

F I A N
For the right to food

SUCCESSES FOR HUMAN DIGNITY





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FIAN

Foodfirst Information
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Fighting hunger with human rights

To be free from hunger as well as having access to adequate food is a human right! And there is enough food for all on our planet. But today, over 850 million people still suffer from hunger and malnutrition in a world of plenty - mainly because of injustice and structural hindrances. According to data from the hunger task force established by the UN General Secretary Kofi Annan, close to 80% of the hungry in the world are living in rural areas in the Global South. People affected by natural disasters and wars represent 8% of the total number of hungry, underlining that the vast majority of the hungry in the world remain "invisible". 50% of them are smallholder peasants, who are not able to feed themselves and their families adequately. Moreover, girls and women are often disproportionately affected by hunger and its related negative impacts.

From the human rights perspective, hungry people are not only considered as victims but also as right holders. Before all, they are seen as rights holders and the States as duty bearers. This means that the States have to respect, protect and fulfil the human rights of their populations. If a State does not take the appropriate measures to fight hunger, it violates human rights, especially the right to adequate food. Non action of States is thus a root cause of hunger all over the world.

FIAN: the lives of the people are at the heart of our struggle

FIAN is an international human rights NGO, active for 20 years in the defence and promotion of the right to feed oneself. The pith of FIAN's work is to support people who are victims of violations of the right to food, and to empower them to change their situation. The starting point of FIAN's work is to inform hungry people that it is a fundamental human right to feed oneself in dignity. FIAN's work consists in proper research, analysis and documentation of human rights violations as well as direct intervention in order to help vulnerable groups in their struggle against hunger and in the realisation of their fundamental human rights.



FIAN is therefore often confronted with the following questions:

- Will evicted peasants get a compensation for the land they have lost, or be rehabilitated?
- Will indigenous people continue to have access to their traditional resources and be able to feed themselves, against all threats?
- Will landless peasants receive land in an agrarian reform?
- Will the hungry and malnourished get food or cash through state transfer programmes?

FIAN is an international network of individual activists, local groups, regional coordinations and national sections, present in 60 countries. The fundamental strength of its work lies in the broad participation of its members in FIAN actions, especially the letters campaigns.

FIAN's international presence and alignment is very important for its human rights work. FIAN gets first-hand information through the direct contact with the affected people in the corresponding countries. Like this FIAN is able to react quickly and in close reconciliation with the victims of human right violations and their organisations and movements.

In its daily work for the realisation of the right to food, FIAN employs various methods at different levels but the starting point of FIAN's action is always a concrete case of violations.

FIAN intervention consists first in documenting the case through Fact Finding Missions (FFM) and proper human rights analysis. Then, letters campaigns (called Hotlines or Urgent Actions) are sent to FIAN members so that they write to the responsible authorities to denounce violations of the right to feed oneself. This is an essential action to put international pressure on local or national authorities.

At the international level, thanks to its consultative statute in the UN, FIAN is able to present reports before the UN human Rights System in Geneva and has considerably contributed to the further legal interpretation of the right to food in international law.

This clear definition of the right to adequate food makes it easier to establish States' responsibilities in the violation of one vulnerable group's human rights. Nonetheless; the experience of FIAN shows that a strong support from its members, through letter campaigns, street actions, mobilisations is needed to improve the daily life of those suffering from hunger. If more people participate in FIAN's actions, one way or another, then it is more likely FIAN can put an end to situations of violations of the right to food.

Hereafter are some of the cases successfully solved by FIAN action over the last two years. Having daily food, living in dignity was a dream for these people. Now it has become a reality.



BRASIL

Brasilian Supreme Court finally expropriates "Engenho Prado" land in favour of 280 landless families.

The conflict about the land of the sugar plantation "Prado" took place in the region known as Mata, in the State of Pernambuco, northeast Brazil. For ages, this region has been known for its sugar cane production. The monoculture of sugar cane concentrates land, income and power. The production came in crisis in the 90s and many producers went into debt and dismissed their workers. Without any other job opportunities or any land to produce food, 280 families decided to occupy in 1997 various uncultivated plots of the sugar plantation Prado, in the Tracunhaém municipality, Pernambuco State.

The State of Brazil, through INCRA (National Institute for Colonisation and Agrarian Reform) which is in charge of the implementation of the agrarian reform - confirmed that the plots lied idle and that in compliance with the Brazilian law the government had to expropriate the land for agrarian reform. However, the Joao Santos group, the owners of the land, appealed against this decree, which led to a suspension of the expropriation.



Photo: Jean-Louis Gonterre

In November 2003, the situation of the families changed drastically when the authorities of Pernambuco, with the assistance of police and private security personnel of landowners evicted the families from the land, destroying crops, houses, killing animals, and humiliating the families in many ways. Since November 2003, the families had been camped out along the road. Men, women, children and old people were living in plastic huts, without access to land and prevented from producing their food, depending on private and government donations. In June 2004 a fact finding mission of FIAN and Via Campesina (LVC) was carried out in the context of the Global Campaign for Agrarian Reform and verified the inhuman living conditions of these families, met with officials to denounce this situation and find a solution for the respect of those families' human rights.

"We obtained our land to cultivate. I can't believe it. We got older because of the struggle for land but our sons will be able to produce here without any fear of persecution. That's why I am happy."

After a seven year fight, the expropriation was depending on the highest authority of the Brazilian legal system. It was hoped that the Supreme Federal Court would speed up its decision as promised by its president when he was met by the fact finding mission of FIAN and LVC in June 2004.

Finally, on the 29th of June 2005, the Brazilian Supreme Court decided in favour of the families and expropriated definitively the Joao Santos group from the land of "Engenho Prado".



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BRASIL

Land for the Gatherers of the Babaçu Nuts in Brasil

The Ciriaco reserve extends into the three Brazilian federal states Maranhão, Tocantins and Pará. The natural reserve was created by presidential decree in 1992 in order to limit the expansion of eucalyptus monoculture and cattle rearing. Traditional food production such as the gathering of the Babaçu nut is allowed in the reserve - for many poor families in this area on the fringes of the Amazon, the Babaçu palm tree is an important source of income. It is the women who gather the nuts and break the hard shells. Yet, despite the area being a natural reserve, there was a real danger of encroachment: large land-owners were about to fell the palm-trees or destroy the young shoots and the women's access to the palm trees in the reserve became insecure.

"FIAN's method of directly engaging the authorities has shown us that it is possible to negotiate with the Ministry for Environment and address those responsible with our demands until they return the land to us"



Babaçu palm tree

In 1998, the people of Ciriaco asked FIAN for support. The resistance of the 160 families and the activities of FIAN (e.g. Urgent Action in September 1998) and Brazilian organisations led to success: 80% of the reserve is now held by the rural workers and the families have been given 20 hectares each. The Brazilian government has also spent more than 3 million Reais (approx. 1.3 million USD) in compensating the former landowners.

The families that have benefited from this happy turn of events praised FIAN's support of their cause. In the words of one of the beneficiaries:

"Finally our dream has come true. May the spirit of solidarity continue to work in this organisation, may God be present in the future work of this organisation. Words are lacking to express our gratitude. The right to food in Ciriaco is guaranteed, special thanks go to FIAN Munich* ..."

*FIAN Munich is the FIAN local group that worked on the case.



ECUADOR

25.000 people obtain constitutional protection.

Since 2000, the human rights of about 25,000 people in the Ecuadorian province of Sucumbios at the Colombian-Ecuadorian border have been violated by the fumigation carried out in the Colombian department of Putumayo. The fumigation is part of the controversial Plan Colombia (a programme financed by the US government to end drug trafficking and eradicate the illegal cultivation of coca and poppies in Colombia) and has destroyed the food resources of the communities, unleashing a food and health crisis in this province. The Ecuadorian Government failed to protect the access to resources of these people through quick and objective actions.

Peasants and indigenous people affected by fumigation have presented their claim for protection to the Constitutional Court of Ecuador, against the President of the Republic and several Ministers. The judge ruled in favour of the victims but an appeal was made to the Constitutional Court.

"That is when we asked for FIAN support", says Aidé Peralta, lawyer at the Ecumenical Centre for Human Rights (CEDHU) which is supporting this judiciary process and a member of the Constitutional Committee against Fumigation (CIF), composed of organisations and people from the Ecuadorian civil society.



Corn plantations fumigated (Photos: Amazonwatch)

In July 2004, FIAN launched a protest letter campaign addressing all the judges of the Constitutional Court. According to Aidé,

"Protest cards drew the attention of judges who affirmed the necessity to solve the case because the amount of cards made the international pressure unbearable."

On March 30th, 2005, the Constitutional court decided in favour of the protection for the affected communities. With this decision, the State of Ecuador recognises the consequences of fumigation on food resources and health of small peasants living on the Colombian-Ecuadorian border. For the CIF, the decision is a huge success because it is definitive and can not be appealed against. It is very satisfying for FIAN who constantly addressed the authorities during its campaign on the importance of financial compensation for peasants affected by the loss of their crops and the prohibition of new fumigation.



GUATEMALA



Landless peasants win upper hand over President's family!

After 12 years of struggle, the men and women who worked on the Maria de Lourdes coffee plantation in Génova, Department of Quetzaltenango, Guatemala, finally reaped the rewards of their fight for a just compensation for their illegal dismissal and salaries unpaid. Their victory has great symbolic force because the farm in question belonged to the family of Oscar Berger, the current President of Guatemala.

The 47 peasant families were illegally dismissed in 1992 when they created a trade union to defend their labour rights. The victims took their struggle to the courts and the law sided with them. Yet, the decision was never implemented. The decade-long struggle for survival of the families culminated in an act of despair - in order to draw attention to their situation, the families occupied the landowner's residence from where they were violently evicted in January 2003.

"We thank FIAN with all our heart for your help, because it had a decisive influence on helping to solve our case."

After several meetings with the involved authorities, FIAN protest letter campaigns and visits by national organisations and FIAN, an agreement was reached in September 2004: The landowner paid the peasant workers 55 % of the retained salaries accrued since their illegal dismissal in 1992. The landowner also paid for the land where they are now living. Since October 2004, the families have been living on their new property called "the Paradise".



Photos : Bernd Edemüller





MEXICO

After three years on strike, the “Euzkadi” workers reclaim their jobs from German Tyre multinational!

In 2001, the German multinational firm Continental decided to close down illegally the Euzkadi factory in Mexico after longstanding conflicts with the labour union.

The Euzkadi trade union went on a strike for three years on the factory site and took Continental to court to prove the illegality of the factory closure and the workers' dismissal.

FIAN launched international lobby actions, first towards the German government because it is obliged to ensure that german companies conduct their business abroad in coherence with human rights standards. FIAN also organised for a delegation of workers to travel to Germany to attend the Continental shareholders' assembly and to explain their situation.



Euzkadi and FIAN delegates during Continental shareholders' Assembly

On January 18th, 2005, the conflict that had pitched the German tyre producer Continental against its Mexican factory workers was settled in the presence of the Mexican President Vicente Fox. With FIAN's support and after a three-year strike against the illegal closure of the factory, the workers have achieved the fulfilment of their most important demands: the factory has been reopened and they have their jobs back.

To top things off, the workers have received a total of 50% in shares of the tyre factory. The Euzkadi trade union has stated that they found in FIAN one of their most important international supporters.



Photos: Martin Wolpold Bossien



INDIA

Uttar Pradesh implements the Mid-day Meal Scheme

In India, the right to food is recognised in the Constitution under the right to life (Article 21). All federal states are obliged to ensure this right by using different schemes. The Mid-day Meal Scheme, for example, guarantees all children in government primary schools one cooked meal a day. Despite the importance attached to this scheme, States like Uttar Pradesh, Bihar and

Photo: Fian International



Meeting with children of Allahabad on Cooked Mid Day Meal in Lucknow

Jharkhand failed to implement it. In 2002, FIAN Norway and FIAN Uttar Pradesh started a strong campaign for the implementation of this programme, which is fundamental for addressing the problem of class room hunger and malnutrition of children.

After intensive case work, various Fact Finding Missions and training and capacity building workshops for communities and teachers,

focusing on one of the most deprived areas in the District of Allahabad, FIAN also addressed the Supreme Court directly, urging it to consider ways of holding Union states accountable for their failure to provide meals for school children.

At last, due to this continuous pressure of the people, FIAN and Supreme Court directions, the government of Uttar Pradesh started the Mid-day Meal Scheme in 16 districts in September 2003. FIAN continued to call for the total implementation of the scheme in all primary schools in all districts however. Finally, the Supreme Court again directed the states to implement the programme in all primary schools. The central government allowed the state of Uttar Pradesh to use 15% of the Prime Minister Village Development Scheme to finance the cost of the meals, which are to be managed by the local self-government unit at every village and city level.

Consequently, from October 2004, the state of Uttar Pradesh started the Mid-day Meal Scheme all over the state. As a result 91,425 primary schools, i.e. 17,000,000 children, now directly benefit from this scheme.





INDIA

A Water Theme Park threatened the right to water and to food.

In Palakkad, a region in Kerala (Southern India), the construction of a check dam within the catchment area of the Malampuzha Dam, was threatening the Right to Food and the Right to Water of around 46 villages and 20 000 farming families. The water diverted to the check dam was meant for a "Water Theme Park", an amusement park with boating facilities.

The Malapuzha Dam had been built for the explicit purpose of irrigation because although the first paddy crop is irrigated by monsoon rains, the second crop needs special irrigation. The capacity of the dam was tailor-made for 40 000 acres and any reduction meant a loss of crops. Despite paying taxes, farmers were not the sole beneficiaries of the dam. Water has been diverted for industrial purposes, and additional farms in the catchment area have reduced the water flow.

The Water Theme Park would have substantially reduced the availability of the already scarce resource and severely affected the agricultural activities of the farmers, who depend on the dam for their second paddy crop. Palakkad is mainly a paddy growing region, and paddy is the basic source of income for the farmers and their families. A shortage of water would have severely threatened the families' ability to feed themselves.



Photo: Mohan Dhanoharan

FIAN intervened on this case in autumn 2003, asking the Chief Minister of Kerala to guarantee the farmers' right to water. The action was successful, and the plans for the Water Theme Park were abandoned.

"As far as the Water Theme Park is concerned, we should thank you for your effort. It seems to have paid off. The District Collector told us in the meeting that the project will not be taken up. Farmers have received it well and the credit goes to FIAN! At the moment we don't have anything else that needs to be done. If there is any emergency we will get back to you. Once more I convey the regards on behalf of all the rice farmers of Palakkad."



SOUTH AFRICA

The Gumbu-Mutale community gets back land lost during the apartheid regime

During the apartheid, the Gumbu-Mutale, a community grouping about 1200 people living on the Madimbo Corridor, a highly fertile land on the banks of the river Limpopo, were forcibly evicted from their land.

The Gumbu-Mutale found shelter on a stony and dry land which was unsuitable for agriculture or cattle rearing. There was no possibility of employment in the area and with no additional means of income to buy food, the Gumbu-Mutale community's right to adequate food was not fulfilled. An international mission visiting the area in 2002 stated the Gumbu-Mutale were living in inhumane conditions. They were suffering from severe hunger and malnutrition.

The original land of the Gumbu-Mutale had been given to the army. The Ministry of Defence claimed to use this land for training purposes. However, several investigations and reports stated that the major part of it was not used.

In 1994, after the first democratic elections in South Africa, the ANC-led government made a commitment to redistribute the land through a large agrarian reform programme, in order to reduce the large inequalities that had been created during to colonisation and apartheid. 80% of the agricultural land was in the hands of 60 000 white farmers, while 15 million black peasants were left on unfertile lands without infrastructure. Although the Minister for Land personally promised to settle all claims by 2000, in 2002 the Gumbu-Mutale still had not got their fertile land back.

FIAN launched an international protest letter campaign on behalf of the community in 2003, asking President Thabo Mbeki to give the Gumbu-Mutale back their land. At the same time, the case was about to be brought to the court in charge of land reform - a process which could have taken years during which time hunger and malnutrition would have desperately increased.

On August 14th, 2004, the Madimbo Corridor Settlement Agreement was signed, and the land handed back to the community!



Masikho lifting the certificate at celebration



Signing the certificate of settlement
Photos: NKUZI

SUSTAINED SUCCESS

Institutionalising new tools for the right to food

Putting an end to hunger caused by violations of the right to food is FIAN's principle objective. The success of FIAN in this area is down to its strong base of members and supporters throughout the world—people who give of their time and energy in solidarity with the victims to take part in protest letter campaigns.

FIAN's success also extends to international lobby work where it is active in different forums both within the UN framework and within wider civil society groups. The objective of this work is to strengthen international right to food instruments and a human rights based approach as tool to fight hunger. One major achievement for FIAN was the adoption of the "*Voluntary Guidelines for the Human Right to Food*" by the United Nations Food and Agriculture Organisation (FAO) in November 2004. It is a practical tool which guides the governments who want to implement the right to food.

The Voluntary Guidelines give the FAO a clear mandate to start rights based work. At the same time governments have a clear tool on how to realise the right to food nationally and internationally. Each person whose right to food is negatively affected by government policies or inaction can now use the guidelines to address government and to request adequate treatment.



Photo: Fian International

"Getting those guidelines was a major breakthrough", according to Michael Windfuhr, the Secretary General of FIAN, who organised the civil society input into the negotiation process, "because initially many governments were not willing to negotiate substantially such a text on the right to food. There is still a lot of fear among some governments that they might really be challenged to change policies in future, through people starting to claim their rights. But these are exactly the policy changes needed, if hunger is to be reduced substantially in the coming years".

JOIN FIAN IN THE FIGHT AGAINST HUNGER!!!!

The fight against hunger is a long one and FIAN needs the support of all those who want to do something against these human rights violations. The successful cases described in this publication demonstrate that it is possible to end violations of the right to feed oneself and to help vulnerable groups to live in dignity.

With your membership or donation you will support FIAN's work!

FIAN acts on the international level. For those who are suffering from hunger and malnutrition, it is very important to know that people, all over the world, are informed about their situation and take action in order to put an end to this violation of the right to food. Very often, they have no or little support in their own country and the moral aspect of the international support is essential. Contribute to the human rights work by enlisting FIAN's international letter campaigns!



Photos (page and cover page): Mohan Dhamotharan

Apart from the individual FIAN members, FIAN local groups play a key role in FIAN's work. Local groups support victims of human rights violations, mobilise people all over the world and, create educational material to spread the information about the right to food. The role and action of FIAN members remain essential to improve the situation.

If you want to participate actively in the struggle for human rights; join a local FIAN group where you will find friends and like-minded people!



Photo: Martin Wolpold Bossien

Find further information and contact persons on the web page of
FIAN-International: www.fian.org