

**one does not sell  
the earth upon which  
the people walk**

Tashunka Witko, 1840 –1877

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## **editorial : blocking the path of corporate governance of food systems**

From our oceans and seashores, crossing our lands and reaching deep into the minerals of our earth, there is a dangerous threat dominating our current political and economic relations around the world: the so-called private corporate capture of policy-making public spaces. For decades, civil society and social movements have been struggling to democratically strengthen these spaces in order to achieve the so needed peoples' food sovereignty. But this process is under a severe threat these days. In this *Nyéleni Newsletter*, we raise our voices against the growing power transnational corporations (TNCs) are gaining and the negative impact this is having on people's lives.

In times we witness the reproduction of colonial relations, where private actors – especially TNCs – have weakened and blurred the role of states, particularly within intergovernmental policy-making spaces – including the UN – every attempt to establish a global “multi-stakeholder governance” must rapidly be ruled out.

Water, seeds, land and other essential natural resources are becoming, more and more, part of the business of a small group of TNCs. This “corporatization” has been developed within the context of global initiatives such as the *Global Redesign Initiative* (GRI), spearheaded by the *World Economic Forum* (WEF). This represents a growing privatization of the governance of peoples' food systems and nutrition, and initiatives based on this GRI logic, such as the *Scaling-Up Nutrition* (SUN), *Coastal Fisheries Initiative* (CFI) or the *G8 New Alliance for Food Security and Nutrition for Africa*, are definitely “no-go” solutions for the peoples.

Such initiatives also represent the erosion of the role of states at international political fora – and therefore of people's sovereignty, as they put private speculation above public interests. This leads to a kind of “corporate colonialism”, where even seeds' genetic mapping – as proposed by “*DivSeek*” – happens to be a form of dispossessing peasants.

On top of that, the absence of public policies and states' commitment to their human rights obligations have led to the TNCs pursuing their activities with impunity. As echoed in this edition, crimes committed by TNCs against communities in Nigeria or the privatization of cities in Honduras, show the urgent need for states to start urgently regulating TNC's actions. This is also why civil society call for an international binding instrument to fully regulate and sanction TNCs' activities as a very first step to protect and reaffirm peoples' sovereignty globally.

Together with social movements and civil society organizations, we must work to reinvent and rebuild public policy spaces at the local, national, regional and international levels. Only through a strong linkage between these spheres, can peoples' sovereignty be exercised worldwide.

Sofia Monsalve, *FIAN International*

## Box 1 Multi-stakeholder governance: the corporate capture of global governance<sup>1</sup>

In 2009, the *World Economic Forum* (WEF) convened an international expert group to formulate a new system of global governance, the so-called *Global Redesign Initiative* (GRI) – a system of multi-stakeholder governance (MSG) as a partial replacement for intergovernmental decision-making<sup>2</sup>.

The GRI program established, in 2010, 40 Global Agenda Councils and industry-sector bodies, setting up WEF's framework for a MSG system.

What WEF means by multi-stakeholder is, first, that multi-stakeholder structures do not mean equal roles for all stakeholders; second, that the corporation is at the center of the process; and third, that the list of WEF's multi-stakeholders is principally those with commercial ties to the company. WEF proposals for MSG are a timely reminder that we need



to take a new look at the current rules of engagement in international affairs. In my analysis, there are four options to control the drive toward MSG that is acting outside multilateralism:

1. To outlaw TNCs' involvement in global policy-making and program implementation, as is done in the tobacco convention;
2. To rebuild the UN system, giving economic, environmental, and social decision-making the same legal mandatory status as decision-making in the Security Council;
3. To legally recognize the de facto status that civil society and TNCs have in global decision-making and design a new global institution that incorporates an appropriate political balance between these sectors and supplants the existing government-based UN system;
4. Governments should adopt a new Vienna Convention specifying the rules for how MSGs could operate as an adjunct part of multilateralism.

It is time for a broader range of other social groups, particularly those most adversely affected by globalization, to re-think how they believe global governance should work.

1 - This text is a short summary of Harris Gleckman's article published in TNI's "State of Power 2016" report at [www.tni.org/en/publication/multi-stakeholderism-a-corporate-push-for-a-new-form-of-global-governance](http://www.tni.org/en/publication/multi-stakeholderism-a-corporate-push-for-a-new-form-of-global-governance).

2 - See also Nyéléni Newsletter n. 22 at <http://www.nyeleni.org/ccount/click.php?id=68>

# in the spotlight

# 1

## Identifying the patterns: crimes and abuses by TNCs<sup>1</sup>

Transnational corporations (TNCs) have become leading actors in accelerating global trade during the last decades, thereby redefining modes of production and patterns of consumption, as well as prompting social and environmental consequences. There is an increasing number of cases of TNCs and other business enterprises severely restricting the enjoyment of all rights. These societal actors have been involved in offenses against economic, social and cultural rights, as well as breaching civil and political rights. Despite the principle of the indivisibility and interdependency of human rights, enshrined in the International Bill of Human Rights, TNCs have impeded the full realization of the right to adequate food and nutrition of individuals and communities, especially of those most disadvantaged and marginalized.

## TNCs' threats and offenses against the right to food and nutrition

TNCs and other business enterprises have the potential to adversely impact on peoples' food sovereignty. Extractive industries, agribusinesses, programs for the compensation of CO2 emissions, tourism and megaprojects are some of the main causes of forced evictions and displacements of people from public lands, forests, grazing lands and mobility routes, which they use to collect or produce food<sup>2</sup>. In addition to denying people access to productive resources, business activities also negatively affect the access to natural resources and harm ecosystems, which are crucial for communities to feed themselves and their families. The spreading of agrochemicals not only destroys crops and poisons animals but also harms the health of agricultural workers and food consumers.

The human right to adequate food and nutrition is further jeopardized by TNCs' labor practices, based on the subcontracting of cheap workforce. Agricultural workers, for instance, are victims of modern forms of slavery, forced labor, non-payment of wages, illegal detention, and unsafe working conditions. On top of that, rural women workers are severely discriminated, with unequal pay, social marginalization and sexual harassment. The human rights defenders and trade unionists that raise their voices against these injustices are physically and psychologically harassed and criminalized through private armed forces and are prevented from a due process of law.

TNCs' commercial practices also severely harm peoples' right to food. By dumping their products on small food producers' markets, they impede the economic subsistence of farming communities who are unable to compete with the prices of imported products. To maintain low costs and high profit, these products may be unsafe, causing physical and mental diseases to the consumers, including diabetes, obesity and depression<sup>3</sup>. Breast milk substitutes, highly-industrialized and with elevated levels of added sugar, are an example of such harmful products.

Additionally, the access to adequate food and nutrition is harmed by price-fixing cartels, buyer cartels or other cartels, when companies manipulate food and agricultural prices, rendering basic food products too expensive for many families<sup>4</sup>. The abusive loan conditions imposed on small farmers, as well as the speculation with land and other natural resources, which cause food price volatility, further contribute to the impoverishment and high rates of suicide of small farmers – one finds such cases in countries like India, Belgium and France. Finally, TNCs' complicity with States in food blockades during armed conflicts has deadly consequences by impeding entire populations from accessing food, as in some communities in Colombia.

## The hurdles to stopping impunity

Unfortunately, the victims of such human rights offenses are often left without any effective legal remedy. Meanwhile, a great number of TNCs continue to operate with gross impunity. A series of structural hurdles to stopping impunity and achieving

1 - Ana-Maria Suárez Franco and Daniel Fyfe. This article was first published in FIAN's "Right to Food Journal 2015", vol. 10, [www.fian.org/fileadmin/user\\_upload/Right\\_to\\_Food\\_Journal\\_2015.pdf](http://www.fian.org/fileadmin/user_upload/Right_to_Food_Journal_2015.pdf)

2 - Illustrated by cases such as Mubende and Benet in Uganda, el Hatillo in Colombia, GuaraniKaiowá in Brazil, and Sawhoyamaya in Paraguay. More information at [www.fian.org/whatwe-do/case-work/](http://www.fian.org/whatwe-do/case-work/)

3 - Cedeno, Marcos Arana and Xaviera Cabada. "Nutrition Policies Taken Hostage by Multinationals and Conflicts of Interest: The Obesity and Diabetes Epidemic in Mexico," in Right to Food and Nutrition Watch 2015, [www.rtfn-watch.org/fileadmin/media/rtfn-watch.org/ENGLISH/pdf/Watch\\_2015/RtFNWatch\\_EN\\_web.pdf#page=70](http://www.rtfn-watch.org/fileadmin/media/rtfn-watch.org/ENGLISH/pdf/Watch_2015/RtFNWatch_EN_web.pdf#page=70). On cases regarding pesticides-related depression, please see [www.environmentalhealthnews.org/ehs/news/2014/oct/pesticides-depression](http://www.environmentalhealthnews.org/ehs/news/2014/oct/pesticides-depression)

4 - For more information, De Schutter, Oliver, "Food Commodities Speculation and Food Prices," September 2010, [www2.ohchr.org/english/issues/food/docs/Briefing\\_Note\\_02\\_September\\_2010\\_EN.pdf](http://www2.ohchr.org/english/issues/food/docs/Briefing_Note_02_September_2010_EN.pdf)

remedy for victims have been observed. Amongst them, one finds the lack of regulation, monitoring, investigation and sanction of businesses in the countries where the harm takes place, due to States' lack of will or capacity.

Many States lack effective criminal, civil and administrative mechanisms capable of holding national and transnational companies liable for human rights offenses and abuses. Furthermore, where mechanisms are available, the implementation of protective judicial decisions is often undermined by undue corporate influence on the authorities responsible for implementing them.

Home and host States' reticence to regulate TNCs and other enterprises of transnational character and to provide effective remedies to victims of corporate human rights abuses have prompted the elaboration of different international regulatory frameworks. However, these frameworks fail to include clear and obligatory international standards on the duties of States regarding crimes and abuses by TNCs and other business enterprises, ignoring their territorial and extraterritorial human rights obligations.

## How States are failing

States have failed to regulate, monitor, adjudicate and enforce judicial decisions regarding abuses perpetrated by TNCs, towards ensuring the liability of the involved companies and enable individuals and communities to access effective remedies. The undue influence and lack of cooperation of States where the parent companies of TNCs are headquartered, impedes States from effectively complying with their obligation to protect human rights and to enforce judicial decisions.

Furthermore, the home States of TNCs – or those where controlling legal entities are based – very often fail to comply with their extraterritorial obligations to protect and respect human rights, by influencing the drafting of laws that are favorable to the investments of their “national companies”, which cause harm to human rights beyond their national borders.

An additional hurdle to stopping impunity and achieving a remedy for victims stems from the complex nature of global supply chains, where manufacturing and services are subcontracted at different levels. Currently, difficulties exist in determining the liability of the diverse legal entities involved in human rights abuses, such as the companies in a parental-filial relationship, a contractual relationship, a supply chain relationship or those who have a business link with the company directly involved in an abuse<sup>5</sup>.

Last but not least, the inclusion of arbitration clauses in investment and trade agreements, such as investor-state dispute settlement (ISDS)<sup>6</sup>, has opened the door for companies to present claims against States when the latter decide to suspend the implementation of such agreements in order to protect the human rights of their citizens. The arbitration tribunals, as private justice mechanisms in which the application of human rights and the access to traditional justice systems are fully excluded, are blocking the compliance of States with their international human rights obligations, causing systematic violations to these rights, including the right to food and nutrition<sup>7</sup>.

Corporate impunity and States' non-compliance with their international human rights obligations have spurred civil society to claim for an international binding instrument (treaty)<sup>8</sup>. An *Intergovernmental Working Group* at the UN level is, since 2014, in charge of drafting such an instrument to regulate TNCs and other business enterprises with regard to human rights. This will hopefully oblige States to regulate and sanction activities of TNCs and other businesses in their or in other countries' territories where they exercise jurisdiction<sup>9</sup>. With such a future treaty, human rights-minded individuals and civil society groups aim to put an end to such corporate impunity and ensure adequate remedy for the affected individuals and communities.

5 - It was the case of the Rana Plaza disaster in Bangladesh. For more information, please see [www.clean-clothes.org/news/press-releases/2013/09/09/brands-failing-victims-of-bangladesh-disasters](http://www.clean-clothes.org/news/press-releases/2013/09/09/brands-failing-victims-of-bangladesh-disasters)

6 - For instance, in the case of the Trans-Pacific Partnership (TPP) trade agreement. More information at [www.rfn-watch.org/fileadmin/media/rfn-watch.org/ENGLISH/pdf/Watch\\_2015/RtFNWatch\\_EN\\_web.pdf#page=51](http://www.rfn-watch.org/fileadmin/media/rfn-watch.org/ENGLISH/pdf/Watch_2015/RtFNWatch_EN_web.pdf#page=51)

7 - Such as the case of Chevron vs. Ecuadorian citizens on alleged oil pollution. For more information, please see [www.business-humanrights.org/en/texacochevron-lawsuits-ecuador](http://www.business-humanrights.org/en/texacochevron-lawsuits-ecuador)

8 - Such as the Treaty Alliance, which is comprised of a large and growing group of human rights organizations, platforms, social movements and affected communities. More information at [www.treatymovement.com](http://www.treatymovement.com)

9 - Extraterritorial Obligations Maastricht Principles, 2011, Principle 9, “Scope of jurisdiction”. More information at [www.etoconsortium.org/en/main-navigation/library/maastricht-principles/](http://www.etoconsortium.org/en/main-navigation/library/maastricht-principles/)

## Multi-stakeholderism: a trap for peoples' food and nutrition security<sup>1</sup>

Advocating multi-stakeholderism in the area of food and nutrition has been one of the main strategies for advancing a pro-corporate agricultural agenda that disempower small-scale farmers. One of the most advanced pilots of corporate-led multi-stakeholderism, promoted by WEF's *Global Redesign Initiative* (GRI), is the *Global Food, Agriculture and Nutrition Redesign Initiative* (GFANRI), established in 2010.

GFANRI has integrated several initiatives including the *Global Alliance for Improved Nutrition* (GAIN), the *African Green Revolution Association* (AGRA), the *G8 New Alliance for Food Security and Nutrition for Africa*, the *UN Secretary-General's High-Level Task Force on the Global Food Security Crisis* (HLTF), the *Global Partnership for Agriculture and Food Security*, and the *Scale Up Nutrition* (SUN) initiative.

These multi-stakeholder bodies advocate policies based on a belief that the liberalization of international trade can guarantee global and national food and nutrition security (FNS) with no need for specific global or national governance, and aim to:

1. Restrict the political mandate of the FAO to providing agricultural technical assistance;
2. Dismantle the *Committee on World Food Security* (CFS); and
3. Close the UN Standing Committee on Nutrition (SCN), the UN harmonizing body of global nutrition.

Throughout 2015, this strategy has advanced even more, with close allies of SUN seeking to increase its visibility and role within the CFS and UN Secretary General announcing he would nominate the new coordinator of SUN. The overall drive has been to progressively transfer governance from intergovernmental to multi-stakeholder spaces, strongly influenced, if not led, by the interests and agenda of the private corporate sector.

The peoples of the world must call on states to reject corporate capture and the logic of “multi-stakeholderism” and reaffirm people's sovereignty and human rights as a fundamental step to addressing all forms of inequity, oppression and discrimination, and to democratize national and global societies.

1 - This text is a short summary of Flavio Valente's article published in TNI's “*State of Power 2016*” report at [www.tni.org/en/publication/multi-stakeholderism-a-corporate-push-for-a-new-form-of-global-governance](http://www.tni.org/en/publication/multi-stakeholderism-a-corporate-push-for-a-new-form-of-global-governance)

# Voices from the field 1

## Fisherfolks say no to the coastal fisheries initiative

World Forum of Fisher Peoples (WFFP) and  
World Forum of Fish Harvesters and Fish Workers (WFF)

FAO, the World Bank, Conservation International and others have launched in June 2015 the *Coastal Fisheries Initiative* (CFI), a wide reaching program aiming at the reform of fisheries policy across the world. Through a period of 4 years, 235 million USD will be distributed through a number of projects in countries spanning Latin America, Africa and South-East Asia.

We, as representatives of over 20 million fisher people, wish to express our firm opposition to the CFI, which directly contradict the implementation of the recently endorsed *Guidelines for Securing Sustainable Small-Scale Fisheries* (VGSSF)<sup>1</sup>.

The program framework document (PFD)<sup>2</sup> of the CFI has been developed and written in a top-down process, involving an exclusive set of people from Global Environmental Facility (GEF), one of the main sponsors of the initiative. CFI contravened the basic principle of participation of the VGSSF, which emphasizes that affected small-scale fishing communities should be involved in decision-making prior to decisions being taken.

We were reduced to the level of other 'stakeholders' on par with private sector representatives, academics etc., although we represent the ones most affected by the CFI.

Consequently, it became clear to us that the programs for the targeted countries of CFI all focus on implementing *Rights-Based Fisheries* (RBF). RBF approach disregards existing local management and governance systems and fails to acknowledge that problems in fisheries result mainly of poor governance or management, ascribing inefficiencies to a lack of private property<sup>3</sup>. The privatization process generated by RBF clearly benefits a small elite, while dispossesses the majority.

The introduction of RBF in the targeted countries and everywhere else would stand in direct contrast to the progressive content of the VGSSF, which stresses the need for a human rights-based approach as a key tool to poverty reduction. In this light, CFI introduces policies clearly prioritizing the interests of the private sector and/or narrow environmental concerns.

Therefore, we have declined an invitation to become a member of the CFI-steering committee. Accepting the invitation, where the content of the CFI is already clearly defined, would legitimize the RBF-policies that we have spent years fighting against. It would be a huge blow to the implementation of the VGSSF, which we continue to strive for.

1 - Available at [www.fao.org/3/a-i4356e.pdf](http://www.fao.org/3/a-i4356e.pdf).

2 - Available at <http://worldfishers.org/wp-content/uploads/2015/11/GEF-CFI-Framework-document.pdf>.

3 - See also "*The Global Ocean Grab*" at [worldfishers.org/wp-content/uploads/2014/08/The\\_Global\\_Ocean\\_Grab-EN.pdf](http://worldfishers.org/wp-content/uploads/2014/08/The_Global_Ocean_Grab-EN.pdf).



# Voices from the field 2

## Wilmar: no land for sale<sup>1</sup>

Friends of the Earth US and Nigeria

The oil palm tree is native to West Africa and palm oil, in its rawest form, is a staple of the West African diet. However, what is non-native, and is having drastic impacts in the Nigerian rain forest province of Cross River State, is the industrial-scale expansion of palm oil plantations by the world's largest palm oil trading company, Wilmar International. Since 2010, Wilmar has acquired 30,000 of hectares of land for palm oil plantations in southeastern Nigeria, and has already expanded its Nigerian land bank to hundreds of thousands of hectares.

Nigeria is one of ten African countries that have signed on to the New Alliance for Food Security and Nutrition, the G8 countries' strategy to mobilize large-scale foreign investment in Africa's agricultural sector. As a New Alliance partner, Wilmar may be "guaranteed land acquisition", benefit from "low average wages", and be given tax holidays in a process designed to "make it easier to do business in Nigeria." However, the New Alliance may do more harm than good to small-scale food producers, by increasing the risk of land grabs while undermining land rights and land tenure.

Friends of the Earth's report, "*Exploitation and empty promises: Wilmar's Nigerian land grab*"<sup>2</sup> reveals that Wilmar's recent acquisition in Cross River State has left local people destitute, and threatens protected forest areas that are home to some of Africa's greatest biodiversity. One farmer recently displaced by Wilmar's Nigerian operations said, "By taking our farms, Wilmar is declaring us dead." Therefore, Wilmar International and its subsidiaries in Nigeria should, among others:

- 1 - Halt its expansion plans effective immediately;
- 2 - Publish all concession maps, Socio-Environmental Impact Assessments, employment policies, minutes of community consultations;
- 3 - Thoroughly review and overhaul its protocols for seeking the *Free, Prior and Informed Consent* (FPIC) in line with global best practices; and reinstate a process of open consultation with all affected people.

Besides, the Nigerian government should encourage and incentivize small-holder agricultural production and undertake a process of reforming its land tenure systems in line with *FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests* in the Context of National Food Security.

In the words of Friends of the Earth Nigeria and Rainforest Resources Development Centre, "If Wilmar fails to improve its operations, the company had better pack and go."

1 - Based on "*Exploitation and empty promises: Wilmar's Nigerian land grab*" summary, available at [bit.ly/1SSmJvC](http://bit.ly/1SSmJvC)

2 - Available at [bit.ly/20DSnf1](http://bit.ly/20DSnf1)

# Voices from the field 3

## Corporate capture of cities in Honduras: a special threat to women<sup>1</sup>

Andrea Nuila, FIAN and Ismael Moreno, human rights activist and director of Radio Progreso, Honduras

Charter Cities are tiny states within the State: they are territories that are released and handed over to third parties. In the 2010-2013 legislative period, the Honduran National Congress, comprised by a majority of lawmakers that supported the 2009 coup d'État, approved the Charter Cities' bill. Citizen opposition saw this as an act of treason to the country and forced the Supreme Court to declare this bill as unconstitutional in October 2012. Even so, a new version of the bill was approved in 2013.

For the political and business elite, Charter Cities are not uncommon. They are an extended form of the maquila industry, imposed since the 90s: real tax havens where human trafficking is practiced with policies that ignore the Labor Code and dismiss workers arbitrarily.

The so-called Organic Law on Zones for Employment and Economic Development (Charter Cities' bill) allows pieces of territory to be handed over and administered by one or several countries or transnational corporations, creating autonomous cities oriented to encourage foreign investment.

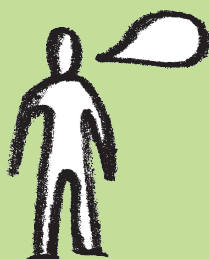
A Charter City within the territory of a country with an economic, social and politically failed society will increase inequality and deepen imbalances to unsustainable extremes. Especially women and feminist organizations have raised their voices and added their concerns regarding the negative impacts that such "special zones" will inevitably generate against the body and life of women nationwide.

It is important to highlight that women in Honduras already live in an extremely violent patriarchal society (one woman killed every 16 hours) that is reinforced by impunity, criminalization of women rights defenders and an institutional discrimination against women. In the rural areas, where the majority of the Charter Cities are being planned, high rates of violence against women prevail together with an increasing number of evictions, limited access to healthcare and to natural resources.

Peasants, indigenous and afro-descendant women will undoubtedly be the most affected groups from the construction of such cities. According to Garifuna leader Miriam Miranda, with the construction of the Charter Cities, the Honduran government is putting 70% of the Garifuna territory (afro-descendant communities) at risk.

An absent State and the possibility of Charter Cities to provide public services, to decide over local norms and discretion over tax regulations will only put women in a more vulnerable position.

<sup>1</sup> - Text based on *A Charter City Amidst a Tattered Society* published in FIAN's "Right to Food Journal 2015", vol. 10, [www.fian.org/fileadmin/user\\_upload/Right\\_to\\_Food\\_Journal\\_2015.pdf](http://www.fian.org/fileadmin/user_upload/Right_to_Food_Journal_2015.pdf)



# Voices from the field 4

## Dematerialization of seeds: the case of "DivSeek"

La Via Campesina<sup>1</sup>

After a week of arduous debates at the FAO headquarters in Rome, on 9 October 2015, the Governing Body of the *International Treaty on Plant Genetic Resources for Food Agriculture*, the Seed Treaty, in its sixth session had to choose between plague and cholera: to accept as fait accompli its irregular "governance arrangements", to say the least, or to sink into an open crisis.

To prevent immediate burst, it has declared valid:

1 - The commitment of its secretariat to the *DivSeek* program that organizes biopiracy at a global level. *DivSeek* aims to sequence the genomes of all varieties of the plant genetic resources stored in gene banks, working towards the electronic publication of genetic information on seeds entrusted to the gene banks, for which the Seed Treaty is responsible. It will enable the ownership of all plants that contain those sequences and which have a related characteristic. All this without including any prohibition to patent nor to share benefits, thus violating the rules of the Treaty.

2 - A resolution leaving farmers without any possibility to defend themselves against this violation of their rights, which nevertheless are stipulated in the Treaty. Patents on genetic information published by *DivSeek* will indeed prohibit farmers to continue to grow the seeds they have graciously given to the collections for which the Treaty is responsible.

3 - The renewal of the contract of its secretary-general, which was carried out secretly, thereby violating its own rules of procedure.

Since the ratification of the Convention on Biological Diversity in 1992, the seed industry has accumulated a huge debt by tapping into the huge reservoir of peasant seeds collected in fields worldwide without sharing any of the profits generated. In 2013 in Oman, the Treaty's Governing Body required the seed industry to find a fair solution. So far, no progress has been made. Quite the contrary, with *DivSeek*, the industry organizes further pillage by letting all the seeds, in their dematerialized form, escape from the Treaty's control, enabling patenting without any restrictions.

La Via Campesina expects a strong reaction from all the governments, which in Rome have witnessed these unacceptable diversions from the Treaty's objectives, so that it be put back on the right track. La Via Campesina hopes that the next consultation on Farmers Rights (article 9 of the Treaty) organized by Indonesia in 2016 will make these rights a priority, guaranteeing food sovereignty against the theft of seeds by industry's property rights.

<sup>1</sup> - Press release available at <http://viacampesina.org/en/index.php/main-issues-mainmenu-27/biodiversity-and-genetic-resources-mainmenu-37/1886-the-seed-treaty-undermined-by-the-gangrene-of-biopiracy>

## Box 3

### On the move to Dismantle Corporate Power

The global *Campaign to Dismantle Corporate Power and Stop Impunity & for Peoples Sovereignty*<sup>1</sup> was launched by a network of over 100 organizations, movements and affected communities from all over the world during the Rio+20 Conference in 2012 in response to the UN corporate agenda to further the privatization, commoditization and financialization of nature.

The Campaign has built a *Peoples Treaty* which articulates the views, strategies and proposals undertaken by a diversity of social actors aiming to dismantle corporate power.

The Peoples Treaty is divided in two sections – the first outlines the successful implementation of social, political and economic alternatives that have liberated politics and territories from corporate greed and power. The second part presents concrete and in depth proposals for an internationally legally binding system to bring TNCs to justice for their human rights violations and was presented prior to the historic vote in the UN Human Rights Council that established an ongoing open ended *intergovernmental working group* (IGWG) to elaborate a UN Treaty to regulate TNCs and other business enterprises.

The UN Treaty is an opportunity to establish obligations under International law for TNCs to respect all human rights; to establish an international court for giving access to justice and remedy for victims and to judge TNCs liability and impose sanctions to TNCs for their environmental crimes, as well to challenge corporate capture at UN level.

While TNCs are the object of the Treaty they are not, as perpetrators, in a position to define juridical instruments or sanctions they would be willing accept – unlike the voluntary guidelines and corporate social responsibility tools they helped define when invited as “stakeholders” by a UN more and more dominated by TNCs interests.

The recognition of Peasants’ rights, which is now part of language and object of the UN agenda –and also needs to be kept out of corporate takeover - is an inspiration to the movements working to control TNCs and stop their impunity. The convergence of both struggles empowers us to dismantle corporate power and build peoples sovereignty on a sustainable world free of all forms of exploitation.

1- <http://www.stopcorporateimpunity.org/>



## who we are

In the last years hundreds of organisations and movements have been engaged in struggles, activities, and various kinds of work to defend and promote the right of people to Food Sovereignty around the world. Many of these organisations were present in the *International Nyéléni Forum 2007* and feel part of a broader **Food Sovereignty Movement**, that considers the Nyéléni 2007 declaration as its political platform. **The Nyéléni Newsletter wants to be the voice of this international movement.**

Organisations involved: Development Fund, FIAN, Focus on the Global South, Food First, Friends of the Earth International, GRAIN, Grassroots International, IPC for food sovereignty, La Via Campesina, Marcha Mundial de las Mujeres, Oxfam Solidarity, Real World Radio, The World Forum Of Fish Harvesters & Fish Workers, TNI, VSF-Justicia Alimentaria Global, WhyHunger.

now is time for  
food sovereignty!



## to read, listen, watch and share

- ETO Consortium, *Extraterritorial Obligations in the Context of International Financial Institutions* – [www.etoconsortium.org/nc/en/main-navigation/library/documents/detail/?tx\\_drblob\\_pi1%5BdownloadUid%5D=131](http://www.etoconsortium.org/nc/en/main-navigation/library/documents/detail/?tx_drblob_pi1%5BdownloadUid%5D=131)
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