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CETIM Rue J.-C. Amat 6

1202 Geneva - Switzerland

Tel.: +41(0)22 731 59 63

www.cetim.ch

contact@cetim.ch

**“There is not one developed world
and one underdeveloped world
just one maldeveloped world”**

EDITORIAL

It is gratifying to see that the UN declaration on the rights of peasants is now a benchmark around the world. Rural organisations and their allies are increasingly using this important instrument in their daily struggles and some governments are taking it into account in their public policies.

That said, there is still a long road ahead of us. Violations of the rights of peasants and other rural workers persist in many countries, as highlighted by the examples raised in this issue.

Worse still, during armed conflicts or mobilisations to defend land and natural resources on which they rely, rural populations often pay the highest price as they suffer different forms of repression and human rights violations: killings, forced displacements, arbitrary arrests, expropriations... This means that, on top of the loss or imprisonment of their loved ones, these people are sometimes even deprived of their living environment or even their means of subsistence (housing, land, livestock as well as other assets).

Depending on the case, UN human rights protection mechanisms can provide effective recourse to stop these violations. While using these mechanisms requires some knowledge and their effectiveness depends on several factors, they are important tools in the fight against impunity for human rights violations, especially when there are shortcomings in regional or national bodies.

International solidarity with oppressed peoples and communities is at the heart of CETIM's activities. For this reason, its knowledge, expertise and access to these mechanisms are of benefit to members, militants of social movements and other civil society organisations in their quest for justice.

In its book on economic, social and cultural rights (ESCR), presented in this issue, the CETIM also aims to inform and train activists committed to defending these rights. Against a backdrop of growing inequalities and the failure to meet the basic needs of almost half of humanity, the implementation of ESC rights is more urgent than ever.



PEASANTS' RIGHTS

PEASANT FARMING AND THE UN DECLARATION ON THE RIGHTS OF PEASANTS: TOOLS TO COMBAT MULTIPLE CRISES

On 15 March 2023, CETIM and its partners (La Via Campesina, FIAN International, the Geneva Academy of International Humanitarian Law and Human Rights, the South Centre, as well as the permanent missions of the Plurinational State of Bolivia, Honduras, Cuba, South Africa and Luxembourg) organised a side event during 52nd UN Human Rights Council in Geneva.

The event was entitled “Respecting, protecting and fulfilling the rights of peasants and other rural workers – a smart choice in times of multiple crises”.

This event was part of the advocacy strategy to promote and implement the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas internationally and more specifically within UN bodies. The event was therefore the opportunity to showcase the need to create an international monitoring mechanism for the declaration. This monitoring mechanism (special UN procedure in institutional jargon) will be a very important space for awareness-raising and airing grievances to support implementation initiatives as well as to raise the profile of the struggle against violations of peasant rights.

During the event, the issue of

how peasant farmers can deal with the multiple crises affecting our societies was also raised. The panellists discussed, from different perspectives (peasants, the state, civil society organisations), how implementing the principles and provisions of the declaration could realistically contribute to tackling the structural and underlying causes of the crises.

Fulfilling peasant rights is an opportunity but also a challenge which concerns us all, not only the communities in rural areas who are directly affected. For this reason, it is vital to set in motion a collective and unified momentum which focuses on action and advocacy. This needs to be done at all levels.

On 17th April 2023, the International Day of Peasant's Struggles, Via Campesina and the members of the website on

peasants' rights¹ including CETIM, organised an online conference entitled “The living declaration! Peasant rights in practice – regional perspectives”.

The event provided the opportunity to explore and discover real-world examples of how to promote and implement the declaration in different countries and regions. The presentations by peasant representatives showed the legislative progress made in some countries following the declaration as well as instances of case law following legal cases coming before national and regional courts.

This is a clear demonstration that the declaration really is a benchmark and a roadmap which peasant organisations can use to defend their rights and move the peasant agenda forward.

1 www.defendingpeasantsrights.org

STRAWBERRIES TASTING OF BLOOD

CETIM and Solifonds, which is celebrating its fortieth anniversary, invited Soumia Benelfatmi Elgarab and Zaina Issayh to testify about the daily life of strawberry pickers in the region of Huelva, Spain.

“Swiss consumers do not know about the exploitative conditions under which the strawberries that they eat are harvested by Moroccan women”, says Zaina Issayh of the Moroccan union FNSA. “We are here to talk about the working conditions of these women, to inform people and to raise awareness.”

The process starts in the country of origin of the workers. The Moroccan women who are sent to work for six months in the South of Spain are chosen by a Moroccan commission. The conditions for selection are drastic: candidates for departure must have at least one dependent child (in order to be sure that they return at the end of their stay in Europe), come from the poorest farming communities and be familiar with agricultural work.

“The Spanish operators decide who will be rehired the following year. The pickers therefore accept extremely harsh living and working conditions so as not to lose their families' only source of income”, observes Soumia Benelfatmi Elgarab. Before becoming a delegate to the Andalusian union SOC-SAT, she herself worked for fourteen years in the strawberry fields of Huelva.

Unsanitary housing, endless and unpaid overtime, use of

pesticides and other products harmful to the health of workers (and consumers) without any protection, no medical coverage and deplorable sanitary conditions, even sexual harassment in some cases, these women witness their basic rights being violated with shameless impunity.

“The workers are illiterate, they cannot read or write and do not speak the language. So they can't

event of accidents or illness. We try to ensure that the maximum of six hours of daily work is respected and that the daily salary of 55 euros is paid to them in full, without illegal deductions that some bosses withhold for accommodation or water consumed during the day, etc.” adds Soumia Benelfatmi Elgarab.

According to the testimony of the two trade unionists, Spanish law is not adequately protecting the workers of Huelva. Moreover, corruption reigns supreme in the south of the country.

However, they note a slight improvement since the arrival of Pedro Sánchez at the head of the Spanish government. “Checks are more frequent and undertaken irregularly, so that bosses do not

have time to prepare. We sense that Madrid is putting pressure on this region of the country. However, there is still a long way to go before the strawberry pickers of Huelva will enjoy decent working conditions. And to begin with, our unions should be represented on the Moroccan committee for the selection of women workers, which is not the case at the moment”, says Zaina Issayh.



defend themselves. Imagine that instead of the six hours prescribed by Spanish law, these women sometimes work up to eleven hours nonstop in the fields when this work is very hard and causes damage to health”, explains Zaina Issayh. “This is what the SOC-SAT union deals with. We give them Spanish lessons, explain their rights to them, and help them with administrative procedures in the

RIGHT TO DEVELOPMENT

THE CONVENTION ON THE RIGHT TO DEVELOPMENT ON THE RIGHT TRACK

From 15 to 19 May 2023, the 24th session of the Intergovernmental Working Group on the Right to Development was held in Geneva to examine the second revised draft convention on this right. The CETIM took an active part in the debates.

During the negotiations on the new version of the draft convention, we observed once again the divisions over the right to development between Northern and Southern countries. For example, the European Union and the United Kingdom opposed the adoption of a convention, arguing that governments should instead focus on achieving the Sustainable Development Goals (SDGs)¹. However, the UN is constantly sounding the alarm to the fact that these objectives will not be achieved by their deadline (2030). Moreover, is it possible to achieve them within the framework of the current dominant neoliberal world order, which relies mainly on transnational corporations to deploy its development strategies, therefore compromising any possibility to conceive other models of development by and for peoples?

Such an approach is merely a pretext for not joining the consensus on the future instrument on the right to development, but reveals the vested interests defended by the states of the North in order to ultimately perpetuate inequitable power structures in the international order. After all, the SDGs are only “goals” and are therefore not binding on States. Furthermore, they do not call into question the current economic and trade policies that are at the root of socio-economic inequalities. In this context, the right to development, in addition to being a recognised human right, establishes an alternative democratic approach in which the people are both the subject and the central actors of this right in the elaboration of policies and programmes for its implementation.

¹ This is also the position of the United States, Canada, Australia, Switzerland and Japan, although the latter did not take part in the talks.

In line with their historic commitment since the adoption of the United Nations Declaration on the Right to Development (1986), the Non-Aligned Movement (NAM), supported by China, initiated in 2019 the process of drafting a convention on the right to development². By presenting solid and constructive positions, the NAM remains the most powerful bloc of countries pushing for the adoption of a strong binding instrument on the right to development.

The draft convention under negotiation aims to operationalise the right to development. It is a legally binding instrument that is essential for combating inequalities and socio-economic crises around the world, at international, regional and national levels. Indeed, this new legal instrument could be a crucial step towards improving the situation of billions of people suffering from the current multidimensional crisis and serious inequalities.

While some Latin American countries, such as Cuba and Venezuela, have contributed constructively to the debates, other countries in the region, such as Argentina, Brazil, Chile and Colombia, have made equivocal statements rather than clear support for the draft convention, which at first glance seems inconsistent with the progressive positions displayed by their current governments.

At the end of its deliberations, the Working Group agreed to send the draft convention to the UN General Assembly for further discussion and subsequent adoption.

CETIM calls on social movements and civil society organisations around the world to urge their governments to commit to this legal instrument, and then

to its implementation. Strong social mobilisation is essential, particularly in the countries of Latin America, Africa and Asia, where the future convention can become a powerful ally in the popular struggles of social movements and excluded sections of society.

² For more information, see: www.cetim.ch/right-to-development



HUMAN RIGHTS

THE SOCIAL AND POLITICAL CRISIS IN PERU IS UNDER SCRUTINY AT THE UN

In December 2022, following the dismissal and arrest of President Pedro Castillo, a trade union leader from a progressive, small farmer background, Peru saw its historical divisions – ethnic, cultural, geographical and social – reappear with unprecedented violence. The socio-political crisis has been met with violent repression and systematic human rights violations that characterize the daily experience of social protest. CETIM has been involved in activating the UN mechanisms and bodies so that they can closely follow the crisis and provide a place for the victims of violence and for social movements fighting for social justice, to present their grievances.



From December 7, 2022, massive demonstrations against the Peruvian provisional government took place in streets all over the country, initiated and led mainly by trade unions, small farmer and indigenous organizations. Government repression of the mobilization caused at least 60 deaths, countless injuries, disappearances, arbitrary detentions... Note however, that the demonstrations were for the most part peaceful and focussed on legitimate demands: the return of the democratic institutional order, the resignation of the de facto President, the convening of a free and sovereign Constituent Assembly, as well as justice and reparations for the relatives of those murdered.

In order to address this problem, CETIM initiated a joint work with Peruvian social movements to take their case to the UN authorities. In January 2023, the indigenous-peasant leader Lourdes Huanca, founder and president of the Federacion Nacional de Mujeres Campesinas, Artesanas, Indigenas y Asalariadas del Peru (FENMUCARINAP), travelled to Geneva as part of a European tour aimed at denouncing the brutality of the Peruvian government and demanding justice. A whole series of activities and meetings were organised, offering Lourdes Huanca the possibility of addressing the UN to show how the national judicial system had been blocked and to request the activation of UN mechanisms, as an alternative recourse to confront the influence of the executive power on the Peruvian legal system.

As several UN human rights mechanisms (in particular the UN special procedures) indicated their concern about the situation in the country, CETIM, FENMUCARINAP, the Red Whipalas and the Geneva association Quinto Suyu – Peru developed and submitted a complaint addressed to the UN mechanisms that are specialized in the situation of human rights defenders, extra-judicial executions, freedom of association and peaceful assembly, the rights of indigenous peoples, and contemporary forms of racism and violence against women.

This action has borne fruit, since the mechanisms cited above have challenged the Peruvian government to answer for the violations that were denounced³.

In May 2023, the Peruvian government responded at length to the communication in Spanish⁴.

The response is currently being analysed by our organisations. In the event of an unsatisfactory and/or partial response, or a response that does not address the claims in terms of access to reparation, justice and guarantees of non-repetition, we will re-start the process with the special procedures. Human rights violations must not go unpunished.

The situation in the country remains alarming. With the judicial system under the control of the executive, access to justice remains blocked, and the repression of social movements continues. Meanwhile, the political clique in power, the one most linked to the business community, is taking advantage of the crisis to advance the predatory neoliberal agenda for the benefit of transnational corporations (TNCs). Thus, new concessions for the exploitation of the country's natural resources are being rapidly negotiated and delivered to the TNCs. Moreover, a new bill currently being discussed in parliament aims to repeal the few laws that protect the rights of indigenous peoples, with the clear aim of delivering the wealth of their ancestral territories to transnational corporations.

³ See the communication in Spanish: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=27874>

⁴ <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=37494>

PEASANT RIGHTS

THE ORGANIZATION “CONFEDERATION PAYSANNE” (FRANCE) AND THE CETIM HAVE RAISED THE ISSUE OF “MEGA-BASINS” AT THE UN

The Confédération paysanne organisation and the CETIM have submitted a referral to the UN on the topic of “mega-basins,” aiming to report human rights violations, violent police repression and the criminalisation of people and organisations which oppose these water reservoir projects.

The “mega-basin” project only benefits a small minority of farmers linked to the agribusiness sector, at the expense of the right of all peasants in the regions to access water. They reinforce the issue of drought and water shortages in the regions, although agricultural practices must be urgently changed in order to limit water requirements.

“Mega-basins” are part of a model that destroys agricultural land and the natural water cycle, which is why recent court decisions have ruled that several of these projects are illegal.

Despite these favourable decisions, in France

people are currently risking their lives to fight these “mega-basins” and to fight for a sustainable agricultural system. During the last protest on the 24th, 25th and 26th of March, in Sainte-Soline, 200 people were injured (40 of whom sustained serious injuries).

The fight for water is an international battle. Around the world,

populations are mobilising against the commoditization and over-exploitation of water.

The destruction of this vital resource takes different forms: multinational companies storing water, large dams, diverting the resource for industrial agriculture, industrial pollution that is dangerous for people living in the region

etc. In addition to being deprived of water access, the populations and activists are often repressed and criminalised when they mobilise to defend their rights.



What are the real implications of implementing these “mega-basin” projects?

- **Privatisation and stockpiling water for the benefit of a minority and of private capital interests:** these projects are generally driven by a handful of active irrigators in large-scale industrial agriculture. They see their constructions as a way to guarantee access to a secure water supply even in the case of drought. These irrigation projects support an agricultural model that gathers common assets and the means of production to the detriment of peasants, as well as encouraging speculation.
- **Destroying the Environment:** the basin projects, once installed, need to be profitable, encouraging the continuation and development of intensive agricultural practices in order to guarantee the yield. These models use a huge amount of synthetic chemical inputs and encourage agricultural practices that destroy the soil.
- **Violation of the UN Declaration on Peasant Rights:** in particular article 21.2 which establishes the right of peasants “to water access for their personal and domestic use, for use in agriculture, fishing, animal husbandry and for pursuing other means of subsistence linked to water, guaranteeing the conservation, restoration and sustainable use of water. They have the right to equitable access to water and water management systems.”

Read the statement from the CETIM and Confédération paysanne in French
www.cetim.ch/les-mega-bassines-bafouent-le-droit-a-leau-des-paysans-en-france
 The joint press release (in French) www.cetim.ch/wp-content/uploads/com-presse.pdf

HUMAN RIGHTS

EXCERPTS FROM STATEMENTS MADE BY CETIM
TO THE UN DURING THE FIRST HALF OF 2023

TURKISH MILITARY OCCUPATION IN NORTH AND EAST SYRIA

CETIM intervened during a debate with the Independent International Commission of Inquiry into the Syrian Arab Republic (the Commission of investigation) to raise the issue of violence and policies aimed at changing the ethnic composition within the framework of the military occupation of the northern and eastern region of Syria by Turkey and its militias. This is a worrying process, which exacerbates ethnic and political tensions in the region. CETIM demands an end to the illegal military occupation in this country by Turkey.

Read the statement made to the Human Rights Council
www.cetim.ch/wp-content/uploads/Dec-o-Syrie-deplacements_ENG.pdf



DRAFTING A BINDING TREATY ON TRANSNATIONAL CORPORATIONS: OPAQUE NEGOTIATIONS AND ATTEMPTS TO EVICT CIVIL SOCIETY

CETIM shared its concerns about the opacity of the negotiations and the attempts to oust civil society from the process of drawing up a binding treaty on TNCs.

Read the statement made to the Human Rights Council in French: https://www.cetim.ch/wp-content/uploads/Dec_o_CETIM_TNCs_FR.pdf



OBSTACLES TO THE REALIZATION OF THE RIGHT TO DEVELOPMENT

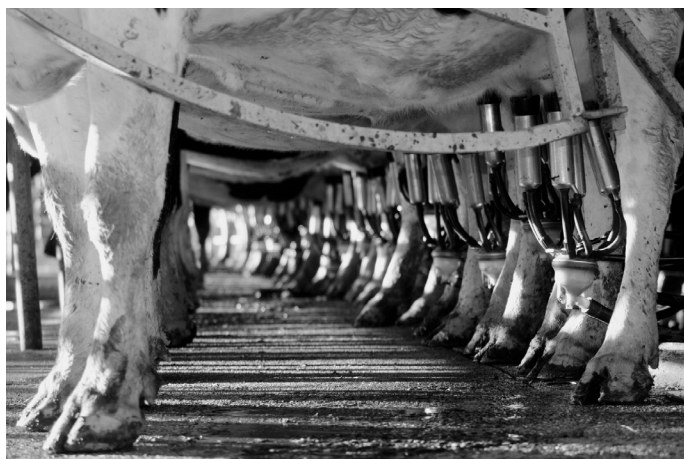
Since the adoption of the Declaration on the Right to Development (1986), no real progress has been made in this area. Despite a consensus reached in Vienna in 1993, the dominant powers are even putting this right into question although it is fundamental for the enjoyment of all rights by each and every individual. Among the main obstacles to the realization of the right to development, we note in particular: the inequitable distribution of wealth; failure to respect the right to self-determination of peoples; the external debt burden; the lack of international cooperation and the militarization of society accompanied by exorbitant military spending.

Read the statement made to the Human Rights Council in French
https://www.cetim.ch/wp-content/uploads/Dec-o-CETIM_Panel_DD_FR-1.pdf

SYSTEMIC VIOLENCE IN AGRIFOOD SYSTEMS

The systemic violence that takes place in today's agrifood systems directly affects small farmers and other people working in rural areas. This violence is specific to the prevailing system and is not inevitable; it results from the imposition of a model of production, exchange and marketing based on the unbridled pursuit of profit and on the monopoly of agribusiness on food chains. Solutions exist to deal with it, such as the UN Declaration on the Rights of Peasants. CETIM thus urged all States and all authorities concerned to promote the implementation of this Declaration.

Read the statement made to the Human Rights Council in French
www.cetim.ch/wp-content/uploads/Dec-o-alimentation-LVC-1.pdf



PUBLICATION

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

A TOOL IN THE FIGHT FOR SOCIAL JUSTICE

By Melik Özden

At a time when the multidimensional crisis is plunging billions of people into poverty, when almost half of humanity remains unable to satisfy their own basic needs, when inequality is becoming increasingly entrenched, it is more urgent than ever that economic, social and cultural rights be upheld.

Although economic, social and cultural rights are recognised both nationally and internationally, they are often overlooked by rights-holders and are largely ignored by political authorities under the framework of neoliberal globalisation that serves private interests. However, these fundamental rights are vital for a dignified life.

This book will be initially published in digital format and will be freely accessible on our website. It aims to give a general overview of all economic, social and cultural rights. It analyses the obstacles to the full enjoyment of these rights, recalling the obligations of governments, while also introducing the human rights protection mechanisms that can be invoked by victims (or their representatives). There are a wide range of successful examples, often the result of popular struggles, offering a better understanding of these rights which are still wrongly described by some as non-justiciable or complex.

Available in digital format at the end of June 2023.
Freely accessible on our website
The CETIM's Human Rights Collection

TRIBUTE

Gilbert Rist, the first Director of the CETIM (1971-1975) sadly passed away on the 15th of February 2023. He will never be forgotten, neither within our association, to which he remained loyal until the end, nor in Geneva, nor in the countries of the South, as his life was dedicated to shedding light on the mechanisms of domination of the North over the South under the guise of "development" policies. Gilbert wrote in his essay *La tragédie de la croissance* (The tragedy

of growth) "Everyone understands that infinite growth in a finite world is impossible, yet we act as if this were not true. However, we know how to break this stalemate. To battle our addiction to growth, we must restore the notion of the common good, rehabilitate reciprocity, and reestablish dialogue with nature."

La Tragédie de la croissance :
Sortir de l'impasse,
First edition 2018
Presses de Sciences Po



CALL FOR DONATIONS

Dear friend, and loyal CETIM supporter,

Your donations (even the most modest ones) help us in many ways, for example:

- Enable representatives of communities that are victims of human rights violations to access UN protection mechanisms
- To promote and defend peasant rights so to improve living conditions in rural areas
- To participate in developing international standards that correspond to people's demand for their rights to be upheld

Donations made from Switzerland are tax deductible.
Thank you in advance and we wish you a great summer!

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