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CETIM Rue J.-C. Amat 6
1202 Geneva - Switzerland
Tél.: +41(0)22 731 59 63
www.cetim.ch
contact@cetim.ch

**“There is not a developed world and
an underdeveloped world
but a single world badly developed”**

EDITORIAL

Even if the Covid-19 pandemic prevented it from celebrating as it should, CETIM is celebrating its 50th anniversary this year. That said, the current health crisis has only confirmed, once again, the thesis on misdevelopment which is at the origin of the foundation of CETIM.

Indeed, for five decades, CETIM has been conducting research and publishing its analyses on this subject, while trying to “bring to light the national and international mechanisms that promote or hinder economic, social, cultural and political development”. The goal is to “promote, by all appropriate means, knowledge of development problems and the awareness necessary for a commitment in society”.

In the context of Covid-19, this task is of particular importance. In fact, numerous restrictive measures, and sometimes liberticidal, enacted by the authorities in the name of the sanitary emergency, could very often serve as a screen to evade the real causes of the crises in progress (not only sanitary, but also economic, political, social and environmental) and of numerous violations of human rights. In other words, the reduction of democratic space is real.

In this sense, CETIM's research and publications play a fundamental role in raising awareness and encouraging citizen participation in decision making, particularly in the choice of development policies.

CETIM's commitment within the UN pursues the same objective: to contribute to the debates organized within this institution (on international cooperation among others), while relaying the demands of social movements, to help victims and affected communities obtain justice from the UN mechanisms for the protection of human rights and to participate in the elaboration of new norms to fill the gaps in international human rights law.

In this issue, you will find a special insert on CETIM's 50 years of commitment to social justice, to a democratic international order, to the promotion of human rights and international solidarity.

You will also find an account of some of our actions at the UN, carried out despite the restrictions linked to Covid-19, as well as the presentation of two new publications in its collection “Pensées d'hier pour demain” (Thoughts of Yesterday for Tomorrow).

PEASANTS RIGHTS

SWISS FOREIGN POLICY AND THE UN DECLARATION ON THE RIGHTS OF PEASANTS

While Switzerland played a key role in negotiating the Declaration on the Rights of Peasants and Other People Working in Rural Areas, a study commissioned by a number of Swiss NGOs, including CETIM, shows that its foreign policy in this area leaves a lot to be desired.



The Declaration on the Rights of Peasants, adopted by the UN in 2018, aims to tackle the multiple forms of discrimination faced by peasants who are the main victims of extreme poverty and hunger in the world.

Switzerland, which played a key role in negotiating the Declaration

and voted in favour of it, can and must support its implementation through engaging in international cooperation and supporting peasant organisations. It must encourage the bolstering of the mechanisms which monitor the compliance, protection and implementation of the rights enshrined in the Declaration.

A study carried out by Christophe Golay and Caroline Dommen, commissioned by the Swiss Catholic Lenten Fund (Action de Carême), CETIM, EPER, FIAN Suisse, Bread

for All (Pain pour le prochain), SWISSAID and Uniterre, analyses the shortcomings of Swiss foreign policy in the areas of trade, seeds, land rights and development cooperation.

The publication also focuses on the measures to be applied in Swiss foreign policy so that it supports the implementation of the Declaration in Switzerland, on a global level and in other countries.

The summary in English and the full report in French can be found on our website at the following address:
www.cetim.ch/switzerlands-foreign-policy-and-the-un-declaration-on-the-rights-of-peasants/

RIGHT TO DEVELOPMENT

SWISS COOPERATION POLICY TAKES NEW DIRECTION: CONCERNS OF THE UN EXPERT ON DEVELOPMENT

During the 45th session of the Human Rights Council, the Special Rapporteur on the right to development presented a report regarding his visit to Switzerland last year (see CETIM's bulletin No. 60). In it, he expressed concerns regarding the new approach of the Swiss cooperation, a concern in the same vein as already expressed by CETIM. During the debate which followed the presentation of the Rapporteur, CETIM took the floor to remind the problematic issues regarding this matter.

As the Rapporteur rightly pointed out, the new approach of the Swiss development cooperation policy, which emphasises "Switzerland's primary interests", is of great concern.

As we all know, the basis for development cooperation worthy of the name is solidarity. It is about supporting people and countries which are in difficulty at a given time in their history by granting them technical and/or material support to meet their needs and to help them cope. If countries only take care of their own national interests, can we still really speak of development cooperation?

Furthermore, during its intervention at the UN, CETIM expressed concerns regarding the new direction of Swiss cooperation which relies on economic growth to solve all development problems and, in order to achieve this, grants the private sector a significant role. According to CETIM,

this is an outdated development model which continues to be imposed by the heavyweights of the world even if it has not only shown itself to be ineffective but has also damaged the environment, the economy, social welfare, subsistence farming and culture.

We regret that the Special Rapporteur failed to mention in his report the situation of Swiss peasants and agricultural workers in the country. Indeed most of the subsidies paid to the farming sector are gobbled up by processors and firms selling these goods, while peasants and agricultural workers cannot meet their own needs even though they work more than 10 hours a day.

You can find the declaration made by CETIM on our website.

HUMAN RIGHTS



VIOLATIONS OF THE RIGHT TO WATER IN CHILE

CETIM and the Movement for the Defense of Water, Land, and Environmental Protection (MODATIMA) denounced violations of the right to water in the Petorca region of Chile.

The right to water and sanitation is a human right. Indeed, water is essential to human life not only for daily consumption and hygiene but also for food production. In this sense, access, supply, and sanitation of water are indispensable for dignified and decent living conditions.

However, in Chile, the right to water is not formally enshrined in national legislation and is not respected. By granting private actors licenses to exploit the country's water resources, the Chilean government is generating prolonged and systematic violations of the right to water, particularly in the province of Petorca, known for the production of avocados for export.

On August 20, 2020, the UN Special Rapporteur on the Right to Water and Sanitation, Mr. Leo Heller, issued a statement on the right to water in Chile, following the advocacy work of CETIM and MODATIMA.

His assessment of the respect of this fundamental right is unequivocal. According to the Rapporteur: «The Chilean government does not respect its international human rights obligations if it gives priority to economic development projects over the rights to water and health». The Rapporteur also made specific recommendations to the Chilean government to remedy this situation.

Petorca, a dramatic situation

Within the framework of the 45th session of the United Nations Human Rights Council, CETIM and MODATIMA denounced the water shortage caused by the poor management of this natural resource by the Chilean authorities

in the Petorca region. On this occasion, Rodrigo Mundaca, spokesperson for MODATIMA, intervened in the following terms: "We know what it means to live without water, since we live in the national epicenter of the violation of the right to water, here in the province of Petorca, where the production of avocados counts much more than the life of our communities, the preservation of ecosystems, the care of our local identities. (...) We have deployed dozens of strategies: mobilizations, actions directed towards the Chilean Parliament, the elaboration of books and an infinite number of debate texts, thousands of forums, national visibility actions in the local, regional, and national media, accompanied by important reports by different press organs. In each of them, the evidence is irrefutable: in Chile, the right to water is systematically violated, which is a determining factor for the realization of all other rights."

Together, CETIM and MODATIMA have also elaborated a detailed report on this issue. In the future, our two organizations will continue to be committed to ensuring that the Chilean State follows and implements the recommendations of the Special Rapporteur and complies with its international human rights commitments so that Chile guarantees the priority of the defense and promotion of the right to water over private economic and commercial interests.

You will find on the CETIM website the press release of the UN Special Rapporteur on the Right to Water (in English or Spanish), the statement of the spokesperson of MODATIMA (in Spanish), and the detailed report of the CETIM and MODATIMA (in French or Spanish).

TRANSNATIONAL CORPORATIONS

NEGOTIATIONS ON THE BINDING TREATY ON TNCs CONTINUE IN A DIFFICULT CONTEXT

The sixth negotiating session of the United Nations Intergovernmental Working Group to elaborate a legally binding instrument on transnational corporations (TNCs) and human rights was held in Geneva from 26 to 30 October 2020.

As every year, CETIM and its partner organizations, united in the Global Campaign to Reclaim Peoples' Sovereignty, Dismantle Corporate Power and Stop Impunity (Global Campaign), followed and participated in the negotiations in order to make the voice of the peoples and communities affected by the activities of these entities heard.

It is clear that the Global Campaign, which has been present since the beginning of the process, is the main driving force behind it. In fact, the call to develop this international legal framework stems precisely from the need to protect and ensure access to justice for those affected by violations committed by TNCs.

This year, due to the restrictions imposed by the situation related to COVID-19 and the impossibility of travelling to Geneva, the negotiations were conducted in a "hybrid" manner: a limited physical presence at the UN, and the possibility of following and participating virtually.

CETIM and its partners had warned that, due to the current situation, the conditions necessary for an adequate, inclusive, and participatory negotiation session were not met. Hence the proposal to transform the formal negotiations into an informal consultation.

Indeed, different time zones, internal political agendas saturated

by the health emergency, as well as repeated technical problems in remote participation, not only prevented the holding of a meaningful negotiation, but also limited the place of social organizations and movements in the negotiations.

However, thanks to the collective work and dedication of its members, the Global Campaign, represented by CETIM in the UN compound, managed to make the voice of the field heard throughout the week of negotiations.



Raffaele Morgantini (CETIM) during the negotiations at the UN

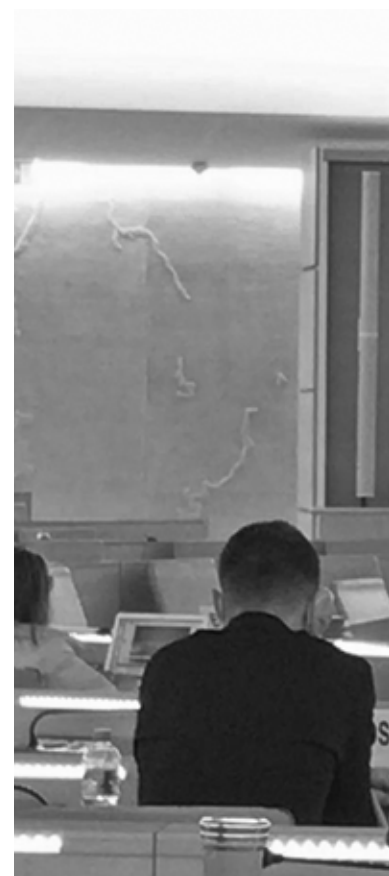
An insufficient text

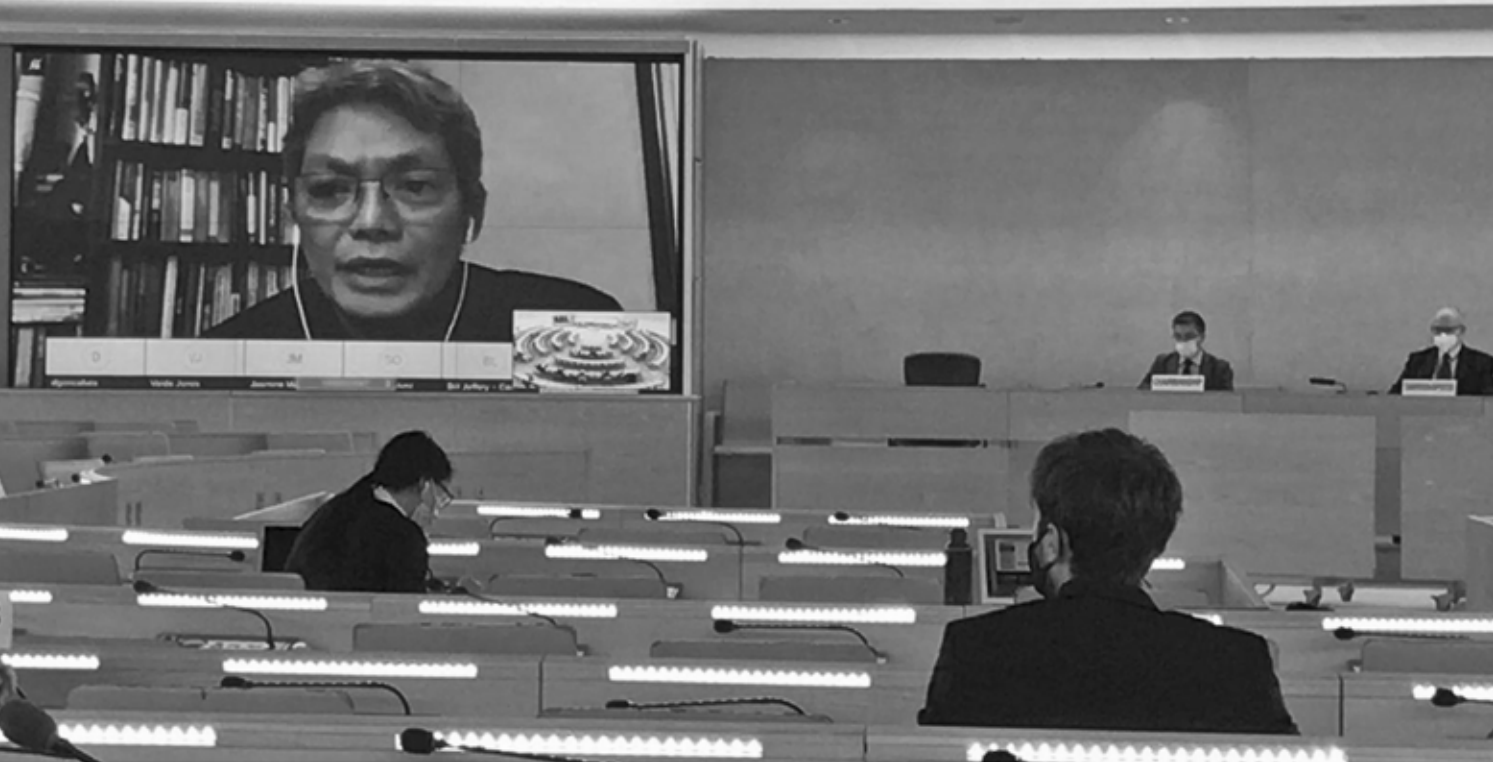
In terms of content, the Working Group considered a new draft treaty text presented by the Presidency (assumed by Ecuador), the third since the beginning of the process in 2015. The organizations of the Global Campaign expressed their concern about the major structural problems that persist in the draft, while engaging in

specific article-by-article negotiations, with alternative drafting proposals and concrete amendments.

Our main concern is that the current text continues to fail to reflect the objective of the mandate as set out in Resolution 26/9, namely that of regulating, within the framework of international human rights law, the activities of transnational corporations and other business enterprises of a transnational character.

This new version still contains problematic aspects that could hinder the achievement of this objective and consequently the addressing of violations committed by TNCs. Indeed, these violations remain mostly unaddressed due to the gaps in international law concerning these entities, on the one hand, and their immeasurable political and economic power, on the other.





Josua Mata (SENTRO) speaks via video conference on behalf of the Global Campaign

It should be noted that a good number of state delegations were on the same wavelength as the Global Campaign and once again showed their commitment to the process, supporting an ambitious binding treaty focused on the regulation of TNCs and their value chains, and not just any company, as desired by the critics of the process.

Delegations also called for the establishment of direct obligations for TNCs, not to be confused with those already established for States. This point is crucial: establishing direct obligations for TNCs is necessary to ensure strong legal provisions capable of holding these entities accountable for their actions, overcoming their ability to influence the political arena, and escape national jurisdictions.

On the other hand, we still find the same group of states that want nothing to do with this treaty, or who advocate for a treaty emptied

of its *raison d'être* and its capacity to constitute a bulwark against the power of corporations that these same states harbour. Among these countries we find especially those from the North, but also some from the South under the tutelage of the powers of the North and/or subject to the influence of TNCs.

That said, at the end of the 6th session, it was agreed that the Presidency would prepare a new version of the draft Treaty, taking into account the position of the majority of States that demands respect for the mandate of the Intergovernmental Working Group, as specified in resolution 26/9. This new version will be presented to the 7th session of the said Working Group in October 2021.

Generally speaking, the challenges we face are multiple. Added to this is the current unfavourable international situation, marked by the willingness of the dominant elites to defend the *status quo*.

Nevertheless, CETIM and the Global Campaign will continue the fight against the impunity of transnational corporations, also through their commitment to this historic process.

We remain fully convinced that this process constitutes a space for a broad struggle against the predatory system known as neoliberal, dominated by TNCs, allowing the latter to dictate their wills/interests to governments.

Our commitment within the UN to this process must be seen as complementary to other spaces of struggle, whether at the local, national, or regional level. The international political and economic context reminds us every day of the relevance and necessity of such a legal instrument in order to bring justice to peoples and communities whose rights are violated every day with impunity.

HUMAN RIGHTS

CETIM'S STATEMENTS AT THE UN

During the 44th and 45th sessions of the UN Human Rights Council, CETIM intervened to present cases of human rights violations that are being followed up in the framework of our advocacy work and solidarity with our partners in the South.

**POVERTY:****VIOLATION OF HUMAN RIGHTS**

CETIM is deeply concerned about the causes of poverty: a multi-dimensional problem that cuts across all human rights issues. It is in fact indispensable to address poverty well beyond the simple lack of monetary resources, since it encompasses the lack of access to health care, decent housing, sufficient and quality food, water, work and training, as well as exclusion and discrimination.

As the COVID-19 pandemic is an indicator of a system that increases inequality and leads to poverty, it is essential to focus on workers in the informal economy, who are particularly affected. In some countries, such as Chile for example, the informal sector is currently subject to violent repression by law enforcement agencies, as this activity is criminalized by law; the authorities are thus driving this sector into illegality, leading workers into a spiral of precariousness and impoverishment.

CETIM has asked the UN Special Rapporteur on Extreme Poverty to study the violations suffered by people working in the informal sector.

**RIGHT TO PHYSICAL AND MENTAL HEALTH:
THE PRIMARY HEALTH CARE APPROACH**

During the interactive dialogue with the UN Special Rapporteur on the right to health, Mr. Pūras, CETIM was pleased to note that the Rapporteur's analyses are in line with those we have been developing for many years on this fundamental right.

As the Rapporteur rightly points out, it is essential today to identify the major determinants of physical and mental health in poverty and inequalities between and within countries. This is all the more true in the context of the current crisis linked to the COVID-19 pandemic, a crisis that once again demon-

strates the need to steer our societies towards integrated health systems based on social justice and based on prevention and not just treatment.

INTERACTIVE DIALOGUE WITH THE EXPERT WORKING GROUP ON TNCs:

VOLUNTARY VS. BINDING STANDARDS

Thousands of people affected by transnational corporations continue to denounce the inadequacy of the UN Guiding Principles and the systematic nature of the human rights violations caused by these entities. The only way to put an end to the impunity of TNCs and to guarantee full and complete access to justice is to move towards the elaboration of a binding legal framework to regulate the activities of TNCs.

According to CETIM, the discourse that the persistence of human rights violations by TNCs lies in the weak implementation of existing voluntary standards is simply false. This pseudo argument ignores the intrinsic limits of these voluntary standards, which are ambiguous with regard to States and TNCs' obligations.

For example, studies conducted on countries that have adopted National Action Plans based on voluntary standards demonstrate the inability of these mechanisms to respond to the challenges of ensuring access to justice for affected communities. Analyses also highlight the often-overwhelming



influence of TNCs interests and their broad hold on public policy-making spaces in many states, which is of particular concern today in times of pandemic.

ELECTIONS IN BOLIVIA: CETIM DENOUNCES POLITICAL PERSECUTION

In March 2020, CETIM had already denounced the massacres that took place in the country after the institutional rupture of November 2019 and which remain unpunished for the moment. Moreover, in August 2020, our association and its partners seized the human rights protection mechanisms of the United Nations to denounce the impunity of the perpetrators of these massacres.

Later, alarmed by information from its partners on the ground, a coalition of international and Latin American NGOs (of which CETIM is a member) recalled the worrying political situation in the country and urged the *de facto* Bolivian government to put an end to the abuses and to guarantee access to justice for the victims in the context of the October 2020 elections.

While welcoming the return of

democracy and social peace in Bolivia after the general elections of October 18, 2020, CETIM and its partners on the ground will continue to demand justice for all human rights violations committed during the year of institutional breakdown in the country.

BRAZIL: ENVIRONMENTAL CRIMES AND CORPORATE IMPUNITY

During the 45th session of the Human Rights Council, Mr. Tuncak, UN Special Rapporteur on the Impact of Hazardous Products and Wastes on

Human Rights, presented his report on his visit to Brazil, in which he makes recommendations calling for independent investigations on the issue of abuses of power by transnational corporations in the country. CETIM, which has been following this situation from the outset alongside its partners of the Movimento dos Atingidos por Barragens (MAB), advocates for the accountability of the companies involved.

During the debate at the UN, CETIM noted that almost two years after the rupture of the Brumadinho dam (in January 2019), the multinational VALE has still not been held responsible for the damage caused, and called on the Brazilian government to implement the Special Rapporteur's recommendations.

The texts *in extenso* can be found on our website, under the section: Human Rights - Declarations to the UN

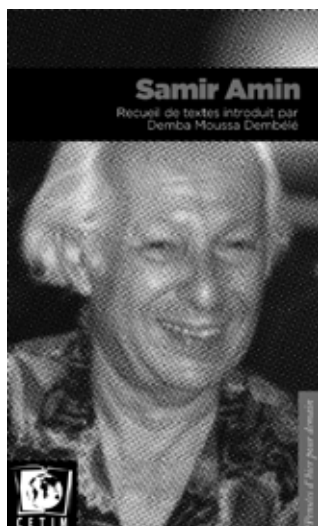


PUBLICATIONS

TWO NEW BOOKS IN THE COLLECTION
"PENSEES D'HIER POUR DEMAIN"

SAMIR AMIN, introduced by Demba Moussa Dembélé CHF 11.- / € 8.50

This fascicle exposes the great ideas at the heart of Samir Amin's intel-



lectual and political struggle, which contributed masterfully to the deconstruction of conventional discourse on the nature and deployment of capitalism, on development and underdevelopment: the trajectory of historical capitalism and its mutations in contemporary times; the concepts of Center and Periphery; the law of worldwide value; the critique of Eurocentrism; the concept of disconnection; socialism as a higher stage of human civilization...

Samir Amin was born in Cairo in 1931 to an Egyptian father and a French mother, both doctors with progressive ideas. He died on the 12th of August 2018 in Paris, on his return from

Dakar where he had been a regular visitor, and is buried in the Père-Lachaise cemetery.

From his early youth, he appropriated the theoretical tools provided by Marxism and his commitment to the fight against injustice and imperialist domination was that of a lifetime. Through his intuitions and daring, he forged new concepts of development and a better knowledge of the world capitalist system.

A fertile thinker, prolific author and organical intellectual, Samir Amin has become over the years an emblematic figure of radical thinking.

CHEIKH ANTA DIOP, introduced by Dialo Diop CHF 11.- / € 8.50

Born in 1923 in Senegal, Cheikh Anta Diop is a leading figure among African scholars challenging Western views on African history, cultures and civilizations.

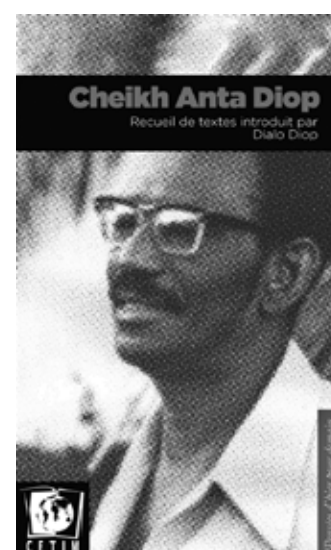
An encyclopedic and humanist mind, combining philosophy, chemistry, physics, linguistics, history, sociology and Egyptology, he has produced numerous works, including *Nations nègres et culture*, *The African Origin of Civilization: Myth or Reality*, or else *Civilization or Barbarism: An Authentic Anthropology*.

For the continuation of his work and

the promotion of science in Africa, he created a carbon 14 dating laboratory in Dakar.

But he was also a tireless activist in the struggle for the decolonization, not only political, but above all cultural, of Africa. Elected deputy to the National Assembly in 1983, he refused to sit in it to "preserve our electoral mores from degradation".

He died suddenly in his home in Dakar on February 7, 1986, and is buried in his native village of Caytu. He was a major African thinker of the 20th century.



Until December 25, 2020, take advantage of our special action:

- 25% for those under 25 years old on all the books of the collection "Pensées d'hier pour demain"!
To take advantage of this offer, enter the code YRHATEZ5 when you order.

REQUEST FOR SUPPORT

Although impacted by the Covid-19 crisis like many other entities, CETIM continues its work tirelessly. Aware that without you nothing is possible, we thank you for your support and wish you a happy holiday season.

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