

INTERNATIONAL STATEMENT

Paraguay: Freedom for political prisoners on hunger strike and victims of slaughter in Marina Cué

Saturday 24 November 2012, by [Collective / Multiple signers](#) (Date first published: 19 November 2012).

Please find below an international statement in solidarity with the political prisoners of the slaughter of Marina Cue on June, 15th in Paraguay, who are on hunger strike and have a very delicate health.

In the letter we are asking the international community to separate the prosecutor as prosecutor of the case, the liberation of peasants accused arbitrarily, the return urgently of the Marina Cue land to the families affected by the conflict, among others.

It is urgent to begin releasing this statement to the international community but we need international organizations to join us, to have more political strength.

Please support this statement with the accession of the international organization that you belong to. You can direct your adherence to the following email to the CLOC - La Vía Campesina PARAGUAY: cloc.lvc.paraguay@gmail.com (those accessions will be collected until November, 22th).

INTERNATIONAL STATEMENT TO THE INTERNATIONAL COMMUNITY

FREEDOM FOR POLITICAL PRISONERS ON HUNGER STRIKE AND VICTIMS OF SLAUGHTER IN MARINA CUÉ, PARAGUAY

The undersigned organizations reject the arrest that we qualify as arbitrary of Dolores López, Felipe Balmori, María Fani Olmedo Paredes, Juan Carlos Tillería, Arnaldo Quintana Paredes, Adalberto Castro Benítez, Lucía Agüero, Alcides Ramírez, Luis Olmedo, and Nery Urbina, in the penitentiary of Coronel Oviedo, Department of Caaguazú, from Paraguay. These people are on hunger strike since XX, in protest at the lack of response from the authorities responsible for the facto-government of Federico Franco.

These persons, that we consider as political prisoners are victims of the slaughter that occurred on June 15th in the ill-gotten lands of Marina Cué, Department of Canindeyú, which took the lives of 11 farmers and 6 policemen. In its preliminary report, the International Mission¹ held last September from the 5th-11th, concluded that the search warrant by the prosecutor of the city of Curuguaty, José Benítez, was inappropriate and provoked a facto- eviction, that failed to comply with all applicable

human rights standards, and the killing of innocent peasants who sought access to state land to guarantee their right and their families right to food.

The ten political prisoners of Marina Cué are part of a group of 54 people who have been arbitrarily charged with seven criminal charges including offense of murder, attempted murder, serious injury, criminal association, grave coercion, coercion and invasion. However, according to the aforementioned International Mission “there is not sufficient evidence to minimally suspect the responsibility of them in the facts attributed to them. There has even been included in the list of persons charged, to some who were not even present at the scene of the conflict, based on an old list of families living in the place”.

The undersigned organizations impugn the appointment of Jalil Amir Rachid as the prosecutor handling the case, for the lack of objectivity and bias in his actions, which goes against the interests of the peasants imputed. According to the report of the Platform for Peasants Conflict Studies and Research (PEICC), the role of the prosecutor is questioned by the refusal to investigate the role of the prosecutor Ninfa Aguilar in the facto-eviction occurred on June 15th, the lack of property titles of the agribusiness man Blas Riquelme and his requirements to the authorities without legal foundation, the torture and arbitrary arrests to the peasants victims, the actions of the police after the shooting, among others.

According to the report, the prosecutor took statements from the defendants violating judicial guarantees required by the Criminal Code, when there is no translation guaranteed and by making the accused sign statements that were not read in Guaraní, not complying with the right of due process of the accused.

In accordance with the minimum standards of due process, the prosecutor mentioned should be disqualified to attend this specific case, because of a clear conflict of interest. Indeed Jalil Amir Rachid is the son of former senator and former president of the Colorado Party, Bader Rachid, intimate friend of Blas N. Riquelme, also former senator and president of the same party who also was a big landlord and owner of the agro-business “Campos Morombí”, beneficiary of ill-gotten lands, and also disputed with the state the land of Marina Cué. To keep the prosecutor in charge of the case in these conditions is contrary to the minimum obligations of international law, assumed by the Paraguayan State.

Marina Cué Defendants have 5 months in preventive imprisonment despite that the prosecutor has not adduced no evidence whatsoever that may be noted that these defendants could be “authors” of the actions. This contravenes Article 242 of the Procedural Code that establishes as a requirement for preventive detention that “there exist sufficient facts to sustain reasonably who is author or participant in an offense.”

Also this violates the principle of presumption of innocence enshrined in Article 17 of the National Constitution of Paraguay. We emphasize that in this specific case, the recent amendment of Article 245 of the Criminal Procedure Code which preclude the application of home arrest does not apply, since this rule cannot be applied retroactively to the act that occurred before the reform.

In this situation the undersigned organizations express the need for the international community to express to the Paraguay’s facto- government, to require to the authorities comply with the right to due process, through the following measures:

- Separate the fiscal Jalil Amir Rachid as the prosecutor of the Marina Cué case and ensure objectivity and impartiality in the investigation, avoiding the pressure that it could have on the investigation the political events that occurred in Paraguay in June of the year in course;

- In compliance with Article 242 of the Procedural Code and Article 17 of the National Constitution on the presumption of innocence, dictate freedom and the acquittal of the arbitrarily accused peasants; Dolores López, Felipe Balmori, María Fani Olmedo Paredes, Juan Carlos Tillería, Arnaldo Quintana Paredes, Adalberto Castro Benítez, Lucía Agüero, Alcides Ramírez, Luis Olmedo, Nery Urbina, in the Marina Cué case, therefore decoupling them definitely from the criminal proceedings against them.
- Establish, in coordination with the Ombudsman's Office in Paraguay, an International Monitoring Commission to accompany the investigation of all crimes and violations of human rights of the peasants, committed in the Marina Cué case, to ensure the compliance with international human rights obligations of the Paraguayan State;
- To ensure the implementation of the right to food for the communities affected, by demanding urgently the return of the Marina Cué land to the families affected by the conflict, and the provision of a fair and adequate compensation to the families of the victims according to their actual needs.

November, 19th, 2012

Signatory organizations

CLOC/Vía Campesina Paraguay
Fian internacional
Cátedra Unesco de DDHH UPC, España
Campaña Global por la Reforma Agraria
Radio Mundo Real - Amigos de la Tierra Uruguay
MNCI - Vía Campesina Argentina
CLOC/Vía Campesina Chile
Fian Paraguay
