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Land Conflicts and the Criminalization of Peasant Movements in Paraguay: The Case of Marina Kue and the “Curuguay Massacre”

by FIAN International & La Vía Campesina

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About the series:

The *Land & Sovereignty in the Americas* series pulls together research and analysis from activists and scholars working to understand and halt the alarming trend in “land grabbing”—from rural Brazil and Central America to US cities like Oakland and Detroit—and to support rural and urban communities in their efforts to protect their lands as the basis for self-determination, food justice and food sovereignty. The series is a project of the Land & Sovereignty in the Americas (LSA) activist-researcher collective, coordinated by Food First. For media inquiries about this series, please contact land@foodfirst.org.

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Introduction

On June 15, 2012, seventeen people—eleven peasant farmers and six police officers—were killed in the rural district of Curuguaty, Paraguay. Now known as the “Curuguaty massacre” the killings took place during a violent eviction carried out by police and prosecutors against families of landless peasants who had occupied a piece of land known as Marina Kue. The Curuguaty massacre is now recognized as one of the most serious cases of human rights violations and an emblematic example of the growing criminalization of peasant struggles for the right to land in Latin America.

On June 18, 2012—three days after the massacre—the Public Prosecutor filed criminal charges against 63 peasants, including both women and men, later accusing twelve of them of attempted homicide, trespassing and organized crime. The Public Ministry maintains that the peasant families set an ambush for the police on that day in Curuguaty. Meanwhile, the deaths of the eleven peasant farmers were never investigated. On October 8, 2012, formal complaints were filed before the Public Prosecutor presenting evidence of extrajudicial killings, forced disappearances, torture and other human rights violations against peasants, but the Public Ministry failed to consider these allegations.¹ Human rights organizations have denounced various irregularities in the criminal investigation, in the prosecutor’s charges and in the preliminary hearing.

Paraguay is one of the countries with the most extreme land inequality in the world. According to the 2008 agriculture census, 2.6 percent of landowners hold 85.5 percent of Paraguay’s lands while 91.4 percent of small farmers—with properties smaller than twenty hectares—hold only six percent of the agricultural land.² Combined with the high levels of violence

1. Two independent investigations have compiled testimonies that confirm these reports, and various pieces of evidence support an alternative interpretation to the Prosecutor’s “Report on the Curuguaty Massacre” prepared by the Platform for the Study and Investigation of Small Farmer Conflicts (PEICC) in October 2012 <http://de.scribd.com/doc/110616439/Informe-Curuguaty-PEIC> and the “Human Rights Report on the Case of Marina Kue” carried out by the Paraguayan Human Rights Coordinator (CODEHUPY) in December 2012 http://www.codehupy.org/index.php?option=com_docman&task=cat_view&gid=27&Itemid=21

2. See: Censo Agropecuario Nacional del 2008. Dirección de Censos y Estadísticas Agropecuarias, 2009. Paraguay has a Gini coefficient of land concentration of 0.94 (Sector Rural Paraguay: Una visión general para un diálogo informado. Asunción: PNUD, 2010. p. 58)

and impunity surrounding the Curuguaty massacre, these facts indicate a severe lack of responsible land governance in Paraguay, the absence of protections for small and landless farmers, and the use of state repression in the service of the country’s powerful landed elite. Additionally, the criminal case brought against poor peasant farmers lays bear the rampant discrimination within Paraguay’s judicial system and Public Ministry.

Paraguayans deserve an explanation of the events leading up to the Curuguaty massacre, as well as a full investigation and the punishment of those responsible. This case is of tremendous political importance, for Paraguay and beyond. The Curuguaty massacre was used as a pretext for ousting democratically elected president Fernando Lugo on June 22, 2012, through a political trial initiated by Parliament.³

As such, the fragile democratic process, which began in 1989 after 35 years of military dictatorship under Alfredo Stroessner (1954-1989), ended abruptly, and a conservative regime controlled by large agribusiness came to power.

The Curuguaty massacre is now recognized as one of the most serious cases of human rights violations and an emblematic example of the growing criminalization of peasant struggles for the right to land in Latin America.

Background to the Massacre

On June 14, 2012, José Benítez, the criminal court judge in the city of Curuguaty, ordered the seizure of the property known as Marina Kue, upholding a trespassing complaint filed by the Campos Morombí

3. According to expert reports, the trial was legally and constitutionally flawed. See: Mendoza Ortiz, Bobadilla E., Alderete A., Almada P., Estrago G., López X. González S. “Por qué es ilegal e ilegítimo el juicio político a Fernando Lugo.” Asunción: Paraguay, July 2012. <http://de.scribd.com/doc/101031707/POR-QUE-ES-ILEGAL-E-ILEGITIMO-EL-JUICIO-POLITICO-A-FERNANDO-LUGO> See also the communiqués of UNASUR from June 22 http://www.unasursg.org/uploads/5f/b7/5fb73f-337485943b2eff44e897abb496/230612_COMUNICADO-ASUNCION-JU- NIO-22-2012.pdf and MERCOSUR from June 24, 2012 http://www.europarl.europa.eu/meetdocs/2009_2014/documents/dmer/dv/mercosur_suspense_paraguay/_mercosur_suspense_paraguay_es.pdf

company.⁴ This company, however, did not possess a title to those lands. In fact, the issue of who has legal title to Marina Kue is still pending resolution in Paraguay's Supreme Court. The property most likely falls under the category of "ill-gotten lands" or lands that were intended for agrarian reform purposes, but illegally grabbed by large landholders.⁵

Since 2004, peasants have been taking legal measures

4. Judge José Benítez (now removed from the case) confirmed in an interview that he ordered the seizure of the property because the owner—who he understood to be the Campos Morombí company— had filed a trespassing complaint.

5. Almost twenty percent of Paraguayan territory is within this category. The report of the Truth and Justice Commission—an institution charged with investigating human rights violations during and after the Stroessner dictatorship—has identified grave irregularities in the allocation of lands designated for agrarian reform between 1954 and 2003. See Chapter Six of: "Tierras Malhabidas": Informe final de la Comisión de Verdad y Justicia. CVJ, Asunción: CVJ, 2008.

in order to formalize their rights to the lands of Marina Kue, asserting that they are public lands designated for agrarian reform. In the face of the state's inaction, peasant groups have repeatedly organized movements to occupy the contested lands in order to safeguard their rights of possession and to grow food to feed themselves. All of the peasant occupations carried out at Marina Kue were nonviolent, and upon being evicted, the movements withdrew from the lands peacefully.⁶

The Right to Land and Food

International law recognizes the right to land as an integral part of the human right to food and adequate

6. CODEHUPY. *¿Qué pasó en Curuguaty? Informe de derechos humanos sobre el caso Marina Kue*. Asunción: Coordinadora de Derechos Humanos del Paraguay, 2012. p. 77-78.

Box 1. A Brief History of Marina Kue's Contested Land

In 1967, the company La Industrial Paraguaya S.S. (LIPSA) donated the 2,000 hectares of land now known as Marina Kue to the Paraguayan Armada. The new title, however, was never filed in the Public Registries. In April 2004, a group of landless peasants organized as the Peasant Land Recovery Movement of Canindeyú (MRCC) and started an administrative proceeding in the National Institute of Rural Development (INDERT) to take over these lands, which had been abandoned five years earlier by the Armada.⁷

In October 2004, the state declared the lands to be of social importance and transferred them to INDERT through a presidential decree for the purpose of agrarian reform. In December 2005, in a usucaption⁸ case filed by Campos Morombí against La Industrial Paraguaya S.A., the Civil and Commercial Court of Curuguaty handed down a judgment in favor of the plaintiff company. However, the case was then challenged by the Paraguayan state, citing grave irregularities and asserting that the lands belonged to the state.⁹

In March 2006, the Public Prosecutor filed a petition to nullify the proceedings and appealed the judgment that sought to evict the Paraguayan state from the lands. In December 2009, the Prosecutor filed a nullity action against Campos Morombí, which as of June 2012 was still pending resolution in the Supreme Court. Also pending is a nullity action filed by INDERT that sought to annul the usucaption trial brought by Campos Morombí.¹⁰

7. CODEHUPY. *¿Qué pasó en Curuguaty?* p. 53.

8. Translator's note: Usucaption, also known as acquisitive prescription, is "a method of acquiring property by meeting statutory requirements of continuous possession, which vary by state. In order to ripen into ownership, possession must be in the role of an owner, public, peaceful and uninterrupted" (USLegal. Accessed June 9, 2014. <http://definitions.uslegal.com/a/acquisitive-prescription/>). Usucaption is generally used by poor campesinos as a legal strategy to protect lands they have occupied for many years, even if they lack title.

9. For usucaption to be valid, land possession must have been uninterrupted, which is not the case with Campos Morombí. Also, human rights organizations have indicated that the verdict in the usucaption trial was issued for a property number and district that do not correspond to the property known as Marina Kue. See: CODEHUPY. *¿Qué pasó en Curuguaty?* p. 55-57.

10. Valiente, Hugo. "Corte Suprema dilata definición sobre tierras de Marina Kue." April 4, 2013. Accessed May 3, 2013. <http://ea.com.py/corte-suprema-dilata-definicion-sobre-las-tierras-de-marina-kue/>.

housing—both in terms of the state’s obligation to make land available to those who need it,⁷ and in terms of its obligation to prevent the forced eviction of people who depend on the land for subsistence, whether or not they hold legal titles.¹¹

Testimonies clearly show that the main motivation for peasants in demanding and occupying the lands of Marina Kue was the need to feed themselves and preserve their culture. A number of the families that participated in the occupation of Marina Kue previously lived in precarious urban lots. Others inhabited a ten-hectare farm with multiple families, refusing to migrate to the cities because they wanted to work the land and remain in the countryside. Land is not just a productive resource for rural people—it also has important social and cultural value.¹² The testimonies of peasant families make clear that they firmly believed that the lands were allocated for agrarian reform for the benefit of the peasantry.

It should also be noted that over the last twenty-three years, the number of undernourished persons increased by a staggering 69.9 percent in Paraguay¹³ and that the country is now the third most affected by hunger in Latin America and the Caribbean.¹⁴

In 2010, 48.9 percent of the rural population lived in poverty while 32.4 percent lived in conditions of extreme poverty.¹⁵ Given this context of high levels of poverty and food insecurity, combined with extreme levels of land concentration, the Paraguayan state’s failure to enact agrarian reform constitutes a violation of its obligation under international law to ensure the right to food.



Photo by Reto Sonderegger

The Eviction and the Curuguaty Massacre

The tragic events of June 15, 2012, were triggered on June 14, when the criminal court judge issued a seizure order based on Campos Morombí’s trespassing complaint. This despite the fact—as mentioned above—that Campos Morombí did not hold title to the land. Nonetheless, police forces proceeded with the eviction.

The testimonies of peasant survivors and those of the authorities contradict each other as to what exactly happened that day. What is clear is that a large contingent of heavily armed police entered the peasant encampment around 7:00 a.m., leading to a verbal confrontation between the police chiefs and a group of peasants. After the first shot was fired, a hail of bullets followed. In the end, eleven peasants and six police officers were killed and another several individuals were injured.¹⁶

Disproportionate police presence

Several testimonies describe a massive police presence at Marina Kue during the eviction.¹⁷ According to these statements, more than 300 security personnel showed up—including mounted police and helicopters—beginning around 4:00 a.m. on June 5 to confront a group

11. Article 11 of the International Covenant on Economic, Social, and Cultural Rights (ECOSOC) ratified by the Paraguayan State (Law No. 4/92) and General Comments no. 4, 7 and 12 of the Committee on Economic, Social and Cultural Rights of the United Nations, CESCR.

12. CODEHUPY. *¿Qué pasó en Curuguaty?* These social, cultural, economic and environmental values have been recognized by the Land Tenure Guidelines of the FAO (paragraph 5.3). See: “Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security” Rome: FAO, 2012. <http://www.fao.org/docrep/016/i2801s/i2801s.pdf>.

13. FAO, IFAD and WFP. *The State of Food Insecurity in the World 2013*. The multiple dimensions of food security. Rome: FAO, 2013. p. 4.

14. With 25.5 percent of its population suffering from hunger. See: FAO. *El Panorama de la seguridad alimentaria y nutricional 2012 en América Latina y Caribe*, 2012. p.30.

15. Encuesta de Hogares de la Dirección General de Encuestas, Estadísticas y Censos 2010.

16. The names of the murdered campesinos are: Luis Paredes (26 years old), Luciano Ortega (18), Fermín Paredes (28), Adolfo Castro (28), Avelino Espínola (54), Alrnaldo Ruíz Díaz (35), Ricardo Frutos Jara (42), Delfín Duarte (56), Francisco Ayala (38), De los Santos Agüero (23) and Andrés Riveros (67). The slain police officers were: Erven Lovera Ortiz, Osvaldo Sánchez, Jorge Alfrío Rojas Ferreira, Wilson David Cantero González, Juan Gabriel Godoy Martínez and Derlis Ramon Benitez Sosa.

17. The information in this section is based on testimonies taken during the international fact-finding mission, September 5-11, 2012.

of fifty to sixty-five peasants. The police and prosecutors accuse the peasants of preparing an ambush in order to kill police officers, and of using women and children as “decoys.” Nevertheless, there is no evidence to support these allegations.¹⁸ On the contrary, testimonies show that peasant families were awaiting favorable news regarding the legal measures they had taken to recover the land when police suddenly surrounded them. In addition, testimonies note that, before the police fired the first shots, several witnesses fled into the nearby underbrush and swamps.

The firearms seized by the prosecutors in the peasants’ camp consisted of four very old shotguns and one air rifle, commonly used for hunting animals. Moreover, the ballistics report of the National Police shows that only one of the shotguns had been fired. This disproportionate police presence shows that peaceful dialogue was rejected in favor of a fast and violent forced eviction. There are no indications that any attempts were made to peacefully resolve the conflict, as had been done in other similar cases.¹⁹

Evidence of extrajudicial killings, arbitrary detentions, death threats and torture

Several testimonies described extrajudicial executions, persecutions, death threats and physical and psychological torture by the police against peasants during and immediately after the events of June 15. Multiple testimonies indicate that some of the peasants did not die in the first barrage of bullets, but rather afterwards, as they were fleeing.²⁰ Testimonies also indicate that some of the peasants suffered cruel treatment and torture. According to some of the statements, a house on the property was used to imprison handcuffed and wounded people. Several testimonies also indicate that some of the police officers threatened the detainees with death.

Failure to help the wounded, inhumane treatment of murdered peasants and lack of medical treatment for detained persons

18. Campos Mrombí also makes this claim. In a written communication to FIAN dated August 12, 2013, the company’s legal representative affirms “the lands were taken over by force, in a violent fashion, by heavily armed land invaders.” They also claimed that the campesinos were responsible for having provoked the massacre.

19. Testimonies indicate that some of the land occupants were waiting on public officials to complete paperwork and move their land claims forward. In fact, since 2012, INDERT had been carrying out legal actions to help recover the lands of Marina Kue. See CODEHUPY. *¿Qué pasó en Curuguaty?* p 75-76.

20. CODEHUPY notes the “arbitrary deprivation of life of at least seven of the civilian victims.” See: *¿Qué pasó en Curuguaty?* p. 134.

Several testimonies concur that the authorities failed to provide medical assistance to wounded peasants. Several people did not receive immediate medical attention and numerous wounded individuals and dead bodies were left by the authorities, only to be recovered by local people. Detainees with serious wounds testified that they did not received adequate medical attention while held in the Coronel Oviedo jail in the Department of Caaguazú.

Other human rights violations

Based on the testimonies and reports available, a number of human rights violations occurred in the context of the June 15 eviction. The Paraguayan state, represented by the Public Prosecutor, the criminal court judge of Curuguaty, and police officers neither respected nor protected the right to life, health, physical integrity and psychological wellbeing. The Paraguayan state failed to comply with its obligations to respect and protect the right to life²¹ and failed to restrain its own security forces from carrying out arbitrary killings. The deprivation of life as a result of the actions of state authorities constitutes a grave violation of human rights.

The state also failed to comply with its obligations to ensure the rights to personal integrity and health by neglecting to provide medical attention to wounded individuals and by perpetrating acts of torture and intimidation. These acts constitute a violation of Paraguay’s international obligations to respect and guarantee the highest possible level of physical and mental health to all people, and for the public security forces to respect the prohibition of torture and other cruel, inhumane and degrading treatment.²² The Paraguayan state also violated the right to freedom and personal security that prohibits arbitrary detentions.²³

The obligation to respect the right to food and the right to housing includes the prohibition against forced evictions that displace vulnerable groups from their source of subsistence.²⁴ In other words, forced

21. Established by Article 6 of the International Covenant on Civil and Political Rights (ICCPR). See also General Comment no. 6 of the Human Rights Committee.

22. ICCPR, Article 7 and 12; American Convention on Human Rights, Article 5; See also General Comment no. 20 of the Human Rights Committee and CESCR, General Comment no. 14.

23. ICCPR, Article 9 and General Comment no. 8 of the Human Rights Committee.

24. According to CESCR General Comment no. 7, forcible eviction is defined as the “act of making persons, families or communities leave

evictions constitute a violation of human rights. Evictions are only justified when there has been full compliance with international human rights law and when due process is followed according to national laws and international human rights. In the case of Marina Kue, the eviction did not follow due process, as there was neither an evictions trial nor an order of eviction. Moreover, established international human rights norms were not applied, which require a legal analysis of each case before an eviction is carried out. These international norms prohibit forced evictions that lead to individuals being left homeless or deprived of other rights such as the right to food.²⁵

Since the beginning of prosecutor's actions in the case of Marina Kue and throughout the criminal trial, there have been a number of serious procedural irregularities. Charges were brought against sixty-three peasants based on a list of landless individuals

their homes and/or the lands that they occupy, whether permanently or provisionally, without granting them access to appropriate measures of protection, legal or otherwise."

25. CESCR General Comment no. 7.

that the police found at Marina Kue. Some of the individuals whose names appeared on the list were not present at the site and some were even outside of the country.²⁸ The document outlining the charges against eleven of the peasants provided no details of the evidence offered by the prosecutor's office, as the law requires.

In light of these irregularities, the defense filed a series of nullity and prejudicial motions seeking the suspension the criminal trial until the legal titleholder to the land could be determined. All of these motions were denied, as was a petition for the prosecutor, Jalil Rachid, to recuse himself due to his lack of impartiality.²⁹ Moreover, a number of human rights organizations

28. CODEHUPY. *¿Qué pasó en Curuguaty?* p. 163. When the defense requested access to this document, the office of the prosecutor replied that they were unable to deliver it because the paper had gotten wet. See: Morales, Vicente. "El caso Curuguaty" In: *Informe de Derechos Humanos en Paraguay*. Asunción: Codehupy, pp. 371-381.

29. See: Morales, Vicente. "El caso Curuguaty." Jalil Amir Rachid is the son of ex-senator and ex-president of the National Republican Association – Colorado Party, Bader Rachid, and friend of the now-deceased Blas N. Riquelme, co-owner of the Campos Morombí company.

Box 2. Irregularities in the Criminal Trial and Obstruction of the Right to Due Process

In its final observations about Paraguay, the Human Rights Committee of the United Nations observed:

The Committee is concerned about allegations of irregularities in the actions of the Public Ministry, the judiciary, and the security forces relating to the raid on Curuguaty in June of 2012. In particular, the Committee is concerned about information indicating a lack of impartiality and independence in the investigation (art. 6, 7, 14).

The state must ensure the immediate, independent and impartial investigation of the deaths of the seventeen individuals that occurred during the raid of Curuguaty on June 15, 2012, as well all of the connected events denounced by the victims, namely torture, arbitrary detention, extrajudicial killings, and possible violations of due process.²⁶

The Human Rights Committee of the United Nations called attention to the need for the state to guarantee the independence of the judiciary, both in law and in practice, stating, "The state must eradicate all forms of interference in the legal system. It must guarantee the prompt, detailed, meticulous, independent and impartial investigation of all complaints of interference, including corruption, and prosecute and punish those responsible, including judges who may be complicit" (para. 22).

The integrity of the rule of law in Paraguay is well below average for Latin America. With an extremely corrupt judiciary, Paraguay receives a 0.91 percent rating for judicial independence (compared to 2.8 percent for Latin America) and a 1.65 percent rating for judicial impartiality (compared to 3.2 percent for the region). According to constitutional lawyer Daniel Mendoca, "Paraguay suffers from a situation of structural corruption and impunity that functions to support the power of the elite."²⁷

26. Human Rights Committee of the United Nations. Final observations on the third periodic report on Paraguay approved by the Committee in its 107th session (March 11 to 28, 2013), May 2013. Accessed April 24, 2014. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR/C/PRY/CO/3&Lang=ES.

27. Mendonca, Daniel. *Corrupción. Un estudio sobre la corrupción en el Paraguay*. Asunción: Intercontinental, 2010. p. 57.

have questioned the legality of the criminal charges brought against two peasant teenagers.³⁰

In spite of the deaths of eleven peasants and allegations of numerous human rights violations, the prosecutor's office never pursued any investigation to determine the circumstances of the deaths, to identify those responsible, nor to investigate the disproportionate use of police force. Additionally, civilian testimony and evidence obtained at the scene were omitted, including video of the events filmed from a helicopter and bullets that had been turned over to the prosecutor's office.³¹ The scene of the crime was handled with extreme negligence and important evidence was lost in the process.

In sum, the Public Ministry appears to have accepted evidence that fits in with the prosecutor's accusations and left out evidence that shows otherwise. The Judge ratified all of the irregularities in the criminal trial against the peasants in the case of Marina Kue and failed to guarantee the impartiality required by due process. The prosecutor's office argued that the peasants ambushed and attacked the police without presenting any supporting evidence. In fact, there is considerable evidence to the contrary. Additionally, the prosecutor accused the peasants of "organized crime" simply on the basis of them belonging to an organization of landless peasants.

The negligent and illegal actions of the prosecutor's office, as well as the criminalization of peasants, violate the right to due process. The principle of objectivity required by the Paraguayan criminal code was not complied with. As such, the peasants' right to equality before the law as well as the right to due process were clearly violated.³² The criminalization of peasant movements by state authorities also violates their right to free association.³³ All this points to the egregious criminalization of peasant struggles for the right to land.

30. See: Observatorio de Políticas Públicas y Derechos de la Niñez y la Adolescencia – CDIA, "Profundización de los retrocesos y los nuevos rumbos de la incertidumbre. Derechos de niñas, niños y adolescentes" in: Coordinadora de Derechos Humanos del Paraguay, *Informe de Derechos Humanos en Paraguay*. Asunción: Codehupy, 2013. p. 532

31. Julio Colman, ex-deputy of the National Republican Association.

32. ICCPR, Articles 14 and 26 and General Comment no. 13 of the Human Rights Committee.

33. ICCPR, Article 21.

Box 3. The Criminalization of Peasants and Peasants' Rights Defenders

Between the massacre of Curuguaty in June 2012 and October 2013, nine peasants were murdered,³⁴ including the peasant leader Vidal Vega from Yvy Pyta, a community adjoining Marina Kue, who was murdered on December 1, 2012. Human rights organizations and victims' families widely view the assassination as an attempt to impede any efforts to investigate the massacre of Curuguaty as well as a warning to anyone involved in investigating the events.³⁵ In its final observations on Paraguay, the Human Rights Committee highlighted the murder of Vidal Vega as an example of the violence human rights defenders face in the country.³⁶

In the struggle for land and resistance to land grabs in Paraguay, 124 leaders and members of peasant organizations lost their lives between 1989 and 2013.³⁷ Conflicts over land and territory in Paraguay have generated a high level of violence against people struggling to defend or access land. Threats and aggression have become a common strategy to control land as well as to protect a corrupt legal and political system that sustains high levels of land concentration.

Conclusions and Recommendations

The Curuguaty massacre represents a turning point in Paraguayan history. The extreme levels of state-sponsored violence, impunity, legal persecution and criminalization of peasants has strengthened

34. Sixto Pérez (killed Sept. 1, 2012), Vidal Vega (Dec. 1, 2012), Benjamín "Toto" Lezcano (Feb. 19, 2013), Dionisio González (March 2013), Francisco Denis (Apr. 21, 2013), Antonio Carlos Moreira (May 31, 2013), Lorenzo Areco (Aug. 14, 2013), Nery Benítez (Feb. 2, 2014), Eusebio Torres (March 12, 2014)

35. Vidal Vega was a key witness for the defense of accused campesinos, and a person with extensive knowledge of the legal situation of the land conflict. Campesino organizations denounced the constant death threats to leaders in the region. See: "Nucleación de movimientos sociales y políticos teme por la vida de más campesinos en Curuguaty" *Ultima Hora*. Dec. 4, 2012. Accessed May 2, 2013. <http://www.ultima-hora.com/notas/582535-Nucleacion-de-movimientos-sociales-y-politicos-teme-por-la-vida-de-mas-campesinos-en-Curuguaty>.

36. See: Human Rights Committee of the United Nations "Final observations on the third periodic report on Paraguay approved by the Committee in its 107th session Human Rights Committee of the United Nations" (Op Cit.), paragraph 15.

37. CODEHUPY Legal Team "Impunidad: un terreno propicio para las ejecuciones extrajudiciales y las desapariciones forzadas." In *Informe de Derechos Humanos en Paraguay*. Asunción: Codehupy, 2013. p. 489-496

the movement for the right to land and food. The Curuguaty massacre is emblematic of a worrisome trend of increasing violence against peasant communities, indigenous peoples and human rights defenders in Paraguay and throughout Latin America. The case also demonstrates the inordinate influence of large landowners and agribusinesses in protecting their interests and tightening their hold on power.

In light of these circumstances, Paraguayan society, social movements and human rights organizations demand that the Paraguayan government:

- Carry out a thorough and impartial investigation of allegations of extra-judicial killings, arbitrary detentions, death threats, and physical and psychological torture of peasants during and after the forced eviction of June 15, 2012, in Marina Kue, Curuguaty.
- Carry out a process to clarify the land titles of Marina Kue and guarantee the implementation of the agrarian reform process.
- Put an end to violent evictions and the criminalization of social movements.
- Respect and protect the human rights of peasant and indigenous communities, including their right to life, food, land and a dignified livelihood.



Photo by www.quepasoencuruguaty.org