



PROTECTING AND PROMOTING MOBILE INDIGENOUS PEOPLE AND PASTORALISTS RIGHTS

**UNDROP AS A LEGAL AND
POLITICAL LEVERAGE**



AÑO INTERNACIONAL DE LOS
**PASTIZALES Y LOS
PASTORES**
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DANS LE CADRE DE L'ANNÉE INTERNATIONALE DES PARCOURS ET DES PASTEURS (AIPP) 2026



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This factsheet highlights the key rights of mobile indigenous people and pastoralists (mobile pastoralists) recognized and codified in the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP). As fundamental rights holders under this international framework, mobile pastoralists can claim these rights and use UNDROP as both a legal and political tool to strengthen their protection and visibility.

Identifying and explaining these rights is a first step toward enabling mobile pastoralists to design concrete advocacy strategies aiming at demanding that public authorities effectively implement mobile pastoralists' rights, through UNDROP provisions, thus safeguarding their fundamental rights. Such advocacy includes pressing and claiming for public policies and legal frameworks at the national level to be aligned and comply with UNDROP's principles and provisions, thus ensuring that States meet their international obligations and commitments.

The following thematic areas and axis are identified as being politically and legally relevant to mobile pastoralists rights, in the light of the contents of UNDROP.

1 Recognition, Equality and Non-discrimination

It is important to note that UNDROP is currently the only instrument of International Law that explicitly covers almost all the varied definitions of pastoralism.

WAMIP uses the term mobile peoples which includes “nomadic and transhumant pastoralists, hunter-gatherers, shifting agriculturalists, seasonally mobile floodplain and delta inhabitants and sea nomads, and other peoples with dynamic regular changing patterns of land use) encompasses those indigenous peoples whose livelihoods depend on extensive common property use of natural resources and whose mobility is both a management strategy for dealing with sustainable use and conservation and a distinctive source of cultural identity.”² There are several other definitions of mobile pastoralists: among others, the UN International Year of Rangelands and Pastoralists (IYRP), defines pastoralists as “people who raise livestock as their primary source of living on plants that grow naturally, often on areas called rangelands and grasslands,”³ and the FAO describes pastoralism as “extensive livestock production in the rangelands.”⁴

RELEVANT UNDROP ARTICLES AND PROVISIONS:

Art. 1 (Scope and definitions) – The UNDROP definition of peasants and other people working in rural areas is marked by “small-scale agricultural production” and “special dependency on and attachment to the land” and definitively includes “pastoralism, fishing, forestry, hunting or gathering, and handicrafts related to agriculture or a related occupation in a rural area” and extends to “indigenous peoples and local communities working on the land, transhumant, nomadic and semi-nomadic communities, and the landless.” Regardless of the varied definitions, the UNDROP offers the flexibility for anyone belonging to this broad and complex group of people/communities to claim their rights in front of relevant national, regional and international bodies.



Art. 2 (General obligations) & 3 (Equality and non-discrimination) – Let's first of all recall the Dana Declaration and Segovia Declaration, which explicitly call out the discrimination and exclusion pastoralists face. The Segovia Declaration further states that not only do they “not enjoy equal rights of access to education, health and other crucial services and facilities. They are excluded from fair access to and control of markets, information and knowledge that are necessary for their well-being and development and are marginalized in the political field.” In this sense, art. 2 and 3 of the UNDROP responds to Segovia Declaration's appeal for corrective and promotive actions, calling States to “respect, protect and fulfil the rights of peasants and other people working in rural areas” and asserting that they “shall promptly take legislative, administrative and other appropriate steps to achieve progressively the full realization of (their) rights” while exercising these rights, “free from any kind of discrimination.”

2 Land, Territories, and Natural Resources

Land insecurity remains at the heart of all inequalities, especially for mobile pastoralists since the land they use is often vulnerable to appropriation, especially when used seasonally or periodically, and sometimes shared with others. Private property and permanent residence trumps land tenure arrangements and customary practices, which include overlapping, shared, and seasonal use of resources. The tendency to recognize territorial claims based on permanent and settled land use, leaves mobile pastoralists to face eviction, forced urbanization, and induced sedentarization, resulting in the loss of culture and livelihoods and the fragmentation of families, social relations and governance.⁵

Pastoralists face threats from extractive industries and agribusiness, imposed protected areas, trophy hunting and tourism infrastructures, displacement and sedentarisation programmes, lack of respect

for customary governance systems and knowledge. Furthermore, fragmentation and the fencing of privatised properties and new national boundaries cut them from their traditional migration routes, depriving them of access to pastoral spaces, further exacerbating involuntary resettlement, impoverishment, and cultural loss.⁶



RELEVANT UNDROP ARTICLES AND PROVISIONS:



Art. 2 (General obligations) – Art. 2.5 obliges States to “take all necessary measures” to regulate non-State actors to respect the rights of mobile pastoralists; this is important because privatisation and industrialisation reduces the “commons” and therein grazing grounds, restricted/abolished movement within customary pathway, etc.



Art. 5 (Right to natural resources and development) – This article ensures the right of mobile pastoralists to natural resources, as well as to participate in the management of these resources (art. 5.1). This key article also includes the obligation of States to ensure the traditional systems of resource use and to conduct consultations in good faith with the rights holders (art. 5.2).



Art. 17 (Right to land) – This article enshrines the right of mobile pastoralists to land, territories, and other resources. In particular, mobile pastoralists “have the right to access to, sustainably use and manage land and the water bodies, coastal seas, fisheries, pastures and forests therein” (art.17.1). This article establishes also the recognition of customary tenure systems (art.17.3), the protection against arbitrary displacement/eviction (art. 17.4) and States' obligation to recognize pastoralists' rights to their traditional grazing lands and migration routes, as well as to land reform and thus land distribution among the rights holders (art.17.6).



3 Freedom of Movement and Mobility

For several pastoralist, nomadic, transhumant, indigenous peoples and communities, mobility is not only a management strategy for dealing with sustainable use and conservation but also a marker of cultural identity.⁷⁸ In this sense, pastoralist mobility needs to be recognised as a fundamental right and States shall urgently correct policies and plans favouring only sedentary populations, while ensuring the full participation of concerned mobile pastoralists and nomadic peoples. Mobile pastoralists need norms and policies that facilitate cross-border mobility of those that have traditionally lived in more than one country, facilitating free movement of herds respecting relevant safeguards where needed.⁹

RELEVANT UNDROP ARTICLES AND PROVISIONS:

Art.7 (Freedom of movement) – This article establishes the right of mobile pastoralists to freedom of movement and to recognition everywhere as persons before the law. It also establishes State's obligations to facilitate mobility and to addressing transboundary tenure issues affecting mobile pastoralists.

4 Right to Food and Food Sovereignty

Natural resources such as land, water bodies and forests, that pastoralists communities own, manage and/or use, are key to support their food security and sustain their livelihoods and well-being. Therefore, any setbacks in accessing resources and pastoral customary systems (be it recognition of tenure, conflict, etc.) hamper securing their livelihoods and food security.

RELEVANT UNDROP ARTICLES AND PROVISIONS:



Art.15 (Right to food and food sovereignty) – This article establishes the right of mobile pastoralists “to adequate food and the fundamental right to be free from hunger. This includes the right to produce food and the right to adequate nutrition, which guarantee the possibility of enjoying the highest degree of physical, emotional and intellectual development” (art.15.1).

It also provides for the right of mobile pastoralists to participate in relevant decision-making processes on food policies and “the right to healthy and adequate food produced through ecologically sound and sustainable methods that respect their cultures” (art.15.4).

5 Decent income, Means of Production & Livelihood (which must include environment, biodiversity and water)

For mobile pastoralists, decent income and livelihood is inseparable from secure access to land, water, healthy ecosystems, and functioning mobility corridors. Policies that undermine these systems and means – such as land grabbing and privatization, enclosure, extractivism,

environmentally destructive projects, or restrictive market regulations – directly threaten pastoralists' livelihoods, decent income and cultural survival. UNDROP recognizes that pastoralism constitutes a sustainable livelihood system and affirms States' obligations to protect and support pastoralist economies, including through access to means of production, adapted markets and services, environmental protection, and respect for traditional knowledge and governance systems.

There is a close link between pastoralist, the ecosystems in which they live, and the animals that they breed and hence biodiversity becomes very important. There are three levels of biodiversity that must be recognised. They are (a) at the genetic level which includes locally adapted livestock breeds that are able to resist disease outbreaks, droughts and other pressures, (b) at the species level which include plants, birds, insects and other animals that have evolved in parallel with pastoral systems and lastly (c) at an ecosystem level which have evolved as a result of interaction with grazers.¹⁰

RELEVANT UNDROP ARTICLES AND PROVISIONS:

Art. 16 (Right to decent income and to means of production) – Article 16 establishes the right of mobile pastoralists to a decent income and livelihood from pastoralism, including “access to the means of production necessary to achieve them, including production tools, technical assistance, credit, insurance and other financial services”. This right to access markets and financial services has to be adapted and understood under the perspective of pastoral economies (livestock, dairy, wool, etc.). More specifically relevant to pastoralism, article 16 provides for the “right to engage freely, individually and/or collectively, in association with others or as a community, in traditional ways of livestock rearing and forestry and to develop community-based commercialization systems”.

Art. 18 (Right to environment) – This article is absolutely central as it enshrined the right of mobile pastoralists to a clean, safe and healthy environment. This is particularly critical for grazelands. More generally, for mobile pastoralists, environmental integrity is not merely a background condition but a core prerequisite for the exercise of all other rights, including the rights to food, water, health, mobility, culture, and livelihood.

When read together with Articles 5 (natural resources), 17 (land), 20 (biodiversity), 21 (water), and 26 (traditional knowledge), Article 18 provides a powerful legal basis to challenge environmentally destructive policies and projects, to demand recognition of pastoralists as custodians of ecosystems, and to advocate for rights-based, pastoralist-led environmental governance. Strengthening the use of Article 18 in advocacy thus allows mobile pastoralists to reposition environmental protection as a rights-based obligation to support and sustain pastoralist livelihoods, mobility, and cultures.

Art. 21 (Right to water) – Article 21 of UNDROP recognizes the right of mobile pastoralists to water and sanitation, including “water supply systems” (21.1) for animals and “water for livestock keeping” (21.2). This article also establishes the obligation that “States shall protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes, from overuse and contamination by harmful substances” (21.4).

Art. 20 (Right to biodiversity) – This article is also central for mobile pastoralists livelihood as it establishes the right to biological diversity and protection of ecosystems that are key for pastoralist practices. The article also establishes the obligation that “States shall take appropriate measures to promote and protect the traditional knowledge, innovation and practices of peasants and other people working in rural areas, including traditional agrarian, pastoral, forestry, fisheries, livestock and agroecological systems relevant to the conservation and sustainable use of biological diversity” (20.2). Moreover, States shall take measures “to prevent the depletion and ensure the conservation and sustainable use of biodiversity” (art. 20.1) while promoting and protecting traditional knowledge, innovation and other practices. It also protects pastoralist from risks related to “the development, handling, transport, use, transfer or release of any living modified organisms” (art.20.3).

Art 25 (Right to education) – This article promotes the right to adequate training of mobile pastoralists suited to the specific agroecological, and respective sociocultural and economic environments. Training includes but should not be restricted to improving productivity, marketing and the ability to cope with pests, pathogens, system shocks, the effects of chemicals, climate change and weather-related events. Art 25.3 encourages scientist partnerships, participatory animal health clinics, etc. that are meant to respond to emerging challenges being faced.

Art. 26 (Right to traditional knowledge) – Another key article is article 26, which recognizes the right of mobile pastoralists to traditional knowledge and cultural life, which protects nomadic traditions, seasonal mobility, and transhumance practices.



6 Participation and information

Mobile pastoralists served as custodians of important ecosystems and their associated services and are vital to global policy dialogue on related issues. However, pastoralists remain largely unheard and unseen due to their mobility. Additionally, in the framework of the current dominant narratives on pastoralism and narrow focused approach towards development, States have failed to acknowledge pastoralism's contributions to society, economy and environment, and as a result, this population fails to find representation in relevant decision-making processes.¹¹

Realizing mobile pastoralists' right to participation seeks to restore them to their rightful place in decisions concerning their lives. It is no longer possible for political decisions affecting millions of people in rural areas to be made mainly in cities and institutional spaces, without their participation.

RELEVANT UNDROP ARTICLES AND PROVISIONS:

Art.10 (Right to participation) – This right focuses on mobile pastoralists' participation in relevant decision-making processes, essential for ensuring pastoralists have a say in land, grazing, and conservation policies that affect their life, work and routes.

Article 9 (Right to association) – Article 10 on the right to participation should be read in conjunction with article 9 in particular, which enshrines the right to freedom of association. In fact, in order to be able to take part in any participatory action, mobile pastoralists' organizations must "have the right to form and join organizations, trade unions, cooperatives or any other organization or association of their own choosing for the protection of their interests, and to bargain collectively".

Art.11 (Right to information) – Article 11 is about the right of mobile pastoralists to information, which means that States bear the responsibility to inform mobile pastoralists about their rights and about all legal, political, cultural, economic, financial issues that concern them.



7 Rights of Pastoralists Women

Pastoralist women are an underrepresented group despite them working alongside men and making equally valuable contributions to not only their communities but also globally. Moreover, pastoralists women and their children are subjected, as most women and children living and working in rural areas, to discriminatory policies and practices. The Mera Declaration of Global Gathering of Women Pastoralists ends with “We women pastoralists want our children, and our children’s children, to have the tools and opportunities they need to adapt to the realities and changing conditions of the modern world while retaining their traditional cultural legacies and lifestyle”.

It is important then that there is proportionate representation of pastoralist women in all levels of governance which must include training programmes that are focused on leadership and communication to assert themselves. Furthermore, the right of pastoralist children and women to education, both formal and informal, programs and facilities to support their health without disregarding their need for mobility, opportunities and programs to support their economic development and capacity building become crucial in the emancipation of pastoralist women and their wards.¹²

RELEVANT UNDROP ARTICLES AND PROVISIONS:

Art. 2.2 (General obligations of States) – Particularly important is art. 2.2, which ensures that the rights of the Declaration shall extend to women, youth, children and persons with disabilities, etc. and must address multiple forms of discrimination.

Art. 4 (Non-discrimination against rural women) – This is a pillar article of UNDROP, that has been eagerly fought by social movements fighting for gender justice. It focuses on the elimination of all forms of discrimination against women belonging to peasant/rural/pastoral/fisheries communities, and therein their empowerment.

This includes the elimination of discrimination in their equal participation in the formulation and implementation of any plans relevant to their lives, access to all healthcare services and facilities, social security, access to training and education, whether formal or non-formal, ability to organize self-help groups, associations and cooperatives for improved economic opportunities, access to financial services, access to, use of and manage land and natural resources, access to decent employment, equal remuneration and social protection benefits, and freedom from all forms of violence.

Art.15.3 (Right to food sovereignty) – This article 15.3 is relevant for the rights of mobile pastoralists women as it establishes that States are accountable to ensure provisions and information to combat any form of malnutrition in pastoral children and pregnant and lactating women. Additionally, States need to guarantee health facilities, goods and services which must include essential medicines, immunization, reproductive health, maternal and child health care, etc.

Art. 21 (Right to water) – Article 21 is also central as it provides the right to water for personal, domestic and productive use for pastoral/mobile groups. Moreover, art. 21.3 enshrines the obligation of States to respect, protect and ensure this right especially for rural women, girls and persons belonging to disadvantaged or marginalized groups, such as nomadic pastoralists.

Art 25. 2 (Right to education) – This article recognizes that children from mobile pastoralists families have the right to education in accordance with their culture and with the rights contained in human rights instruments. This is further strengthened by Art.13.2, according to which children have the right to be protected from work that interferes with their growth, development and education.



8 Climate change

Climate change events such as droughts, floods, fires and heatwaves can restrict the right to mobility and movement of mobile pastoralists, reducing their adaptive capacity and resilience, as they depend directly on their land, territories and marine areas for survival. These events hamper access to natural resources, which is key for their survival and those of their livestock, thus exacerbating poverty and

food insecurity. Furthermore, climate mitigation and adaptation policies, like wind, solar or hydro conservation projects are also impacting and taking over pastoral spaces. Therefore, it is important to provide legal safeguards for mobile pastoralists facing climate change effects. Finally, any climate change mitigation and adaptation policies and strategies must be done in consultation with pastoralists.¹³

RELEVANT UNDROP ARTICLES AND PROVISIONS:

Art. 18.3 (Right to environment) – According to this article, States are directed to comply with their international obligations to combat climate change and to protect mobile pastoralists' right to contribute to the design and implementation of national and local climate change adaptation and mitigation policies, including through the use of practices and traditional knowledge.

Art. 25.1 (Right to education) – This paragraph of article 25 further strengthens adaptation measures that pastoralist can use since it promotes training programmes that should include, among other things, improving productivity, marketing and the ability to cope with pests, pathogens, system shocks, the effects of chemicals, climate change and weather-related events.



9 Access to justice

Laws, policies and other safeguards, must protect mobile pastoralists against forced eviction, induced sedentarization and other violations of their fundamental rights, including through the provision of access to effective judicial recourse, remedy and fair compensation. Often when these mechanisms and remedies are available, the process is often too costly to pursue legal action. There may be also cases where individuals resisting extractive industries may be subjected to intimidation, criminalization, violence, detention, enforced disappearance and extrajudicial killings and there need to be strong legal protections and accountability mechanism for such violations.¹⁴

RELEVANT UNDROP ARTICLES AND PROVISIONS:

Art. 12 (Right to justice) – this article ensures the right of mobile pastoralists to access to justice through “impartial and competent” authorities in “timely, affordable, and effective” manner and to be provided with “effective and prompt remedies” including reappeal, restitution, indemnity, compensation, and reparations. It also provides means for legal assistance in the form of legal aid and other such measures.

1 ACKNOWLEDGEMENT: THE ELABORATION OF THIS FACTSHEET WAS CARRIED OUT WITH SIGNIFICANT CONTRIBUTIONS AND INPUTS FROM KRITIKA SURATKAL.

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