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Collective work, with the contributions of Patrick Bond, Eddie Cottle, Stephen Graham, Fabien Ollier, and al.

"Here is a book that arrives on the scene with perfect timing, just before the opening of the Olympic Games at Sochi (...) The great merit of *La Coupe est pleine !* is to lift the veil on the practices of the IOC and the IFAF." **Jerôme Béguin, *Gauche Hebdo*, n°45, 9 Nov. 2013**

Demolition of neighborhoods, evictions, expropriations, land transactions, infernal pace of work imposed on construction workers, extraordinary jurisdiction, exclusionary trade zones, explosion of costs and debts... all this in the name of sport and competition? Enough!

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Price: CHF 12 / € 10, 144 pages, ISBN : 978-2-88053-098-3, PubliCetim Publishers, N°38, 2013. Can be ordered from the CETIM.

Le droit international et les puissances occidentales

Tentatives de liquidation

Robert Charvin

International law, the fruit of a long series of combats and diplomatic negotiations, is the set of standards regulating relations among States. It is just as indispensable as national law. However, it remains unknown to most citizens, the mainstream media and politicians.

More than ever today manipulated by the great powers (right to intervene, responsibility to protect, inter alia), including the United States, in function of power plays and the particular interests of each power, it is thus the victim of an attempt at liquidation.

This book clearly identifies this attempt and clarifies the dangers for the world of manipulated international law. It also seeks to raise the awareness of citizens and social movements of the political importance of the practices and norms of international law and of its utility in evaluating States' foreign policy. This is a democratic and citizens' combat as relevant today as ever.

Price: CHF 10 / € 8, 84 pages, ISBN : 978-2-88053-100-3, PubliCetim Publishers, N°37, 2013. Can be ordered from the CETIM.

PENSÉES D'HIER POUR DEMAIN COLLECTION

This collection from the CETIM proposes to offer to the public, the young public in particular, short collections of writings from various actors who, in the past, were at the heart of peoples' struggles for emancipation and whose thinking, today, is still of the greatest importance.

Mehdi Ben Barka

Recueil de textes introduit par Bachir Ben Barka

Born in Rabat in 1920 into a family of modest circumstances, Mehdi Ben Barka early on committed himself to the nationalist struggle and played a major role in the process that resulted in the independence of Morocco on 2 March 1956.

After independence, he was appointed president of the Advisory National Assembly and contributed to the creation, in 1959, of the National Union of People's Forces (UNFP). At the international level, he carried on an indefatigable combat to strengthen solidarity among peoples and to federate the revolutionary forces of the Third World. Among other things, he contributed to the preparation of the Afro-Asian-Latin American Peoples's Solidarity Conference, the Tricontinental Conference.

On 29 October 1965, he was kidnapped in Paris. Since then, reason of State(s) has prevented any judicial investigation to establish the truth of his fate, which remains unknown.

This little book presents several of the most important writings of Mehdi Ben Barka, in particular those on rural communes and basic education, the purposes of the university, the goals of the Tricontinental Conference, and also on the errors of the Moroccan national revolutionary movement.

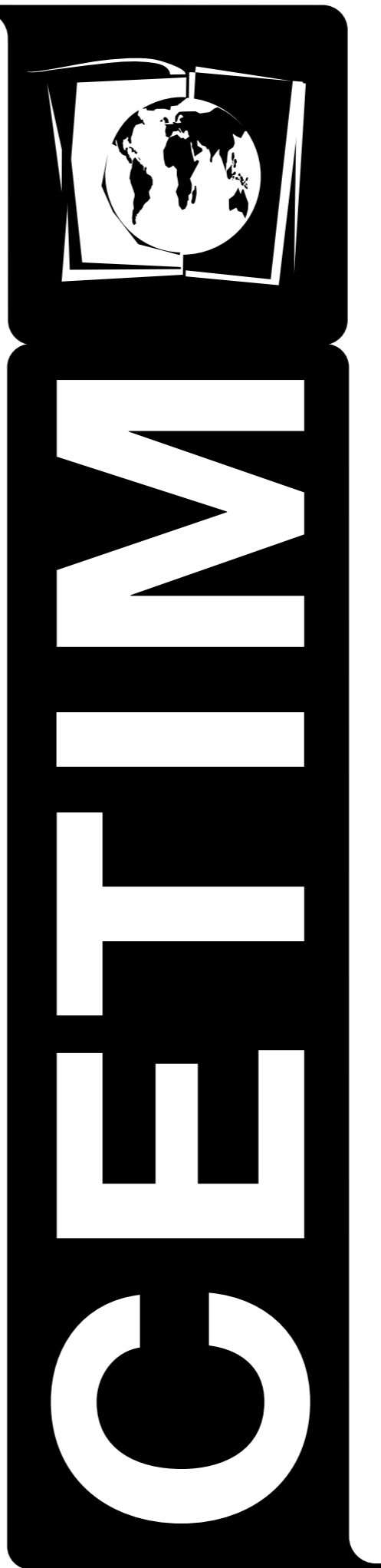
Price: CHF 11 / € 8,50, 96 pages, ISBN: 978-2-88053094-5, 2013. Can be ordered from the CETIM

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www.cetim.ch
cetim@bluewin.ch
CCP: 12-19850-1
CCP: (Euro) 91-13687-6,
PofichBe, Postfinance, Berne

6, rue Amat,
1202 Geneva/Switzerland
Tél.: +41(0)22 731 59 63
Fax: +41(0)22 731 91 52

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EDITORIAL

The year 2014 has been declared by the United Nations the International Year of Family Farming. This bulletin offers an opportunity to review the activities in the area of peasants' rights carried out by the CETIM over the past six months.

In absolute terms, there have never been so many peasants in the world! There are currently some 1.2 billion peasants working the land, and, with their families, they represent almost half of the world's population. They produce more than 70% of the food eaten and constitute the backbone of the food systems, especially in the countries of the Global South. They play a central role in the development and conservation of seeds and plant varieties. They are key actors in the fight against climate change, representing an alternative to the dominant agribusiness model, which is extremely vulnerable as well as responsible for substantial CO2 emissions.

Yet peasants are victims of wide-scale discrimination and violations of their rights. They are disproportionately affected by hunger and poverty – 80% of those suffering from hunger and extreme poverty live and work in rural areas – essentially because their access to the means of production is limited. And, far from seeing their role recognized and being supported by public authorities, peasants face neoliberal policies and free-trade treaties subjecting them to market forces, thus depriving them of the sources of their subsistence and pushing them to eradication, all for the profit of transnational corporations.

The CETIM has long been committed to the peasants and the struggle for the better protection of their rights. We are convinced that mobilization at the international level is necessary. Thus, at the United Nations, with its partner La Vía Campesina, the CETIM over these last years has strongly committed itself to the adoption of a Declaration on the rights of peasants. This process is now well underway, and the working group set up by the Human Rights Council to negotiate this Declaration held its first session in July 2013. This bulletin reviews this historic event and recounts other actions of the CETIM in this area.

NEGOTIATIONS ON THE RIGHTS OF PEASANTS AT THE UNITED NATIONS

From 15 to 19 July 2013, Geneva was the venue for the first session of the Intergovernmental Working Group on the Rights of Peasants and Other Persons Working in Rural Areas. As you know, the CETIM, along with its partner La Vía Campesina and an NGO coalition, has been committed to working for the adoption by the United Nations of a new international instrument to reinforce the protection of peasants' rights.¹

The session was chaired by the Ambassador of Bolivia, Ms. Angelica Navarro. During the first two days, there were thematic conferences during which delegations had the opportunity to listen to presentations of many experts and representatives of social movements and peasant organizations.

Among other things, the speakers insisted on the importance of family farming and its invaluable contribution to food security as well as to the fight against climate change and in support of the conservation of biodiversity, on the situation of human rights in rural areas, especially in terms of discrimination, poverty and hunger, and, last but not least, on the necessity of a United Nations Declaration on the rights of peasants and other persons working in rural areas. A visit to peasant producers of the Geneva region was also organized, with the support of the Swiss peasant union Uniterre.

Then, the state delegations presented their general declarations, and they proceeded to a first reading of the draft Declaration which serves as the basis of the negotiations. They made known their positions regarding each article of the proposed text. The CETIM and its partners intervened actively throughout the discussions to defend the draft declaration and make known the demands of the peasant organizations.

THIS BULLETIN IS ALSO AVAILABLE IN FRENCH AND IN SPANISH

The CETIM applauds the work carried out by the Bolivian presidency, which contributed greatly to the success of this session. The CETIM is grateful for the support from the overwhelming majority of participating states, which emphasized the necessity and the importance of adopting a Declaration on the rights of peasants for the fight against the discrimination faced by this population and for the improvement of working and living conditions in rural areas. The CETIM deplors the obstructive attitude of the developed countries, in particular the European Union and the United States, which sought to hinder the process by putting forth false procedural arguments.

A further and important phase will be the adoption of a resolution by the Human Rights Council in 2014 to renew the mandate of the intergovernmental working group in order that the negotiations may continue and the president revise the draft Declaration on the basis of the proposals and comments received during the first session. The working group should then meet again before the end of 2014.

The CETIM and its partners, of course, will be there. A major consciousness-raising campaign is planned between now and then to convince the hesitant states to commit themselves in a constructive manner to the process and to contribute to the adoption of a United Nations Declaration on the rights of peasants.

Below, we reproduce the statement formulated by the CETIM on 17 July during the first session of the working group.

Statement of the CETIM to the Working Group on the rights of peasants, July 2013

Famine and malnutrition continue to gain ground throughout the world, and we have known for several years that the Millennium Development Goals will not be reached in 2015. Worse, 80% of more than a billion persons suffering from hunger and malnutrition live in rural areas and are food producers, as both the Advisory Committee study and FAO reports point out.

Although the causes of this intolerable situation are perfectly well known, most governments and international financial and trade institutions continue to promote a development model that is destructive on the environmental, social and economic level.

¹A milestone was reached in September 2012 with the decision of the Human Rights Council to set up a working group entrusted with drafting a Declaration on the Rights of Peasants and Other Persons Working in Rural Areas.



THE CETIM ADVISES YOU THE FOLLOWING READINGS

Procès d'un homme exemplaire

Eric Toussaint (CADTM)

Jacques de Groote, former executive director of the IMF (1973-1994) and the World Bank (1975-1991) is today under investigation by the Swiss justice system for "aggravated money laundering", "fraud" and "document forgery". The case goes back to the end of the 1990s and involves the fraudulent privatization of one of the major coal mines of the Czech Republic.

But beyond the details of his personal life, Jacques de Groote symbolizes the profoundly evil aspects of the methodically implemented policies of the World Bank, the IMF and the elite that governs this world in pursuit of maximum profit and consolidation of the capitalist system.

Price: € 9, 88 pages, ISBN: 978-2-84761-782-5, Al Dante Publishers, 2013.

État des résistances dans le Sud: les mouvements paysans

Collective work

In Asia, Africa and Latin America, peasant movements have been carrying on dynamic protest movements. Out of view of the mainstream media, those renewed "resistances" and demands have increased during the past two decades. What is contested are the "conservative modernization" strategies throughout the countryside and the adaptation of agricultural policies to the requirements of the globalized world, which deeply erode the living and working conditions of the peasants.

The struggles of the poorest, the landless peasants, the marginalized indigenous communities, the agricultural workers living and working in precarious conditions ... all denounce the threats hanging to their food-producing systems and environmental balance: the rise of agri-business, land grabs, extension of export-oriented monocultures to the detriment of other, food-producing crops, the pressure on natural resources etc.

Price: CHF 20 / € 13, 225 pages, ISBN: 978-2-84950-410-9, CETRI/ Syllepse Publishers, 2013. Can be ordered from the CETIM.

Together for Social Justice and Human Rights

So, you would like to become more involved in the CETIM's activities? Nothing could be simpler. You can support the CETIM in different ways:

- **as a member of our organisation.** Your membership does not only represent a significant financial contribution, it is also a strong gesture in support of our actions, in terms of promotion of human rights, among others.

- **as a volunteer.** We regularly need help with preparing our bulletin and other publications for mailing and distribution; we need translators and interpreters (French, English, Spanish) to help at conferences; we also need volunteers for proofreading different kinds of documents and helping with maintaining our archives.

- **by making a donation or a bequest.** It is possible to make a donation at any time, either in support of CETIM's actions in general, or to support a specific area of action. The CETIM is recognised as a non-profit-making organisation in the public interest. All donations and bequests which it receives are tax-deductible for residents in Switzerland.

- **by becoming an intern.** For those who are looking for work experience in the field of human rights, or for activists in social movements wishing to increase their understanding of the workings of human rights bodies within the United Nations. The internship periods coincide with the sessions of the UN Human Rights Council (March-April, June and September) and those of the Advisory Committee (February and August).

- **by taking part in the conferences, debates and campaigns** that we organise, or by publicising them in your own network.

- **by buying or distributing our books.**

If you would like to know more about our conferences or publications, you can either visit our website www.cetim.ch, follow us on Facebook and Twitter (@cetim_cetim), or contact us by email at contact@cetim.ch to join our mailing list.

THE SITUATION OF AGRICULTURAL WORKERS IN GUATEMALA

In September 2013, the CETIM delivered a written statement during the 24th session of the Human Rights Council to present the results of an exceptional inquiry by its partner CODECA regarding the situation of peasants and agricultural workers in Guatemala. CODECA is a peasant and indigenous peoples organization in Guatemala fighting for justice and better living conditions in rural areas. The CETIM, with the support of several Swiss organizations, has been working with CODECA since 2008 to make known the problems of the Guatemalan peasantry and to make its demands heard within the United Nations bodies as well as in Switzerland and in Europe. We are including below the text of the statement in its entirety.

Statement of the CETIM to the Human Rights Council, september 2013

CODECA (Comité de Desarrollo Campesino) has recently conducted a nation-wide survey on the working conditions of farm workers in Guatemala.¹

The results of the survey are interesting in many respects and they allow us to better appreciate the extremely precarious situation in which farm workers live in Guatemala - a situation that is akin to slavery.

The property and the distribution of the land have always been major stumbling blocks in Guatemala, they have been the source of many violent conflicts and they have structured the social power relations and determined the economic and class stratification in the country.

The history of the accumulation of land by a very tiny circle of land-owners not only did lead to the emergence of the latifundism system, steep social and economic inequalities and chronic food insecurity, but it has also been contributing to the psychological and existential annihilation of the majority of those who are deprived of any plots of land and who manage to just scrape by by regularly begging for a daily underpaid and overexploited job in the *fincas* (the big farms).

The problem associated with land in Guatemala is to be conceived of as an anthropological problem. Peasants and indigenous peoples are deprived of their lands and they are thus brought to think themselves as part of a “sub-human category” whereas the land-owners and the *fincas* businessmen assume the qualities of a “superior human category”.

For land-owners, the daily farm workers (once legitimate owners of those lands) are nothing more than simple tools to work the land. And if they become aware of their rights and start to organize themselves to claim and defend those rights, the land-owners denounce them as criminals and persecute and detain them - they even went so far as to forcibly disappear social activists and trade unionists.

In order to get a better grasp of the extent of this phenomenon, the main findings of the survey are presented below. They are analyzed in the light of relevant national legislation and the international conventions, especially those concluded within the ILO framework, ratified by Guatemala.

First of all it is important to point out that during the survey recently conducted by the CODECA on the working conditions of men, women and children in the agricultural sector in Guatemala, several social leaders and trade unionists have been persecuted and deprived of their liberty. Moreover, five of them were assassinated in the latest months (March-July 2013).² The human rights defenders who gathered evidence to elucidate the causes of their deaths have been threatened and closely followed by unidentified people.

First, 69% of farm workers define themselves as “maya” and only 6% of them as “mixed-race”. 25% of them are women and 11% are children.

As far as employment stability and unionization are concerned, the employment contracts in the *fincas* are oral and only 4% of the daily workers have a fixed contract. For only 1% of the farm workers there is a trade union in the *fincas* whereas for 84% of the workers it is evident that if you adhere to a union, you are immediately sanctioned by losing your job.

Only 14% of the workers report working 8 hours per day. 70% work between 9 and 12 hours per day in the *fincas* and the extra-work is not remunerated.

The unit of measurement for their work in the fields is the quantity of daily product. 57% of farm workers affirm that they need some help from their family (women and children) in order to achieve their daily production goal - but there is no extra-salary for meeting the daily goal.

90% of farm workers earn a salary that is below the national minimum wage. For women, this rate climbs to 97%.

As far as yearly holidays are concerned, only 3% of the workers have such a right whereas 90% of them do not. 42% do not have the right to a weekly rest day and 90% are not affiliated to social security.

As for health and security in the *fincas*, 94% of the workers report that they work in a situation of regular danger and deprived of the necessary protection measures. 95% report that there is no equipped and hygienic room to eat during their work-day.



State control over the working conditions in the *fincas* is almost non-existent. Only 1% of daily workers report having witnessed a workplace inspection to the *fincas* and 82% of them state that the inspectors are regularly bribed by the owners of the *fincas*.

With respect to the situation of young daily workers, their life expectancy in “modern farms” is of about 40 years. The harm they suffer to their health renders them “uneconomic” according to the *fincas* standards. They have thus to survive without any assistance from the State and without any rights in spite of the provisions of national legislation and international conventions.

The few above-mentioned statistics and data are clearly not sufficient to properly depict the breadth of the tragedy lived by these workers on a daily basis - haunted by the fear of being fired, desperate about their working conditions akin to slavery but at the same time dependent on their job as the only way for them to survive.

In a nutshell, the survey undertaken by CODECA tells us that:

1. The persons who are working in the farms are mainly indigenous peoples and they are victims of discrimination, social exclusion and systematic violations of their fundamental rights.
2. In light of their low level of literacy, education and organizational capacities, Guatemalan farm workers are not aware of the rights they have as workers as recognized by national legislation and international conventions. This lack of awareness puts them in a situation of vulnerability and disadvantage faced with employers who, on their side, display no qualms when signing working contracts or settling working issues in front of tribunals.
3. Working conditions in the *fincas* are not favorable to a proper education and schooling of the workers' children. Parents who work in the *fincas* are crushed by the scale of the required tasks and they are obliged to bring their kids with them to the workplace to let them help in their work in the farm.
4. The provisions of national legislation and of international law, in particular international labour law, are systematically breached in the farms, often with the complicity or acquiescence by State actors. In fact the payment of a minimum wage, freedom of association, health and security standards in the workplace, the right to holidays, social security, weekly rest days, etc. are not respected in the majority of the *fincas*.
5. The agricultural labour market in Guatemala is “racialized” because all the most degrading types of work are almost exclusively left to indigenous peoples with a low level of education.

This analysis is borne out by the studies conducted by several UN human rights bodies. Actually the Special Rapporteur on the right to food, the Office of the High Commissioner for Human Rights and the Human Rights Committee observed that 80% of arable lands are in the hands of 2% of the national population whereas indigenous peoples, in spite of making up the majority of the population, have access only to 2,5% of the land and they are victims of discrimination and exclusion. In light of this blatant inequality, it is not surprising that 74,8% of the indigenous peoples live in poverty and that 58,6% of the indigenous kids suffer from malnutrition. With respect to the 475'600 farm workers, the overwhelming majority lives in poverty, without access to sufficient food, water or adequate housing and with a rate of schooling of 2,4 years on average.³

In light of these elements, we endorse the findings of the CODECA and the recommendations issued by the UN human rights organs to, inter alia, urge the Guatemalan government to undertake a land reform without further delay, to enforce the existing labour laws and regulations and to institute a minimum wage in the agricultural sector.

We demand the Guatemalan government to respect its international human rights obligations (civil, political, economic, social and cultural rights) and its international labour law obligations, in particular the provisions of the two International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Declaration on the Rights of Indigenous Peoples and the ILO Conventions.

We urge the UN Human Rights Council to draw its attention to the systematic and generalized human rights violations suffered by indigenous peoples in Guatemala.

¹The survey was undertaken between May 2012 and April 2013 in 609 farms in 14 out of the 22 departments of Guatemala. The integral results of the survey are available (in Spanish) on the website: <http://www.cgas.ch/SPIP/spip.php?article2487>

²Here are their names: MM Alfonso Morales Jacinto, Daniel Pedro Matias, Tomas Quiej, Carlos Hernández and Jerónimo Sol.

³Cf. A/HRC/13/Add.4, §§ 10 and 11, 26 January 2010 ; A/HRC/19/21/Add.1, §§ 66 and 72, 30 January 2012 ; CCPR/C/GTM/CO/3, §§ 9 and 10, 19 April 2012

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PEASANT UPRISING IN COLOMBIA

In the course of the 24th session of the Human Rights Council, the CETIM also intervened, jointly with the International Association of Democratic Lawyers (IADL), to denounce the criminalization of the use of traditional seeds in Colombia and the brutal repression of mobilizations of peasant organizations throughout the country.

For three weeks, between August and September 2013, the rural world of Colombia was seething with unrest. Thousands of peasants were striking and organizing the obstruction of the main roads of the country to denounce the extreme poverty in the countryside and the consequences of neoliberal policies and free-trade agreements. The demonstrators were protesting in particular against the dumping of imported agricultural products, the cost of agricultural inputs, the prohibition of peasants' seed varieties, the lack of access to land and the absence of public support for small-scale producers.

The Colombian government responded with brutal repression: 12 persons were killed, some 500 were injured and several dozen were arbitrarily detained. However, faced with a movement that did not flinch and that spread to the major towns and cities of the country, the government was forced to open negotiations and to sign agreements with some of the mobilized sectors.

Today, given the bad faith of the government and the non-respect of the agreements signed, the peasant organizations are threatening to renew their mobilizations.

We are including below the text of the statement of the CETIM in its entirety.

Statement of the CETIM to the Human Rights Council, september 2013

Since 19 August, the Colombian rural community has been mobilizing against the attempt of the government to impose by force free-trade treaties negotiated, in particular, with the United States.

The peasants' traditional seed reserves have been the targets of orchestrated destruction by the Instituto Colombiano Agropecuario (ICA), which, to prepare the way for such agreements, has prohibited all non-certified seed varieties. Thus, the ancestral practice of improving the seed stock has been criminalized through Decree N° 970, adopted in 2010.¹

The forces of order intervened violently to destroy several thousand tons of improved seeds intended to maintain and renew staple crops, and this in order to oblige the peasants to buy at a high price seeds patented by a handful of transnational agri-business corporations (primarily Monsanto, Syngenta and Dupont). This is what provoked the revolt of the peasants and other sectors of Colombian society, who launched a general strike and road blocks in several departments.

The response of the government has been repression and the criminalization of the demonstrators, provoking several deaths and thousands of injured and arrested.

The demonstrators demand, in particular, the cancellation of these "free-trade" agreements, which, instead of improving the living conditions of the populations, push them to starvation. Thus, these agreements run contrary to the international human rights instruments, especially the right to life, the right to food, the right of people to self-determination and the right to permanent sovereignty over their natural resources. Moreover, as Common Article 1.2 of the two international human rights covenants stipulates "In no case may a people be deprived of its own means of subsistence." This example demonstrates the urgent need for the Human Rights Council to adopt a Declaration on the rights of peasants in order to offer them better protection.

The IADL and the CETIM exhort the Colombian government to take the measures necessary in order to honor its international human rights obligations. Our organizations request the Special Rapporteur on the Right to Food to visit Colombia, and we exhort the Human Rights Council to remain seized of the human rights situation in this country.

¹Editor's note. Following the August-September 2013 protests, the Colombian government announced the suspension of the application of Decree N°970 to domestically produced seeds for a period of 2 years.

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transborder ones are often the cause of interstate conflicts.

This is why the adoption of a new international instrument such as a Declaration on the rights of peasants and all other people producing food and working in related sectors in rural areas (fishers, cattle raisers, nomad pastoralists, hunters, gatherers, artisans etc.) which would guarantee, inter alia, access to land, to water, to seeds and to other agricultural resources and means as well as adequate public services, can bring effective protection to peasant families faced with land speculation and the monopolies of transnational corporations. Better protecting food producers will guarantee the provision of food to humanity. This Declaration, in our opinion, will constitute also an effective tool in the fight against poverty and inequality.

The fact that the Declaration proposed by the Advisory Committee was drafted in consultation with the peasant organizations, in particular La Via Campesina, confers upon it greater legitimacy, given that it reflects the primary concerns of the persons in question. This having been said, it has become apparent in the course of the past two days' discussions that two important elements are omitted in the draft Declaration. These are social security and the measures that states should take to implement the Declaration. These elements should figure in the Declaration on the Rights of Peasants and Other People Living in Rural Areas.

WHO ARE WE?

Through its publications and its work at the UN, the CETIM denounces the widespread misdevelopment in its economic, social and ecological dimensions, and seeks to contribute to the gathering of the critical debates that emanate from civil society, both in Southern and Northern societies. The CETIM focuses in particular on respect for, implementation and promotion of economic, social and cultural rights, as well as issues related to the right to development..

Indeed, the imposition of structural adjustment programs and the application on the planetary level of the "market" economy as a development model have caused, among other things, a veritable agrarian counter-reform. It has reinforced the *latifundios* by suppressing all public aid to small-holder farmers and all national rural development policies. The privatizations, the liberalization of agricultural markets, the dumping of agricultural products, the commercial development of bio-fuels, stock market speculation on agricultural products and large-scale land grabbing are the instruments and corollaries of this development model that is each year pushing tens of millions of peasants to exodus and/or exile. Because of the pressures on natural resources, he are also source of conflicts, including armed conflicts.

This model also favors the monopoly of transnational corporations on the food chain, from production to marketing of food products. The state subsidies more often than not go to these entities while the peasant family farming is deprived of support. However, as everyone knows, it is not the transnational corporations that feed the world but peasant family farming devoted to growing food. On the other hand, with the development model that has been implemented, the peasants, who still constitute almost half of humanity, are threatened.

Peasants and other small farmers and family food producers can no longer manage to master the agricultural processes nor the tools nor the marketing of their products. They are stripped of their resources, and very often their property is expropriated and they are displaced. Further, they are excluded from the making of decisions that affect them. In short, they are victims of all sorts of discrimination and human rights violations, from the right to life and to food to the right to free association and to participate in decision-making.

It is in this context that the proposal of the Advisory Committee for the adoption of a United Nations Declaration on the rights of peasants must be interpreted. Obviously, existing international human rights norms cover civil and political rights as well as economic, social and cultural rights. However, it is clear that the existing norms do not respond entirely to the violations of the human rights of peasants and other producers of food products.

For example, ten transnational corporations such as Monsanto, Dupont, Syngenta or Cargill, control more than 80% of the seed and other agricultural inputs market. Moreover, depending on the estimates, dozens, indeed hundreds, of millions of hectares of arable lands have been confiscated by transnational corporations and by some states over the past twelve years. Water sources have long been the object of desire of transnational corporations and