

Human Rights Council
WG on the rights of peasants and people living in rural areas

OEIGWG on 2 Feb 2015

-- EU statement --

Thank you, Madam Chair.

I'm taking the floor on behalf of the European Union.

Madam Chair, allow me to thank you for the significant amount of work you have put into preparing this draft declaration, knowing it must have been difficult in both professional as well as personal terms. From the adoption of HRC resolution 21/19, that the EU Member States of the Human Rights Council voted against, after several informal consultations, to the second session of the Working Group, the draft declaration seems to have grown not only in scope, but also length. We think it pertinent to remind that the very start of this initiative has been, procedurally speaking, highly problematic, given that from the very beginning the Advisory Committee of the HRC was never mandated to draft a Declaration.

Madame Chair, we believe it is important to state that the late distribution of the draft declaration has not given enough time for the EU Member States to thoroughly examine the text, which will limit our ability to present detailed comments during this session of the working group. We will therefore need to reserve our position on the text in its entirety and only give initial comments this week. At the same time, I would like to note that the main proposals of EU, expressed during the informal consultations held in November and December 2014, have not been reflected in the text at all.

The situation of persons living and working in rural areas is of great concern for the EU and, in this regard, the EU contributes to many programs in many countries worldwide. These people are disproportionately often victims of human rights violations and, indeed, more should be done to promote these rights.

We reiterate that the European Union considers this Working Group as an opportunity to have a discussion on how the existing international human rights framework can be

used to improve the promotion and effective implementation of the rights of those living and working in rural areas. A number of UN instruments already focus on realizing the human rights of persons living and working in rural areas. We feel it is more beneficial to take a deep look at these instruments and to use them effectively. The outcome document of that exercise could provide with a comprehensive summary of existing human rights of persons living and working in rural areas, as well as with best practices in the implementation of these rights.

We regret that this EU view is not reflected in the text that includes a significant number of new definitions and concepts that previously have not been agreed upon. The EU has already expressed in the informal consultations that we cannot agree with a discussion, which might entail the birth of new rights, regardless whether they could be derived from existing international law or not.

We note that the references to the origin of all that language is not indicated. Therefore, for the sake of transparency and to improve our discussions we would like to request a list of sources used to draft this declaration to be made available to the delegations. We would like to note, that taking phrases and terms out of their original and agreed context can create legal ambiguity, so we should be very careful when we take language out of its original context in which a certain balance has been achieved. We wish to reiterate our concern for embarking on a process to re-invent the wheel and review previously agreed instruments. In this sense we also find that the text is too focused on the situation of indigenous peasants

Madam Chair, in conclusion, I have to reflect that the EU concerns regarding both substance and process, as conveyed on previous occasions, remain. We are sure you will spare no effort to address them in a spirit of open dialogue. Once again, we place our trust in you, Madame Chair, to guide the discussion further in a manner that helps us find consensus as a way forward.

Thank you, Madam Chair.