



### UNVEILING PANDORA'S BOX: INVESTIGATING THE HUMAN RIGHT TO FREELY DISPOSE OF NATURAL RESOURCES AND THE HUMAN RIGHT TO A CLEAN, SAFE AND HEALTHY ENVIRONMENT IN PEASANT COMMUNITIES

The inaugural meeting of the Open-Ended Intergovernmental Working Group on a United Nations declaration concerning the rights of peasants and other rural workers (hereinafter UNDROP or the Declaration), in July 2013, laid the groundwork for addressing critical concerns related to safeguarding peasant lands and defining the roles of rural populations in national development. This paper explores the deliberations of the Working Group, focusing on testimonies regarding land dispossession, environmental degradation, and the recognition of seeds as fundamental human rights for peasants. A central research question arises from these discussions: how does the tension between state permanent sovereignty over natural resources and the human rights of peasant communities impact rural populations? Closely linked to this is the question: can the right of peoples to freely dispose of their natural resources under Article 5 of the Declaration serve as a practical means for individuals to regain their fundamental right to benefit from the exploitation of their own natural resources and avoid the 'curse' associated with them, specifically natural resource grabbing? Articles 5 and 18 of the Declaration strike a delicate balance between these competing interests, signifying a transformative shift in development paradigms and a heightened emphasis on human rights and freedoms. Through an examination of drafting history and an exploration of issues surrounding control over natural resources linked to peasant lands, the research tackles limitations on states' discretion in resource management and control. Additionally, it delves into peasant communities' rights to consultation and participation in benefits derived from activities on their lands, alongside conservation efforts and considerations related to sustainable development practices. Ultimately, this research aims to uncover the challenges hindering the complete exercise of peasant peoples' rights and advocates for more inclusive and equitable development policies.