



Bulletin N°56

December 2017



Europe - Third World Centre
Centre Europe - Tiers Monde
Centro Europa - Tercer Mundo

CETIM Rue J.-C. Amat 6
1202 Genève - Suisse
Tél.: +41(0)22 731 59 63
Fax: +41(0)22 731 91 52
www.cetim.ch
contact@cetim.ch

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

EDITORIAL

In spite of the obsessive attempts by the European Union to obstruct the process, the working group entrusted with drafting a legally binding instrument on transnational corporations held its third session this fall. The gathering launched the substantive discussion on the basis of a document presented by the chair, the Ambassador of Ecuador.

Over 100 state delegations and 200 civil society representatives were present to participate. One step ahead of the working group, the Global Campaign to Dismantle Corporate Power and Stop Impunity, of which the CETIM is a member, presented its own treaty text in order to inspire and influence the negotiations. You will find on this issue an article and an interview with Melik Özden, who analyzed the progress of the working group.

Regarding the rights of peasants, the political support for the United Nations drafting process has widened with a positive vote for a resolution favorable to the subject cast by Portugal, the first European Union member state to take this step. That being said, further arduous effort will be required to convince the last hesitant member states so that the United Nations declaration on the rights of peasants can be adopted, if possible, by consensus.

In September, the CETIM presented three written statements to the Human Rights Council clarifying the situation of the people of three countries of the American continent: Chili, Cuba and Venezuela.

We are pleased to announce two new elements in the CETIM's collection “Pensées d’hier pour demain”: Gamal Abdel Nasser, hero of Egypt and of the Arab world, and Ruben Um Nyobè, pioneer of the Cameroonian people's independence.

Nobody is safe from fake news nor from groupthink, including Switzerland. Thus, we have included in this issue a subscription offer for the Geneva newspaper *Le Courrier*, the last independent daily in Geneva, which is mostly reader supported.

As a not-for-profit association of modest means, the CETIM is constantly faced with the precariousness of its finances. To remedy this, we are undertaking crowdfunding. We thank you for supporting us and for spreading the word to all and sundry.

PEASANTS' RIGHTS



SUPPORT WIDENS FOR THE DRAFTING PROCESS OF A UNITED NATIONS DECLARATION ON THE RIGHTS OF PEASANTS

On 20 September 2017, the chair of the intergovernmental working group entrusted with drafting a United Nations declaration on the rights of peasants and other persons working in rural areas, Nardi Suxo Iturry, the ambassador of Bolivia, presented her report on the fourth session of the working group to the plenary of the Human Rights Council¹.

The chair expressed her satisfaction with the third reading (in particular broad participation and a constructive context) of the draft declaration during the fourth session of the working group (May 2017; see CETIM bulletin N° 55), while also expressing her hopes for its adoption in 2017.

The LVC delegation, supported by the CETIM and FIAN International, reiterated its firm support of the drafting process. Henry Saragih, president of the Serikat Petani Indonesia (SPI), spoke to the Council emphasizing the importance of recognizing the rights to land, to seeds, to biodiversity, to justice, as well as the rights of women working in rural areas. According to H. Saragih, this declaration will be a great accomplishment not only for peasants but also for generation to come and for the construction of a better world.

The general LVC coordinator, Elizabeth Mpofu, presented the situation in Africa, marked notably by land grabs and the criminalization of traditional seeds, which affect hundreds of thousands of peasants to

protect them. Peasants are driven from their land, transformed into migrants and refugees, sometimes even becoming slaves. Europe also has an enormous responsibility toward the peasants of the world owing to

the adoption of a declaration².

On 29 September 2017, a resolution regarding the rights of peasants, necessary for the continuation of the process, was adopted 34 to 2 (the United States and the United Kingdom) with 11 abstentions. After several months of hard work, it is an intermediary victory, important for the rights of persons in rural areas, given that state support for the process has broadened: apart from Switzerland, which has supported the process almost from the outset, it is the first time that a European state, Portugal, voted in favor of such a resolution.



the benefit of the interests of the agri-food industry.

Ramona Dominiciou, a member of the LVC European coordination (ECVC), emphasized that in Europe too, peasants face systematic discrimination, while existing legislation fails to

its investment and trade policies, which affect the rights of peasants.

All the countries whose delegates took the floor on the subject during the Council plenary, as well as the FAO, supported the drafting process and spoke in favor of

In keeping with this resolution, the working group will hold a fifth session in order to finalize the declaration draft, for its adoption in 2018.

¹ A/HRC/36/58, 25 July 2017.

² Specifically: Bolivia, Cuba, Ecuador, India Iraq, Iran, Nicaragua, Sudan, Tunisia (in the name of the African Group) and Venezuela.



HUMAN RIGHTS

DECLARATIONS ON
CHILI, CUBA AND
VENEZUELA

During the thirty-sixth session of the United Nations Human Rights Council, which took place in September, the CETIM drew attention to the situation of the people of three countries on the American continent: Chili, Cuba and VENEZUELA.

CHILI

On the occasion of the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, the CETIM recalled the commitments that were undertaken by the Chilean government regarding the indigenous peoples, in specific reference to the very difficult situation that the Mapuche people are experiencing.

The current situation that the Mapuche people must endure is the result of a long history of marginalization, discrimination and exclusion. Between 1862 and 1885, Chili and Argentina annexed by force the Mapuche territory even though the independence of the Mapuche people and the delimitation of their territory had been recognized by the Spanish crown in the Treaty of Quillen of 6 January 1641, as well as in numerous later treaties.

CUBA

The CETIM expressed its concern regarding the unilateral, illegal and illegitimate embargo imposed by the United States on Cuba for over 55 years. This embargo, reinforced by the new president, Trump, is at the source of numerous human rights violations of the Cuban people. The process of rapprochement between the two countries, undertaken following joint declarations by Presidents Barack Obama and Raúl Castro on 17 December 2014, and which had led to the re-establishment of diplomatic relation on 20 July 2015 as well as to a beginning of the development of ties of respect and cooperation between their governments and their peoples, in conformity with the

objectives and principles of the Charter of the United Nations, has been reversed. Also abrogated is the presidential decree of 14 October 2016, which, while not renouncing the intention of fomenting a change of system in Cuba, nonetheless recognized the failure of the means used by Washington, the sovereignty of the Cuban people and the legitimacy of its government.

VENEZUELA

Preoccupied by a unilateral presentation of the situation in Venezuela that encourages violence, the CETIM denounced the waves of enraged media attacks within the country as well as outside against the process of social transformation in Venezuela, flouting the right to information. These campaigns, in the press, on the radio and on television as well as through internet and social media, orchestrated by the power of money, increase hatred and diffuse lies against social change.

Since the first presidential election victory of the late Hugo Chávez in 1998, a process of deep but peaceful socio-economic, political and cultural transformations has been under way in Venezuela. It is irresponsible for a minority of the rich, supported from abroad, to destabilize a government that is trying to bring its people out of poverty.

The full text of the three written declarations can be found on the CETIM's website.

TRANSNATIONAL CORPORATIONS

THE NEGOTIATIONS FOR THE DRAFTING OF A LEGALLY BINDING TREATY ON TRANSNATIONAL CORPORATIONS HAVE ENTERED INTO THE HEART OF THE MATTER



Representatives of the Global Campaign to Dismantle Corporate Power

The chair of the intergovernmental working group entrusted with drafting a legally binding instrument on transnational corporations (TNCs)¹, Guillaume Long, Ambassador of Ecuador, presented the “elements” that will serve as a basis for drafting the instrument. In parallel, the Global Campaign to Dismantle Corporate Power and Stop Impunity (Global Campaign), of which the CETIM is a member, submitted its own draft treaty to the working group.

The Human Rights Council’s inter-governmental working group on TNCs met in Geneva from 23 to 27 October 2017 for its third session. Participating in its work were some 100 state delegations and 200 civil society representatives. The Global Campaign to Dismantle Corporate Power and Stop Impunity² was represented by some 130 delegates (from all continents), to make their demands heard.

The discussions within the working group were organized in panels corresponding to the various chapters of the “elements” presented by the group’s chair. Experts (lawyers, economists, academics, militants, representatives of victims etc.) including the CETIM’s director, Melik Özden, were invited to take the floor at each of these panels, to launch the discussion.

The discussions focused in particular on the obligations of TNCs and states regarding human rights, access to justice for victims, jurisdiction (shared between a TNC’s home

state and the host state) and the setting up of an international tribunal for TNCs and international cooperation.

Within this framework, the Global Campaign presented its own draft treaty in order to influence the working group’s negotiations (see inset). The Global Campaign members were active both within the United Nations – with concrete proposals presented in some 100 oral interventions and through three parallel conferences – and outside the United Nations, holding numerous thematic workshops over three days in a tent on the Place des Nations. The CETIM, with its partner members of the Global Campaign also organized a public conference at the University of Geneva.

In parallel, the CETIM, in collaboration with Professor Gilles Lhuillier, presented commentaries on the chair’s “elements”³. In our commentaries, we insisted on the following points: the importance of the scope of application of the future treaty (it

must apply directly to states and to TNCs); the obligation of TNCs to protect human rights in the context of their value chain with, among other things, the drafting and implementation of a vigilance plan; the setting up of an international legal assistance service to facilitate access to justice by victims of TNCs; the exercise of jurisdiction of states for violations committed all along the value chain of any TNC, even when its affiliates constituting this chain operate outside their jurisdiction.

Throughout the week, the European Union representative attempted to thwart the smooth running of the working group, at the risk of breaching diplomatic protocol – without success.

At the end of its session, the working group agreed that a deadline, the end of February 2018, be granted to member states for submission to the working group’s chair of their commentaries on the “elements”. On the basis of these commentaries and the discussions of the “ele-



Power and Stop Impunity brandish the draft Treaty presented to the Working Group. © Victor Barros

ments” during the third session of the working group, the group’s chair will duly draft a treaty. This draft will be submitted to working group’s fourth session in October 2018.

It should be noted that political support of the drafting process has broadened. For example, 200 members of parliament from 20 countries committed themselves to supporting the process in a declaration issued by a parliamentary forum⁴ held in Geneva on the eve of the opening of the session. In France, 250 members of parliament have written to the president requesting that France support the drafting process.

PRESENTATION DU GLOBAL CAMPAIGN TREATY

The Global Campaign is already a step ahead of the working group, for its treaty is already drafted⁵. It is the fruit of a long collective effort, all the members of the campaign were proposed to contribute. Thus, it reflects the struggles and demands of the affected communities, of social movements and of other civil society organizations involved in this process. Having a treaty emanating from the Global Campaign has been a powerful negotiating tool.

This treaty is a gold mine of information, reflections and proposals. It can be used by both militants and public organizations and elected officials who are fighting the impunity of TNCs. It will continue to evolve in function of negotiations at the United Nations.

The main proposals of this treaty are as follows: direct and clear human rights obligations of TNCs; the recognition of joint liability for human rights violations shared by the primary TNC, its management and the business enterprises constituting its value chain. Next, there are

states’ obligations, including the main one of reaffirming the primacy of human rights over investment and trade agreements, as well as the obligation to consult affected communities with a view to obtaining their consent before the installation of a TNC on their land.

The courts of the home states will have broad jurisdiction over TNCs and their value chains to prevent them from escaping from the rule of law. The treaty also contains a chapter reinforcing international cooperation in the areas of investigation and the implementation of judgments.

It proposes the setting up of an international court on TNCs and an international monitoring center. As their statutes are not yet drafted, this will be the next participatory drafting process for the Global Campaign. And, of course, the CETIM will be contributing to it!

¹ Human Rights Council Resolution 26/9, 26 June 2014.

² It comprises more than 200 civil society organizations from across the world (in particular social movements and affected communities).

³ https://www.cetim.ch/wp-content/uploads/Dec-writtent-GTSTN_CETIM_EN.pdf.

⁴ <https://bindingtreaty.org>.

⁵ https://www.cetim.ch/wp-content/uploads/Treaty_EN.pdf.

TRANSNATIONAL CORPORATIONS

THE UNITED NATIONS TAKES A STEP IN THE DIRECTION OF A TREATY ON TNCs

Le Courrier interviewed Melik Özden regarding the progress of the Human Rights Council's working group on a legally binding treaty on transnational corporations. The conversation between Bénito Perez and the CETIM's director appeared in the 3 November 2017 edition of the *Geneva daily*.



© Victor Barros

The CETIM is one of the non-governmental organizations at the origin of the United Nations treaty on the respect of human rights by transnational corporations (TNCs). What conclusions can you draw from this third session of the Working Group?

Melik Özden: Rather positive. The Working Group studied and discussed the document presented by its Ecuadorean chair (see *Le Courrier*, 20 October). This listed the elements – responsibility of the home States and host State,

civil and criminal responsibility of TNCs and their managers, direct obligations of TNCs, an international court, cooperation among states etc. – that should figure in the future treaty. In keeping with the working group mandate, Ecuador must come back next year [for the fourth session of the Working Group] with a formal draft of the treaty.

Have any elements contained in the Ecuadorean document been particularly contested?

Not really. The European Union's opposition was general and overwhelming. It attacked the very principle of the treaty. The representative of the European Commission caused systematic obstruction, behaving very aggressively, breaching usual diplomatic protocol in the discussion. The E.U. did not hesitate to launch rumors, claiming that this session of the Working Group would be the last. To counter them, Ecuador had to request that the United Nations secretariat send somebody to speak to the delegates and explain that the Working Group's mandate was firmly established by the 2014 vote of the Human Rights Commission and that its budget and the drafting of the treaty are guaranteed by the United Nations General Assembly.

Besides the EU, what was the general tendency?

We noticed an increasing interest. Some 50 or 60 countries participated in the 2015 Working Group session, while this year there were more than a hundred. This was a first for a United Nations working group! It was impressive to see the Human Rights Council conference room full, with a further 200 civil society representatives. Even the United States, which had boycotted the previous sessions, came by for the last day, demanding an end to the whole process... There is a clear cleavage between, on the one hand, the United States and Europe, home to 80% of TNC headquarters, and the countries of the Global South, which are mostly their victims. Of course, some of these countries are vulnerable to blackmail and pressure of other sorts. We are thus fighting to consolidate a political alliance around the draft.

Did you find the mobilization of civil society satisfactory?

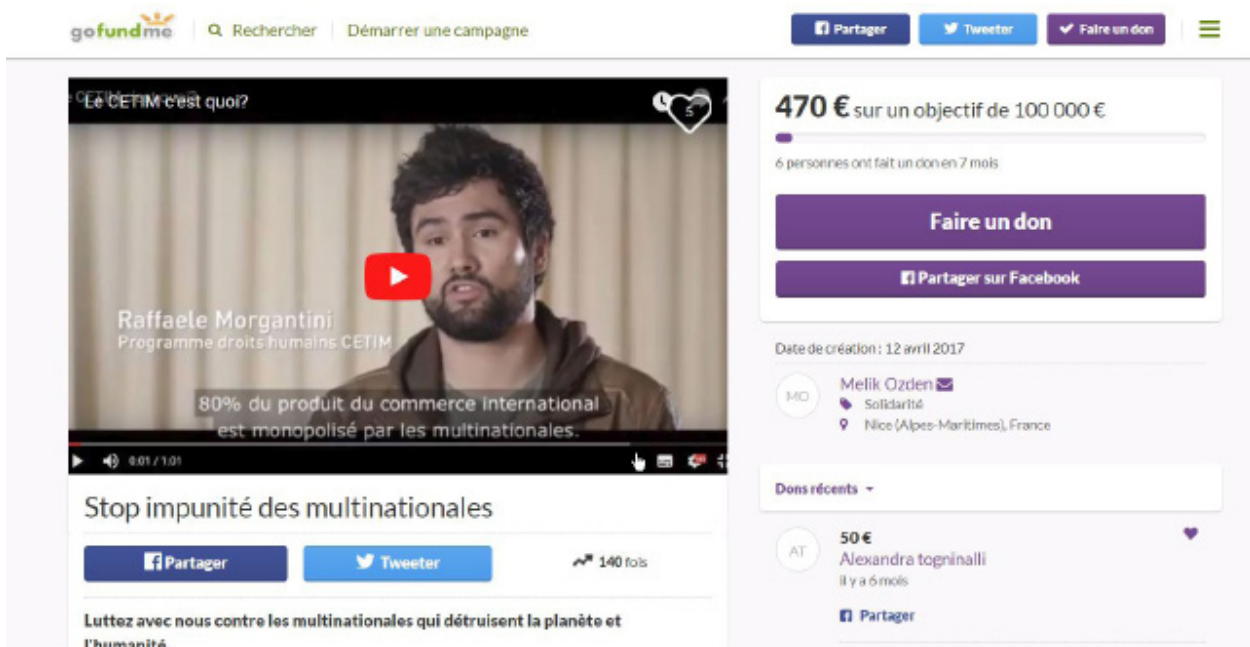
We are seeing an ever greater participation by trade-unions, which is very important in this context. This year, we also co-organized a very successful meeting with members of parliaments, with a network of some 200 elected officials from 20 countries! In France, 245 members of parliament have written to President Emmanuel Macron to ask him to support the process. The front is widening and strengthening. The fact that civil society was able to present its own draft treaty gave us credibility. It was a real collective success and an extremely important document, a source of precious information and proposals. We also demonstrated that we are capable of occupying the ground at the United Nations. We organized several side events. Besides the presentation of our draft treaty, we were able to give the floor to TNC victims within the Palace of the Nations, before the Working Group.

What was Switzerland's attitude throughout the week?

Its representative declared that he is against the process, but he demonstrated considerably more restraint than the European Union's representative. After the declaration of principle at the beginning of the session, he followed the discussion but did not intervene again.

Are we going to have a treaty in 2018?

Of course not. At the United Nations, such projects proceed very slowly: we have only five working days per year to draft the treaty! Afterward, it will depend on the political will of the member states. I think that four or five years from now, we could have a treaty. We have to count on at least three readings of the text, like in a parliament. Then, there will still remain the challenge of getting it ratified by the greatest number of countries. And for that, we are going to have to see civil society ratchet up another notch its mobilization.



In search of new financial supports, the CETIM is taking up crowdfunding. Thank you for supporting us by making a gesture. To do so, all you need do is go to our platform at: <https://www.gofundme.com/Cetim-stop-multinationales>

Thank you also for sharing this information with those around you. The more of us there are in this action, the more visible it will be.

We take advantage of this occasion to thank those who already support us on a regular basis and remind you that regular support allows us to better plan our work. By contributing 20 or 30 francs per month, you support the struggle for the defense of the rights of peasants and against the impunity of transnational corporations.

Remember, your donations are tax deductible (in all Swiss cantons).

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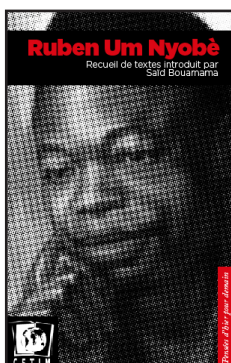
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ISBN : 978-2-88053-129-4
2018

His enemies, military men and colonial administrators, called him the "Cameroonian Ho Chi Minh". His people called him the "Mpodol Ion" – "the spokesman of...".

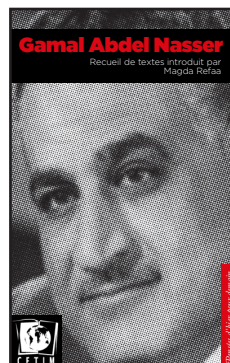
Born sometime around 1913 in the administrative region of Sanga-Maritime in a "Kamerun" that was still a German protectorate, Ruben Um Nyobè is celebrated as the father of the Cameroon people's independence.

A trade-unionist as well as a political militant, general secretary of the Union of Confederated Trade-Unions of Cameroon (USCC) immediately after

RUBEN UM NYOBÈ

Collection of texts introduced by Saïd Bouamama

its founding following the war, in April 1948, Ruben Um Nyobè was a founding member of the Union of the Populations of Cameroon (UPC), which promoted the independence of the country. He became its general secretary and rapidly its emblematic figure. As a propagandist and impressive speaker, Um Nyobè traveled throughout Cameroon and intervened on several occasions at the United Nations in defense of the right to self-determination and the reunification of his country. Following the banning of the UPC by the French in July 1955, the nationalist militants were forced into hiding and then into armed struggle. Three years later, on 13 September 1958, Ruben Um Nyobè was arrested and immediately killed by the French army.



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Éditions du CETIM
ISBN : 978-2-88053-128-7
2018

Born on 15 January 1918, Lieutenant-Colonel Gamal Abdel Nasser, who became president of the Republic of Egypt, died in Cairo on 28 September 1970.

Already as a young man, he was involved in the struggle against British influence, the monarchy and feudalism. In 1945 he founded the Free Officers movement. On 23 July 1952, he led a military coup against King Faruk and proclaimed the Republic. His project was defined as Arab anti-imperialist nationalism.

In April 1955, Nasser asserted himself as one of the main actors of the Bandung

GAMAL ABDEL NASSER

Collection of texts introduced by Magda Refaa

Conference (Indonesia) where the non-aligned movement originated.

The choice of Egypt to remain aloof from the East-West divide caused tension with the Western powers, who refused to finance the Aswan Dam. Nasser responded in 1956 by nationalizing the Suez Canal. The United Kingdom, France and Israel organized a counter-offensive, but the crisis was transformed into a political victory for Egypt.

This "Battle of Suez" triggered a vast solidarity movement, and Nasser became the incarnation of the will of the Arab world for liberation and unity.

Drawing on a nationalist authoritarian ideology, starting in 1960s the regime was oriented to socialist options. This begs the question: could the roads forward that were chosen have realized socialism?

DISCOVER THE CETIM'S CHRISTMAS OFFER

TREAT YOURSELF TO THE COLLECTION
"PENSÉES D'HIER POUR DEMAIN" AT A SPECIAL PRICE



To end the year in style, CETIM invites you to discover or re-discover its collection «Pensées d'hier pour demain».

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This easy-to-read collection provides activists of yesterday and tomorrow with an initiation or rediscovery of the political thinking of different leaders in Africa and the Caribbean, learning from past victories and failures, and situating long-term struggles and events in history. Through

a synthesis of selected discourses, writings and thoughts, the essence of these progressive struggles and concerns about the need for a radical social transformation of our societies is being restored.

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The 10 books of the collection are being offered for 88 francs instead of 110 francs.
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