

Annual Report:

VIOLATIONS OF PEASANTS' HUMAN RIGHTS



A Report on Cases and Patterns of Violences 2006

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Introduction

La Via Campesina is the international movement of peasants, small and medium sized producers, landless, rural women, indigenous people, rural youth and agricultural workers. La Via Campesina is an autonomous, pluralist movement, independent of any political, economic, or other type of affiliation. Our members are from Asia, Africa, Europe and the Americas.

During the Sixth Ministerial Conference of the World Trade Organization (WTO) in Hong Kong last December 2005. La Via Campesina international delegation was present in Hong Kong to make our voice heard. The trade negotiation under WTO forces every country, especially developing countries to open up their food markets, fishery, forestry and public service for transnational corporations. This will have devastating effects for millions of peasants, small scale farmers, workers and indigenous peoples around the world. While developing countries are now faced with increasing food imports, the prices for their domestic produce went down. Peasants cannot sell their produce on their own local market, national market and the local economy collapses. Many farmers have committed suicide. This happened in South Korea, India, and China. Many workers and poor are now losing their jobs because natural resources, fishery and forestry of the indigenous and rural families are being exploited and taken away by transnational corporations. This kind of trade negotiation only means to trade away life and livelihood of the indigenous, peasant, workers and poor people world-wide.

The struggle in Hong Kong will never stop us to fight against neoliberal and fight for the protection of the human rights. The night of December 17th where protestors beaten, electrified and gassed by the police, while 1,300 peoples arrested most of them are farmers and their human rights abused during the detainee. Even until march 2006 two framers from Korean Peasant League (KPL) still have to stand in Hong Kong court while many farmers released.

La Via Campesina since years campaigning the recognize of Peasant Rights, In many countries our member facing the difficulty on uphold the peasant rights and the protection of human rights from the state. Like in Indonesia police shot the peasant gathering in Tanak Awuk, Lombok, West Nusa Tenggara. In Guatemala, repression against peasant women and men rallying against free trade agreement. The farmers from Peyongteak, South Korea struggle to take back their own land from the U.S military base.

This report on the violation of peasant rights is the third report prepared by Via Campesina. The report contain of two parts, the first part will be the cases from all members of La Via Campesina and the second part is FIAN International contribution on human rights analysis as well as UN reform. Beside the analysis the cases from Global Campaign Agrarian Reform include in this report. The Annual report will be introduce in Geneva coincide with the annual session of United Nation Human Right Commission this year.

Jakarta, March 13 2006

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Table of Content:

I. Introduction	01
II. Selected Issues:	
1. Oppression of peasant activists is a daily experience	02
2. Current changes in the human rights system: Repercussions for human rights work within the peasant movement.	04
3. Peasant, and other social movement, leaders as Rights Defenders.	05
4. The International Conference on Agrarian Reform and Rural Development (ICARRD) A first look at the results.	07
5. Peasants' Victory in Defending Seeds from Terminator Technology	09
III. Cases from La Via Campesina members and the Emergency Network of the Global Campaign for Agrarian Reform	
1. KCPT Pyeongtaek: Village of Daechuri, South Korea,	09
2. Korean Peasant League (KPL): Liberalization of Korean Rice Market Series of suicides, one peasant dead from police beatings.	10
3. Confederation Peasant, France: Jose Bove condemned to 4 months Jail.	11
4. CONAMUCA, Dominican Republic: right to water and natural resources.	12
5. Cases of the Emergency Network of the Global Campaign for Agrarian Reform	12
IV. Reports	
1. Report on peasant rights, Indonesia.	21
2. Report on the human rights situation of Colombian peasants	24
3. Report from Haiti.	25
4. Report from La Via Campesina's Struggle during WTO	26

I. Introduction

This is the third in an annual series of reports, written to shed more light on the everyday situation of peasants world wide. This is a major gap in the coverage of standard international reports. Yet, despite their diversity, peasants face a number of similar constraints. By looking at the problems smallholder peasants face today in different parts of the world, it is astonishing to see that so many problems, such as security of tenancy, difficulties to organise themselves, political oppression etc. are common. Such an overview helps to show that many problems smallholder farmers face today are much more than “only” local conflicts between different groups struggling to land ownership or the interpretation of land ownership certificates. In a global perspective, it becomes easier to see that there are systematic patterns of violations of the human rights of smallholder peasants. Precisely because these are patterns, they need systematic policy responses in order to find adequate solutions.

Smallholder peasants are one of the most marginalized groups world-wide. The 2005 report explored this at length, and it is important to recall that half of all hungry people world-wide are smallholder peasants. Two third of them live under extremely marginal conditions as it was summarized by one of the latest UN-reports that was looking into the matter - the report of the “Hunger Task Force” of the UN-Millennium Project in 2004. The report examined the socio-economic situation of smallholder peasants. Many live in very remote areas, without adequate access to productive resources or support service, be it water supply or sanitation or roads, to agricultural extension services or even information. They are often without proper access to local markets. Missing security of land tenure hinders access to credits. If the households are headed by women they face a double discrimination, due to the fact that women have even more difficulties in getting land rights registered or getting their access rights to land, water or seeds recognized and protected.

Marginalization often also means political marginalization. The problems of smallholder farmers are rarely attended to; other issues have much more political purchase of the imaginations of urban-based government. According to figures of the Food and Agriculture Organisations (FAO) of the United Nations, developing countries have cut their support to rural and agricultural development by half during the last decade. A reduced budget allocation is a sign of a deeper problem that the concerns of small holder peasants are not taken seriously in national and international policy decisions. Particular issues such as distribution or redistribution of productive assets are difficult to raise onto political agendas. Land use conflicts are on the rise in many parts of the world. They are caused on the one hand by a re-concentration of productive assets in the hand of big landowners, often achieved by force. On the other hand, competing land or water uses are becoming economically viable and powerful, from in increase of industrial sites to growing cities, or other development projects, including tourism, airports, golf courses etc. Rural development for people living on the land comes a distant second to these interests, even if they employ fewer people, than agriculture. And in the process of making these projects real, the economic, social and cultural rights of small holder farmers are violated.

This report shows that, together with political marginalization, one can find a process of political *oppression* of small holder organisations. Violations of economic, social and cultural human rights go together with violations of civil and political rights. Peasant leaders, agrarian reform activists, rural women leaders etc. face severe oppression and often persecution, particularly if economic assets are involved. Freedom of expression, the right to organize themselves, to demonstrate politically, to act as social movements are rights that have frequently been attacked. If social movements, such as peasants' organisations, begin to assert their rights, they face persecution or even assassination, as many cases in this report show.

It is time to find adequate responses to the situation faced by small holder farmers across the world. They need a better legal and political protection. They need fair chances in any conflict or negotiation of economic assets. And they need an improvement of their access to productive resources, in order to be able to feed themselves and to earn a decent living. In short, their human rights need to be better protected and enforced.

This report first summarises the dramatic and alarming increase of oppression against peasant rights activists world wide. The report examines current changes within the human rights system, and what these might mean for peasant organisations. It discusses how important it is that peasant organisations leaders are recognized as human rights defenders and receive an adequate national and international protection. One chapter will report about the partially positive results of two UN international conferences in March 2006: the International Conference on Agrarian Reform and Rural Development (ICARRD) organized by FAO and the Convention on Biodiversity's working group at COP 8 in Brazil. The second section of the report includes cases documented this year.

II. Selected Issues:

1. Oppression of peasant rights activists is a daily experience

The cases documented below in the 2006 report on "violations of peasants rights" have a common denominator: Most of them report that local struggles around access to productive resources and the rights of peasants are becoming increasingly conflictual and brutal. The oppression of peasant leaders, death threats, forcible evictions and assassinations happen in many countries world wide. While there is no global data base available to tally the number of victims or count the incidence of such violations, the daily experiences of the global peasant movement in "La Vía Campesina" and the regular stock taking of such incidences done by FIAN, the international human rights organisation defending the right to food, indicate that social and economic conflicts, as well as the accompanying human rights violations in rural areas, are on an increase in many countries.

Several processes go hand in hand, that happen in tandem and contribute to the situation. These processes have to be both analysed and addressed as a whole in order to find adequate human rights answers to the difficult situations in rural areas:

1. Agrarian reform processes are becoming more conflictual and counter-agrarian-reform forces are becoming stronger. Agrarian reform processes have slowed down in most of the countries which, even a decade ago, had shown progress in moving towards a more equitable and just rural economy. The commitment to change historically unjust patterns of land distribution has disappeared. Political support for agrarian reform processes has ground to a halt in many countries often supplanted by neoliberal policy advice. Even in positive cases of historically successful land redistribution (whether complete or partially successful) or a legally successful recognition of land titles, 'counter-agrarian reform' processes have gained increasing support in a number of countries, such as in the Philippines, in Honduras, and parts of Brazil. The respective rural communities are often denied security of tenancy, when persecution by paramilitary groups (Colombia) or private armed forces (Brazil, Philippines) threaten the ability to plan, crop and live as a farmer.

2. Impunity is a regular feature. The rule of law seldom functions in rural areas. Impunity for actions taken against landless labourers of small holder farmers in rural areas is, in many countries, one of the biggest and most profound human rights violations. Symptomatic of these are forced evictions and land grabbing, without adequate government response, as shown in the cases reported here in Brazil, Colombia, Honduras,

Guatemala, Indonesia, the Philippines. Often, land is received by peasants through agrarian reform processes, in which peasants follow all legal requirements. As soon as they are installed on the new lands, however, oppression by private gunmen, thugs or other armed groups begins. In too many cases, the marginalized groups or small holder peasants lack any government protection, either through policy or through a functioning legal system. The constant and persistent threat of violence is creates insecurity in land tenure. This cloud of violence makes normal farming impossible, and often contributes to peasants leaving their land.

Cases of persecution or oppression are insufficiently analysed by governments and independent institutions, such as national human rights organisations. National human rights organisations frequently lack the mandate to look into such protracted and complicated "agrarian cases" and/or lack the resources necessary to do conduct investigations. The case of Brazil gives an indication of the degree of impunity extant across the world: During the past 20 years, more than 1,425 rural workers, leaders and activists related to social movements fighting for land and agrarian reform have been murdered in Brazil. To date, only 79 cases have been judged, 15 mandators and 69 executors have been condemned. In 2005 1,881 conflicts on the countryside were registered, more than 160,000 families suffered different forms of violence against their land tenure, 3 rural workers died due to overexploitation as sugar cane cutters, and 7,707 persons were reported as bonded labourers.

3. Peasant organisations are directly targeted by private or official oppression: Reports of the assassination of farm leaders have been a regular, and tragic, feature. Of deep concern, however, is the increase in the number of countries in which such reports have been filed (see the case of Honduras). At the same time, reported threats or persecutions of peasant organisations are increasing. The case documented from Guatemala is emblematic. In an example of the conditions under which peasant organisations work in many countries, the offices of a Guatemalan peasant organisation were raided, and computers were stolen. Very often these cases are unsolved, while these practices continue unabated.

These three trends often go hand in hand, and the combined effects can be horrific. The cases documented concerning Colombia show a profound and systematic destruction of rural communities. Even the newly recognized mechanism in the Colombian legislation to create land tenure security so called Peasant Reserve Areas - are failing in an environment where, by the government's own admission, there are more than three million internally displaced persons. The cases describing the grabbing of indigenous lands in the Cauca region show how swift and effective modern forms of land "robbery" are. Today, one can observe a speedy re-concentration of land ownership in Colombia. Only about 15,000 landowners, around 0,4 % of all landowners, control 61 % of the registered land in the country.

4. Alternative land uses leads to an increasing number of land conflicts: Also on the increase are cases in which land conflicts have been caused by alternate uses, and thus users, demanding access to land. This happens particularly in zones of 'national development', where farming is subsumed to alternate demands, such as airports, or access roads for extractive industries (such as surface mining), for tourism etc. The cases from Indonesia and South Korea illustrate these changes in land use, and the violation of peasants rights they cause. In many of the reported cases, conflicts emerge because due process is seldom followed, especially if poor people do not have officially recognized access rights. If they are heard at all, their concerns are rarely heeded, and at best, the poor can expect meagre compensation.

All these trends support a common demand from La Via Campesina members, endorsed by organisations such as FIAN, that a *sui generis* international convention is needed to protect the rights of peasants. Moreover, the trends show that the protection of *all* human rights has to happen simultaneously. Peasant leaders face

violations of their political rights because they fight for their economic, social and cultural rights. Small holder peasants are, clearly, a group whose human rights violations are up to today grossly and systematically underestimated. This reality needs to be changed.

2. Current changes in the human rights system: Repercussions for human rights work within the peasant movement

Background

The Commission on Human Rights of the United Nations (hereafter the Commission) has been de-commissioned. Its 62nd session was its last. An evaluation of the work accomplished by this ECOSOC body is mixed. Among its positive achievements were the elaboration of major Human Rights treaties and instruments. Special instruments, such as the special Rapporteurs on the Right to Adequate Food, to Adequate Housing, to Indigenous Peoples, which were established under the Commission auspices, should continue to work and to contribute to a better protection and implementation of human rights.

The Commission was a forum for bitter political and diplomatic battles, an inevitable consequence of its publicity of charged, and politically embarrassing human rights violations. These battles have had the positive effect of drawing international attention to human rights violations. Nevertheless, these same battles often caused blockages at the Commission, which led many observers to complain about the Commission's lack of credibility and efficiency of this body.

To maintain the achievements and successes of the Commission, while also addressing its weaknesses, Jan Eliasson, President of the UN General Assembly (GA) proposed a draft resolution which was adopted by states in March 2006. The draft resolution of the General Assembly, was the result of an attempt to find a compromise between radically different states' views on the reform of the UN Human Rights system. The text had vehement opponents but on March 15, 2006, the resolution proposed by President Eliasson was adopted by 170 "yes" against 4 "no-votes" (USA, Israel, Palau and Marshall Islands) with 3 abstentions (Belarus, Iran and Venezuela).

The first session of the Council is planned to take place in June 2006.

Content of the Resolution

Drawing on the lessons of the Commission, the resolution introduces the idea of a "Peer Review" system according to which all states, Council members included, will be subject to international scrutiny (through reporting to the Council). The review aims at complementing the monitoring work done by the treaty bodies in charge of controlling the implementation of the Human Rights treaties (such as the Committee against Torture controlling the implementation of the Convention; or as the Committee on Economic, Social and Cultural Rights controlling the implementation of the International Covenant).

In this context, the new Council's 47 member states will be elected for three years by a majority of the GA. They can be expelled by a 2/3 majority only. In order to ensure rotation, states can not serve more than two consecutive mandates. The resolution foresees a geographical balance within the 47 states: 13 from the African Group, 13 from the Asian Group, 6 from the Eastern European Group, 8 from the Latin American and Caribbean states (GRULAC), and 7 from the Western states and others Group. The new Council will be accountable to the General Assembly and not to the ECOSOC any longer as was the case for the Commission. The Council should meet several times throughout the year for a total of minimum of 10 weeks. According to the resolution, modalities for NGO participation and contribution to the work of the Council will remain the same (based on the ECOSOC resolution 1996/31). Finally, special procedures (such as the Special Rapporteur on the Right to adequate Food, currently Jean Ziegler) will be maintained and therefore transferred

from the Commission to the Council. However, this positive provision to maintain all mandates and mechanisms of the old Commission is not a definitive guarantee that these mandates will continue to function adequately.

Risks entailed in the Resolution

Although it is too early to say with certainty, trouble for the protection of peasant rights might be in store. Operative Paragraph 6 of the text, for example, stipulates :

"(...) that the Council will assume, review, and where necessary improve and rationalize, all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights, in order to maintain a system of special procedures, expert advice and complaint procedure. The Council shall complete this review within one year after the holding of its first session".

The one-year review of the mandates and procedures should aim at maintaining and improving the human rights protection system. Nevertheless, there is a risk that after one year a negotiation could try to use this "rationalization" to get rid of certain mandates which "disturb" states. With that in mind, NGOs and other civil society actors must play their role as watchdog and ensure that the one-year review will really serve the improvement of the system.

Another criticism concerns the election/suspension of members. As explained above, members can be elected by simple majority, but a 2/3 majority of the GA is needed to suspend a member that is not meeting the requirements of Human Rights dedication. This provision allows for "bad pupils" to be elected more easily than to be expelled.

Challenges for the human rights work of La Via Campesina

The main issues at stake for movements like La Via Campesina in the context of this reform are:

- How to make sure that Economic, Social and Cultural Rights will have a prominent place in the new system, and therefore that indivisibility of all human rights will be strengthened?
- How to ensure the continuity of the work done so far with the UN Human Rights system (and especially with the Special Rapporteurs) until the first review by the new Council?
- How to make sure that this review will maintain and improve the protection system?
- How to ensure that new topics can be introduced within the system (such as peasants' rights, trade and violations of human rights, extraterritorial states obligations) and that they will not disappear from the agenda.

3. Peasant Leaders and other social movement leaders as Rights Defenders.

La Via Campesina and the Human Rights Defenders

The work done by La Via Campesina shows that peasant leaders are, frequently, victims of harassment. They are threatened or deprived of the enjoyment of many of their human rights because they attempt to secure the protection of economic, social and cultural rights of rural poor people. All cases documented in this report provide testament to this. As such, it makes sense to consider such activists as "Human Rights Defenders". This has been recognized by several national and international instruments.

Peasants as Human Rights Defenders

Peasant leaders, activists struggling for a comprehensive and redistributive land and agrarian reform can in many cases, and especially in countries where access to land is deeply inequitable, be considered as human rights defenders.

The definition given by Mrs. Jilani, Special Representative of the UN Secretary-General for Human Rights Defenders entails clear elements for the recognition of peasants or landless leaders as potential human rights defenders.

*“A second important issue concerns the validity of the arguments being presented. It is not essential for a human rights defender to be correct in his or her arguments in order to be a genuine defender. The critical test is whether or not the person is defending a human right. For example, a group of defenders may advocate for the right of a rural community to own the land they have lived on and farmed for several generations. They may conduct protests against private economic interests that claim to own all of the land in the area. They may or may not be correct about who owns the land. However, whether or not they are legally correct is not relevant in determining whether they are genuine human rights defenders. The key issue is whether or not their concerns fall within the scope of human rights.
(...) Human rights defenders must be defined and accepted according to the rights they are defending and according to their own right to do so.”*

As the cases documented in this report show, peasants are defending human rights and as such they are entitled to enjoy special recognition and protection.

Peasants as typical vulnerable groups

A large majority of those who suffer hunger and malnutrition still live in rural areas. According to the UN Hunger Task Force for the Review of the MDGs, 80% of hungry people in rural areas, and the majority of them are smallholder farming households. Out of the 80% of rural people who are food insecure, another 22% are landless and 8% depend on fisheries, forests and cattle raising.

People suffer most acutely from hunger and malnutrition where food is produced. In other words, it isn't that insufficient food is available it is that hunger is in a majority of cases the consequence of a violation of the right to adequate food and a disregard of the principle of food sovereignty. La Via Campesina and FIAN's experience shows that it is possible to identify quite systematically the violations of these rights. From the protection against forced evictions to the need for redistributive agrarian reforms, much has already been written and recognized at the international level.

International recognition of land rights issues in the realization of food sovereignty and the right to food

While states continue to ignore their obligations vis-à-vis the peasants, several instruments have tackled the issue of agrarian reform and land rights with regard to the realization of human rights.

To mention a few, the 1990 Report of the UN Special Rapporteur on Economic, Social and Cultural Rights, Danilo Türk, emphasizes the importance of access to land

“121. It is increasingly recognized that land rights and agrarian reform are often central to the realization of human rights. The fulfilment of various economic, social and cultural rights show a direct relationship to land, such as the right to food, the right to housing, the right to an adequate standard of living, the right to culture, the rights of indigenous peoples and others. The Special Rapporteur is fully aware of the delicate nature and controversy surrounding issues relating to land issues internationally, yet feels convinced that the time has come to give this fundamental issue the serious attention it deserves. No question is more central to power relations within society or to issues of equality and income distribution than land.” E/CN.4/Sub.2/1990/19

Furthermore, an international instrument which was adopted in November 2004 by the FAO member states, the “Voluntary Guidelines To Support The Progressive Realization Of The Right To Adequate Food In The Context Of National Food Security” (Voluntary Guidelines), contain clear references and provisions on the role and protection of Human Rights Defenders.

In addition to the general provisions for democracy, good governance and the rule of law, the Voluntary Guidelines specifically underline the importance of the recognition and the protection of Human Rights Defenders for the realization of the right to adequate food. Guideline 1.4 states that:

“States should ensure, in accordance with their international human rights obligations, that all individuals, including human rights defenders of the progressive realization of the right to adequate food, are accorded equal protection under the law and that due process is guarantee in all legal proceedings.”

While the Voluntary Guidelines clearly state the importance of protecting human rights defenders, they also point out the need to give access to assets and productive resources such as land Access to productive resources and assets to realize their right to an adequate standard of living.

4. The International Conference on Agrarian Reform and Rural Development (ICARRD) A first look at the results

After almost 30 years since the first World Conference on Agrarian Reform and Rural Development (WCARRD) was convened in 1979, on March 6th to 10th, 2006 the UN international organisation for food and agriculture (FAO) and the Brazilian government hosted the International Conference on Agrarian Reform and Rural Development (ICARRD) in Porto Alegre, Brazil.

The final declaration of the conference stresses the eminent role of agrarian reforms to combat hunger, the need for a model of sustainable development and the implementation of human rights. It adopts a participatory approach based on economic, social and cultural rights for the equitable management of land, water, forest and other natural resources particularly for women, marginalised and vulnerable groups. Especially in areas with strong social disparities, poverty and hunger, agrarian reform should broaden and secure access to, and control over, land and other resources. States should have a crucial role in the implementation of agrarian reform. Furthermore, international solidarity and support for organisations of small farmers, rural workers and landless should be increased. In order to support agrarian reforms, the FAO wants to establish a lasting platform for social dialogue, cooperation, monitoring and the evaluation of progress in agrarian reform and rural development. With this in mind, the final declaration urges the FAO's Committee on World Food Security to adopt appropriate measures to implement the ICARRD Declaration, together with a set of reporting guidelines.

Social movements and civil society organisations welcomed that the final declaration adopted an approach based on economic, social and cultural rights for the equitable access to and management of land, water, forest and other natural resources. The adoption of a rights-based approach to land and productive resources was one of the most contentious issues in the drafting process of the declaration. In addition, the final declaration explicitly acknowledged the range of civil society organisations dealing with food sovereignty and invited them to participate in the processes of developing appropriate measures to implement the ICARRD Declaration, and a set of reporting guidelines to monitor the implementation of the Declaration. Social movements and civil society organisations hope that ICARRD was the start of a new process in order to re-examine current mainstream land and rural development policies applied in the context of structural adjustment policies in the past decades.

At the same time, social movements and civil society organisations strongly criticised the failure of many governments to attend the conference. Only 96 countries out of the 188 invited to the FAO conference sent delegations to Porto Alegre. No heads of state were present. Moreover, civil society organisations blamed governments for decreasing support to combat hunger, through the budgetary cuts of FAO and the cutting by many governments of rural development and agrarian reform programmes.

“Land, Territory and Dignity” Forum

Parallel to the ICCARD conference, social movements of landless people, rural women, artisanal fisherfolks, small-holder peasants, rural workers, indigenous peoples, rural youth, nomadic pastoralists and forest people of all continents gathered for a forum entitled “Land, Territory and Dignity.” The International NGO/CSO Planning Committee for Food Sovereignty (IPC) facilitated the organisation of this event. The Forum was an independent and self-organized space created in order to debate and articulate processes and proposals which would then, in turn, feed through to social movements and to the Intergovernmental Conference.

Addressing the governments present at ICARRD, Tui Aroha Warmenhoven, a Maori woman from New Zealand, made a political statement summarizing the final declaration of the parallel forum. In her speech she stressed following demands:

“Agrarian reforms must in no case be subjected to or restrained by international free trade agreements. Agrarian reforms imply human rights obligations. The Human Rights Treaties have legal primacy over any free trade agreement. Therefore we demand our governments to comply with their human rights obligations and autonomously define agrarian reform policies. We find it unacceptable that governments subject agrarian reform to WTO conditions.

“Social movements and the civil society organizations are vital. We demand a dialogue on an equal footing between governments and civil society organizations. This is a fundamental practice which should be adopted for the future.

“We ask the governments and FAO to prioritize agrarian reform in their agendas. This is a new beginning for a new agrarian reform process. We condemn those powerful countries that have not acknowledged the importance of this conference.

“We ask the governments to take responsibility ensuring that FAO has meaningful conditions within which to carry out its work. FAO can not fulfill its mandate in the current situation.

“We recommend to the governments willing to implement agrarian reform programs to establish a “Special Program for Agrarian Reform” which should support agrarian reform programs at the national level.

“The new agrarian reform must recognize as vital actors the peasants, family farmers, indigenous peoples, landless peoples, artisanal fisher folks, rural workers, migrants, pastoralists, forest communities, rural women and youth.”

The declaration of the parallel forum is part of the ICARRD documentation.

5. Peasants' Victory in Defending Seeds from Terminator Technology

Shortly after the ICARRD, and also in Brazil, La Via Campesina celebrated the decision made by the Convention on Biodiversity's working group at COP 8 in Curitiba, Brazil, on March 24, 2006 to maintain and strengthen the *de facto* moratorium on Terminator technology. This technology, also referred to as GURTs (Genetic Use Restriction Technology), inserts genes into first generation seeds to make that plant's seeds sterile: the original seed will grow, but the seeds that the plant produces will not germinate. This technology endangers the rights of peasants to have access and control over seeds because it prevents peasants from saving their own seeds as they have been doing for thousands of years.

The decision was taken while hundreds of peasants and landless farmers of La Via Campesina were staging a loud protest in front of the conference centre demanding a ban on Terminator. It was a victory for peasant women and men, Indigenous people, youth, NGOs, environmental groups and other civil society organizations that have been campaigning for years against the multinational corporations with patents on suicides seeds (such as Monsanto, Syngenta, Dupont, etc).

During the debates at COP 8, a broad coalition of countries and civil society groups supported the moratorium while only a handful of countries were actively pushing to allow field trials on Terminator technology on a "case by case risk assessment" basis (ie Australia, New Zealand, Canada and the United States). The green light on field trials would lead to the seeds commercialization, further destruction of farmers' livelihoods, environmental contamination and destruction of biodiversity.

La Via Campesina mobilized thousands of farmers in Curitiba asking for a complete international ban on Terminator technology. There should be no research on an immoral technology that will increase world hunger by preventing millions of the peasants from saving their own seeds. Moreover, La Via Campesina continues to call governments around the world to enact national bans on Terminator and GMO's (Brazil and India have already banned Terminator at national level).

III. Cases from La Via Campesina members and the Emergency Network of the Global Campaign for Agrarian Reform

1. KCPT, South Korea: Faced with Repression and Displacement A South Korean Farming Community Declares Autonomy and Demands U.S. Military Withdrawal

The Peyongteak region of South Korea, just over an hour south of the southernmost boundary of Seoul, is heavily agricultural. High-rise population centres are separated by vast stretches of rice fields and vegetable plots. Roads are often no more than thin concrete ribbons through a seemingly endless sea of rice paddies. From March until late October, one can see villagers, young and old, working communally, as they have always done, in the surrounding rice fields against the idyllic backdrop of the gentle mountains and rich pine forests that characterize much of the Korean peninsula.

This region has also been an occupied land, first by the Japanese imperial military, and later by the United States military, for over 100 years. The United States currently holds 96 bases in South Korea which occupy over 74 million pyong of Korean land (1 pyong = about 6 square feet). The base at Anjungri, known as Camp Humphreys, was first a Japanese colonial base covering between 300,000 - 400,000 pyong, all of which was forcibly stolen from villagers, who have never received any compensation. When the Americans moved into Anjungri, they expanded the base, again involuntarily displacing the farmers of 6 surrounding villages. Today, Camp Humphreys covers 1.5 million pyong.

Nearby, in Songtan, the United States Airforce holds the massive, 2 million pyong, Osan Air Base that was built in 1952 at the height of the Korean War. Here, in the winter of that year, farmers from 4 villages were forced off their land with no compensation. Many residents, whose families had farmed this region for generations, had nowhere else to go, and so spent the harsh Korean winter in a few miserable tents on the banks of Jinwoo stream.

The US is now relocating its forces on the Korean Peninsula as part of its "Global Posture Review" (GPR) plan. From the various scattered bases all over the peninsula, forces will be concentrated in Poyongteak, at Humphreys/Osan and in the southern part of the peninsula, at Busan/Daegu. Here, in Poyongteak, the military has announced that some 3.5 million pyong of land is needed for expansion and will be taken over.

The farmers of the Daechuri Poyongteak oppose the military expansion, the use of farmers land for US military bases and the US military who threatens peace and life. The growing movement to demand the withdrawal of United States military has become a popular and unifying effort for many South Koreans, seeking political and economic freedom and the opportunity for peaceful reconciliation with North Korea. Far from listening to the will of the people, the United States military has decided to expand its base, a plan that requires the forced or coerced removal of the farming community of Daechuri, Poyongteak. About 600 people used to live in the village, but about 400 farmers agreed to sell their land and houses to the government, following the initiation of the legal procedure of expropriation in February 2005. The legal procedure of land expropriation, or forced takeover of land from the farmers, was finally completed in December 2005, even though the farmers and peace activists fought very hard against it throughout the year. For example, the farmers went to the Central Expropriation Committee, where government officials decide whether expropriation plan of a land is legal or not, to deliver a message from the people of the land. The Committee officials refused, however, to listen to the farmers. Later, the Committee decided that the expropriation of Daechuri land was legal, which led the farmers and residents of the village in turn to conclude that the government, and its legal system, was not in their interests. Accordingly, the village residents renounced their Korean citizenship, returned their resident registration cards to the city government and declared their community an autonomous region.

2. Korean Peasant League (KPL), South Korea: Liberalization of Korean Rice Market - Series of suicides, one peasant dead from police beatings

Korean farmer Jeon Yong-Cheol died on 24th November from cerebral haemorrhage after having been beaten on the head by riot police during demonstration on 15th November 2005. On this day thousands of farmers gathered in front of the National Assembly to protest the National Assembly's plan to ratify the rice agreement, which would liberalize the Korean rice market to imports from major rice producers.

The demonstration was very viciously repressed by riot police of Seoul Metropolitan Police Agency, who are notorious for their violence. Hundreds of farmers many of them older people were injured during the demonstrations, including one farmer from Boryeong region Jeon Yong-Cheol (aged 43). However, after going back to his hometown after the demonstrations, he collapsed and at 6:30 am on 24th November, he died from cerebral haemorrhage. The team of doctors who did the autopsy announced that he died from 'severe external shock'. The police are arguing that his head injury is from falling on the ground by himself. Several witnesses have come forward, testifying that he was severely beaten on the head during the demonstration and that he had consistently complained that his head injuries were painful and that he felt dizzy after the demonstration.

Background

Much to the anguish of the 3.5 million farmers and the entire Korean population, and despite the continual struggles of farmers, the rice agreement was ratified in the National Assembly on 23rd November, 2005. Kang Ki-Gap, MP of the Democratic Labor Party and peasant parliamentarian, had been on hunger strike for 28 days and several MPs tried to physically stop the ballot but in vain: 139 legislators voted in favour and 66 against.

The rice agreement is an agreement made with nine major rice exporters including China and US to open up the Korean rice market. The deal will permit Korea another 10-year delay in tariffication. In exchange, however, the Korean government will double compulsory rice imports by 2014, from 4% to nearly 8%. Moreover, direct sale of imported rice (unprocessed rice for household table) will be opened up to 10% and then 30% by 2014. In summary, the deal is essentially a plan to liberalize the rice market now, rendering the 10-year tariffication postponement meaningless.

Peasants mobilized daily for several weeks protesting all around the country and blocking highways with their vehicles. Apart from the peasant beaten to death, two farmers committed suicide either in destitution and in protest. The Korean Peasants League has announced that they will continue to struggle directly against the Noh Moo-Hyun government and his neoliberal regime.

3. Peasant Confederation, France: José Bové sentenced to 4 months Jail

José Bové was sentenced to 4 months in jail for his participation in a non-violent action involving the destruction of transgenic maize in Menville, South-west of France on July 14th, 2004. Eight other activists (7 of them leaders of the French Green Party) were sentenced to between 2 to 4 months of probation. The 9 people were also collectively fined. They will have to pay 110.000 € (\$ US 135,000) to Pioneer Inc. José Bové's sentence was very harsh - the prosecutor had only asked that he should be deprived of his citizen's rights for one year (he can neither vote nor run for elections).

On November 17th, 2005 nine activists from the Peasant Confederation, members of its the National Committee, were tried in Versailles, close to Paris, for participating in the destruction of a small plot of transgenic corn in 2003, while José Bové was behind the bars. One of them is René Louail, member of the European Peasant Confederation (CPE).

On the very day that José Bové was sentenced, a solicitor sent by Monsanto visited the Peasant Confederation's head quarters in Paris and asked them to immediately pay an amount of 150,000 € (\$US 180,000). This is a fine the Peasant Confederation was ordered to pay two years ago for having destroyed one of Monsanto's experimental fields in Montbequi, near Toulouse. Monsanto had not demanded the money so far. This visit was meant to prevent the Peasant Confederation from carrying on with this form of resistance. The Peasant Confederation which already faces financial difficulties will, in the payment of this fine, be further hampered in its attempts to defend its members in the future.

This demonstrates that transnational corporations want to be rid of peasants, and seem ready to use repression (jail, money) to force upon Europe their transgenic seeds, (which a clear majority of European consumers refuse to eat at all). It is important to realize nonetheless that resistance against GM plants has never been so strong in France. The movement against GMOs created two years ago counts now over 5000 active members who participate every summer in the non-violent action of destroying experimental fields.

4. CONAMUCA, Dominican Republic: Right to water and natural resources

For over ten years, a range of peoples' organizations in San Cristóbal and Peravia, have mobilized in one or other way in the struggle over water resources. It is not necessary to be an specialist in environment to notice that something is happening in the rivers Nizao, Nigua, Haina and their tributaries. In fact, for over 10 years, gravel extraction companies have established by these rivers, conducting their business untouched by any effective regulation.

These companies have broken with the natural dynamic existing between forests and rivers. This has not only created an ecological imbalance affecting water quality, animal life in rivers and landscape, but it has also generated a reaction that seriously affects the course of the water, both up- and downstream. Erosion has destroyed the banks and the agrarian lands on the shores of the river, and altered the normal flow of the rivers. The voracity of these companies' power shovels, dredges and backloaders have broken the natural aquifer, lowering the water table and bringing about gradual drought, due to impaired geological evaporation and filtration activities. These actions have had a greater impact than deforestation in terms of environmental destruction. For citizens of San Cristóbal, the effects have been felt through their lack of water, lack of rivers, and lack of goods dependent on the water, such as bananas, fish, etc. This lack affects the quality of life of the people living in the surrounding areas.

For this reason, organizations working with the environment in San Cristóbal and Baní and other solidarity organizations have come together to hinder gravel extraction companies from the desertification of our communities. These organizations are: Fundación Gregorio Luperón, Equipo Ecológico y Ambiental VIDA, Confederación Nacional de Mujeres del Campo CONAMUCA-, Federación de Mujeres del Campo de San Cristóbal FEMUCASC-, Federación de Mujeres del Campo de Yaguata FEMUCAYA-, Fundación Pro-Desarrollo Forestal de Cambita, Fundación Pro-Salud, Centro de Capacitación Ambiental Sixto Ramírez, Comité de Desarrollo de Hato Damas, Fundación Manos a Tiempo, Consejo de Dirigentes Comunitarios, Centro de Salud Estebanía Borinquen.

Thanks to their common effort, the government has ordered to the gravel extraction company COCIMAR to leave the area of the river Nigua and they have taken 6 companies to court that operate with no license and with no sustainable plan in the surroundings of the river Nizao. These procedures have advanced positively and, even if the companies have invested a lot of money in order to dismantle the process, peasants' and environment organizations are optimistic concerning the coming results, although they point out that ALBA SÁNCHEZ y ASOCIADOS was responsible for the assassination of the ecologist activist Sixto Ramírez. This occurred on the 12th of October of 1998, during the struggle for the protection of the river Nizao.

Cases of the Emergency Network of the Global Campaign for Agrarian Reform

Philippines: Harassment and court decision threaten the right to food of 200 farmers beneficiaries, Village of Polo, Tanjay City, Negros Oriental

In 1996, 393 hectares of land previously owned by a former Senator was awarded to 200 farmers and their families. Not only has the Department of Agrarian Reform (DAR) failed to install these farmers' beneficiaries onto the said landholding till today, the Court of Appeals has recently decided against the coverage of the land under the national agrarian reform program. The landowner is now taking this decision of the court to retake greater control of the land. Without land, the farmers beneficiaries are unable to feed themselves.

Background

Rene Espina is a former Senator in the Philippines government. In 1996, his 500 hectares of sugar land was covered by the Comprehensive Agrarian Reform Law (CARL). About 200 farmer-beneficiaries were screened by the Department of Agrarian Reform (DAR) and qualified as farmers beneficiaries for 393 hectares out of the 500 hectares of land owned by Espina.

Mr. Espina opposed the installation of the farmers because he leased portions of 393 hectares to some sugar planters. Nevertheless, in May 2004, the provincial office of the DAR, with the assistance of police forces and some local government officials installed the beneficiaries onto the said landholding. The farmers' families were able to plant food crops and earn some money from selling them at the market. Mr. Espina started harassing and intimidating the farmers. He demanded fees from the farmers for entering the main gate, for the use of the road and charged them for the products they sold. On June 16, 2004 the armed men of Mr. Espina began harassing the beneficiaries physically and fired their guns in the air. A survey team accompanied by DAR personnel was fired upon by Mr. Espina's henchmen. As a result, the farmers were forced to leave the land. Without access to the land, the beneficiaries were once again unable to feed themselves adequately.

When the DAR, the beneficiaries and a NGO supporting them decided to re-install the farmers on October 11, 2004, the Philippines National Police, who were requested by the DAR to accompany did not come. Although 70 farmers' beneficiaries entered the land without any assistance from the government, they were once again forced to leave the land shortly after due to the harassment of the armed men of Mr. Espina who were repeatedly firing their guns in the air.

On January 30, 2005, the farmers' beneficiaries forcibly occupied the land as the DAR continuously failed to install them to the land awarded to them. Soon after the land occupation, they started harvesting sugarcane. However, the harvesting activity was interrupted by the armed goons of Espina who again started harassing the farmers. The sugarcane which was earlier harvested by the farmers was confiscated from them. The estimated profit from the sugarcane amounts to 13 million Philippines Pesos PHP (approximately 240,000USD).

To worsen the current situation, the Court of Appeals has recently excluded the land in question from the national agrarian reform program in response to the petition submitted by the land owner. The Court of Appeals is one of the lower courts in the Philippines and can reverse decisions of the local and regional courts, as well as Executive branch decisions. Although the decision is not yet final, it is nevertheless against the provision in the CARL which states that the decision of the DAR shall be immediately executed notwithstanding an appeal to the Court of Appeals. Allegedly, Mr. Espina has managed to manipulate the classification of the land through municipal and provincial governments, thereby evading the coverage of its land under the agrarian reform program. Currently, Mr. Espina is using this latest decision by the court to retake greater control of the land. As such, the victims' supporting group is now helping the farmers' beneficiaries to bring the case to the Supreme Court.

Brazil: Absence of agrarian reform leads to more murders in Brazil.

In the municipality of Anapu, an activist of the CPT (Pastoral Land Commission), Sister Dorothy Stang, together with seven other rural workers, were murdered in 2005 in the course of their defence of peasant rights, and for agrarian reform. Over 90% of Anapu's territory belongs to the State, but the illegal occupation of the land (grilagem) large farmers is the main reason for land conflicts. Parts of this land were anticipated to be involved in a project of sustainable development for agrarian reform, but with the state turning a blind eye, many large

farmers (grileiros) occupy these areas and expel the settled families.

Background

During the past 20 years, more than 1385 rural workers, leaders and activists related to social movements of the fight for land and agrarian reform have been murdered in Brazil. The impunity of these crimes is a remarkable fact: until today, only 77 cases have been prosecuted and, 15 governors and 65 executors have been sentenced. In addition, the state has been persecuting families attempting to secure their economic human rights. In 2003 and 2004, more than 70,000 peasant families were victims of violent evictions ordered by the state and violently executed by the military police.

According to the CPT, the state of Pará has one of the country's highest rates of agrarian human rights violations. The municipality of Anapu is situated in the central region of the state, and 90% of its territory is composed of land that belongs to the Brazilian State or the State of Pará. The unjust occupation of public land (grilagem) by large farmers, including the indigenous land and river-side communities' land, is the main reason for land conflicts.

This situation has its origin in the 1970s when the Institute for Colonization and Agrarian Reform (INCRA) planned the expansion of the agricultural frontier through the implantation of large farms (each 3000 hectares on average). This land was offered to large farmers who applied for the transfer of public land. The candidates for ownership were supposed to announce a plan of work which should be carried out in a period of 20 years. They were forced to set up an agricultural company and turn the land into productive land and not to alienate this land during this period. At the end of this period (at the beginning of 2000), the process of the estates' inspection began. INCRA found that the large majority of these farms consisted of unproductive properties. Given that the occupation plans weren't carried out, the ownership is in breach of contract. Ordinarily, the treaties of the transfer of ownership should be annihilated and the land should be returned to the Brazilian State's patrimony. In accordance to the Federal Constitution, the fate of this land should be for it to come under a process of agrarian reform. The INCRA has brought only a small number of cases to trail, and in many cases the "grileiros" stayed on the land. The state's lax attitude, and the illegal actions and robbery by timber-merchants and breeders of cattle are the principal factors inciting land disputes.

Progress in the struggle for a new agrarian policy in Anapu comes from the social movement victory in the creation of the PDS (sustainable development project). Instituted on December 13th 2003, it can be seen as a new model of agrarian reform for the federal government, reconciling the settlement of traditional people of the "transamazônica" (indigenous people, river-side communities, smallholders) with the promotion of sustainable development in an area of environmental interest. However, the land of the "PDS Esperanca", which comprises 145.000 hectares, had to deal with the occupation by "grileiros", who have tried to reclaim land ownership using their old treaties of the transfer of ownership of public land.

Recently, the focus of conflict and of quarrels between large farmers, timber- merchants and smallholder peasant families increased with the extension of the agricultural frontier (especially the extension of cattle breeding determined to slaughter) and the illegal extraction of wood in that region.

At the beginning of this year, these conflicts were exacerbated by a series of murders against rural workers and persons related to the movement for the right to land in the areas of the PDS of Anapu. Sister Dorothy Stang, activist of the CPT, who worked for 30 years in that region and who was suffering death threats, made various denouncements and appeals to the federal government about the conflicts and the organized crime of large landowners and "grileiros" of the region. She also denounced the involvement of local and regional authorities and the state government's civil and military police. On February 12th 2005, the missionary was brutally

murdered shot in the back and head six times. The crime was conducted by two gunmen, commissioned by farmers who opposed the implantation of the "PDS Esperanca" and "Virola Jatobá". In the municipality of Parauapebas, more than one murder which was induced by agrarian conflicts happened on February 15th. Daniel Soares de Souza, a militant trade unionist and president of the association of the project for the settlement Carlos Fonseca, was murdered by six gunshots at close range in a trap at the street that leads to the settlement.

Honduras: Murder of peasant leader

On the 24th of May 2005, the peasant leader Edickson Roberto Lemus Calderón, regional General Secretary of the National Office of Rural Workers (Central Nacional de Trabajadores del Campo CNTC) in El Progreso, Yoro, was murdered. He was travelling by bus through El Progreso, when an unknown armed person forced the bus to stop, entered the bus and shot Sr. Lemus Calderón four times in the head.

Background

On the 24th of May 2005, the peasant leader Edickson Roberto Lemus Calderón got murdered. He was travelling with the urban bus No. 70 in El Progreso, when at 11:30 a.m. an unknown armed person forced the bus to stop, entered the bus and shot Sr. Lemus Calderón four times in the head. After that, the person escaped in an unmarked vehicle. Sr. Lemus was on his way to visit the peasants' group RENACER, which was evicted by the public authorities from the premises that they had occupied in the sector of Pajuoles in El Progreso on the 19th of May.

In the region of Progreso, FIAN has observed for over ten years a situation characterized by high levels of agrarian conflict and violence against peasant leaders, particularly against active members of the CNTC.

Guatemala: Repression against peasant women and men rallying against Free Trade Agreement

In the middle of March, public security forces repressed demonstrations of peasants and civilians. One of the demonstrators, Juan López Velásquez, was killed, dozens of people were injured. Various Guatemalan social movements called for and proceeded with demonstrations throughout the whole country and called for a national strike, as an action of protest against the recent ratification of the CAFTA (Free Trade Agreement between the United States, Central America and the Dominican Republic) by the Congress. Warrants of arrest were issued against two of the main peasant and indigenous leaders of the country, Daniel Pascual and Carlos Arreaga. The events of 14th and 15th of March add up to a worrying increase of violence against social movements, especially against peasants and human rights defenders.

Background

The demonstration against CAFTA in the capital on March 14th was held peacefully, but isolated skirmishes caused by non-demonstrators caused the National Civil Police and army to target all protestors. As a result, hundreds of people were injured by the police's kicks, blows and tear gas. At least two peasant organizations' headquarters were the target of demonstrations. Furthermore, arrest orders were announced against Daniel Pascual, coordinator of the CUC (Committee of the Peasant Unit) and Carlos Arreaga, coordinator of the CNOG (National coordination of the peasant organizations), both of them nationally and internationally known peasant leaders.

On the following day, demonstrators in Huehuetenango were seriously injured by military forces, who attacked them, accompanied by an anti-riot police group. The army fired at the members of various peasant organizations who protested against CAFTA on the Interamerican Highway near Colotenango, Huehuetenango. This led to the death of Juan López Velásquez, who was shot by the military. Ten people were also injured.

CAFTA will exacerbate the rate of evictions, and allow extractive industries to behave with impunity, trampling the rights of the poor and indigenous people. Nonetheless, the Office of Guatemala's Public Prosecutor announced the possibility of arrest warrants against social leaders, added to those which were already spread out against popular leaders. Once again, the tendency of criminalizing social protest and the persecution of human rights defenders is shown, with a special emphasis on the peasant and indigenous leaders.

Guatemala: Raids on peasants' organizations and human rights defenders

In mid May, various attacks on peasants' organizations and human rights defenders were carried out in Guatemala. On the 8th of May, the office of the National Coordination of Peasants' Organizations (CNOC) was raided. On the 11th of May, the house of Christina Buczko, coordinator of the project "Acompañamiento de Austria ADA", and Byron Garoz, member of CONGCOOP, was raided. In both cases, the main intention of the raid obviously was not to rob items of value, but to take away important information and to leave traces in order to intimidate the victims.

Background

In the night of the 7th to the 8th of May 2005, the central office of the National Coordination of Peasants' Organizations (Coordinadora Nacional de Organizaciones Campesinas, CNOC) was raided. At the occasion of a verifying visit in situ carried out by FIAN International on the 9th of May, it was clear that unknown persons entered the house and that the computers, and of an important number of archival material had been stolen. The intruders left behind expensive, and portable, office equipment. The Public Ministry arrived one day later to visit the site of the crime, and only after the peasants' organization picked up the agents of the Public Ministry with their own car, because the Public Ministry, according to their statement, did not have means of transport at their disposal.

The National Coordination of Peasants' Organizations, CNOC, is the most important center of reference for peasants' and indigenous organizations of Guatemala. The raid, therefore, caused high levels of international attention and concern. CNOC is also the central office of the Indigenous, Peasants, Trade Union and Popular Movement (Movimiento Indígena, Campesino, Sindical y Popular, MICSP), which was very active in the protests against the adoption of the CAFTA and against the Law of Concessions adopted by the Congress.

On the 11th of May, the house of Byron Garoz and Christina Buczko was also raided by unknown persons. The intruders left behind a series of intimidating messages. Byron Garoz is responsible for the programme of rural development studies of the Coordination of NGOs and Cooperatives (Coordinación de ONGs y Cooperativas, CONGCOOP), which strongly supports CNOC, above all in the promotion of agrarian reform in Guatemala. Christina Buczko is coordinating the project "Acompañamiento de Austria ADA", which dedicates its work to international escort of diverse organizations and human rights defenders in Guatemala.

The two attacks described are to be seen in the context of a total of eight raids between the 7th and 12th of May. These actions of intimidation happened within the scope of a process of escalation of violence and repression of peasant leaders and organizations and human rights defenders, which could be observed during the first months of 2005 and about which international actions of the Emergency Net and others were launched.

Colombia: peasants' rights are being threatened

In the region of Magdalena Medio, a comprehensive campaign of aggression against the peasant association ACVC is being carried out by the State and paramilitary organisations. ACVC leaders are being criminalized; arrest warrants have been issued for some of these leaders; Álvaro Manzano, Reinaldo Restrepo and Hernando Agudelo Rodríguez have been arrested. There is a blockade on food and health upon the region. The objective of the aggression is to prevent the ACVC from struggling for the lifting of the withdrawal of the Peasant Reserve Area (ZRC), located in the Cimitarra valley, created in December 2002 and withdrawn through a resolution issued without the approval of INCORA's Board of Directors, as declared in writing by the delegates and the two other peasant delegates in April 2003. The ZRC includes more than 25 thousand peasants in a process of comprehensive development and human rights defence. Several sectors of the Colombian State are involved in the actions against the association. These actions meet the interests of paramilitary groups, cattle farmers and landlords in Magdalena Medio, who consider the ZRC to be an obstacle to the control of land.

Background

In Colombia, more than three million peasants have been violently displaced from their land, which exacerbates the already unequal land distribution. Today, a re-concentration of land is taking place. This process is concomitant with the exorbitant increase of agricultural land used for extensive cattle breeding, as well as to the establishment of oil palm plantations

Peasants have held out against this situation, by organizing themselves and proposing policies and instruments to guarantee their access to land, protecting their production practices. One of these instruments is the creation of Peasant Reserve Areas (ZRC), recognized in the Colombian legislation. For peasants, these ZRCs are, in the current situation of forced evictions, an important legal tool to protect their territory, the self-management of their land, the peasant economies, and means to achieve the successful implementation of agrarian reform and the remodelling of national agriculture.

After following all legal proceedings, among them a public audience, massively attended and with the active participation of entities and experts, on the 10th of December 2002, INCORA (the former Institute for Agrarian Reform) decreed the Peasant Reserve Area (ZRC) of the Cimitarra valley, thus complying with one of the treaties signed by President Andrés Pastrana during the Peasant Exodus of Magdalena Medio in 1998. The ZRC of Cimitarra valley is a project of regional development and comprehensive defence of human rights; it includes over 25 000 peasants in the municipalities of Yondó, Remedios, San Pablo and Cantagallo.

In April 2003, the ZRC was withdrawn. The Government started systematically to attack the ACVC, including using the establishment of a parallel organization, supported by a Senator and representing the interests of large landowners. Leaders are being persecuted and arrested; there is a blockade, imposed by the military and paramilitary sectors, on food and health upon the region; the region suffers under the fumigations carried out by the government in the context of its plan to combat drugs, financed by the US Administration.

Brazil, State of Pará: 20 thousand peasants threatened to be evicted.

At present, more than 4,732 families in the south and southeast of the state of Pará are threatened with eviction. To date, 140 families have already been evicted from their homes. In total, around 20 000 people are threatened with eviction from their lands in the municipalities of Marabá, Rondon do Pará, São João Araguaia, Itupiranga, Paraupébas, Curionópolis, Abel Figueiredo, Eldorado de Carajás, Canaã de Carajás, Tucuruí and Breu Branco.

Background:

The southern and south-eastern parts of the State of Pará have a long history of violence, including harassment of rural workers from big landlords and violations against farmers' human rights. In the publication *"Land conflicts in Brazil 2004"*, the Pastoral Commission of Land (CPT), reports, that 15 agricultural workers were killed in the State of Pará in the year 2004, another 16 people were subjected to attempted murder and yet another 98 people received death threats. The CPT report also reveals alarming information on the circumstances in this case. Although 27 patrons and gunmen have been indicted in their absence, they have still not been caught by the police. Insecurity and terror is therefore common. In 2005 16 murders were registered in the State of Pará, one being the murder of Sister Dorothy Stang (see above). In September last year, the legislature of Pará unveiled mechanisms to enable evictions. However, because of a denouncement made by the organisations and the mediation by the National Agricultural Defence, the evictions were never put into action. According to the organisations, the eviction strategy developed out of an alliance of different fractions within the Government of the Simão Jatene State and is part of a "land clearing" operation ahead of a celebration, by landowners in Marabá scheduled for July 2005. In the beginning of June an eviction operation was initiated by the military police that will involve 40 areas. According to the Landless Peoples' Movement, (MST), about 20 000 rural landless people are being displaced from the occupied areas in the south east of Pará. According to the CPT, the Federation of Agricultural Workers of Pará (FETAGRI) and the MST, there are farms among the occupied areas which are considered as unproductive or are in process of expropriation. The displacement not only threatens the physical integrity of the families, including women and children, but threatens also the right to food of these people.

The families live from this land and will be displaced without being offered any alternative either to live or to obtain food. On 6th June, the police violently forced about 140 families off the estates of Boa Sorte and Boa Vista in the district of Marabá, where they had been occupying the lands for seven years. These estates, of a total of around 6000 hectares of state-owned areas, are illegally controlled by a landowner, Valdemar Camilo. During the evictions of the Buena Sorte estate, the workers were violently harassed by police and gunmen from the hacienda. During this incident, the farmers Sávio Sousa Silva, José Adriano Silva, Robson de la Cruz y Admilson José de Olivera, were harmed and threatened with death by the police. The police officers did not even allow the families to take their belongings or the last crop from their houses. The house of a farmer, Raimundo Castro, where 10 sacks of rice were stored, was burned down by the police. A rural worker, Maria de los Reyes, was alone when the police came. They gave her little time a few hours to take her belongings out of the house and to take them to the street. She refused, and in response, the police set her house, with 12 sacks of rice and other belongings inside, on fire. Further expulsions of land occupants were enforced in the municipality from Marabá, including the evictions of a 100 families on the Globo hacienda (identified as abandoned lands), 48 families from the Remanso hacienda (state-owned land occupied for 7 years) 90 families from the Estrela de Manhã hacienda and 80 families from the Tibiriça hacienda (identified as idle land).

Indonesia: Land for peasants or for tourism? The right to food of more than 7000 persons is threatened by the construction of an international airport, Tanak Awu, Central Lombok, West Nusa Tenggara

On September 18th, 2005, the local police of Lombok, West Nusa Tenggara, fired into a crowd of more than 700 peasants who had come together to prepare a week-long series of activities to commemorate Indonesia's National Peasants' Day. Twenty-seven persons were wounded, four were hospitalised and six were arrested. The peasants were opposing the planned construction of a new international airport in a fertile area of Lombok. One month before the shooting, 2,631 peasants had been evicted from their land by the local authorities to

make way for the planned airport. Since land is their only means of livelihood, the right to food of these peasants' families is threatened.

Background

Lombok is an island in the West Nusa Tenggara province located in south-central Indonesia. The rate of malnutrition is higher in West Nusa Tenggara than the national average. The province has a serious problem of child malnutrition.

It is estimated that more than 7000 people live in the village of Tanak Awu which is located in Central Lombok. The peasants' families have been living in the area for generations. The land conflict in Lombok began in 1995 when the state-owned airport operator PT Angkasa Pura I reportedly expropriated 850 hectares of fertile land by an administrative act. Since then, the local municipality leaders have oppressed the peasants. The airport construction slowed down when crisis hit Indonesia in the late 1990s, but it was put back on agenda in 2005. In fact, the New Lombok Airport International Airport was among the 37 projects which were presented to investors for sponsorship at Indonesian Infrastructure Summit 2005. Already on August 23rd 2005, 2631 peasants of Tanak Awu were forcibly evicted by the local authorities who were accompanied by the police to make way for the planned airport.

In August 2005, FIAN launched an urgent action (0518UIDO) calling on the government of Indonesia to withdraw the Presidential Regulation No. 36/2005 which permits the compulsory acquisition of land for public facilities such as airports without due process and without safeguards for poor landholders.

The villagers in Tanak Awu were never consulted about the airport construction and more than 2000 peasants were already forcibly evicted without compensation and are unable to feed themselves. There is already a modern airport in Lombok which needs only modest expansion to allow international flights. The 850 hectares of land on which the new airport has been planned are fertile and the peasants have been cultivating the land to sustain their livelihood.

The shooting on September 18, 2005, occurred a few hours before an international delegation composed of FIAN, La Via Campesina and some international NGOs reached the place. The peasants had invited them to their meeting to discuss about the ongoing land struggles due to the planned construction of the airport.

Honduras: Criminalization of agrarian reform activists in Bajo Aguan

Since August 23rd 2005, 11 peasant leaders of the region Bajo Aguan, North of Honduras, are under arrest warrant and in danger of being arrested by the public security force. These leaders, together with other 151 women and men peasants from eight different groups, have been arrested and accused of criminal actions, even though their struggle was for the promotion of Agrarian Reform and for the realization of their right to food.

Background

Bajo Aguan, located in the northern part of Honduras, is a region with a high number of agrarian conflicts. There are many land conflicts between peasants and landlords. The main controversial point in these struggles is the implementation of the Agrarian Reform. One of the most used and worrying methods to put an end to peasants' struggles is the criminalization of leaders.

Recently, 11 peasant and social leaders in the region have been indicted and are under arrest warrant. These leaders are: 1) Irene Ramirez: Former Coordinator of the Peasant Movement of Aguan, member of the National Centre for Rural Workers (CNTC); 2) Isau Escobar: Finance Secretary of CNTC, Colon, coordinator of the Rigores' Peasant Movement; 3) Esly Banegas: Coordinator of the Coordination of People's Organizations in

Aguan (COPA), member of the Workers' Trade Union of the National Agrarian Institute (SITRAINIA); 4) Mario Lopez: Secretary of Education in SITRAINIA, working for the National Agrarian Institute as trainer on Agrarian Reform; 5) Fabio Ochoa: Secretary of Departmental Organization in the Democratic Unification Party (PUD) and candidate to deputy for the National Congress (Department Colon); 6) Adolfo Cruz Ruiz: Coordinator of Aguan's Peasant Movement, member of CNTC; 7) Juan Ramon Corrales: Secretary of Education of CNTC, member of the Rigos' Peasant Movement; 8) Carlos Maradiaga: Secretary General of CNTC, Colon; 9) Clemente Brizuela: member of the Honduran Federation of Agrarian Reform Cooperatives (FECORAH), Vice President of the Agricultural Cooperative JERICO; 10) Cruz Serrano Cortes: Former President of "Primero de Octubre", currently member of the Rigos' Peasant Movement; 11) Jose Soto: graduated in legal and social sciences and working for the Technical Centre San Alonso Rodriguez, an attorney of Aguan's Peasant Movement, Rigos' Peasant Movement and other peasant groups facing agrarian conflicts in the region.

Moreover, a further 151 women and men peasant have been charged with misappropriation and other related crimes, among them leaders of peasant bases affiliated to the Rigos' Peasant Movement, the EAC Sohan and Montefresco, the EAC Nueva Generación No.2, the EAC Irióna Puerto, the EAC Brisas del Mar Tres, Aguan's Peasant Movement, Cooperative Jerico and the EAS Fuerzas Unidas.

FIAN and La Via Campesina have observed and analysed different ongoing conflicts in Aguan, especially the cases of Rigos, Primero de Octubre, Jericó and the former Regional Centre for Military Training (CREM), and have often shared their concerns with the Honduran authorities. One of the findings is that cases are not being solved, due to the lack of a land policy implementing the constitutional mandate of the Agrarian Reform. The lack of resolution, the intensification and escalation of agrarian conflicts, also evident in other regions of the country, are mainly due to the fact that the current government has failed to address one of the most urgent issues in the country.

Colombia: „Liberty for Mother Earth“. Indigenous people and peasants fighting for Agrarian Reform

Since October 12th, 2005 indigenous and peasant groups have peacefully occupied more than 12 farms in the Cauca Department, demanding agrarian reform. Armed forces tried to evict them, injuring more than 57 persons. The government of Cauca agreed to initiate negotiations with some of the occupants, but not with all of them. At the same time, the Governor made statements attempting to discredit the groups and communities by associating them with drug trafficking, guerrillas and terrorism. Since the beginning of October, uniformed men have been arriving in the region - possibly paramilitary groups. The risk of a massacre cannot be ruled out.

Background

Land distribution in Colombia is extremely unjust: 0,4 % of the landowners, about 15 000 people, control 61 % of the registered land in the country. In the Department of Cauca, the indigenous people and peasant communities suffer due to the lack of land, and are pushed to cultivating smallholdings on poor quality land. According to 1998 estimates by the former agrarian reform institute, the 64 indigenous reservations in Cauca are lacking 162,164 hectares of land needed for being able to have a proper livelihood.

The claim for land of the indigenous communities of Cauca is not new: In 1995 the reservations declared a state of economic, social and cultural emergency. After a protest which kept the Panamerican Highway blocked for three days, the Colombian government promised to guarantee productive lands. The communities are still waiting, and it seems they are destined to wait in vain - the official budget for land acquisitions has been drastically cut in the past years.

The situation in rural Colombian rural has caused increasing unrest among indigenous, peasant and afro-colombian communities. At the beginning of September of this year, indigenous members of the Nasa people (Paeces) occupied the farm "La Emperatriz" in the Caloto municipality, Cauca, in order to demand that the Colombian government meet its obligations, which it accepted before the Interamerican Commission on Human Rights, with regard to the enlargement of the "Huellas Caloto" reservation, as compensation for the State's responsibility in the massacre of 20 indigenous persons of the Nasa community in 1991.

On October 12, peasant communities occupied the "Miraflores" farm between the Corinto y Miranda municipalities; two plots in the "corregimiento" (smallest administrative unit) Gabriel López, in the municipality of Totoró; and one of the plots in Las Guacas, east of Popayán. The communities of the reservation La Aguada San Antonio, Caldono, Pueblo Nuevo, Pioyá, Las Mercedes and La Laguna Sillería in the municipalities of Caldoso, Silvia and Piendamó, occupied the farm "El Japio" between the Caloto and Santander de Quilichao municipalities; the Nasa community of Kisgó occupied the farm "Los Remedios" in the municipality of Silvia and an indigenous community of the Misak people (guambianos) occupied the farm "Ambaló" in the same municipality. Since October 18, indigenous and peasant communities have occupied the farms "Coconuco" and "Los Rincones" in the Puracé municipality, and the farms "Fátima", "Santa Teresa", "San Ignacio" and "La Selva" in the Popayán municipality; plots Pisochago, Achaquío.

In the case of the "La Emperatriz" farm, the national government signed an agreement on September 13 in which it promised to establish a follow-up commission within 15 days. Unfortunately, despite of international pressure, the government has failed to keep its promise. On October 14, the government of the department of Cauca agreed to negotiate with peasants occupying the "Miraflores" farm, and other lands, and promised to take action to solve their land problems. The departmental government also entered a dialogue with the indigenous Kisgó, committing itself that the property of the "Los Remedios" farm would be handed over to them, as its ownership is in question due to illicit enrichment. In all other cases, however, the departmental and national governments have refused to negotiate with land occupants.

IV. Reports

1. FSPI: Report on peasants' rights, Indonesia

There are three key sources of instability in agrarian relations in Indonesia : (1) An imbalance in the structure of land "ownership" and "control"; (2) Imbalance in the "allotment" of the land use and; and (3) Incompatibility in the perception and the concept of what constitutes "agrarian". These tensions produce violence against peasants, and the violation of rights. Below, we present three of the largest cases of violence against FSPI's peasants and farmers in Indonesia up to 2005:

1.1. The causes of the conflict in Tanak Awu

Farmers and the government have clashed over the use of land in West Nusa Tenggara, with farmers from Tanak Awu strongly opposing the plan of an international airport. Tanak Awu is made up of 556 Ha rice field, 422 Ha dried land, 86 Ha for housing and 13 Ha for other facilities. From the beginning, the farmers did not want to sell their land, but were finally forced into selling to Angkasa Pura I, Ltd. Under pressure to meet a deadline the government used intimidation, rather than bargaining and negotiation, to settle the objections raised by local farmers, refusing to re-open the decision around the existence of the airport.

On 18 September 2005, the police fired on farmers who were organizing a general meeting to commemorate the national farmer's day. As a result, 27 farmers were shot and 6 farmers were beaten, with 4 further farmers detained. The conflict continues to today. The intimidation and detentions continue with the most recent

occurring at beginning of January, when the chairman of the local organization Mr. Lalu Khaerudin was detained with three other farmers.

On the last 29 November 2005, another incident took place. At the site where the government wanted to lay the cornerstone of the new airport, 10 trucks of police and army were mobilized. The peasants tried to defend their land. Ten peasants trying to defend and struggle against the action of condemnation in Tanak Awu, Central Lombok, West Nusa Tenggara were arrested. Six of those arrested are Mamiq mariana, Mr. Nurhanah, Musanif, Mamiq Fit, Masiah, and Anita. The names of all are still being sought. The government has also appropriated a mosque in the area, seeking to demolish it for the airport, and promising to build a new one. Yet the dispute ought rightly to have led to a cessation of activity, since the Commission of Human Rights of Indonesia was still investigating the violence and the injustice of social economic cases in that region

1.2. The Case of Cibaliung- Banten Peasant: Violence and Detention

A clear example of repression, carried out by government on behalf of the private sector, is the case involving the farmers of Cibaliung, Sub district Cibaliung, District Pandeglang Banten with the State-Owned Forestry Enterprise Unit III West Java, Perhutani. The Subdistrict of Cibaliung has 5 villages: Sukajadi, Mahendra, Mendung, and Cibingbin. Cibaliung is located at the hills next to the area of Perhutani. Since 1930, the farmers of Cibaliung have lived and farmed in Cibaliung Banten Pandeglang Banten. The Dutch colonialization withdrew the tax from the farmers (well known as '*Cap Singa*' or Lion Brand and lastly known as the term of *girik*). It continues to the launch of reforestation program involving the Cibaliung farmers and its management is given to Perhutani.

Those living near the forest are exploited and abused by Perhutani BKPH Cikeusik KPH Banten, who claim that the farmers' land is Perhutani's land. It is a long-running agrarian conflict with frequent detentions and widespread intimidation. The Cibaliung farmer dispute 100 hectares claimed by Perhutani, land which is currently occupied by 300 farmer households in possession of land certification, and who currently pay land taxes.

On 5 March 2000, however, the farmers faced direct resistance from Perhutani, in which local government representatives, accompanied by the police forcibly evicted farmers from their homes and land, arresting the farmers who resisted or who were regarded as organizing other farmers to resist Perhutani.

Finally, 17 peasants were arrested by the police, sent to trial and were sentenced to between one and two years. unusually, the crime of which the farmers were accused was not related to the land conflict, but of wood theft in the area of Perhutani. A similar incident occurred in November 2001, following the successful occupation in December 2000, when 150 farmer families successfully reclaimed 200 hectares of their land. On 11-13 November 2001, 40 farmers were arrested, without due process, without access to lawyers. Again, they have been charged with wood theft.

The land expropriation and arbitrarily detention of farmers in Cibaliung continues. Two farmers were detained, one of them aged 92, and jailed for about 8 months again on the charge of wood theft. The Perhutani's intimidation, with the help of the police, can be understood as terrorism. The police burned homes, destroyed farmland, and even destroyed farmers' saved seed. Police also slaughtered livestock. In court, farmers receive little justice.

1.3. Land dispute between North Sumatra Peasant Union and Bandar Pasir Mandoge Unit II Bakrie Sumatra Plantations, Ltd. led to the detention of five members of the North Sumatra Peasant Union by the police

Land struggled is located in Sei Kopas village, Bandar Pasir Mandoge Subdistrict, Asahan District, in the village of Silau Jawa.

The land clearing was done by the people since 1953. In 1983, the regent of Asahan at that time, Dr. Bahmit Muhammad, urged the people to invent the land to the local govt. in order to be used for People's Core Plantation ± 674 Ha. The land without any explanation had belonged to BSP, Ltd. (Bakrie Sumatera Plantations)]

In 1999, the people of Sei Kopas formed a farming group "Maju Bersatu" with member ± 250 household head to demand land which had been promised to them since 1953, but which had been illegally used by a large plantation (BSP Ltd). After four years of waiting, in 2003 the people of Sei Kopas claimed the land. Farmers began to plant the land with food, and also built three buildings on 220 Ha of disputed land.

On 31 March 2005, a meeting was conducted between the farmers in Bandar Pasir Mandoge unit II and the Local House of Asahan, resulting in an agreement that the party of PTPN III Huta Padang plantation, PTPN IV Sei Kopas, Jaya Baru, Ltd. Sei Kopas, and BSP, Ltd. Kisaran will not intimidate the people and would leave alone the land controlled by the people.

On 6 April 2005, the Local House of Asahan reviewed the conflict land in Bandar Pasir Mandoge Unit II. On 7 April 2005, a meeting was conducted between the farmers and PTPN III Huta Padang Plantation, PTPN IV Sei Kopas, Jaya Baru, Ltd Sei Kopas and BSP, Ltd Kisaran facilitating by the Local House of Asahan. The meeting ended with an agreement that the land controlled by the people was expelled from the Right to Use the Enterprise.

On 18 May 2005, a meeting was conducted between the govt. of Asahan District issuing an instruction to the Subdistrict head of Bandar Pasir Mandoge to solve the conflict between the people and the corporation. On 18 August 2005, 5 people from Sei Kopas were summoned by the police, accused of land destruction in that area. The five people were: Bonar Manurung (age 48), Julia br. Manik (age 55), Sulaiman Tobing (age 40), Masri br. Tampubolon (age 45), and Charles Manurung (age 26).

On 19 August 2005, the members of farmer group "Maju Bersatu" met two security agents who were witnesses for the police, named Mangunsong and Sutrisno. These two men confessed that they were sent by the corporation to take a wet log and a burnt log. They took those logs from other village, i.e. *ladang Hasibuan* and *ladang Ma Toni*, outside the area controlled by the farmers' group, and placed them in Sei Kopas. These two men had then reported to Bandar Pasir Mandoge and Asahan Police that land had been destroyed.

On 23 August 2005, the fifth men slandered as doing destruction were called back by the Asahan Police Resort to be met with the security of the corporation to prove that they were not guilty. Unfortunately, they were detained by the Asahan Police.

Until today, Maju Bersatu members, and other farmer groups in the area of Bandar Pasir Mandoge unit II, Asahan, are still holding out against the Asahan Police, demanding the release of their friends.

2. La Vía Campesina Colombia: Report on the human rights situation of Colombian peasants

Massive evictions in Colombia have caused a diaspora of peasants, indigenous peoples and afro-descendants who, beyond being displaced, are subject to assassinations, torture and 'disappearance'. The government, following a policy defined by the interests of multinationals, landlords, drug-traffickers, etc. has destroyed all possible development options of these communities. Through the paramilitary and the massive evictions, these interests have taken over the patrimony of the victims suffering political violence. The Plan Colombia, Plan Patriota, the policy of democratic security, as well as many legal and institutional reforms, have institutionalized the deprivation of land and agrarian counter-reform.

The counter-reform process, which is being implemented today in the country has different facets and includes various strategies. The projects, controlled by government and paramilitaries, include drug trafficking, the implementation of huge extraction projects, and the exploitation of natural resources, large agroindustrial projects (African palm, cocoa, bitter yucca), cattle expansion, and large eco-tourist projects, among others. Each area has its characteristics and configuration of armed conflict, role of the State, presence in organizations, level of investment, existence of infrastructure, etc. Moreover, laws like the high-plateau and forest laws go against biodiversity, affecting water, renewable and non-renewable sources of indigenous, black, peasant, settler and other people who are the original and rightful owners of their surroundings.

Among the concerns that face those fighting for peasant rights are:

The Legalization of paramilitarism and presidential reelection: the current process of paramilitary demobilization implies the legalization of land seizure with bloodshed and fire. It is very important to keep in mind that those demobilized after military action are implicated in crimes against humanity. These criminals will now legally act in political movements and parties that will support the current government. They will put pressure and have influence in the territories that were or are under their control, in order to consolidate the political leadership of the current president.

The Violation of Collective Rights: regarding these rights, we emphasize the massive evictions of peasants, afrodescendants, indigenous peoples and women, whose rights have been systematically violated. Especially condemnable is the policy of the government regarding the indiscriminate with glyphosate (broad spectrum herbicide) as a means exterminate illegal plantations. Several high courts have ruled that indiscriminate spraying with this product are an ecological crime, which has devastating effects for human health, destroying subsistence plots, cultures and natural reserves, violating the right to life in dignity, to food, to housing, education, land, territory, work and culture, among others.

Reforms of justice, of labor and policy aspects: we reject these reforms because they tacitly endorse serious violations of existing and recognised rights, not only in the national constitution, but also in international treaties, recognised explicitly by our constitution as core element of our legal system. These reforms imply the support of collective labor massacres, privatization of public services, dismantling of companies that go against union, agrarian and other types of rights. In the future, this will encroach on any possibility to organise, work and make peaceful protests and mobilizations, giving authority for marches to military. The so-called law of "Justice and Peace" is a mockery of the right of the victims to the truth, remedy and justice for all crimes against humanity committed by the paramilitary.

Persecution of organizations and peasant leaders: from 1960 to 2006, several of our organizations, movements, communities and sectors have been persecuted, detained, tortured and exterminated, as well as deprived of work, land, territory, due to our social, political, and cultural positions. Peasant, agrarian,

indigenous, women, afrodescendants organizations have experienced the assassination of more than 1000 of their leaders during the last years. Organisations like ANUC-UR, FENSUAGRO, FENACOA, ANMUCIC, ONIC, PCN, CND, MUJERES, JOVENES, ESTUDIANTES, JUNTAS DE ACCION COMUNAL were the most affected. Most of these crimes have remained unpunished, without receiving the appropriate address from the Colombian judiciary.

Therefore, we demand the following from the Colombian population and its government, including the High Court, international courts, international and human rights bodies:

1. To investigate and respond to the crimes committed by omission and action of the Colombian State throughout history against the Colombian peasant movements and social and political organizations.
2. That the Colombian State responds to the justice and remedy of the victims.
3. Protection of the land through State policies that enable the real redistribution of land, the protection of biodiversity, of communities, of peasant economy and that make visible their contribution and recognizes their historic and political role for the country.
4. In order to enable real peace in Colombia, the Colombian government has to prioritize and promote the Comprehensive Agrarian Reform policy for the 14 million people living in indigenous, peasant and afrodescendants' land.
5. The national government has to stop indiscriminate spraying with glyphosate, since it goes against human rights in Colombia, and compensate the communities affected by this spraying.

The international community has a duty to ensure that the rights violations in Colombia, which it supports through its silence, come to a swift and final end.

3. CONAMUCA: Report on Haiti

Since its recent invasion, Haiti has become a tragic model of human rights violations. The violations include

The right to life: Because of political and social instability, an atmosphere of insecurity has been created due to institutionalized State violence. This violence is condoned, first, by the invasion of the United States, and further legalized by the UN, with the participation of several nations (Minustad). This provokes confrontations, particularly when Haitians try to resist the occupation, leading almost daily to deaths and injury. The presence of armed groups results in the death of hundreds of Haitians.

The right to health: The right to health barely exists despite the heroic efforts of hundreds of Cuban doctors in the Haitian territory. The majority of Haitians are deprived of their right to health, due to lack of facilities, drugs and the non-implementation of a health plan focusing on people.

The right to education: Over 40% of the Haitian population is totally or functionally illiterate. The national education system is in a precarious state: every year, thousands of children and adolescents don't have access to education and are therefore deprived of, or face difficulties in realising, their right to education.

Political and Civil Rights: The same situation also affects civil and political rights, especially when it comes to the violent repression by the government (acting according to the occupation troops).

The right to work: Unemployment runs at over 55% of the active population, which makes the life of Haitians even more precarious, since the government doesn't give them a solution regarding their right to a work, in order to assure them of the ability to live in dignity.

The Right to Food: The right to food is another human right that faces obstacles in its realization, since a large amount of the rural Haitian population doesn't have land to cultivate, and those owning some land have to work on land of low quality and with no facilities (like paths or roads) to take the harvest to the cities, and without governmental technical assistance, economic aid and aid to sell their products. At the same time, Haiti's agricultural economy has been opened to foreign trade, making it almost impossible for local farmers to compete.

The right to environment: Over 95% of the country suffers deforestation, which started in colonial times. This deforestation has contributed to the desertification of large part of the soil, and the disappearance of dozens of rivers and streams, which represents a serious threat to the survival of this country.

To sum up, Haiti has been deprived of its right to political, economic and military sovereignty, of work possibilities, of land to produce for the national market and the country's health, education, housing, systems are in dire conditions.

4. La Vía Campesina: Report on the struggle during WTO ministerial meeting in Hong Kong

La Via Campesina was present in Hong Kong on December 2005 during the WTO ministerial meeting. On the night of December 17, more than 1300 persons were arrested by the Hong Kong police accused of unlawful assembly. Many of them were released after 24 hours, but 14 protesters were released on bail on January 10, 2006. Two farmers from the Korean Peasant League still have to present themselves in the court house in Hong Kong at the beginning of March 2006. There were worrying reports that international human rights standards were not kept in the process of arrest and detention of many of these protestors.

Three delegations of La Vía Campesina report on the treatment they received while being detained and interrogated by Hong Kong Police.

Bangladesh Krishok Federation (BKF), Bangladesh: Three BKF's delegates were released first on December 19 at 11:30 p.m. One of the detainees was a woman called Salina. Once in prison she was taken to a place that was too hot for her to tolerate. When she tried to escape she was brutally dragged into a very cold cell and asked to undress. Since she refused to do so a female police officers forcefully took her Sari off and tried to take off her under-clothes as well. She tried to defend herself with all her strength. When the female police officers failed to undress her, they horrified her by threatening to call in male police officers to take off her underwear. Moreover, she was kept in the cold cell alone without food and drink. In protest at her maltreatment, she refused to use a blanket. Finally police released her on December 19 in the morning in the presence of the Bangladesh consul.

Indonesian Peasant Federation (FSPI) Indonesia

This is the short story about incident happened in 17th night. La Via Campesina's peaceful and non-violent action turned to be a chaotic one because of the Hong Kong police.

When we were arrested, a lot of the treatments were inappropriate. First in the procedure of detainment, which we have not received anything from the police about the reason of the arrests. It was 4 in the morning, and the HK police even did not respect our basic right: the right to have food and eat.

First place: Warehouse

First, all of us (from different countries of La Via Capesina: Indonesia, Korea, Thailand, Basque, France, Timor Lester, etc) moved to one area called Kuhn Tong (KTOB), which is indeed a warehouse or some kind of place for dog training unit (K9). We just sat there and wait without any food or water. It was very harsh to the Indonesians, because the night before we had not eaten anything. The police did not allow the food brought by our friends to enter Wan Chain district. Our friend tried 3 times in 17th night, but police blocked them all.

And then, the situation became worse because of the cold climate. Some of the Indonesians who can not stand the cold began to collapse. We also could not go to the toilet immediately, and the police made a queue for one-by-one person who can go. We were dragged like criminal by the police. They also prepare a bucket in case people could not hold it anymore.

Second place: Another set-up

When we went to another police station, the police told us that we can get warm place, food and etc. So we moved and obey the police. But the fact it was not true. We were told to sign a detention letter: It was a form where the police had ticked a box. There were 3 boxes: 1 - persons detained in custody of the police, 2- Persons detained in custody of the police on the order of a magistrate, 3- persons under investigation by the police. We just had to sign. It was very confusing and we didn't know what it meant. We did were not allowed any support from our friends outside or any legal advisor. We could only talk to a translator-who was inefficient and I can say: useless.

This process went very fast. But some of the people of La Via Campesina criticized it. When we started questioning the policemen about the procedure, they wrote it on our file, such as Paul Nicholson, Ikhwan, and other people. We did not know what it meant.

Third place: The lockups

The last and the worst place was the jail. Total of all Indonesian delegation who put in jail is 23 people, including 3 women. We were put in several different jails. We did not know the exact locations, but ours was somewhere in Po Lam district or someplace.

Like most of people said, behind the bar is the coldest place. In fact, it is true. No bed was provided for us, and the treatment was even worse. At least 3 people got sick and no medical attention whatsoever was given to them. They just told us to wait. It was like 5 degrees, and the Indonesians can not stand it from the very first time. They also took all of our protection: hats, scarf's, and everything outside. The police only provided one thin blanket, and that is all.

Mr. Sawardi Sukirman, who is pretty ill and weak requested to receive medical attention. But until we were released, nothing was done by the police. They were just making promises and saying "wait-wait-wait". Like the Thai said before, maybe they are so afraid that we would take poison and commit suicide in the jail.

The food is the worst thing on earth. We, the Muslims could not get our decent food. It contained pork which is forbidden for us. The Indonesians got weaker hour by hour in the jail. Fortunately, there were helps from our outside friends. They deliver jackets in order to resist the cold and also new underwear, but the stuffs came pretty late around 4 a.m on the 19th. The police also did not provide us with enough water, so many people got dehydrated, had dried-skin, etc. There was also suspicious thing in the water, which left yellow residue. All the peasants thought it was some kind of sleeping pills to make us quiet.

There were also a lot of shocking things: we could not make telephone calls, there were improper treatments such such as dragging, and physical contacts.

Assembly of the Poor (AOP), Thailand

Information from Thai group. From 93 Thai delegates, th 25 Thai women and 51 Thai men were arrested. We were put in 5 different jails at Mong Kok 26 men, Wong Jai Sin 15 men, Sao Mao Ping 24 women and 1 man, Krung tong 5 men, and Tuen Kwan O 1 woman and 4 men.

In the jail, the policemen treated us like a riot prisoners. The jail is so cold, at least three women got sick and we were rejected to take medicine as the police were afraid that we would take poison and commit suicide in the jail. We try to explain that the jail was too cold. Since they took all of our socks, scraf and warm things away, we could not stand for that. However, they did not allow us to take back our warm things. The toilet is open space in front of the cell and everyone can see when you do your private business including the police walking pass by. We could not clean the toilet by ourselves and the pulling thing is only outside the cell and only police can do it.

In our group, we were rejected to make a phone call to relatives and lawyers even they had put that in our rights for detainees. We had seriously quarreled with policemen many times on this. Finally they allowed only 1 person to make a phone call but still rejected to meet with lawyers.

In our group, there were with us 2 Aids patients. They had brought their own medicine since they have to take medicine every 12 hours, 9 am and 9 pm. They have tried to explain to the police that they had taken these medicine for 4 years. However, the police did not allow them to take medicine. Rather they put chain at their 2 hands, legs and body, then pull them to the hospital. At the hospital, the doctor allowed them to take medicine, but that was many hours after their regular time. This will affect seriously to the AIDs patients.

However, after we were released, all of us are still in good spirit and very much appreciate the Korean friends and Via Campesina to this great solidarity. Some said they will never miss next protest on WTO. We were back home with warm welcome from 70-80 people organizatons alliances. Many television, radio station and newspapers had reported our news many days continuoursly. When the first women group arrived bangkok, we organized the press conference and condemn the Hong Kong police.
