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THE BERNE DECLARATION – COMMITTED TO GLOBAL JUSTICE SINCE 1968

Summary of the Year 2006 at the BD

The Berne Declaration is a Swiss nongovernmental organization with about 20,000 members. Through research, public education and advocacy work, it has promoted more equitable, sustainable and democratic North-South relations since 1968.

The Berne Declaration monitors the role of Swiss corporations, banks, and government agencies. It addresses the problems of unequal international trade and financial relations, unsustainable consumption patterns and cultural prejudices. It calls on all Swiss actors – the private sector and the state, citizens and consumers – to assume their responsibilities in resolving these problems.

The Berne Declaration is currently involved in the following programme areas: international trade, private and public financial trade, World Economic Forum in Davos, agriculture, Clean Clothes Campaign, cultural exchange, children's books.


The Berne Declaration is completely independent, and derives most of its funding from individual membership fees and donations. It has a staff of 18 and two secretariats in Zurich and Lausanne for the German and French speaking regions. There is also a small branch in the Italian speaking part of Switzerland. The BD is an active member of many international NGO networks and maintains a comprehensive website offering information on all its programme activities in English, German, French, Italian and Spanish (www.evb.ch).

The BD News is produced once a year in January and provides a summary of the past year's activities in each programme area. The BD News is disseminated to an international audience free of charge once a year (e-mail format available online at www.evb.ch). All BD programme areas also regularly inform interested partners about their activities via electronic mail. It is your contact or partner organization in Switzerland. Get in touch!

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 **BD**
Berne Declaration
Déclaration de Berne
Erklärung von Bern

Ilisu Dam Project in a Crucial Stage

The campaign against the Ilisu Dam on the Tigris River required BD's full attention and considerable efforts throughout the year 2006. After a thorough analysis of the project documents, the BD urged the Swiss Export Risk Guarantee to insist on the project's compatibility with international guidelines or else withhold approval. The government took BD's concerns seriously and spent months wrangling with Turkey over requirements and conditions.

BY_CHRISTINE EBERLEIN

At the start of the year the BD supported NGOs in the Ilisu Region in an effort to build up a local campaign against the planned Ilisu hydropower dam. The founding ceremony for the Initiative to save Hasankeyf in Diyarbakir in Eastern Anatolia was attended by some thirty important civic organizations, mayors, and associations. At year's end some seventy local organizations and associations were actively involved. By last summer, the Turkish nature society had collected 35,000 signatures against the Ilisu project which the BD presented to Federal Councillor Doris Leuthard in December. Students informed the people living on the area of the future reservoir about their rights. 70 percent of the affected population oppose the dam. The construction consortium had failed to inform them that nonlandholders will not be compensated under Turkish law. Also, there is apparently a shortage of suitable farmland to resettle all those who will be displaced by the project. Decades of repressive policies against the Kurdish population have left many local residents fearful to speak out publicly against the dam. As a result the region's mayors are at the forefront of the efforts to stop the project. At the invitation of the BD they called on the EU in Bruxelles several times, talked to



EvB, Christine Eberlein

4.8.2006: PRESS CONFERENCE AND MAJOR PROTEST of dam opponents.

leading export insurance officials in Switzerland, and also spoke in Germany and Austria. Together with the local opposition the BD organized part of a tour programme for an official delegation of export insurers visiting the area. Despite attempts by the Turkish government to limit the contact with the local population the delegation met with affected families in the Ilisu Region. The visitors were shocked by the state of a settlement built for people displaced by the Batman Reservoir a decade earlier. The promised schools and jobs never materialized, there was no regular water supply and a shortage of fertile farmland.

Relentless pressure by the BD causes reaction

After years of efforts by the BD to generate enough pressure in Switzerland, the Swiss Export Risk Guarantee finally scheduled a hearing in March 2006 that was attended by all the NGOs, companies, banks and government agencies involved with the project. The BD finally got a chance to raise the issues that concern the local population and opponents everywhere. Prior to the hearing the BD had asked some of the world's leading experts to examine the resettlement plans and envi-

ronmental impact studies published by the construction consortium. The experts warned that internationally relevant construction standards for hydrodams were being ignored. The consortium promised changes and returned with what it claimed was an improved version – a claim which experts, after a second examination, swiftly debunked. In the end, however, export insurers in Germany, Austria, and Switzerland bowed to the pressure of the export industry and its Turkish client. On December 15, the Swiss Federal Council authorized the export risk guarantee for the first phase of the project under certain conditions. Turkey was given a deadline of several months to comply. A final decision on the guarantee will be taken only afterwards. Even though the BD and the Ilisu-campaign could not to stop the project for the time being, their relentless pressure did result in a number of improvements for the affected population.

PUBLIC EYE AWARDS

Pinocchio Award for Berlusconi

Audience and media representatives appeared to enjoy the “criticainment” of the second Public Eye Awards in a presentation that went from biting satire to disturbing case-histories of corporate irresponsibility. The Special Achievement Award presentation “honoring” Silvio Berlusconi was also a success.

BY_OLIVER CLASSEN

The popular Swiss comedian Patrick Frey was in fine form as he presided over the presentation of the Public Eye Awards on January 25, 2006, at a church community center in the Alpine resort of Davos. With great skill and occasional sarcasm he led an audience of about 200 people through an afternoon of eclectic programming. The harshest criticism of the 7th Public Eye event, a critical alternative gathering staged annually alongside the World Economic Forum, was leveled at three major global corporations – Disney, Chevron and Citigroup – that stood accused of grossly violating their social, ecological and fiscal duties. The CEOs of two of these three corporations actually attended the WEF in Davos but lacked the nerve to accept their awards in person. Their role was played, instead, by quick-change artist Gögi Hofmann, whose show numbers got plenty of laughs but also gave people occasional pause.

Chilling accounts of corporate misdeeds

The chilling accounts of NGO activists from Mexico, Hong Kong, the US and Germany about the misdeeds of the award winning corporations in the global south were the emotional high points of the event. Hardly less affecting was the presentation of a report about inhuman business practices in the Balkans by Amnesty International’s General Secretary Irene Khan. Her exclusive address underlined the urgency of what the organizers of Public Eye (The Berne Declaration and Pro Natura/Friends of the Earth Switzerland) see as their main concern: the adoption by the international community of binding rules for corporate conduct that hold corporations legally accountable for the way they conduct their business.

Surprise Guest “Berlusconi”

Near the end of the event it was a Roman shoe salesman’s turn to cause a commotion. The audience reacted with a mix of indignation and disbelief and media reporters could hardly contain their excitement as a short man in sunglasses surrounded by bodyguards climbed the podium to accept the Pinocchio Special Achievement Award. The man who can fool people into thinking they are seeing the former Italian Prime Minister in person is play actor Maurizio Antonini, who played the title role in “Bye bye Berlusconi”, a feature film released in late 2005. At the Public Eye Awards Antonini-as-Berlusconi apologized for the iron fist that killed anti-globalization activist Carlo Giuliani at the infamous G8-summit in Genoa in 2001 and blamed a hormonal imbalance for his irresponsible actions at the time.



Marion Nitsch

**21.1.2006:
Berlusconi imitator
Maurizio Antonini
receives the
PINOCCHIO SPECIAL
ACHIEVEMENT
AWARD in Davos.**

Poison, Patents and Biodiversity



The herbicide paraquat causes ten thousands of poisoning cases every year. In the fall of 2006, the Berne Declaration started a publicity campaign to pressure Syngenta, the Swiss manufacturer of the deadly product to take paraquat off the market.

BY_FRANÇOIS MEIENBERG

For several years the Berne Declaration has worked with NGOs and trade unions all over the world to make paraquat disappear from the market. Many countries and agricultural producers have already taken action by banning or blacklisting the product. Not Syngenta – the global agri-corporation from Switzerland shamelessly continues to promote the product despite its dismal health record.

Hence, the Berne Declaration decided to increase the pressure on Syngenta with a major publicity campaign. At the heart of the campaign was a public proceeding that allowed visitors to the website www.stop-paraquat.net (english) to indicate if they thought Syngenta was complicit in the ten thousands of poisonings caused by paraquat. By Mid-December the site had collected more than 25,000 guilty verdicts. The activity on the web was accompanied by ads in magazines and newspapers throughout Switzerland, street actions and public events. At a press conference our demands were supported by Irene Fernandez (Pesticide Action Network Asia Pacific, Malaysia), Sue Longley (International Union of Foodworkers, Geneva), and Kirsti Siirala (Swedish Chemicals Inspectorate). Responding to our criticism, Syngenta underlined how important paraquat is for a sustainable agriculture – an argument

that the BD clearly refuted in a position paper on the subject (title: “Is paraquat useful for the environment?”).

What kind of patent laws for Switzerland?

After much time spent in committee rooms a proposal for patent law reform finally made it to the floor of the Swiss national council. Swissaid and the BD organized a symposium to discuss the reform (“Monopoly rights on life?”). The full texts of presentations given at that meeting are available (in English, too) at www.evb.ch. A second event on the same subject in the fall featured such luminaries as Nobel Prize Laureate Werner Arber and philosopher Hans Saner. Meanwhile in parliament, the opponents of patents for life remained a minority but they did manage to push through improved rules for compulsory licences and a source disclosure requirement. The draft goes before the Senate in 2007.

Benefit-Sharing – imagination or reality?

The Convention on Biological Diversity (CBD) has been in force for years. But one important set of provisions, the regulation of access and benefit-sharing, remains a paper tiger to this day, not least because user countries have shown little inclination to implement the convention. The BD therefore supports the indigenous community of the San from southern Africa, who for years have been denied an equitable share of the benefits from Hoodia products also sold in Switzerland. In a letter of protest the Berne Declaration together with the San called on the Swiss government to assume its responsibility in the matter. At the 8th Conference of Parties of the CBD the Berne Declaration together with representatives of the San and the Church Development Service of Germany organized an information event on the issue. The Berne Declaration also spoke up for access and benefit sharing in an appearance before the First Governing Body of the FAO Seed Treaty, where the BD represented civil society within the Swiss delegation.

October 2006: with street actions in Zurich, Basel and Lucerne the BD draws attention to its STOP PARAQUAT CAMPAIGN and calls on the Swiss agri-business Syngenta to take the product off the market.



Merion Nitsch

CLEAN CLOTHES CAMPAIGN SWITZERLAND

Workers in Many Places Despair over Nonliving Wages

In El Salvador the Hermosa sports apparel factory was closed because of a conflict over salaries. In Bangladesh hundreds of thousands took to the streets to demand living wages. The Clean Clothes Campaign (CCC) supports these demands and passed out some 100,000 flyers relating to the issue to consumers in Switzerland during the year of the football World Cup 2006.

BY_STEFAN INDERMÜHLE

In 2006, the year of the World Cup, fans of the Swiss national football team bought some 50,000 team jerseys for an impressive 100 Swiss francs a piece. But the seamstresses who make the jerseys only get a tiny fraction of this sum – about 30 centimes, according to an estimate of the Berne Declaration. It is hard to understand why the makers of world famous brands like Puma, outfitter of the Swiss national team, or Adidas, the main World Cup sponsor, do not pay their workers a living wage. For a mere fraction of their marketing and sponsoring expenses (an estimated 5 percent) they could double the factory workers' salaries.

Fraud in El Salvador

CCC had criticized Adidas and Nike for the miserable working conditions at the factory of their Salvadorian contractor Hermosa for years: low wages, sexual harassment, contaminated drinking water were just some of the issues. Social security payments were embezzled. In the end, it was the fact that the company paid even less than the legal minimum that led to the strike in the spring of 2005. After that, operations at Hermosa ceased. Since then the workers have been waiting in vain for the wages and legal compensation owed to them. In other words: they



The women at the HERMOSA FACTORY IN EL SALVADOR were punished and laid off because they attempted to get organized in a trade union.

have been defrauded. Consider this: the legal minimum wage in El Salvador is US \$ 151.20. To cover basic survival needs, a family would need 275 dollars. To actually defeat poverty, according to the Salvadorian office of statistics DIGESTYC, a family would need an income of 684 dollars a month.

On May 1, 2006, EvB and the aid organization Brücke-le pont conducted a workshop in Zurich. Two guests from El Salvador reported about the events at the former Hermosa factory at first hand. Former Hermosa customers, mainly Adidas, received countless letters of protest from supporters of CCC. But Adidas as well as Nike do not feel responsible and – contrary to assurances given – have not come up with a concrete solution for the women from the Hermosa factory. The 64 union members are still without a job.

Violence in Bangladesh

The legal minimum wage in Bangladesh dated from 1994 and was less than 20 Swiss francs a month. CCC supported the union movement's fight for a higher minimum wage of 60 francs. In early October the basic min-

imum wage without supplementary benefits was raised to only 25 Swiss francs. New demonstrations erupted and in Dhaka there were violent clashes between protesters and police. Trouble continues to brew in the globalized clothing industry.

Talking to the toy industry

The toy industry, as well, is known for its insufferable working conditions. In China, where 80 percent of all toys are produced, conditions are truly alarming. Not surprisingly, in January 2006 in Davos, the Walt Disney Company was the winner of the Public Eye Award for disregarding labor laws and safety norms in a Chinese factory. Protest letters and street actions finally caught the attention of the Swiss toy industry. Since then, the BD has coordinated talks of the Swiss toy-coalition with ten brand name manufacturers and five large retailers. The coalition demands respect for minimum standards, improved working conditions and training for factory workers. There is reason to hope that some of these measures will be implemented in China in 2007.

PRIVATE FINANCE PROGRAMME

Putting Human Rights on Banks Agenda



No problem, you might think. After all, UBS and Credit Suisse, to name just the largest of Switzerland's banks, run no mining operations and are not in the business of building oil rigs. But through their financial activities in the commodities sector they are in fact implicated in human rights violations. With the publication in 2006 of a report based on extensive research, the BD has launched the debate about human rights violations and the responsibility of banks.



Sjoerd Panhuysen

encounter is a letter to John Ruggie, special representative of the UN Secretary General on the issue of human rights and transnational corporations and other business enterprises, in which BankTrack urges Ruggie to take a closer look at the finance sector.

Campaigning against tax evasion

Offshore private banking is the true specialty of Switzerland's financial sector. What this means is that Swiss banks routinely engage in aiding and abetting tax evasion. The foreign wealth managed by the Swiss finance industry exceeds 2.5 trillion Swiss francs. An estimated 70 to 90 percent of these assets are not taxed in their country of origin. The tax revenue lost to developing countries each year from money diverted to Swiss bank accounts is five times more than the foreign aid these countries receive from Switzerland. Although this issue is still largely taboo in Switzerland, the BD has been trying to build pressure to change the tax laws that still protect foreign tax evaders in this country.

Sani Abacha's millions: A never-ending story

Since 2000, the BD urged the Swiss government to return to the Nigerian people over 700 million dollars in frozen assets deposited in Swiss bank accounts by former Nigerian dictator Sani Abacha. In 2005 it turned out that Nigeria had already spent the Abacha funds from Switzerland in its 2004 budget. However, in a joint effort with our Swiss partners and the Nigerian Network on Stolen Assets, the BD managed to establish a retroactive monitoring on the use of these funds in the summer of 2006. Unfortunately, the monitoring confirmed our suspicion that all the money did not benefit the general population from which it had been stolen. Still, the fact that our Nigerian partners actually came to be part of the monitoring process is no small success for our joint efforts.

PROFIT AT ANY COST?

Through their financial involvement in the commodities sector the banks become accountable for the social and economic effects.

BY_ANDREAS MISSBACH

The Berne Declaration, with support from Greenpeace, closely examined the financial links of Swiss banks to companies operating in the commodities sector. Documenting over sixty cases, the research reveals just how often banks are complicit in human rights violations as a result of their financing activities. The report* includes case histories from Burma, Congo, and Colombia and makes clear that financial institutions can no longer afford to ignore the effects of their activities in a globalized world. As providers of financing to companies that violate human rights they become accountable. The BD therefore urges Swiss banks to develop solid internal codes of business conduct that allow them to deal responsibly with human rights.

BankTrack: joining forces for better reasons

Human rights are also a major concern at BankTrack, a network co-founded by the BD to monitor the operations of the private financial sector around the world. In November 2006, BankTrack organized a workshop where NGO-banking-campaigners and human rights experts jointly discussed these complex issues. One result of this

*Solidly Swiss? Credit Suisse, UBS and the global oil, mining and gas industry: www.evb.ch/cm_data/Solidly_Swiss_Light.pdf

CULTURAL ACTIVITIES PROGRAMME

Cultural Diversity beyond Stereotypes

The Berne Declaration's cultural activities programme highlights cultural diversity and promotes cultural exchanges and encounters with people from the global south beyond stereotypes.

BY_CLAUDIA BUESS

The Berne Declaration promotes cultural diversity through political campaigns – e.g. against illegal trade in cultural goods and for the ratification of the Unesco convention for cultural diversity. The BD is also committed to intercultural exchange and dialog and is set to publish, in 2007, a textbook about Senegal and Switzerland written in cooperation with a group of teachers from these two countries. Because books are such an excellent conduit for ideas of cultural diversity and an attractive way to engage with foreign cultures, the Berne Declaration also promotes literature for children and adults from Africa, Asia, and Latin America through its OTHER Literature-Club and the children's book fund Baobab.

Urban Islam – between cellphone and Koran

In May 2006, the BD's OTHER Literature Club co-sponsored the "Urban Islam Literature Night". The event was staged in association with the Basel Literature Festival and the Museum of Cultures in Basel, which featured an exhibition on "Urban Islam. Between cellphone and Koran". Three writers – Turkish mystery novelist Esmahan Aykol, Moroccan poet Yassin Adnan, and Aminata Zaaria, a novelist from Senegal – reflected on their religion – Islam – and how it relates to their everyday urban lives.

Theirs was a welcome if occasionally controversial contribution to an intercultural dialog well beyond the widespread and simplistic view of Islamic lives lived under fundamentalist precepts everywhere. Clearly their respective existences in cities like Istanbul, Marrakesh, and Dakar have very little in common with our ideas of life in a Muslim culture. For Aykol and Adnan religion is of minor importance, not however for Zaaria from Dakar,

who is a member of the Islamic Mourid community. Yassin Adnan gave a passionate plea for a diversity of faith in Islam that allows everyone to live their own individual relationship to Allah. After the reading, rappers Lul DxE, King Ermal and DJ Ero rapped in Swiss German and Albanian about xenophobia, speeding drivers, and the difficulties of integration.

Baobab receives Gender Equality Prize

The children's book fund Baobab was established by the BD and publishes literature for children and adolescents from Africa, Asia, and Latin America, which it hopes will inspire reflection on prejudice, marginalization, and cultural self image. In 2006, Baobab published a picture book from Mexico, a novel for adolescents from Angola, and the reference book "Foreign Worlds" that recommends media for children and adolescents which transmit a diversity of values and respect cultural differences. Last year, also, Baobab received the children's and youth media prize "Rote Zora" of the Swiss Federal Office for Gender Equality. The prize, endowed with a grant of 10,000 Swiss francs, was awarded to Helene Schär, director of Baobab, in recognition of her longstanding, continuous work in the field of children's and youth literature from Africa, Asia, and Latin America as well as her efforts to present boys and girls from other cultures as independent individuals of equal standing.



The Albanian-Swiss rapper Lul DxE (to the left) PROVOKES THE AUDIENCE with his raps on xenophobia and speeding drivers. The Senegalese novelist AMINATA ZAARIA talks about her novel "Night is falling on Dakar".

Working against the Shrinking Policy Space

In a study published in 2006, the BD showed how the WTO agreement on trade in services GATS interferes with effective legislation on the national level. The BD is also finding itself more and more involved with the growing number of free trade agreements between Switzerland and developing countries.

BY_MARIANNE HOCHULI

Although the WTO's Doha round of international trade talks came to a near standstill after the WTO ministerial conference in Hong Kong in December 2005, other WTO agreements like the general agreement on trade in services GATS are, of course, alive and well in force.

A study commissioned by the BD takes a grim view of the effects of GATS on the policy space of WTO member countries. The promotion of sustainable tourism, for instance, is practically impossible under the terms of this agreement because that would

require strict environmental laws, limits on utilization, and the selective promotion of local trades – measures altogether impermissible under GATS. With the publication of this study the BD highlights a topic that has escaped wider notice until now: GATS and the right to regulate. In interviews with state agencies, parliamentarians and NGOs the BD found much concerning this subject that is not known or badly understood. With selective lobbying and an improved information campaign the BD wants to close some of these gaps and encourage a debate on the tense relationship between international trade rules and national legislation.

Against bilateral greed

While the multilateral WTO trade talks ground to a halt, the number of bilateral free trade agreements between developed and developing countries have increased rapidly. The EFTA-members Switzerland, Liechtenstein,

Norway, and Iceland, too, are vigorously pursuing bilateral free trade agreements with developing countries. In an effort to secure new markets and larger profits for its pharmaceutical and biotechnology industries, banks, and insurances, Switzerland adopts a one-sided position in these negotiations. EFTA demands more openness in markets and stronger protections for intellectual property rights than even the World Trade Organisation. So far it has concluded bilateral free trade agreements with Mexico, Chile, South Korea, and the South African Customs Union SACU. Negotiations with Thailand are underway and preliminary talks with Indonesia have recently been initiated.

The BD therefore invited scientists and representatives of NGOs from Indonesia and Thailand. In the course of a weeklong lobbying marathon they had the opportunity to meet chief trade negotiators and members of parliament in Switzerland, Liechtenstein, and Norway and warned them of the negative effects of these trade agreements. They explained that various industries and the finance sector could not compete in an international market without massive job losses. They also urged EFTA to drop its demand for increased patent protection on drugs, plants, and animals which, they said, would hit people with HIV/AIDS and small farmers harder than anyone else.

The BD also demands more transparency in trade negotiations. In the past, the terms of bilateral free trade agreements were only disclosed after they had been signed by the participating governments. This has to change.



Déclaration de Berne

7. 6. 2006: The BD and guests from Indonesia and Thailand demonstrating before the EFTA SECRETARIAT in Geneva.