

Recognition of the peasantry in Latin America through the lens of the UNDROP: a regional legal systematization (1917–2025)

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Abstract

This study compiles and analyzes 170 legal provisions currently in force across 23 Latin American countries, all dealing with the recognition of the peasantry, and spanning from 1917 to 2025. Through documentary systematization, variable coding, and comparative statistical analysis, it examines the forms of legal recognition, the types of norms, the thematic axes, the pace of legislative output, and the degree of alignment with the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP, 2018).

Fifty-five percent of the norms recognize rights in full, and up to 88% include some form of recognition. Only four provisions cite the UNDROP explicitly (Argentina ×2, Colombia, and Ecuador), even though 48 were enacted after the Declaration was adopted. Six terminological clusters were identified, along with persistent gaps in gender-related provisions (10 norms), agroecology (11), and political participation (12). Legislative output has accelerated markedly since 2010. Colombia has the deepest constitutional integration of the UNDROP; Brazil and Panama stand out for the volume of norms and the density of rights recognition, respectively.

Keywords: *peasantry, UNDROP, peasant rights, comparative agrarian law, Latin America, family farming, legal systematization.*



I.

INTRODUCTION

The legal recognition of the peasantry in Latin America is a process shot through with historical nuance, shaped by political and social tensions. The norms that regulate the peasant condition have appeared at very different historical moments—from Article 27 of the Mexican Constitution of 1917, the earliest precedent in the corpus analyzed, to Uruguay’s National Plan for Family Farming of 2024—and they have adopted approaches ranging from land redistribution to the recognition of collective cultural rights, passing through rural social security, food sovereignty, and political participation.

This landscape acquired a new dimension on December 17, 2018, when the United Nations General Assembly adopted the Declaration on the Rights of Peasants and Other People Working in Rural Areas, known by its English acronym UNDROP. Approved by 121 votes in favor, 8 against, and 54 abstentions, it was the first international human rights instrument specifically directed at peasants and rural workers. The Declaration recognizes a broad catalogue of rights: to land, territory, seeds, water, food, education, health, political participation, organization, and access to justice, among others.

The question driving this research was: how, and to what extent, do the national legal frameworks of Latin America formally recognize the peasantry? And how coherent is that recognition with the spirit and content of the UNDROP? To address these questions, and drawing on the FAOLEX repository as a reference, we built a Matrix of Current Norms on Peasant Recognition in Latin America (1917–2025)—a database of 170 regulatory records from 23 countries, coded according to standardized variables that allow statistical and comparative analysis.

The article presents the research findings in a systematic manner. It is organized in five sections: (i) a technical description of the tool; (ii) the methodological design; (iii) the disaggregated results by country and variable; (iv) a discussion of regional patterns and trends; and (v) the conclusions.



II. METHODOLOGY

At the core of this research lies the Matrix of Current Norms on Peasant Recognition in Latin America, a systematization instrument designed to overcome the fragmentation of national primary sources.

By centralizing and coding dispersed information under standardized criteria, the Matrix goes beyond a simple repository: it enables comparative statistical analysis and the identification of regional legislative trends.

The general structure of the Matrix is as follows:

Variable	Code	Description and analytical function
Country	A	Geographic identification; enables analysis by country and sub-region
Year of resource	B	Temporal placement; basis for diachronic and decade-based analysis
Type of resource	C	Constitution, law, decree, public policy, etc.
Name / number	D	Precise identification of the resource
Recognized as	E	Legal category used to name the peasant subject
Recognizes rights	F	Scale: Yes / Partial / No / Implicit — material scope
UNDROP 2018 mention	G	Explicit reference to the Declaration: Yes / No / Not recorded
Content summary	H	Synopsis of implications for the peasantry
Thematic focus	I	Central axis/axes: territorial, productive, human rights, food, etc.
Observations	J	Context, amendments, limitations, and gaps
Drive link	K	URL to the official source; ensures documentary traceability

Table 1. Variables coded in the Matrix. Source: authors' own elaboration.

The documentary corpus on which the substantive content of the resources was ensured was structured in three sub-groups, with the aim of guaranteeing source traceability and the replicability of the findings: (1) a data matrix with 170 coded records for statistical processing; (2) a documentary repository organized by country, housing source texts in PDF and extended analyses in Word; and (3) the integration of FAO's FAOLEX portal as an external validation source and complementary access tool. This structure ensures that each unit of record is verifiable, supporting the internal and external consistency of the research.



Three types of sources were used: (1) direct primary sources, consisting of national official gazettes and legislative records; (2) institutional repositories of ministries, parliaments, and agrarian courts of the respective countries; and (3) the FAOLEX information system (FAO), used for cross-verification and complementary access to texts unavailable on national portals.

The sample was delimited by strict inclusion criteria: that the instrument was in force at the time of compilation^[1]; that it explicitly mentioned the peasantry or related categories (family farmer, agrarian worker, small-scale producer, ejidatario, paysan, etc.); and that it had effective bearing on the framework of rights, obligations, or rural institutions linked to the peasantry. Conversely, exclusion criteria were applied to repealed norms or those whose scope was strictly sub-national, so as to preserve comparability among the national legal frameworks.

The procedure followed five consecutive phases, intended to maintain information integrity and analytical depth:

Stage	Activity	Output
1	Documentary search: identification in primary and institutional sources	Preliminary inventory
2	Verification: cross-checking with primary source, confirmation of validity	Refined inventory
3	Coding: entry in the Excel matrix using the 11 standardized variables	Structured database
4	Analysis: descriptive statistics, variable cross-tabulation, content analysis	Results and conclusions
5	Documentary organization: folders by country with full text and extended analysis	Verifiable digital repository

Table 2. Stages of the methodological procedure. Source: authors' own elaboration.

The first phase involved exploration and data capture. Boolean searches^[2] were carried out in national repositories and on the FAOLEX platform, using combined descriptors ("peasant" AND "rights", "family farming" AND "law", "agrarian subject"). This made it possible to identify legal provisions that incorporated the peasantry or analogous

1 Sources were compiled between June and November 2025.

2 Boolean search is an advanced search technique that uses logical operators (AND, OR, NOT) to combine keywords and refine results in search engines and databases. It allows users to narrow, broaden, or sharpen their searches with greater precision, using quotation marks for exact phrases and parentheses to group terms.



categories in their articles, and to consolidate a repository of legal texts in digital format, systematically organized by country.

The documentary corpus was then subjected to quality and legal validity filters. A broad review was conducted to ensure that all norms were still in force and to exclude repealed provisions, prioritizing national-level instruments with direct bearing on rights entitlement. With the refined sample in hand, the systematic coding phase began: the qualitative content of the legal texts was translated into statistical data through the Matrix.

The final phase combined analysis and synthesis with a mixed processing approach. On one hand, the quantitative component produced frequency tables, percentage distributions, and regulatory density rankings^[3] by country and sub-region. On the other hand, this analysis was complemented by a hermeneutic, qualitative assessment aimed at unraveling the terminological clusters used across the region and detecting the critical gaps in legislation—providing an integrated picture of the current state of peasant legal recognition in Latin America.

Two limitations of the research should be noted. First, there was an asymmetry in access to public digital information among the nations analyzed: while some states have robust, up-to-date legislative gazette systems, others have fragmented institutional repositories with chronological gaps. This was mitigated through source triangulation, drawing on international repositories such as FAOLEX to safeguard sample integrity in contexts of low documentary availability.

Second, the terminological variability across the region posed a significant analytical challenge. Given the multiplicity of legal categories used to name the peasant subject, a literal recording approach was adopted during the coding phase, in order to preserve the political and cultural specificity of each norm. While this methodological decision prevents automatic, simplified statistical aggregation, it endows the research with greater qualitative depth, allowing for an analysis more faithful to the sociolinguistic realities of Latin American regulatory frameworks.

3 Regulatory density rankings result from a comparative ordering of the countries analyzed, whereby a country has greater regulatory density if rights-recognizing instruments appear more frequently. In this sense, we depart from other definitions of regulatory density such as that of (RAE, 2026).



III. RESULTS

The results are organized in seven sections, moving from the formal characterization of the sample to the interpretation of the legal frameworks. First, the geographic distribution by country (3.1) and the typology of the resources (3.2) establish the scope and hierarchy of the corpus. Next, the analysis of the temporal trajectory (3.3) identifies cycles of legislative production, while the section on rights recognition (3.4) evaluates how fully or partially peasant rights are protected.

The terminological categories by country (3.5) are also examined, showing the region's semantic diversity, followed by the identification of the predominant thematic axes (3.6). Finally, the analysis turns to the normative articulation with the UNDROP (3.7), assessing the degree of harmonization between national legislation and the international human rights standard.

3.1. Distribution by country: who legislates more and with what scope

The first level of analysis is the geographic distribution of the corpus. The matrix comprises a total of 170 resources from 23 countries. Regional legislative output is markedly asymmetric. Brazil leads in regulatory density with 16 records (9.4%), followed by Colombia and Panama with 11 and 10, respectively, and Bolivia and Peru with 10 each. By contrast, Nicaragua and Suriname have the smallest volumes, with 4 and 2 records, respectively.

This quantitative disparity does not directly indicate the level of effective protection in each territory. The asymmetry responds to several structural factors: the maturity of transparency portals and documentary availability, the complexity of each state's agrarian institutional architecture, and—most importantly—the different models of legislative technique adopted. While some countries opt for dispersed, specific codification, others concentrate recognition within broad constitutional or general legal frameworks that carry high impact but result in fewer individual norms.

Country	N	% of total	Sub-region	Time range	UNDROP Yes	% Norms with rights
Argentina	7	4.1%	South America	1999–2023	2	100%
Belize	6	3.5%	Caribbean/CA	2000–2015	0	100%
Bolivia	10	5.9%	South America	1996–2014	0	100%



Country	N	% of total	Sub-region	Time range	UNDROP Yes	% Norms with rights
Brazil	16	9.4%	South America	1964–2023	0	100%
Chile	7	4.1%	South America	1976–2022	0	100%
Colombia	11	6.5%	South America	1991–2023	1	82%
Costa Rica	8	4.7%	Central America	1949–2020	0	62%
Cuba	8	4.7%	Caribbean	1963–2024	0	100%
Ecuador	8	4.7%	South America	1982–2023	1	100%
El Salvador	8	4.7%	Central America	1972–2021	0	100%
Guatemala	5	2.9%	Central America	1984–2015	0	80%
Guyana	5	2.9%	Caribbean/South	1946–2010	0	80%
Haiti	6	3.5%	Caribbean	1961–2016	0	83%
Honduras	6	3.5%	Central America	1974–2001	0	100%
Mexico	8	4.7%	Central America/ North	1917–2025	0	50%
Nicaragua	4	2.4%	Central America	1987–1997	0	100%
Panama	10	5.9%	Central America	1966–2023	0	90%
Paraguay	7	4.1%	South America	1992–2020	0	86%
Peru	10	5.9%	South America	1987–2021	0	80%
Dominican Rep.	6	3.5%	Caribbean	1962–2016	0	100%
Suriname	2	1.2%	South America	2022–2024	0	50%
Uruguay	7	4.1%	South America	2011–2024	0	100%
Venezuela	5	2.9%	South America	2001–2016	0	100%
TOTAL / AVERAGE	170	100%	23 countries	1917–2025	4	88%

Table 3. Full distribution by country.

*Source: authors' own elaboration from the Matrix. *% Norms with rights includes full (Yes) and partial recognition.*

Beyond the documentary volume, the quality of recognition tells us something about the legislative will across the region. Thirteen of 23 countries (56.5%) have achieved comprehensive coverage, meaning that 100% of their provisions include some level of rights entitlement (whether full or partial). This indicator suggests a transition from merely administrative instruments toward more robust legal frameworks oriented to the substantive guarantee of the peasant condition.



Yet there are significant contrasts in how effective that recognition is. Mexico (50%) and Suriname (50%) have the lowest density of formal recognition. The Mexican case is paradigmatic: despite having the oldest norm in the corpus (Article 27 of the Constitution, 1917), there is a structural gap between that important constitutional recognition and the existence of more recent sectoral norms that develop peasant rights in greater detail and provide formal mechanisms to make them enforceable.

At the other end of the spectrum, Panama has a notably active recent legislative record. With 10 instruments analyzed, 90% of its normative framework enshrines rights in full, with a visible acceleration in the period 2020–2023 (4 laws in that three-year span), showing one of the most active rates of peasant legislative output after the UNDROP in the region.

3.2. Typology of resources: legal hierarchy and model of protection

The distribution by type of resource indicates which model of protection predominates in each country: the legal hierarchy of the instrument determines its binding force, its resistance to regressive reforms, and the enforceability mechanisms available.

Category	N	% approx.	Description / scope
Ordinary / special / federal law	~93	54.7%	Dominant type; direct substantive regulation with binding force but latent risk of regression
Executive / regulatory decree / DNU	~18	10.6%	Implementation of laws; lower institutional stability
Constitution / constitutional reform	17	10.0%	Highest rank; reinforced protection; constitutional review and low regression risk
Public policy / National Plan	~13	7.6%	No legal bindingness; high programmatic relevance
Code / Organic Law	~12	7.1%	Systematic integration; reference framework for sectoral norms
Ministerial resolution / executive order	~7	4.1%	Administrative level; generally dependent on political will
Sectoral / institutional program	~7	4.1%	Policy instruments; no direct creation of rights

Table 4. Distribution by type of resource. *Source: authors' own elaboration.*



From Table 4, it is notable that 17 of the 23 countries analyzed have constitutional-rank norms recognizing the peasantry or related subjects. In the group of seven countries without explicit constitutional mention (Argentina, Belize, Chile, Guyana, Suriname, Uruguay, and Venezuela), protection is not absent; rather, it is articulated through recognition by extension. Special mention is warranted for cases such as Argentina and Uruguay, where protection of the agrarian subject is channeled through general guarantees of labor, social, and property rights—which poses a challenge for strategic litigation, given the absence of a specific reinforced protection category.

Venezuela is a singular case: it is the only country in the corpus without a constitutional norm, and its entire normative output takes the form of executive decrees or decrees-laws. All five Venezuelan norms are decrees of the Executive Branch, which reflects the political management model applied to agrarian affairs in that country and generates institutional fragility, since these instruments are susceptible to unilateral modification.

Lastly, the predominance of ordinary law (~55%) has two sides. On one hand, it provides the peasantry with instruments that have binding force and judicial enforceability. On the other, it leaves these rights exposed to political contingency, as they can be modified by parliamentary majorities. This architecture contrasts with the model of constitutional protection, which not only ensures greater permanence over time but also activates mechanisms of constitutional review and amparo or tutela remedies, raising the threshold of protection toward the status of a fundamental human right.

3.3. Temporal analysis: eight decades of normative production

The historical analysis of the corpus reveals an uneven evolution that mirrors changes in the paradigms of rural development and Latin American constitutionalism over more than a century. Although the time frame opens with the landmark of the Mexican Constitution of 1917 (the only record prior to the 1940s), the study identifies patterns of legislative activity that are closely tied to specific historical and political cycles in the region.

Period	N	% of total	Dominant historical context	Most active countries
Before 1960	6	3.5%	Early agrarian reforms; liberal state	Mexico (1917), Guyana (1946, 1947, 1956)
1960s	7	4.1%	Classic agrarian reform; Alliance for Progress	Brazil, Cuba, Honduras, Dom. Rep., Haiti
1970s	8	4.7%	Peak of reforms; military counter-reforms	Mexico, Panama, Brazil, Chile, Honduras



Period	N	% of total	Dominant historical context	Most active countries
1980s	16	9.4%	Democratic transition; new constitutions	Brazil (1988), Peru, Nicaragua, El Salvador, Haiti
1990s	22	12.9%	New constitutions; structural adjustment	Colombia (1991), Paraguay, Bolivia, Peru, Mexico
2000s	26	15.3%	Left turn; family farming policies	Brazil, Bolivia, Ecuador, Venezuela, Costa Rica
2010s	49	28.8%	Transformative constitutionalism; UNDROP agenda	Colombia, Bolivia, Ecuador, El Salvador, Uruguay
2020–2025	37	21.8%	Post-UNDROP era; targeted legislation	Panama, Cuba, Colombia, Peru, Uruguay, Argentina

Table 5. Distribution by historical period. Source: authors' own elaboration.

The temporal frequencies reveal several moments of acceleration.

The decade 2010–2019 is the most prolific in the series, with 49 instruments (28.8% of the total). This is an interesting data point from the standpoint of legal sociology, because it coincides with and precedes the negotiation process of the UNDROP in the UN Human Rights Council (2012–2018). It suggests that Latin America did not merely act as a recipient of the international standard; rather, its robust domestic legislative activity served as both input and political engine for building the global consensus in Geneva.

For its part, the period 2020–2025 records 37 norms (21.8%), amounting to roughly 7.4 norms per year—a pace that surpasses any previous era. The year 2020 was the most productive in the entire series, with 11 norms in a single year (Chile, Colombia ×3, Costa Rica, Cuba, Mexico ×2, Panama, Paraguay, Peru), coinciding with the COVID-19 pandemic, which laid bare in dramatic fashion the vulnerability and strategic importance of the peasantry for food sovereignty.

Finally, 2023 was the second most productive year (9 norms: Argentina, Brazil, Colombia, Cuba, Ecuador, Panama ×4), concentrating the largest number of norms with explicit or material articulation with the UNDROP. The years 2022 and 2021 were also highly productive (7 and 6 norms, respectively), confirming that the triennium 2021–2023 represents the peak of the Latin American normative response to the UNDROP.

Key finding: Normative acceleration and historical convergence



The temporal analysis reveals a productive paradox: 50.6% of all norms in the corpus were enacted between 2010 and 2025, in just 15 years. This contrasts with the remaining 49.4%, produced over the preceding 93 years (1917–2009). The acceleration is no coincidence: it coincides with three simultaneous processes: (a) a cycle of Latin American constitutional reform that incorporated peasant rights in the constitutions of Bolivia (2009), Ecuador (2008), and Colombia (2023); (b) the negotiation and adoption of the UNDROP (2012–2018); and (c) the COVID-19 pandemic (2020), which made visible the centrality of the peasantry in food systems and triggered emergency legislation and rural social protection measures. The convergence of these three impulses explains why the region now produces norms at a pace without historical precedent.

3.4. Full recognition of rights, scale by country

The completeness of legal frameworks is evaluated through the intensity of rights recognition (variable F of the Matrix). A four-level scale is used to distinguish between formal mention and the substantive attribution of legal prerogatives to the peasantry:

- **Full recognition (Yes):** Provisions that enshrine specific, enforceable rights, granting the peasant the status of a rights-bearing subject with the capacity for legal agency.
- **Partial recognition:** Norms that grant rights in a fragmented manner or subordinated to other categories (e.g., conditioning peasant rights on the figure of the commercial producer).
- **Implicit or indirect recognition:** Frameworks in which the peasantry is a collateral beneficiary of agrarian or environmental policies, but the norm does not define them as the direct holder of the action.
- **Absence of recognition (No):** Administrative or organizational instruments that, while regulating the rural sector, omit the entitlement of rights to the peasant subject.

This gradation is the most useful indicator for evaluating normative quality in the region, because it draws the line between rhetorical recognition and operational recognition—the kind that matters for public policy and for the judicial defense of peasant territories and communities.



Level of recognition	N	% of total	Description
Yes (full)	80	47.1%	The norm enshrines explicit, enforceable peasant rights
Partial	59	34.7%	Recognition limited to certain rights or with restricted scope
Yes (partial) — variants	~14	8.2%	Conditional, temporary, or still-being-implemented recognition
No	13	7.6%	Absence of rights recognition (declarative or procedural instruments)
Implicit / Indirect	~4	2.4%	Impact on rights without formal direct enshrinement

Table 6. Distribution by level of rights recognition. *Source: authors' own elaboration.*

The central datum of the corpus is that 47.1% of norms (80 norms with full recognition, adjusted for Yes-variants) recognize rights in an explicit and substantive manner, while up to 88% include some level of recognition when the partial cases are added. Only 7.6% of the corpus comprises norms with no direct recognition of rights. This indicates that most of the region's normative architecture is, at least on a formal level, oriented toward the guarantee of peasant rights.

At the country level, 13 of 23 (56.5%) reach 100% of their norms with some recognition. The cases with the largest gap between total norms and norms with full recognition are Mexico (only 1 of 8 norms recognizes rights in full) and Costa Rica (5 of 8, but none in the partial scale). In the Mexican case, the gap is explained by the presence of several sectoral programs (SADER, SEGALMEX, PEC-DRS) that operate under a logic of productive promotion without enshrining enforceable rights as such.

3.5. Forms of recognition: terminological diversity and its legal implications

Variable E (form of recognition) is the most heterogeneous in the Matrix: there are more than 130 distinct formulations used to refer to the peasant subject across 23 countries. This diversity is not merely semantic; each category implies a different rights-bearing subject, with its own histories and sociological realities, its own scope, its own anthropological particularities, and consequently, its own mechanisms of access and protection frameworks.

The analysis allows us to identify six terminological clusters with clear geographic and political patterns:



Terminological cluster	Predominant countries	N approx.	Core legal implication
Campesino/a (identity-based)	Colombia, Bolivia, Cuba, El Salvador, Honduras, Guatemala, Nicaragua, Venezuela, Ecuador, Mexico, Panama, Paraguay	~60	Rights-bearing subject defined by social and cultural identity; basis for collective rights and UNDROP
Family farmer (functional)	Brazil, Argentina, Costa Rica, Uruguay, Ecuador, El Salvador, Panama, Paraguay	~35	Subject defined by productive unit; access to differentiated policies; functional emphasis
Rural/agrarian worker (labor)	Argentina, Brazil, Chile, Mexico, El Salvador, Dominican Rep.	~20	Peasantry as a subject of labor law; social security; wage relationship
Peasant communities (collective)	Bolivia (PIOC), Peru, Panama, Guatemala	~15	Collective territorial subject; community rights over land and resources
Small producer / scale (technical)	Peru, Costa Rica, Chile, Mexico, Suriname	~18	Quantitative definition by hectares or income; access to credit and subsidies
Paysan / Caribbean terminology	Haiti, Belize (farmers), Guyana	~12	Local terminology; in Haiti: paysan as a historical category tied to subsistence

Table 7. Terminological clusters of peasant recognition. *Source: authors' own elaboration.*

The “campesino/a” cluster, understood as an identity-based category, is the most widespread regionally and the most aligned with the language of the UNDROP: the Declaration uses precisely the category of “peasants and other people working in rural areas,” anchoring recognition in identity and rural labor as the determinants of the rights-bearing subject. By contrast, the “family farmer” cluster—while politically powerful in countries with well-developed agricultural policy frameworks (Brazil, Argentina)—tends to define the subject through productive and economic criteria (size of the holding, production volume, market participation), which can exclude peasant populations without registered land or those living at subsistence level, as well as the cultural rights of family producers.

Bolivia has the most complex terminological system: the constitutional concept of “Naciones y Pueblos Indígena Originario Campesinos – PIOC” fuses indigenous and peasant categories into a single collective legal subject, with recognition of territorial autonomies, its own jurisdiction, and special political representation. This model has no equivalent in any other country in the corpus and anticipated several of the rights later recognized in the UNDROP.



In a similar vein, Ecuador’s constitution recognizes the Montuvio peasantry as an ethnic group of mestizo character. This implies a form of cultural recognition that is not confined to indigenous tradition, and that values the cultural practices of the peasantry on the Ecuadorian coast.

Mexico constitutes a case of terminological singularity: the ejidal system, created by Article 27 of the 1917 Constitution and regulated by the Agrarian Law of 1992, generates its own categories—ejidatario, comunero, and posesionario—that have no equivalent in other Latin American legal systems. The ejidatario is simultaneously a peasant, a member of a corporate social property structure, and a subject of political rights within the ejido, making it a recognition model without parallel in the region.

In Haiti, the category “paysan” carries a particular weight of historical resistance and colonial political heritage. Haitian norms codify the “paysan” as a subject of agrarian reform and a family subsistence producer, in a context of extreme institutional fragility.

An important cross-cutting finding is that 22 of the 23 countries use multiple terminological categories within their own normative corpus, which generates internal fragmentation: the same subject may be recognized as “campesino” in one law, “family farmer” in another, and “agrarian worker” in a third, each with different rights, responsible institutions, and access mechanisms. Only Suriname, with just two norms, shows relatively uniform terminology.

Comparative synthesis: how each country recognizes the peasant

CAMPESINO/A (identity): Bolivia, Colombia, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Dominican Rep., Venezuela → 14 countries. The most widely used category, and the most aligned with the UNDROP.

FAMILY FARMER (productive function): Argentina, Brazil, Costa Rica, Ecuador, El Salvador, Paraguay, Panama, Uruguay → 8 countries. Strong in countries with consolidated family farming policies.

RURAL/AGRARIAN WORKER (labor relationship): Argentina, Brazil, Chile, El Salvador, Mexico → 5 countries. Emphasis on social security and labor law.

PEASANT COMMUNITIES (collective subject): Bolivia (PIOC), Guatemala, Panama, Peru → 4 countries. Recognition of community and territorial rights.

EJIDATARIO/COMUNERO (social property): Mexico (exclusive). A system without parallel in the region.

PAYSAN / Caribbean French terminology: Haiti. With specific historical and cultural character.

SMALL-SCALE PRODUCER (technical criterion): Costa Rica, Chile, Peru, Suriname, Mexico.



3.6. Thematic axes: What are the region's normative priorities?

The thematic orientation of the instruments (variable I) shows what priorities Latin American states have assigned to the peasant question. The study of this dimension reveals the multidimensional nature of rural legislation: a single legal body often touches several axes at once (the social function of property, food sovereignty, and so forth).

Thematic axis	N norms	% of corpus	UNDROP reference	Temporal trend
Productive / Family farming	75	44.1%	Arts. 15–17, 19–20	Dominant since 2000; peak in 2010s
Territorial / Land and agrarian reform	65	38.2%	Art. 17 (land)	High since 1960s; persists in 2020s
Food security / Sovereignty	48	28.2%	Arts. 15, 20 (food)	Growing since 2006 (right to food)
Comprehensive human rights	41	24.1%	Arts. 3–4, 8–10	Accelerated since 2010
Labor / Decent work	17	10.0%	Arts. 22–23	Historical; stabilized since 1990s
Environmental / Agroecology	11	6.5%	Arts. 19–20 (seeds)	Emerging; insufficient vs. UNDROP
Institutional / Participation	12	7.1%	Art. 10 (participation)	Low; a critical gap
Comprehensive / Multidimensional	11	6.5%	Multiple articles	Concentrated in 2020–2023 norms
Gender / Rural women	8	4.7%	Art. 4 (gender equality)	Critically low; temporarily dispersed

Table 8. Distribution by main thematic axis. Percentages over n=170.

Source: authors' own elaboration.

The predominance of the productive axis (44.1%) and the territorial axis (38.2%) confirms that the normative framework is oriented above all toward the economic function of the peasantry (what they produce) and their relationship with the land (what they possess), rather than toward their rights as political, cultural, and environmental subjects. This structure replicated for decades an instrumental logic of recognition: the state recognizes the peasant insofar as they produce food and occupy territory, not insofar as they are an autonomous holder of rights.



The food security axis (28.2%) has grown steadily since 2006, when Brazil enacted the Organic Law on Food and Nutritional Security (LOSAN), which enshrined the human right to adequate food, and Ecuador established the principle of food sovereignty in its 2008 Constitution. The Brazilian normative chain is particularly coherent: it articulates the Family Farming Law (2006), LOSAN (2006), the Food Acquisition Program (PAA), and the National School Feeding Program (PNAE) into a system that connects peasant production with the right to food of the most vulnerable populations.

The gender and rural women axis is the most worrying due to its low frequency (4.7%) and temporal dispersion. Only 10 norms in the corpus have gender as a central or relevant axis. Colombia has the most rural gender norms: Law 731 of 2002 (rights of rural women) and Law 1900 of 2018 (gender equity in the countryside) are regional benchmarks. Uruguay also shows progress on this axis with Decree 86/2015 (equity, gender, and rural youth) and the National Plan for Family Farming 2024–2028. In most countries, however, the recognition of peasant women’s rights remains marginal within the normative corpus.

The environmental/agroecological axis (6.5%)—despite the growing importance of climate change and the agroecological transition—is insufficiently represented. Ecuador stands out on this axis with the Organic Law on Biodiversity (2017) and the Seed Law (2016), which recognize peasant rights over traditional knowledge and native seeds. These rights are central to Articles 19 and 20 of the UNDROP.

3.7. Articulation with the UNDROP: explicit mention, material incorporation, and gaps

Variable G measures the explicit mention of the UNDROP in the normative text. The result as of 2025 is clear: of the 170 norms, only 4 (2.4%) cite the Declaration explicitly. However, qualitative content analysis reveals that material incorporation—the presence of rights enshrined in the UNDROP without formal reference—is considerably more extensive.

Norm	Country	Year	Type of UNDROP incorporation
DNU No. 729/2022 – Creation of INAFCI	Argentina	2022	Explicit: cites UNDROP in the grounds for creating the national family farming institute
Decree No. 292/2023 – Regulation of Law 27,118	Argentina	2023	Material: uses UNDROP language on the right to land and limits on concentration



Norm	Country	Year	Type of UNDROP incorporation
Legislative Act 01 of 2023	Colombia	2023	Material: uses UNDROP language although it does not cite it textually
Legislative Resolution RL-2021-2023-156	Ecuador	2023	Explicit: ratifies UNDROP as a mandatory reference instrument for legislation

Table 9. The four norms that explicitly cite the UNDROP.

Source: authors' own elaboration.

All four norms that cite the UNDROP date from the period 2022–2023, which confirms that the formal impact of the Declaration on national legislation has a lag of approximately 4–5 years from its adoption (2018). The analysis of variable G also records 34 norms as “Not recorded” (meaning there was insufficient data to determine whether or not any mention was made). This suggests that the number of norms with material references to the UNDROP may be higher, once an in-depth documentary review of this set of norms is completed.

The analysis of the 48 norms enacted in the post-UNDROP period (2018–2025) reveals a telling pattern: none of the 14 norms from Central America and Mexico explicitly cite the UNDROP, and neither do any of the 6 norms from the Caribbean. Explicit articulation is concentrated exclusively in South America (Argentina, Colombia, and Ecuador). This suggests a sub-regional gap in the formal reception of the UNDROP.

Sub-region	Total norms	Post-2018 norms	UNDROP Yes	% formal reception	Level of material alignment
South America	95	28	4 (Argentina ×2, Colombia, Ecuador)	4.2%	High (Bolivia, Ecuador, Colombia anticipated UNDROP)
Central America and Mexico	49	14	0	0%	Medium (El Salvador, Costa Rica, Panama with related norms)
Caribbean	26	6	0	0%	Low-medium (Cuba: food sovereignty; Haiti: limited)

Table 10. Articulation with UNDROP by sub-region. *Source: authors' own elaboration.*

Material articulation—without formal citation—is a more widespread phenomenon. Bolivia is the most illustrative case: its 2009 Constitution anticipated, nine years earlier,



several rights later enshrined in the UNDROP: peasant territorial autonomies (UNDROP Art. 18), indigenous-peasant jurisdiction (UNDROP Art. 26), food sovereignty (UNDROP Art. 15), and peasant identity and culture (UNDROP Art. 8). Ecuador, with its 2008 Constitution—the first to enshrine the rights of nature—also incorporates the principle of food sovereignty and the recognition of family peasant farming as a strategic axis, in line with Articles 15 and 19 of the UNDROP.

Critical finding: The gap between post-UNDROP normative production and formal articulation

28.2% of the corpus (48 norms) was enacted in the 7 years following the UNDROP (2018–2025). Yet only 8.3% of those norms (4 of 48) cite the Declaration explicitly. This reveals two simultaneous phenomena:

1. The states of the region continue to legislate actively on peasant rights, at a historically unprecedented pace.
2. The formal reception of the UNDROP as a normative reference instrument remains marginal.

The conclusion is that the UNDROP has not yet managed to establish itself as a mandatory explicit reference point for peasant legislation in most countries of the region, even though several national legal systems contemplate, at the material level, rights consonant with those of the Declaration. Closing this gap—between material implementation and formal recognition of the UNDROP—is one of the most pressing challenges on the peasant rights agenda in Latin America.

3.8. Normative profiles by country: cases of special interest

Beyond the aggregate trends, certain national cases illustrate how political trajectories and legal traditions shape differentiated models of protection. This section examines those countries whose particularities offer critical lessons on the evolution of peasant law in the region and that warrant specific attention.

Panama: the most active post-2018 legislative case in Central America

Panama, along with Colombia, has the highest peasant normative activity in the period 2020–2023. Of 10 norms found, 7 (70%) were enacted from 2020 onward: Law 127 of 2020 (Family Farming), Executive Decree 112 of 2021 (regulation), and Law 352 of 2023 (Agri-food Policy), the latter generating four differentiated entries in the Matrix.

Ninety percent of the Panamanian norms analyzed recognize peasant rights in full.



The 1972 Constitution contains a specific Chapter VIII on the “Agrarian Regime” that recognizes “peasants, peasant communities, and indigenous peoples” as subjects of agrarian reform. Panama thus shows a coherence between its constitutional base (1972) and its recent legislative development (2020–2023) that is a model worth following in the sub-region.

Cuba: the only single-party system in the corpus and its cooperativist model

Cuba is the only country in the corpus with a single-party political system and a planned economy, which gives its peasant norms an altogether different logic. The 8 Cuban norms do not recognize peasant rights vis-à-vis the state; rather, they define the peasantry as a productive actor within the state food sovereignty model. The terminology is revealing: “cooperativists,” “ANAP” (National Association of Small Farmers), “usufructuaries,” and “agricultural workers.” Decree-Law 358/2018 regulates the allocation of state lands in usufruct to peasants; Decree-Law 76/2023 regulates agricultural cooperatives.

No Cuban norm cites or specifically mentions the UNDROP. Cuba did, however, approve a new Constitution in 2019 that recognizes the role of the “peasantry” in the national economy and food sovereignty. Likewise, Law 148 of 2022, “On Food Sovereignty and Food and Nutritional Security,” is built with a clear conceptual reference to UNDROP guidelines, though it does not mention the Declaration explicitly. The normative chain 2018–2024 (6 norms in 7 years) indicates that Cuba is undergoing an intense process of updating its peasant legislation.

Honduras: an unfinished agrarian reform and no legislation since 2001

Honduras has one of the most striking temporal distributions: its 6 norms span only the period 1974–2001, with a complete gap of 24 years. The Agrarian Reform Law of 1974, the 1982 Constitution, the Law for the Modernization of the Agricultural Sector of 1992, and the Land Fund Law of 1993 shaped the framework of Honduran agrarian reform, but no norm in the past two decades has substantially modified that corpus. In a context where Honduras has one of the highest rates of violence against peasant defenders in Latin America, the absence of updated legislation to strengthen the rights of agrarian communities constitutes a serious normative gap.

Venezuela: decree as the sole channel and concentration in the 2000s

Venezuela presents a peculiarity: all 5 norms in the corpus are executive decrees or decree-laws, with no ordinary law approved by the National Assembly. This reflects



the political governance model that characterized the government of Hugo Chávez, where agrarian legislation was produced primarily through legislative enablement of the Executive. Decree-Law 1,546 of 2001 (Law of Lands and Agrarian Development), considered a landmark of the Bolivarian agrarian reform, recognizes “agrarian users” and “agricultural workers” with rights to the land. Decree-Law 6,071 of 2008 enshrines agri-food sovereignty. The absence of norms in the corpus after 2016, however, suggests a normative stagnation in recent years, coinciding with the Venezuelan political and institutional crisis.

Guyana and Belize: the Anglophone Caribbean and its specificities

Guyana and Belize are the only countries in the corpus with legal frameworks rooted in the Anglo-Saxon tradition (common law). Their norms have a radically different structure from those of civil law countries: rather than recognizing general categories of “peasants,” they deal with sectoral economic actors. In Guyana, the normative corpus (1946–2010) recognizes rice growers, sugarcane producers, and farmers as subjects of associations and regulated agrarian contracts. In Belize, the norms (2000–2015) regulate sugarcane, banana, and citrus producers through sectoral industrial laws. Neither country has norms on family farming or peasant rights in the Latin American sense of the term, and neither mentions the UNDROP. Their inclusion in the Matrix is valuable precisely for this singularity, insofar as it shows how, in the Anglophone Caribbean, the recognition of the peasantry is channeled through functional-sectoral categories rather than through identity-based recognition.

3.9. Uruguay: the model of the family producer without peasant identity

Uruguay has one of the most uniform terminological configurations in the corpus: the 7 norms found consistently use the categories “family farming producer,” “family producer,” and “rural worker,” with no mention of the term “campesino/a.” This is a relevant datum because Uruguay is a country with a historically concentrated agrarian structure (cattle latifundio) and a numerically small peasantry, which explains why agrarian policy is articulated around the family producer as an economic actor rather than the peasant as a political subject. The recent approval of the National Plan for Family Farming 2024–2028 shows that Uruguay continues to update its normative framework, with an emphasis on social equity, gender, and rural youth, without incorporating the UNDROP.



IV.

DISCUSSION: REGIONAL PATTERNS, CONVERGENCES, AND THE NORMATIVE AGENDA

The systemic analysis of the documentary corpus collected allows us to move beyond national case-by-case examination and identify four structural patterns that define how the peasantry is recognized in the region.

4.1. Four structural patterns of peasant legal recognition

Pattern 1: Hegemony of the territorial-productive model

The prevalence of the territorial (38.2%) and productive (44.1%) axes in the normative corpus is no accident. This concentration reflects a historical logic in which the state recognizes the peasant primarily as a food producer and land occupant, not as an autonomous holder of political, cultural, or environmental rights. This model, inherited from the classic agrarian reforms and twentieth-century developmentalism, has the merit of having guaranteed fundamental material rights (access to land, credit, technical assistance), but it has also imposed limits on the multidimensionality of the flesh-and-blood peasant subject who inhabits the countryside—the subject that the UNDROP also seeks to recognize. The normative evidence, however, also shows signs that point to a conceptual transition from the peasant-as-producer to the peasant as a comprehensive rights-bearing subject.

Pattern 2: Internal terminological fragmentation

With more than 130 distinct formulations for referring to the peasant subject across 23 countries, terminological fragmentation is one of the most defining features of the corpus. As the geographic scope expands to other regions of the world, this heterogeneity will likely increase further. This diversity generates analytical richness but also normative inconsistency, since the same subject may receive different protections depending on the category by which the norm names them. At the same time, the fragmentation is also internal to each country: 95% of countries use two or more terminological categories in their normative corpus. A future challenge will be how countries resolve this conceptual overlap in their administrative registries, since it is those registries that ultimately make public policies operational.



Pattern 3: Normative acceleration and post-UNDROP convergence

The concentration of 50.6% of norms in the last 15 years (2010–2025) indicates that the recognition of the peasantry as a rights-bearing subject has accelerated. The decade 2010–2019 and the triennium 2020–2023 are the periods of greatest normative output. This acceleration is, in part, both cause and effect of the UNDROP process: the region was already producing norms in this direction when the Declaration was being negotiated, and it has continued to do so afterward. The renewed importance of domestic food production, agrarian conflicts, and the challenges tied to climate change and rural vulnerabilities all point to a trend under which the pace of peasant normative production in Latin America will remain high in the years ahead.

Pattern 4: Persistent gap between full and partial recognition

Although 88% of norms include some level of rights recognition, there is evidence of a structural gap between full recognition and partial forms. Variable F records 13 norms with no direct recognition of rights (7.6%), including some from the most recent years (sectoral programs from Mexico in 2020 and 2025)—which indicates that recent normative output does not always mean greater effectiveness of rights. The gaps in gender, agroecology, and political participation are the most evident cases: they exist in the legislation of every country, but the norms that address them operationally are scarce, scattered, and in many cases lack concrete implementation procedures or resources.

4.2. Sub-regional convergences and divergences

The sub-regional analysis shows important differences in recognition models. South America has the highest normative density (95 norms, 55.9% of the corpus) and concentrates the norms that explicitly cite the UNDROP, as well as the most advanced cases of constitutional integration (Bolivia, Ecuador, Colombia). Central America and Mexico follow a more instrumentalist model, with emphasis on food security, productive promotion, and agrarian reform, and less attention to political and cultural rights. The Caribbean presents the most heterogeneous corpus: Cuba with a state cooperativist model, Haiti with extreme institutional fragility, the Dominican Republic with a more labor-oriented approach, and Belize and Guyana with the Anglo-Saxon sectoral model.

A point in common across all sub-regions is the recent growth of the food security and food sovereignty approach. Since 2006 (Brazil) and 2008 (Ecuador), this axis has gained presence in legislation across virtually every country, operating as a field of articulation between the productive axis and the human rights approach.



4.3. A normative agenda for strengthening coherence with the UNDROP

On the basis of these findings, we propose a legislative harmonization agenda to reduce the distance between national frameworks and the standards of the UNDROP. This agenda is structured along the following dimensions and measures:

Level	Proposed measure	Gap it addresses	UNDROP reference
Constitutional	Recognize the peasantry as a rights-bearing subject with special protection in constitutions that do not yet contemplate it (Chile, Uruguay, Venezuela, Argentina)	Identity-based recognition and reinforced protection	Arts. 1–3
Constitutional	Incorporate the UNDROP into the constitutional block (Colombia 2023 model) or as an interpretive parameter	Gap between normative production and the UNDROP	Preamble, Arts. 2–3
Legislative — gender	Enact specific laws on the rights of peasant women with concrete enforceability mechanisms (only 10 current norms)	Systemic gender gap	Art. 4
Legislative — seeds	Seed and agricultural biodiversity legislation that protects peasant rights against biopiracy and land grabbing	Very few norms on seeds	Arts. 19–20
Legislative — participation	Legislation on effective peasant consultation and participation in agrarian policies, beyond advisory councils	Only 12 norms on participation	Art. 10
Legislative — agroecology	Agroecological normative frameworks that recognize and protect sustainable peasant practices	Only 11 agroecological norms	Arts. 5, 19–20
Political	Public policies with a human rights perspective that move beyond the instrumentalist productive approach	The dominant model is productive	Arts. 3, 10–11
Institutional	Peasant budget trackers to monitor investment in rights implementation	Implementation-legislation gap	Arts. 2–3
Monitoring	Participatory UNDROP monitoring systems with peasant organizations as central actors	Absence of reporting systems	Art. 10

Table 11. Normative agenda for strengthening coherence with the UNDROP. *Source: authors' own elaboration.*



V. CONCLUSIONS

The Matrix of Current Instruments for Peasant Recognition in Latin America is, to the best of our knowledge, the first systematic effort at statistical and legal characterization of the regional normative corpus pertaining to this population sector. The analysis of 170 instruments across 23 states (1917–2025) yields the following conclusions, of relevance both to the academy and to political advocacy:

First. Broad historical coverage: The Latin American normative corpus on peasant rights is extensive (170 norms, 23 countries) and formally wide-ranging (88% includes some recognition of rights). This allows us to appreciate the importance of this population sector in the historical construction of the narratives and legal agreements of Latin American nations.

Second. There is an evident terminological fragmentation: The diversity of more than 130 categories for naming the peasant subject across 23 countries reveals that no unified peasant legal subject exists in the region. Six terminological clusters (campesino/a, family farmer, agrarian worker, peasant community, small-scale producer, and paysan) coexist with different scopes and protection mechanisms. The UNDROP offers a unifying category that the region has not yet adopted on a wide scale.

Third. A normative acceleration in the access to rights: 50.6% of the corpus was produced in the last 15 years. The year 2020 was the most productive (11 norms), driven by the COVID-19 pandemic. This acceleration shows that peasant rights have gained weight on the regional legislative agenda, though not always with formal articulation with the UNDROP.

Fourth. Post-UNDROP gap: Only 3 of the 48 norms enacted between 2018 and 2025 explicitly cite the UNDROP (8.3%). This gap between active normative production and formal reception of the UNDROP is the most pressing challenge on the Declaration's implementation agenda in Latin America.

Fifth. Systematic gaps: Three axes register critically low coverage relative to UNDROP standards: gender and peasant women (only 8 norms with this central axis, 4.7%), agroecology and seeds (11 norms, 6.5%), and effective political participation (12 norms, 7.1%). These gaps cut across all sub-regions and constitute the most important normative debt of the region.

Sixth. National singularities: The diversity of the corpus includes cases without regional equivalents: Mexico's ejidal system (a unique legal category), Bolivia's PIOC model (an indigenous-peasant fusion with territorial autonomy), Honduras's normative gap post-



2001, Cuba's state cooperativism, the Anglo-Saxon sectoral legislation of Guyana and Belize, as well as the figures of peasant territorial ordering in Colombia (ZRC and TECAMs). This diversity reflects an evident push by peasant social organizations in their encounters with the political elites of their countries, and the normative heterogeneity that stems from those interactions.

Seventh. The Matrix as a living tool: Our Matrix exercise is not a finished product but an instrument under construction, designed to be updated periodically. At the current rate of normative production (≈ 7 norms/year), we aspire for our database to be refreshed at least annually. Its interoperability with FAOLEX and its standardized structure allow this to be done without altering the methodology.

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