2025]

<sup>13</sup> Republic of Uganda, Ministry of Land, Housing and Urban Development, The Uganda National Land Policy. Available from:<<https://mlhud.go.ug/wp-content/uploads/2015/10/The-Uganda-National-Land-Policy-February-2013.pdf>>. [21 December 2025]

### **6.2.2. Three Key Policies or Laws in Uganda that challenge the provisions to the Article 19 (Right to Land) of UNDROP**

- Article 26(2)(a) of the Constitution of Uganda<sup>14</sup> that provides for compulsory acquisition of land where taking the possession is necessary for public use or in the interest of defence, public safety, public order or public health.
- Sections 24(1) of the Access to Information Act<sup>15</sup> (2005) that places restrictions on types of information that can be accessed
- Sections 151, 152 and 153 of the Uganda Petroleum (Exploration, Development and Production) Act<sup>16</sup> 2013 on availability of information to the public, confidentiality of data and prohibition against disclosure of information

### **6.2.3. Three Key abuse of Article 17 (Right to Land) of UNDROP**

- Criminalization of land rights defenders including arrest of farmers for “criminal trespass” on land they have occupied for generations

## **6.3. Article 19 (Right to seeds) of UNDROP**

### **6.3.1. Three Key Policies or Laws in Uganda that have similar provisions to the Article 19 (Right to seeds) of UNDROP**

- Section 3 of the Seeds and Plants Act Cap 219 recognizes seed systems as essential to agriculture
- National Seed Policy provides for promotion of informal seeds alongside the formal seed sector
- Section 4 of the Plant Protection and Health Act, 2016 provides for protection of plant health to sustain agricultural livelihoods

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<sup>14</sup> NGO Bureau, Constitution of the Republic of Uganda, 1995. Available from:<[https://www.ngobureau.go.ug/sites/default/files/laws\\_regulations/2020/12/Uganda%20Constitution%201995.pdf](https://www.ngobureau.go.ug/sites/default/files/laws_regulations/2020/12/Uganda%20Constitution%201995.pdf)>. [21 December 2025]

<sup>15</sup> Uganda Judiciary, The Access To Information Act, 2005. Available from:<<https://judiciary.go.ug/files/downloads/access%20to%20informationinformation%20Act2005.pdf>>. [21 December 2025]

<sup>16</sup> Uganda Chambers of Energies and Minerals, The Uganda Petroleum (Exploration, Development and Production) Act 2013. available from:<<https://ucem.ug/the-petroleum-act-exploration-development-production/>>. [21 December 2025]

### **6.3.2. Three Key Policies or Laws in Uganda that challenge the provisions to the Article 19 (Right to seeds) of UNDROP**

- Section 26(1) of the Plant Varieties Protection Act, 2024 granting breeders exclusive right to produce, sell, market, export or import a protected variety
- Section 26(2) of the Plant Varieties Protection Act, 2024 limiting farmers rights to reuse protected seeds without commercial exchange, directly conflicting with UNDROP
- Seed Regulations 2017 that require mandatory certification for sale, which criminalizes informal seed exchange by peasants

### **6.3.3. Three Key abuse of Article 19 (Right to seeds) of UNDROP**

- Arrest of local seed traders accused of selling “fake seed” even where seed was farmer-saved
- Crop losses due to counterfeit seed supplied through poorly regulated markets
- Marginalization of indigenous seeds systems in favour of commercial varieties promoted through state programs

### **6.4. The Comprehensive Africa Agriculture Development Program (CAADP) 2026 to 2035 and the Kampala Declaration**

- Strategic Objective 1 of CAADP provides for intensification of sustainable food production, agro industrialization and trade by addressing rural development issues through promotion of farmer managed seeds systems and climate resilient indigenous seeds and emphasizing the circular economy within the CAADP process

### **6.5. East Africa Community (EAC), EAC Secretariat and East Africa Legislative Assembly (EALA)**

- They have endorsed agroecology and ecological organic agriculture creating a window for UNDROP
- There is a string push for industrial and commercial agriculture by corporates through EAC Seed Bill and Policy, and AU harmonization Seed Policy Framework

## **7. Ngoni Chikowe**

### **7.1. *Three key UNDROP articles related to Zimbabwe***

- Article 17: Right to land and natural resources
- Article 19: Right to seeds and traditional agricultural knowledge
- Article 10: Right to participate in decision-making

## **7.2. Policies/Laws in Zimbabwe Similar to UNDROP Articles**

- Section 71 of the Zimbabwe's Constitution<sup>17</sup> is in line with article 17 of UNDROP as it recognizes the right to property, including land
- Section 39 of the Agricultural Marketing Authority Act<sup>18</sup> requiring consultations and approval before imposition, withdrawal, suspension or increase of levies in line with article 10 of UNDROP

## **7.3. Policies/Laws in Zimbabwe Challenging UNDROP Articles**

- Land acquisition policies and lack of secure land tenure for smallholder farmers contrary to article 17 of UNDROP
- Section 23 of the UPOV inspired Zimbabwe Seed Act<sup>19</sup> Cap 19:13 seed laws restricting farmers' rights to sale seeds for purposes of reproduction or multiplication contrary to article 19 of UNDROP
- Limited participation of peasants in agricultural policy decision-making processes contrary to article 10 of UNDROP

## **7.4. Abuse of Peasants' Rights in Zimbabwe - Article 15**

- Example 1: Land grabs and displacement of smallholder farmers for large-scale commercial farming
- Example 2: Insecure land tenure leading to evictions and loss of livelihoods
- Example 3: Lack of compensation for land taken for development projects

## **7.5. Abuse of Peasants' Rights in Zimbabwe - Article 19**

- Example 1: Restrictions on saving and exchanging traditional seeds due to commercial seed laws<sup>20</sup>
- Example 2: Limited access to diverse, locally adapted seed varieties
- Example 3: Dependence on expensive commercial seeds affecting smallholder farmers' livelihoods

## **7.6. Abuse of Peasants' Rights in Zimbabwe - Article 20**

- Example 1: Exclusion of smallholder farmers from agricultural policy formulation
- Example 2: Lack of representation of peasant interests in decision-making bodies

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<sup>17</sup> Food and Agriculture Organization. Constitution of Zimbabwe as amended up on 30 September, 2018. Available from:<<https://faolex.fao.org/docs/pdf/zim127325.pdf>>. [21 December 2025]

<sup>18</sup> Laws Africa, Zimbabwe, Agricultural Marketing Authority Act, Chapter 18:24. Available from:<<file:///Users/cidi/Downloads/Agricultural%20Marketing%20Authority%20Act.pdf>>. [21 December 2025]

<sup>19</sup> Laws Africa Legislation Commons, Zimbabwe Seeds Act, Chapter 19:13. Available from:<<https://www.chinaafricasps.org/en/resources/file/2025/06/06/684210213503045.pdf>>. [21 December 2025]

<sup>20</sup> Laws Africa Legislation Commons, Zimbabwe Seeds Act, Chapter 19:13. Available from:<<https://www.chinaafricasps.org/en/resources/file/2025/06/06/684210213503045.pdf>>. [21 December 2025]

- Example 3: Limited access to information and resources for peasants to participate effectively

### **7.7. Recommendations for Zimbabwe**

- Legal Reforms: Align national laws with UNDROP to protect peasants' rights
- Support Farmer Seed Systems: Promote farmers' rights to save, exchange, and sell seeds
- Inclusive Decision-Making: Ensure peasant participation in agricultural policy and program design

### **7.8. Conclusion**

- Zimbabwe has laws and policies that both align with and challenge UNDROP articles
- Abuse of peasants' rights persists, affecting land, seeds, and participation in decision-making
- Recommendations include strengthening legal protections, promoting farmer rights, and ensuring participation in policy-making

## **8. Harry May – South Africa**

- Since adoption of UNDROP, the South Africa government has done very little to nothing to promote UNDROP
- In 2017 the FSC made inputs to the High-Level Panel on the 'Assessment of Key Legislation and Acceleration of Fundamental Change' and highlighted importance of peasant's rights and the development of a Declaration on the Rights of Peasants and other people working in rural areas

### **8.1. Three key identified UNDROP Articles relevant to South Africa are:**

- Article 13: Right to Work (I will focus on farmworkers)
- Article 15: Right to Food and Food and Food Sovereignty
- Article 17: Right to Land
- These articles overlap and intersect with other articles in UNDROP. With regard to policies and laws and practice there is a great deal of overlap between our policies and laws and several articles in the Declaration.

### **8.2. Policies/Laws that Aligns to UNDROP Articles**

- Section 23 and Section 28(1) of the Constitution of the Republic of South Africa<sup>21</sup> on labour Relations and protection of children from exploitative labour respectively in line with article 13 of UNDROP
- Section 27 of the Constitution of the Republic of South Africa<sup>22</sup> on healthcare, food, water and social security in line with article 15 of UNDROP
- National Policy on Food and Nutrition Security<sup>23</sup> (2014), a key state document outlining strategies to ensure food access, but faces challenges in implementation against corporate power in line with article 15 of UNDROP
- People's Food Sovereignty Act<sup>24</sup>, a civil society initiative aiming to transform the food system by protecting indigenous seeds and biodiversity, promoting agroecological farming methods, supporting small-scale producers and community food systems and challenging corporate control of the food system in line with article 15 of UNDROP
- Section 25 of the Constitution of Republic of South Africa on the right to property in line with article 17 of UNDROP

### **8.3. Policies and Laws that contradict the UNDROP articles**

- Despite these laws, issues like violence, inadequate housing, illegal evictions, and poor implementation persist, highlighting a gap between legal rights and lived realities for many farmworkers/peasants.
- Despite progressive policies, historical land dispossession and market liberalization hinder smallholder livelihoods and food access, A few large corporations dominate the food system, impacting competition, pricing, and self-regulation South Africa is navigating a tension between constitutional mandates, national policy, and powerful corporate interests, with a growing movement pushing for deep, systemic change towards genuine food sovereignty and justice for all its people.
- South Africa's land laws are a complex and there is an ongoing effort to balance property rights with addressing historical injustices and promoting equity.
- Slow pace of land reform and insufficient budget for land acquisition

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<sup>21</sup> The Constitution of the Republic of South Africa, 1996. Available from:<<https://www.justice.gov.za/constitution/SACConstitution-web-eng.pdf>>. [21 December 2025]

<sup>22</sup> The Constitution of the Republic of South Africa, 1996. Available from:<<https://www.justice.gov.za/constitution/SACConstitution-web-eng.pdf>>. [21 December 2025]

<sup>23</sup> Department of Agriculture, Forestry and Fisheries, The national Policy on food and Nutrition Security for the Republic of South Africa. Available from:<[https://www.gov.za/sites/default/files/gcis\\_document/201409/37915gon637.pdf](https://www.gov.za/sites/default/files/gcis_document/201409/37915gon637.pdf)>. [21 December 2025]

<sup>24</sup> People's Food Sovereignty Act. Available from:<[https://southafrica.fes.de/fileadmin/user\\_upload/FS\\_Act\\_no.1\\_of\\_2018\\_Short.pdf](https://southafrica.fes.de/fileadmin/user_upload/FS_Act_no.1_of_2018_Short.pdf)> [21 December 2025]

#### **8.4. Evidence from South Africa of UNDROP Violations**

- Illegal evictions of farm workers
- Inadequate housing of farm workers
- Dangerous working conditions of farm workers
- In general, poor implementation of our labour and other related laws
- State is not taking appropriate measures to establish and promote sustainable food systems that are sufficiently labour-intensive

#### **8.5. Conclusion**

- Our policies and laws are using the same discourse as in the Declaration but falls short when it comes to fulfilment of the obligations of the state. Implementation remains a big challenge for the state.
- Some of our laws need to be amended or regulations need to be promulgated in line with the Declaration to strengthen the rights of peasant's and other people working in rural areas.

#### **8.6. Recommendations**

- Popularization of the Declaration at all levels of government especially at national and local government levels. Our government need to provide resources for the roll out of information on the Declaration. This has been one of the demands of the FSC to our government.
- While SA supports these declarations, tangible benefits for peasants and indigenous people are slow, requiring stronger legislative and practical frameworks
- Engagement at SADC and AU level. For example, we can learn from the harmonization of the seed laws in the region. As activists we also need popularize and advocate for the use of the Declaration at regional and AU level.
- The use of the Declaration in the development of test cases in our countries. In 2021 one of the peasants of the FSC was accused of illegally harvesting field rooibos tea (wild *Aspalathus linearis*) and was summoned to the magistrate's court in Citrusdal, South Africa. He cited Article 26 (Cultural rights and traditional knowledge) "that he had the right to maintain, express, control, protect and develop their traditional and local knowledge, such as ways of life, methods of production or technology, or customs and tradition'. The case was then removed from the role.

#### **9. Recommendations**

- To write an Urgent Appeal or Letter of Allegation to highlight the crisis in Sudan and other violation of peasant rights in Africa
- To analyse the Treaty Making Laws and Parliamentary Standing Orders in Kenya, Uganda, Zimbabwe and South Africa
- To mobilize Africa organizations, peasants and peasant movements to take advantage of the mechanisms the working group uses to fulfil their mandate and purpose

- To create connections with National Human Rights Institutions for them to write official invitation to the working groups
- To engage with the governments of Kenya, Uganda, Zimbabwe and South Africa including the local chapters of United Nations, FAO, OHCHR, Other International Organizations, Africa Union Commission in Kenya, Uganda, Zimbabwe and South Africa to develop an inclusive framework including national action plans for the implementation of UNDROP including development of Regulations on Peasant Rights
- To conduct technical capacity gaps of LVC SEAf member organizations and other allied organizations to determining areas of technical assistance
- To establish governments response to the Call for Inputs to highlight the contradictions
- To push for a new financial model based on article 27 of UNDROP due to changing geopolitics and their impacts on financing given reduction of Official Development Assistance
- To map the convergence spaces for movements and actors to build solidarity and push for UNDROP implementation
- To ensure that Africa sets the standard on farmers rights, right to food and food sovereignty
- To address the intersectionality of issues around UNDROP like youths, women, farmers with disability, fisherfolk, pastoralists
- To map the contradicting and fragmented policies to push for policy coherence in Africa
- To enhance engagement with Africa Union, African Commission and the African Court as they have a big role to play in UNDROP implementation
- To enhance filing of complaints, strategic litigation, engagement with regional bodies, African Development Bank, International Financial Institutions on their role in protection of rights of peasants as provided for UNDROP
- To plan for monthly webinars on UNDROP with the Working Group to ensure that as many movements, organizations and peasants are engaged in the UNDROP discussions
- To investigate why Africa food imports keep increasing annually as statistics show that Africa spend USD35B on food imports yet the peasants produce 70% of food in Africa. Is it due to farmers not producing enough or due to structural barriers
- To transform the presentations on laws promoting UNDROP, laws challenging UNDROP and abuses of rights in UNDROP into Urgent Appeals, Letters of Allegations, Open Letters and Responses to Calls for Inputs
- To organize a Webinar in February 2026 on Communication with the Special Procedures
- To organize a youth exchange between KPL, ZIMSOFF, ECVF and MST on how to engage with UNDROP