



Threatened land: resisting the extractivist assault



Agropalma plantation. Brazil. Ph: Reporter Brasil.

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Threatened land: resisting the extractivist assault

Our Viewpoint

Certification promotes land concentration, violence and destruction



Gabon: Violence in OLAM's plantations. Ph: Muyissi Environnement

The RSPO was created 14 years ago, and the FSC 25 years ago. Both of these certification schemes for tree plantations initially generated many expectations, promising a true transformation: they would mitigate the negative impacts of large-scale tree plantations, in such a way that the plantations could generate a positive balance for local communities, the local economy and the environment. Yet after all these years, we can definitely conclude that what the RSPO and FSC also have in common is that they will not meet those expectations.

In an open letter to the Roundtable on Sustainable Palm Oil (RSPO) for its 16th conference in November 2018 (the letter [can be signed here](#)), a group of organizations warns that the promised transformation did not take place, but rather the complete opposite. The letter states that "The RSPO promise of "transformation" has turned into a powerful greenwashing tool for corporations in the palm oil industry. RSPO grants this industry, which remains responsible for violent land grabbing, environmental destruction, pollution through excessive use of agrotoxics and destruction of peasant and indigenous livelihoods, a "sustainable" image."

Almost all of the articles in this edition of the WRM bulletin discuss industrial tree plantations, which include oil palm plantations; some even look at the certification seals mentioned above, and how they actually benefit companies to the detriment of communities.

The article on Brazil, for example, shows how large companies in the Amazon use and abuse the RSPO and FSC seals (Forest Stewardship Council) in order to legitimize their illegal

practices. It is a recurring practice for large landowners in Brazil to produce false land titles, which is known as *grilagem*, or land grabbing. The RSPO and FSC developed principles that mandate that forest management occur on lands whose titles have been obtained legally, in order for it to be certified as responsible. Yet in the case of the certified company Agropalma, which grows oil palm, the RSPO lend credibility to land documentation which for years has been the subject of investigations—and legal actions brought against the company by Brazilian authorities.

In the case of FSC-certified logging company, Jari Florestal (also in Brazil), the seal also lent credibility to illegal documentation, and has ignored legal actions underway since 2005. Even though from the moment it granted the seal to the company, the certifier proposed a process to resolve serious land conflicts with local communities, these conflicts have still not been resolved. What is worse is that during all the years in which it enjoyed the seal (from 2004 to 2017), the company obtained advantages on international markets compared to non-certified wood, with which it further profited. This is, in fact, the resulting benefit of the FSC.

In another article we show how in Gabon, the RSPO-certified company, OLAM, deprived an entire community of one of the most essential rights: access to drinking water. It should also be mentioned that the company recently tried, without success, to control and interfere in a gathering of communities who wanted to have a collaborators-only meeting to discuss the problems they face due to OLAM's plantations. The communities want to discuss and freely exchange about these problems, and indeed they have every right to do so. At the gathering, they analyzed how—by creating committees to discuss supposed benefits that it would implement in each community—OLAM is actually trying to prevent collective dialogue among communities about what worries them most: the unbridled expansion of oil palm plantations onto the forests and lands they depend on. This process of expansion is generating a series of negative impacts that jeopardize the physical and cultural survival of these communities.

What is happening in Gabon is also happening in other countries, as other articles in this bulletin show. However, neither the RSPO nor the FSC does nothing to stop the expansion of plantations, which its members foment on a daily basis. On the contrary, it is colluding with them.

What can be done beyond certification? Communities chart paths of hope and devise resistance strategies. In the article on Nigeria, we read that there is a strong culture of native oil palm in the country, which significantly contributes to the construction of cultural identity and the economic well-being of thousands of rural communities. However, these communities are also suffering from the expansion of industrial oil palm plantations. This is promoted, for example, by OKOMU, which is owned by the Socfin Group—a member of the RSPO. In an interview, one of the women from the communities facing the company talks about the great violence that the communities suffer, in particular women. But not only that. She also insists on telling how the community resistance began, when 15 years ago, in a seemingly totally desperate situation, someone said, "We are going to fight this battle for future generations."

Indeed, what is at stake is the future. With the expansion of supposedly "sustainable" plantations that the RSPO and FSC promote in several countries and continents, the freedom of thousands of communities to use their territories, as well as their capacity to maintain and strengthen their livelihoods, is seriously threatened. To reverse this, it is vital to weaken certification seals like the FSC and RSPO. Those who have influence over the seals

—for example, the industries that buy palm oil and end consumers of products with certified ingredients—should refuse to keep buying them.

In the meantime, communities' resistance will continue, and it will doubtless grow as plantations advance upon more lands and forests. Our role is to do everything possible to make the cry of these communities ever stronger.

Are FSC and RSPO accomplices in crime? Jari Florestal and Agropalma's Unresolved Land Question in the Brazilian Amazon



Jari Florestal. Ph: Tarcísio Feitosa

For years, WRM has been warning that many certified monoculture plantations in Brazil have been established on land for which titles were obtained fraudulently. This article discusses the case of two companies that operate in the Brazilian Amazon: Agropalma and Jari Florestal. Their plantations have been certified, despite court cases against the companies for forgery of land titles. The RSPO was the certifier in the case of Agropalma, and the FSC in the case of Jari Florestal. (1)

Brazil's history is marked by violent and massive evictions of indigenous peoples and traditional and peasant communities from their land. A recurring practice among large landholders—wanting to become "owners" of these community lands—is the manufacture of false documents. The practice is so widespread that there is a word for it in Brazilian Portuguese: *grilagem de terras*. (2) This practice has helped Brazil become as one of the countries with the most unequal land distribution in the world today.

By granting their labels, the certifiers become accomplices in the process of expropriation and violence, as they endorse the – questionable - legality of the companies' position with respect to the land.

The Case of Agropalma

Agropalma is one of the main oil palm plantation companies in Brazil, and its plantations cover about 39,000 hectares in the state of Pará. According to its website, the company has several certification labels, which are "essential to maintain its credibility in the market". (3) One of these is the RSPO label, which they obtained in 2013, and which covers all of the area that Agropalma has planted. (4)

Agropalma also participates in a society called the Palm Oil Innovation Group, which was created together with non-governmental organizations such as WWF, Greenpeace and the Forest Peoples Program (FPP), "in order to intensify and improve the principles and criteria of the Roundtable on Sustainable Palm Oil (RSPO)." (5)

However, the Federal Police has been investigating Agropalma in the state of Pará since 2016 for involvement in alleged criminal activities. Company officials produced and used falsified documents before public agencies, in order to obtain the regularization of land and possible access to public financing - to the detriment of residents who lived there.

In March 2018, company premises were searched and material confiscated, and four people directly involved in the scheme - including an Agropalma official - were temporarily arrested. According to the police officer responsible for the investigation, "There are signs that point to this being case of land appropriation through falsified documents (...). Agropalma is the true beneficiary of the criminal scheme." The officer also stated that "They went to a notary public's office in Belém [the capital of Pará State] and created a false deed -a whole false chain of ownership that ended at the company; as if the land, after many turns, had ultimately been sold to the company. They later returned to the municipality in question and requested the book of deeds that had supposedly gone missing to be reinstated." (6)

According to the investigation, a decision by the Pará Court of Justice authorizes that a lost book of deeds can be reinstated if the interested party has documented evidence to confirm the authenticity of the book of deeds. Through an artifice of false deeds, Agropalma was able to see the book of deeds restored, based on false documents, putting land in the company's name and increasing its land area. It then began the process of land regularization at public agencies.

In August 2018, Prosecution Authorities of the state of Pará filed a Public Civil Action, which required (among other measures) that the real estate records of the two farms - Roda de Fogo and Castanheira – be nullified and cancelled. Together, these two farms cover over 9,501 hectares, an area the size of almost 9,000 football fields. Agropalma acquired both farms using false records obtained at a phony notary public in the city, and these records were being processed at the Land Institute of Pará (ITERPA, by its acronym in Portuguese). (7)

The Case of Jari Florestal

In 1967, US millionaire Daniel Ludwig paid three million dollars to the Brazilian military dictatorship to control no less than 1.6 million hectares of forest in the north of the country— in a region called Vale do Jari, between the states of Pará and Amapá.

His venture caused major deforestation, in order to set up plantations of an exotic tree from Indonesia called *Gmelina arborea*, for pulp production. With public financing from the Brazilian Development Bank (BNDES), Ludwig commissioned the construction of a pulp mill that was brought in by sea from Japan.

The venture attracted thousands of people to the region. The urban hub of Monte Dourado, in the municipality of Almeirim, in Pará, became the center of the project. After planted fungus infested the 64,000 hectares of *Gmelina* plantation already planted, the company turned to pine plantations, and later to eucalyptus. Due to growing criticism of the military's support for the foreign businessman, and because he was in a serious financial crisis, Ludwig sold his company in 1982 to a consortium of 23 Brazilian companies. The purchase was made with public money (8).

In 2000, the ORSA group began controlling the company, and in 2003 this group created ORSA Florestal, to focus on logging. In 2004, ORSA Florestal obtained the FSC label through the SCS certification company for forest management of 545,000 hectares. At the same time, the company obtained the FSC label for pulp plantations. (9)

In 2013 the enterprise began to be called Jari Group, while ORSA Florestal became Jari Florestal. (10) In 2014, the company's forestry management -now Jari Florestal -was re-certified for a total area of 715,665 hectares. Of these, 666,100 hectares are for logging, with an expected wood extraction of 30m³ per hectare and year, mainly for export. (11) In its 2014 report, SCS states that "the company has legal land ownership documentation for the land eligible for certification from public authorities -for the areas in both Pará State and Amapá State", in the name of the Jari Celulose company, belonging to the Jari Group.

SCS also states that "the legitimacy of this documentation was verified through consultations with the competent authorities." Nonetheless, SCS admits that in its first certification evaluation in 2003/2004, it had already identified the lack of regularization of land for communities that live in the Jari area. At that time, SCS requested the company draw up a regularization plan for inhabitants with ownership rights, but between 2004 and 2013 a series of problems arose that made execution of the plan difficult. Always maintaining that "the company has legal and legitimate documentation," SCS alleges that the problems were caused by purported "invaders" on company land, and that is why Jari pursued legal action against those people to reconstitute its property.

SCS makes Jari out to be a victim in this land title mess. When it writes that "Jari Florestal cannot be blamed, much less punished, for the past successes and mistakes of the 'Jari Project,'" SCS is suggesting that the company has no responsibility for the existing land problems. And that "if it meets FSC guidelines, it is qualified to have and maintain certification, as it has done throughout these nine years." (12)

Perhaps that is why in its report, SCS completely ignored two judicial processes that were already underway, and which contradict its assertions about the supposed legality of the documentation of the land Jari Florestal claims.

The first is a 2005 legal action that the government of the state of Pará initiated, requesting that it be declared that Jari Florestal does not own the land which it intends to legalize at the Land Institute of Pará. (13) In the action, the Pará state attorney general calls into question Jari Group's alleged property of land that in the past was Fazenda Saracura, a 2,6-million-

hectare farm. According to a historical study, "the circumstances in which [the alleged owner, around 1882] obtained those areas are surrounded by accounts of electoral fraud and fraud in the notary registrars of the region, thus starting a complicated land situation which to this day is unresolved." (14) Therefore, the Pará state Court of Appeal called for the cancellation of registrations, transcripts, records, and marginal notes about the [Fazenda Saracura] property, "(...) in order to avoid the legalization of how Jari 'magically' transformed the Fazenda into property," the attorney general states in the 2005 action.

The second action was in 2011 and was processed before the Federal Justice in Pará. It was based on the Federal Public Ministry's indictment against the director of Jari Group, who allegedly engaged in criminal acts when presenting land titles to obtain authorization to extract wood of native species. Jari Group presented a forest management plan to the federal environmental organization, IBAMA, in 2001, in order to obtain authorization to start logging. The Federal Public Ministry initiated the action in 2005, based on IBAMA's suspicions of fraudulent documents. (15)

Jari Florestal's FSC certification has been suspended since 2017, but not because of the land issue. (16) The SCS made this decision based on a special audit carried out in 2015, after an IBAMA operation fined the company 6 million Brazilian Real, for irregularities in its forest management that pointed to the illegal sale of wood. Due to the company's lack of cooperation in the certifier's investigation, SCS decided to suspend the certificate. (17)

According to news published in the press at that time, the "workers' complaints and (...) violence against traditional communities" also influenced the decision. (18) In its latest report, available on the FSC website, SCS reports that the suspension is being maintained. Since the irregularities occurred outside the area certified by the FSC, SCS points out that it is up to FSC International to decide whether to keep Jari Florestal as an affiliate or not. (19) To date, Jari is still a member of the FSC.

Final Considerations

A tactic that companies use to mask illegal actions is to look for mechanisms that can make their practices appear legal. The FSC and RSPO seem to fit within this approach, even more so when certifiers end up doing a big favor to the company -by accepting their land titles as legal while completely ignoring communities' evidence and the years of investigations and legal actions carried out by the competent authorities. Demonstrating its awareness of this tactic, in its legal action against Agropalma, the Public Ministry of Pará mandated that, in light of the irregularities, the company must refrain from displaying the RSPO Certificate "8-0090-08-100-00" on its advertising pieces. (20)

In the case of Jari Florestal, this company also found a strategic ally in the certification process, in this case, in the FSC. The environmental and social chaos that this enterprise causes in the region should automatically prevent it from receiving any certificate of sustainability that could give it greater economic importance and credibility in wood-consuming markets. But the enterprise not only obtained the FSC certificate, but found the certifier to be an ally in "solving" its major land problems. While the problems remained unresolved, with its certificate the company managed to sell its wood as certified in international markets, from 2004 to 2015. This was the case until the IBAMA operation triggered a suspension of the certificate. Even so, the FSC keeps Jari Florestal as an affiliate.

Virtually ignored by the FSC, and in spite of the pressure they have endured, a group of traditional communities has been fighting for years to recover their land, not as individual lots but as collective territories recognized by official bodies. Seeking collective land titles has been the main strategy that traditional communities across the country have used to fight for justice and the reparation of historical violation of their rights. Communities in Brazil use this strategy to be able to resist the head-on advance of large land holdings, and to guarantee their future physical and socio-cultural survival.

Finally, it should be noted that Jari Florestal has also been involved in a REDD+ project since 2010, along with the company Biofilica, as another way to profit. REDD+ is a payment mechanism for reducing deforestation. Conveniently, the baseline for Jari Group's REDD+ project was set between 2000 and 2010, thus excluding the history of large-scale logging, not to mention the forest degradation this logging has caused over the last 15 years. Jari has already made money from the REDD+ project, by selling 200,000 carbon credits. What is striking is that, also in the sphere of the REDD+ project, community members have presented the same demand for regularization of their territory. It is not surprising that this project also led to another certification for Jari Florestal, in 2013, this time by the VCS certification system for REDD+ projects (Verified Carbon Standard). (21). According to the VCS program's database, this certification is still valid. (22)

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(1) The certification systems of the FSC (Forest Stewardship Council) are for the management of forests and tree plantations; while those of the RSPO (the Roundtable on Sustainable Palm Oil) are for palm plantations. For more information, see: <https://wrm.org.uy/browse-by-subject/tree-plantations/certification/>

(2) The practice known as 'grilagem' in Portuguese aims to transfer public lands to the private sector using falsified public documents of possession or property (TRECCANI, 2001); this action implies a group of associated crimes such as embezzlement, criminal association, bad administrative practices, and illicit enrichment. In most cases this practice is associated with acts of violence, since the lands in question are occupied by traditional peoples and communities or family farmers (SIDALC, BDAGBAMB), who are expelled by judicial order or by armed militias. (TRECCANI, Girolamo Domenico. *Violência e grilagem: instrumentos de aquisição da propriedade da terra no Pará*. UFPA, ITERPA, 2001; y SIDALC, BDAGBAMB. *O livro branco da grilagem de terras no Brasil*. P. imprensa: Brasília, DF (Brasil). nd. 41 p.)

(3) www.agropalma.com.br

(4) <https://rspo.secure.force.com/membership/servlet/servlet.FileDownload?retURL=%2Fmembership%2Fapex%2FRSPOCertSearch&file=00P9000001KQ4JEEA1>

(5) <https://wrm.org.uy/articles-from-the-wrm-bulletin/section1/brazil-discourse-of-innovation-contrasts-with-a-reality-of-life-in-conditions-akin-to-slavery-for-workers-employed-by-one-of-agropalmas-suppliers/>

(6) <https://g1.globo.com/pa/para/noticia/operacao-da-pf-investiga-fraudes-em-documentos-de-regularizacao-fundiaria-no-para.ghtml>

(7) <https://www2.mppa.mp.br/sistemas/gcsubsites/index.php?action=Noticia.show&id=1697&oOrgao=94>

(8) https://wrm.org.uy/wp-content/uploads/2013/04/Pulping_the_South.pdf and

<http://www.fgv.br/cpd/doc/acervo/dicionarios/verbete-tematico/projeto-jari>

(9) http://www.inesgodinho.com.br/pdfs/RS_Orsa_2010.pdf

(10) Jari Group is also made up of Jari Celulose, which manages the pulp plantations—most of which are eucalyptus; Ouro Verde Amazônia, which is focused on non-timber products; and the Jari Foundation, which carries out social projects in communities to mitigate the company's negative impacts.

<http://www.fgv.br/cpd/doc/acervo/dicionarios/verbete-tematico/projeto-jari>

(11) <https://br.fsc.org/preview/fmpubjariflorestal071614port.a-611.pdf>

(12) *Ibid*

(13) Declaratory action of non-existence of domain and the impossibility of recognition of domain outside of administrative channels, with a request for a temporary injunction. Belém, 21/09/2005. Ibraím José das Mercês Roch, Pará State Prosecutor, coordinator of the Office of Lands (Procuradoria Fundiária), distributed in connection with case number 2004100356-1.

(14) FOLHES, Ricardo; CAMARGO, Maria Luiza. *LATIFÚNDIO. Conflito e desenvolvimento no Vale do Jari: do avião ao capitalismo verde*. Agrária (São Paulo. Online), n. 18, p. 114-140, 2013.

- (15) Police Investigation (Federal Police of Santarém: Number: 192/2004-DPF/SNM/PA) and Santarém Federal Court Process (Federal Court of Santarém: No. 423-06.2012.4.01.3902).
- (16) <https://info.fsc.org/details.php?id=a0240000005sV5xAAE&type=certificate>
- (17) <http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000evgxOEAQ>
- (18) <https://www.celuloseonline.com.br/fsc-suspense-certificacao-da-jari/>
- (19) <http://businessdocbox.com/Forestry/70796352-Forest-management-and-stump-to-forest-gate-chain-of-custody-surveillance-evaluation-report.html>
- (20) https://www2.mppa.mp.br/sistemas/gcsites/index.php?action=Noticia_show&id=1697&oOrgao=94
- (21) <https://redd-monitor.org/2015/12/17/the-jari-amapa-redd-project-brazil-greenwashing-illegal-logging-a-pulp-mill-and-a-48-year-old-land-grab/>
- (22) https://www.vcsprojectdatabase.org/#/projects/st/_c_BR/ss_0/so/_di/_np_

Nigeria: Okomu's oil palm plantations bring misery for women living in their vicinity



Nigeria. Ph: ERA/FoE

Oil palm cultivation is part of the way of life –indeed it is the culture– of millions of people in Nigeria and neighbouring countries. Oil palm trees grow naturally in this region and there is, therefore, a long history of traditional use not just of palm oil but all parts of the palm tree. In one regional dialect, oil palms are referred to as ‘Osisi na ami ego’ - ‘the tree that produces money’. (1) But in Nigeria as elsewhere, this crucial source of cultural identity and economic well-being for rural communities is being threatened by the expansion of industrial oil palm plantations.

In this interview, Hajaratu Abdullahi from Community Forest Watch talks about how the palm oil company Okomu Oil is bringing hardship and misery to communities like hers in Nigeria's Edo state and how the company's industrial plantation puts traditional use of oil palm and communities' food sovereignty at risk.

Okomu Oil Palm Company was founded in 1976 as a state company, but the Luxemburg-registered global corporation SOCFIN now owns 63 per cent of the shares. In 1998, at least four villages were forcefully destroyed and the inhabitants evicted, with their houses, properties and farmland taken over by the company. Tensions between the company and affected communities rose and the company set up gates at the entrance roads to the plantations. Community members feel harassed and their movements are limited, in

particular when the company imposed a night time curfew and controlled the entry of community activists it considered 'troublemakers'. "Leaving the village or coming home is like passing a border," a community activist explained in 2015. In 2015, the Edo state government ordered the revocation of land deals involving around 13,750 hectares that Okomu had marked for expansion of their oil palm plantations – an order the company has ignored to this day. In June 2017, in spite of several attempts at intimidation by security forces, oil palm impacted communities, peasants, women and civil society groups such as ERA/Friends of the Earth Nigeria, organised a protest against the complicity of the present Edo State Governor Obaseki with Okomu's activities.

WRM: How has life changed for women since Okomu's oil palm plantations arrived in your area?

Hajaratu Abdullahi: Since Okomu arrived in my community, there has been a lot of suffering for the women, because we have no more freedom of our own. Number one: Going and coming, there's no freedom any longer [because the company controls access to the villages inside the plantation through a series of gates where company security guards check and register all passing traffic]. Number Two: they can come into your farm without notification and destroy everything you planted, palm trees, your crops.

Some years ago, the company came into four communities at once, they pillaged everything, everyone was running helter-skelter. Nobody was there who you could cry to. The people who are supposed to be there for you to cry to, they were not there, maybe they had taken money. It was only one person who came out, called some youth, some men, who said "Let's fight this battle for future generations' reference" And that's how the community resistance started, this struggle against Okomu started. That's more than 15 years ago now.

And we have to keep mobilizing because we are still suffering. Now, with these company plantations all around, we have no freedom to enter our forests, our farms, the forest reserves, the areas we used to pick snails. We survive on snails, we survive on vegetables. All these things, we have no access to them anymore, but they are what provided for us.

Secondly, you know, we women in Nigeria, we depend on traditional herbs. For example, when a woman is pregnant, as early as just one month, there are certain herbs we give to her; then, throughout the pregnancy, she will be given different herbs. From two months to four, we use a different herb again, it continues like that. When she gets to eight months, there is a particular herb that pregnant women are given, so that the placenta will follow with the baby, so that there will be no bleeding. But now with the company plantations, all these herbs are nowhere to be found. We walk and walk and walk, searching for herbs. You cannot get them anymore. You cannot imagine the problem this has become for the women. It's the plantations that make us suffer. Because before, even when there was nothing left at home, the woman knew how to take care of her family, because she had her farm and the forest. But since Okomu came into our communities, to our state, into the country, there have been real problems. We are hungry, because there is nothing to survive with, because you cannot even pick any seeds of palm fruit or they arrest you.

WRM: What happens when you collect more?

Hajaratu Abdullahi: They will get you arrested! And who will come for you, to get you out?

One time, Okomu came and broke a bridge that we had built for ourselves. They just came and broke it! One of the chiefs, he said "How can you come and break the bridge we built? You must replace it." They never replaced our bridge. The women, we used the bridge to pass to the different places from where we get our vegetables and other things that feed us. How can we go there now that the bridge is gone?

Another example. About a year or two years ago, a group of women went to go and set traps in the river, so we could catch some fish. The traps were seized by the Managing Director of Okomu. Until today, those traps have not been released. Setting traps, fishing, cultivating, these are the things we do to make some money. And replacing these traps is really expensive. These are things we did to take care of the family. If you don't make money, you cannot take care of your family, cannot send your children to school. A lot of our children - they are at home now because there is no money to further their education.

WRM: How about jobs for village women in the company?

Hajaratu Abdullahi: There are none! And there is no compensation. Even if they are doing one or two things for compensation in other communities, in Okomu community, the community never accepted anything. And they are not even ready. We have soldiers in our communities.

And there is no freedom of movement for us. Sometime in April 2018, when a community activist from Cameroon came to share his experiences with us, he said "Let me go and visit these communities." One of the communities we wanted to visit, was Okomu. We arrived on a Saturday. To get to the communities inside the plantation, you have to use pass the company gates. [See also WRM Bulletin 199] When we get to the gates, we got out to sign ourselves in before entering the plantation. Then, the company people looked at our vehicle and said "On your vehicle, you don't have a sticker. If you don't have a sticker you cannot go in." "Ok, where do we get this sticker," I asked. "The office is over there," they said, and I said "Ok, let us go in." "No, no, no you cannot go today. Come back on Monday." So, we have to wait until Monday to go see our family?

At that moment we said, this is impossible. If they want to arrest me or kill me, they will kill me. If I have no freedom to go to my community, with my sister, with my brothers, there is a big problem. At last, an officer came out and asked what was happening. We explained, and only because we insisted, in the end, they allowed us to go in. This is the kind of control that the communities inside the plantations are facing each time they have to pass those gates.

WRM: Can you say something about the type of conflicts and impacts that communities affected by Okomu's plantations are suffering?

Hajaratu Abdullahi: There is a community very close to our community, too. Sometime last year, during the mango season – there used to be lots of mangos, we collect them, take them to market, other fruits also, butter pear and so on - because the mangos are so few now, men and women - you can guess - started fighting. 'It was me who collected it', no it's mine, not yours', it happens like that now.

There's another community where the plantations just entered. In this community, a lot of women are into farming. In this community, one woman had a very big, large Cocoa Plantation. The Management of Okomu Oil and the Nigerian army and police providing security for the company came into the plantation - that was the end of her plantation. She used to go to market every week and sell her produce. Now, nothing! Her daughter now looks for small things to hawk, cooks rice, she's hawking small things like that. She was supposed to be a graduate by now, had to drop out of school.

In another village, Odigi, when the company people came, maybe they enticed the traditional rulers, they gave away their farms. Those people have just an acre to farm now, not even a hectare. An acre to farm, that's all. They are going to the neighbouring community. The neighbouring community will tell them "You are not getting our land. You have given away your land. Our land already is not enough. This way, conflict between communities starts,

even *killings*, one such case is now in court. You see, these are the sorts of challenges communities face when these plantations take over your land.

Another example. Women used to grow plantain. Taking plantain they cultivate in their farms to market, women can make at least 30-40,000 Naira from every market. So what happens when the land is gone to the plantations company? How much are you going to give to me? Shall I just eat today's food and forget about tomorrow? Then I will not have land to plant for my children. What when we are no more? How will our children survive? Even pepper, ordinary pepper, this time of year it's about 8,000/12,000 Naira at the market, but you have nothing to take to the market if you have no land to farm. We do not even have enough land to grow enough ordinary pepper! And if you don't guard the small place you have very close to your house, another person will take it.

You see some old women suffering, they have nothing. So we start fetching firewood, walking far to get firewood to sell, so they have something to survive. I can give too many more examples like this. These are only some of the challenges we are facing. We have no freedom.

WRM: What about violence the company directs directly at women?

Hajratu Abdullahi: They don't even know if women exist. They don't know if women exist, with protest or without protest. If we do a protest today, tomorrow they will bring out their own crowd, bring out their own story in the media. They will say "This is somebody else we want to ask", and the person will say "Okomu is doing us well, Okomu is giving us this, they are giving us that." This interference from Okomu, it causes a lot of conflict inside the community. That is why I told them to live wisely now. Because yesterday is gone, Today: live it wisely, Tomorrow: you don't know whether you will get there or not. Maybe you have sold your rights yesterday, but today don't sell your rights! Because now, our eyes are open. The people you are supposed to cry to - the government: they are our problem. You will be doing what you're doing in your community but the government will be doing what they are doing above your heads. So can I fight the government alone? No!

WRM: How was Okomu able to obtain community land?

Hajratu Abdullahi: There is no compensation for the distress these companies bring upon women. The company will invite the elders, the oldest men in the community to come for a meeting. When they go there, the company people will say "Baba, come, come, come. Just sign this paper." One elder said "How am I going to sign? I cannot even read it, how can I sign. Because if I am ready to sign, I will have first read it. So I am not ready to sign, because my community is not aware of this. This invitation - you are inviting me to come and sign what? Then they call the Secretary "Secretary, you sign." Luckily the Secretary also said, "What do you mean? I come and sign? Is the community aware of what you invited us here for?" They pushed them away.

Then they invited a different party, just two persons. They said, "Just don't mind them, they are foolish. I will sign." A woman from that village called me and said "These people, see what they are doing to our community. Somebody has gone to sign an agreement with the company." I told her to call a meeting immediately, to make the community aware. The community came together and said that they are not supporting the agreement those people have signed. It was documented, so those who signed are on their own.

WRM: We learn in other places, for example in Sierra Leone that there is an increase of sexual violence that the women suffer directly from the company guards or the company workers. Is that the same in the case of Okomu in Nigeria? We know it is a very difficult issue, and that sometimes the women are not even saying it...

Hajratu Abdullahi: Even if it happened to many of them, no one would talk. In our tradition, for a married woman to even be seen discussing petty things with a man, she will be in trouble. It's not like that in all communities. But in the area where I am married to, you are not to stand with a man having irrelevant talks. So, in such a reality, something might be happening to a women, she will not talk. There are also so many cases where you want to bring them up before the police. But you will not see the beginning and the end of the case. So this the reason why you see people, when they have some certain problem, they hold it onto themselves. So that is the issue. Not that it doesn't happen. It happens. But when it does, women keep it to themselves.

WRM: *When you were a young girl, how was the community like?*

Hajratu Abdullahi: So different. When I was a young girl, at the age of 12, you could bath naked, play when it's raining, you just roamed around.

WRM: *And how was the place?*

Hajratu Abdullahi: The temperature was nice and cool. You go to the cocoa plantation, pick them. You come home and say ah, mami, this is what I want to eat. And if it was not at home, you could just go to the forest and field behind and pick what you needed. On the way, you could pick up some snails, pluck some leaf, like cocoa leaf; you grind it, and there's a way you turn it into a soup. You can even take this groundnut without even putting it in fire - get the groundnut, grind it, add a little pepper, salt, make a dish called Cocoa Soup. Food was plenty. But nowadays, nowadays it's not like that anymore.

(1) See WRM Bulletin 161 (2010): Oil palm in Nigeria: shifting from smallholders and women to mass production. <https://wrm.org.uy/articles-from-the-wrm-bulletin/section2/oil-palm-in-nigeria-shifting-from-smallholders-and-women-to-mass-production/>

See also:

WRM Bulletin 233 (2017): SOCFIN's plantations in Africa: many places of violence and destruction. <https://wrm.org.uy/articles-from-the-wrm-bulletin/section1/socfins-plantations-in-africa-many-places-of-violence-and-destruction/>

WRM Bulletin 199 (2014): Okomu Oil Palm Company – destroying communities for oil palm expansion. <https://wrm.org.uy/articles-from-the-wrm-bulletin/section1/nigeria-okomu-oil-palm-company-destroying-communities-for-oil-palm-expansion/>

Dekel Oil's false promises lure villagers into dangerous oil palm growing contracts in Cote d'Ivoire



Cote d'Ivoire

Land owners find themselves trapped in contracts with Dekel Oil, a company in Cote d'Ivoire that made false promises arguing they would become rich by signing contracts to let Dekel Oil plant oil palm monocultures on their land. Villagers are struggling to get out of the contracts and have started to alert other villagers on the risks of signing such contracts.

Where oil palm plantation companies need to show community support for their plans to set up industrial plantations on community land, they use sophisticated tactics to make it appear as if communities or individual land owners agreed to the company plantations. This is particularly so where the company plans to grow oil palm on land that is not controlled by the state but where communities or individuals hold ownership of the land.

One such tactic is to make promises that community members or individual land owners find hard to reject. For example, company representatives may promise that they will build schools and health dispensaries, maintain roads, provide diesel generators, etc. to communities if they hand over their land to the growing of oil palm by the company. And that there will be many local jobs in the plantations. They may also claim that the company will only take a small portion of the land while in the end, most of the community land ends up under control of the oil palm company.

When companies try to entice individual land owners, they often claim that by signing up to the company's oil palm production scheme, the land owner will become very rich. By using lies and false promises, villagers are seduced to sign contracts that trap them in long-term agreements with the company.

But once the contract is signed or the company can pretend to have community support, the promises are forgotten. No matter how sincere and convincing these promises sound when

they are first made, companies will ignore them as soon as they have what they want: control over community or individual farmers' land.

By using these false promises, companies often obtain control over hundreds, if not thousands, of hectares of land.

The case of Dekel Oil in Cote d'Ivoire is one such example where land owners find themselves trapped in contracts with the company that promised farmers "You will become very rich", if they signed contracts to produce palm oil for Dekel Oil. Far from getting rich, they are now in a legal struggle to see the contracts cancelled and make sure they do not risk losing their land to the company altogether.

Dekel Oil is an agroindustrial company based in Cote d'Ivoire. The company produces palm oil for export; it started operations in 2007. Dekel Oil was set up by the Siva group and an Israeli conglomerate. (1) Siva Group is registered in Belgium and is owned by Indian billionaire Sivasankaran. The Group is involved in land grabbing of millions of hectares of land worldwide.

In the region of Aboisso, in the east of Cote d'Ivoire, Dekel Oil has secured control over a total of 28,886 hectares of land around the village of Ayanouan, which the company now uses to grow industrial oil palm plantations. Of this area, only 1,886 hectares are covered with oil palm plantations on land that the company directly controls through a land lease. The vast majority of the industrial plantations are grown on land owned by families who entered into smallholder contracts with Dekel Oil. In 2015, the company received a World Bank loan to further expand and take control of another 10,000 hectares of land for industrial oil palm plantations in Ayanouan region. (2)

Moreover, for the installation of its processing plant in 2014, the company also benefited with funds from the West African Development Bank and the EBID (Bank for Investment and Development of ECOWAS - Economic Community of West African States) (3)

Dekel Oil is also starting to take control of land for industrial oil palm plantations in the Guitry region, in the southern part of Cote d'Ivoire, as well as in the neighbouring country, Ghana. In Guitry, the company claims to have secured "rights" over 24,000 hectares of land.

The experience of the villagers from Ayenouan

Around 2010-2011, Dekel Oil technical staff started appearing in the villages in the Aboisso region, enticing villagers who owned land to sign contracts with the company. They proposed two types of contracts:

- One contract option involved the land owner handing over control of the land so Dekel Oil could set up industrial oil palm plantations under a so-called co-management agreement: Setting up of the plantations, management and the harvest from the plantations would be shared between the land owner and Dekel Oil. 1/3 of the profit would go to Dekel Oil to cover the maintenance costs; 1/3 would go as profit to Dekel Oil and the land owner would also receive 1/3 of the profit.
- The other contract option was a long-term lease of the land: Dekel Oil pays 38 euros (25,000CFA) per hectare per year, plus 12 per cent of the production which the owner can use as he wishes.

In both cases, the contract is initially for 20 to 40 years.

At the beginning, Dekel Oil assured villagers who signed the co-management contracts that they would have full control of the plantations during maintenance and harvest times. However, once they signed the contract, the company ignored this promise and cut out villagers from the business. Contrary to the promises, villagers are not informed when the company schedules the harvest. They are also not given documentation of the weight of the fruit bunches at harvest, and sometimes Dekel Oil picks up the fruit bunches from several villagers at the same time. When they are loaded on the same truck without the villagers present because they were not informed about the fruit bunches being picked up at this time, villagers depend entirely on company estimates about how much of the total production corresponds to their own production. Villagers also report that Dekel Oil decides how much to pay each villager without adequately informing or providing documentation to villagers about the weight of their harvest.

Company payments to villagers are also made with long delays. The company trucks pick up fruit bunches every fortnight. According to the contracts, Dekel Oil should pay on a monthly, or in some contracts, on a trimonthly basis. Land owners, however, report to be often waiting for six or even 12 months before receiving their payments.

False promises made by Dekel Oil

Like other oil palm plantation companies, Dekel Oil made big promises to tempt land owners into signing contracts with the company. Dekel Oil promised that it would help villagers willing to sign a contract to provide them with a credit so they could build a house for themselves. Villagers said however that the houses ended up being more expensive than what the company had said and therefore they are not able to pay back.

They also exaggerated the production figures when presenting their contract deals to the villagers. When Dekel Oil technical staff arrived in the villages with their offers, they claimed that the plantations could be expected to produce around 12-18 tons per hectare and month. A recent report from the company (1) shows that the current annual yield from smallholders is between 6-10 tons per hectare and month - far below the 12-18 tons per hectare and month that the company initially promised to the villagers.

The false promise "You will become very rich", with which Dekel Oil tempted villagers into signing the contracts was nurtured with these exaggerated growth projections. They promised that villagers would receive €13 (thirteen euros) per hectare each month - without making any effort. The message: "You can get rich just staying at home!"

But Dekel Oil did not present the full picture. They never said how expensive it was to set up and maintain these plantations. Once the contracts were signed and the palm trees planted, the situation changed. Villagers received very little money in return for handing over control of their land to Dekel Oil.

Some villagers even received nothing. In the Ehia village, in the sub prefecture of Krinjabo in Aboisso, villagers signed contracts totalizing 86 hectares of land with Dekel Oil. The company has already set up plantations and is harvesting oil palm nuts on 50 hectares, yet the villagers have not received any payment in return.

In light of the unfair situation and the impacts that villagers are suffering, a group of oil palm growers who had signed contracts with Dekel Oil decided to organize themselves. They created the "Collectif des planteurs de palmiers à huile" (Collective of oil palm producers) which aims to defend the rights of its members against Dekel Oil. The Collective also has begun to alert communities and villagers elsewhere where Dekel Oil is approaching farmers to sign contracts with the company on what happens after they had signed the contracts with Dekel Oil.

Dangerous contract clauses

One of the biggest concerns that the Collective is raising with villagers and local authorities is about some of the clauses included in the contracts. Article 6 of the Dekel Oil contract states that 6 months before the (20-40 year) contract ends, the company can request renewal of the agreement. If the villager does not object during a short period of time after being informed of the company's request, the contract is automatically renewed.

It is important to remember that the contracts run for 20 to 40 years and that some villagers don't know how to read or write. In this context, such a clause can easily lead to the company securing control over the land for much longer than the 20 or 40 years that the contracts initially last.

The Collective is alerting communities not to sign any contract with the company if they are not able to fully understand its consequences. Communities in Guitry, where Dekel Oil claims to already have secured 24,000 hectares but where to our knowledge, no contracts have yet been signed, should be on alert about the false promises that Dekel Oil will make to them and about the dire consequences of signing the contracts.

Article based on the presentation made by the Collectif des planteurs de palmiers à huile in Cote d'Ivoire during an international meeting in August 2018.

1 - <https://www.grain.org/article/entries/5048-feeding-the-one-percent>

2 - Latest Dekel Oil Investor Presentation. 18 September 2018. <http://dekeloil.com/ul/DKL%20Corporate%20Presentation%20-%2018.09.18%20.pdf>

3 - <https://www.agenceecofin.com/palme/2308-22289-cote-d-ivoire-dekel-oil-lance-une-usine-de-transformation-d-huile-de-palme-a-ayenouan>

Ecuador: Peoples, communities and nature against oil palm



Full sessions of debate, reflection and resistance were held in the city of Quito, from October 9-13, 2018, within the framework of the Meeting: "Peoples, communities and nature against oil palm." This exchange of knowledges is the first of its kind in Ecuador, and it brought together leaders from oil palm-affected provinces from the three regions of the country.

The expansion of industrial oil palm plantations is the main cause of deforestation in Ecuador. There are currently over 300,000 hectares of oil palm plantations nationwide; and 577,000 tons of palm oil are produced annually, of which 61% is exported.

Our country is not oblivious to the consequences of the agro-industrial accumulation model. There are numerous cases of violence, dispossession and contamination caused by the oil palm industry, with a marked trend towards impunity. Given this reality, peasant communities defending food sovereignty are saying "Enough!" And the need to initiate a series of actions to defend the rights of humans and nature being overrun by the palm industry is emerging from different areas of civil society.

This collective effort of reflection gave birth to the NETWORK of Sovereign Peoples Against Oil Palm, from which the following declaration emerged:

"Declaration of the First Meeting: Peoples, communities and nature against oil palm

In the presence of national and international institutions and organizations, in this first meeting, the peoples and communities of Ecuador have verified countless rights violations associated with the oil palm agroindustry in Ecuador.

Palm companies impose a system based on the destruction of forests, and they place peasants, indigenous peoples and Afro-descendant communities in precarious conditions.

The oil palm agroindustry wants fields on which to: install its large plantations based on the intensive use of agrottoxics; rob peasants of the land; and appropriate all the water sources or contaminate them through their irresponsible and hoarding use. It wants all of this to obtain raw materials for ultra-processed, low-quality food products, industrial products and agrofuels.

Taking into account the violations of the rights of nature, in this first meeting, the peoples and communities denounce what is happening in Ecuador:

- The expansion of oil palm plantations is the biggest cause of deforestation of primary forests and jungles in Ecuador and other countries in Latin America; currently, the mega-diverse Chocó Forest is on the verge of disappearing due to this activity—which violates the rights of nature.
- Oil palm plantations have caused community division and the fragmentation of ancestral indigenous, Afro-Ecuadorian and peasant territories, affecting the logics of life.
- In many cases, oil palm plantations have expanded onto territories through mechanisms that include the eviction of communities and the fraudulent purchase and sale of land—along with violence, hired killers and assassinations.
- Oil palm plantations promote the concentration of land ownership, which is linked to the hoarding of water, the use of industrial seeds, state incentives, commercialization and markets.
- This problem affects over 400,000 hectares in Ecuador, where not all areas are included in official figures.
- This expansion of palm is threatening food sovereignty and the human right to food, by reducing the area of peasants' diversified crops.
- Together with the National Finance Corporation, palm companies have promoted production chains that rob peasants of land, through the use of debt mechanisms.
- The local peasant economy is destroyed where plantations are installed, turning the population into a proletariat that becomes dependent on large capital—which seeks to exploit, and has high rates of labor exploitation.
- Oil palm goes hand in hand with the heavy use of agrottoxics to eliminate remaining native species that comprise the forests. It also involves a pollution phase when the oil is extracted, which destroys the life of rivers and other bodies of water around the plantations.
- This destruction of aquatic life in rivers and estuaries ends up harming an important source of food for communities: fishing.
- Water pollution causes serious skin diseases, cancer, spontaneous abortions and in general, increased death rates in communities that are near plantations or downstream from them.

- The increased consumption of this industrial palm oil, loaded with agrotoxins, has resulted in a dramatic increase in several diseases, primarily in the most impoverished sectors.
- The environmental destruction that oil palm generates is tied to other drivers of dispossession, such as: mining, oil, etc.
- Oil palm plantations go hand in hand with the expansion of major road infrastructure, such as the Manta-Manaos Corridor.
- The intensive use of agrotoxics, along with the impacts related to oil palm plantations, has deepened the Palm Rot crisis—thus unfolding a huge toxic spiral that threatens the health of the environment, workers and communities.
- The authorities which should be monitoring oil palm plantations, such as the Ministry of the Environment, the MAG [Ministry of Agriculture and Livestock] or SENAGUA [National Water Secretariat], have neglected their functions, and have not responded to the problem.
- We denounce that there is no access to justice, since big business groups that grow palm bribe the judicial system.
- We denounce that the RSPO, through the certification it grants to palm oil companies, legitimizes the expansion of palm plantations, the violation of local communities' rights and the destruction of ecosystems.
- Faced with this reality, indigenous and peasant peoples who are defending our relationship with nature, have the duty and collective and historical right to recover, strengthen and maintain the care and protection of our ways of life, our knowledges and own rights, our autonomy, our traditional peasant agriculture and our food sovereignty.

Faced with this situation of rights violations, affected communities and peoples have together formed the **NETWORK of Sovereign Peoples Against Oil Palm**, and we propose solutions that should be mandatory for the State and Ecuadorian society:

- It is vital to recover and protect rivers, so that we can safely drink water; and to recover the flora and fauna on which communities depend for life, for recreation, for daily activities and for their cultural symbolism.
- Palm oil companies must assume their economic and social responsibilities for the damages caused, and undertake an integral reparations process for the population as well as nature restoration.
- The legal system must be independent of the pressures of large companies, in order to enforce the law and the rights of communities.
- It should be State policy to ensure work and access to land in Ecuador, to keep younger people from migrating to the cities due to lack of alternatives in the countryside.
- We demand that priority be given to supporting small-scale peasant agriculture, which feeds our peoples and is responsible for production for local consumption; as opposed to plantations which are focused on exportation.

- There is an opportunity to transition oil palm territories towards diversified production systems—such as organic national cacao—which have greater yields and cause less environmental destruction. This requires support for the small-scale peasantry.
- The current authorities must reverse this situation. These resolutions will be delivered to the President of the Republic, the Minister of Agriculture and the Minister of the Environment, so that they take action and cease to promote oil palm.
- We demand that the Ministry of Environment carry out the necessary controls to avoid the substitution of native forests with palm, and the contamination caused by oil palm plantations and oil extractors.
- We demand that the National Finance Corporation, the National Development Bank and other credit institutions coordinate with the Ministry of Environment and the Ministry of Agriculture, Livestock, Aquaculture and Fisheries, to NOT grant loans for projects that cause deforestation, social conflicts or rights violations.

As long as our rights as communities are violated, we proclaim peoples' right to resist the admission of oil palm onto communal and peasant territories.

- The organizations gathered here will be monitoring the lands under oil palm cultivation, in order to demand official statistics and a truthful count adjusted to reflect the reality.
- We commit to following up on this meeting by strengthening our organizations and networks, through the development of discussion spaces and actions against the expansion of palm cultivation; as well as the intensification of our resistance and struggles at the local, national and international levels. Today we come together to form a network of social and peasant organizations against palm cultivation.
- In regard to the facts reported here on rights violations, as well as these proposals, we will also seek international justice, and the solidarity of social organizations around the world.

Quito, October 11, 2018"

Alex Naranjo, Food Sovereignty Campaign, Acción Ecológica, verdevegetal@yahoo.com

Gabon: OLAM's industrial oil palm plantations deprive community of Sanga of access to safe water



Sanga, Gabón. Ph: WRM.

The expansion of industrial oil palm plantations hit the village of Sanga in the South of Gabon particularly hard: The community's main water source became so polluted that the water is now unsafe for drinking and not suitable for other daily uses. Pollution of water, however, is only one of the impacts that the plantations managed by the Singapore-based company OLAM, and co-owned by the government of Gabon are causing.

In September 2018, 35 women and men from communities affected by the industrial oil palm plantations managed by the Singapore-based food company OLAM came together in Mouila, in the South of Gabon. Several national and international organisations and activists joined the meeting where villagers freely shared their communities' experience with OLAM's large-scale oil palm plantations. They analyzed the strategies the company uses to promote industrial oil palm plantations and obtain access to community land. They also discussed the fundamental role of women in the resistance against industrial plantations and discussed actions to strengthen their resistance against OLAM's plantations and the company's expansion strategy as they see this resistance key to defending community livelihoods, especially for future generations.

Water pollution in Sanga

Part of the workshop agenda was a field visit to the villages of Mbadi, Sangha, and Mounigou, three villages that are severely affected by OLAM's industrial plantations. The situation in Sanga village is particularly critical. This village was recently built on land used by the community people for generations. The village was set up with the aim of putting a halt on the uncontrolled advance of the large-scale expansion of oil palm plantations by OLAM in the area. In spite of their resistance, the monocultures had advanced up close to the houses – about 200 meters - to, almost fencing in the village. With the plantations creeping up so closely, the dangerous and toxic pesticides, intensively used inside these plantations, also are applied dangerously close to the village.

According to Dieudonné Moukétou-Tarazewicz, graduated in Physical Geography and founder of the local NGO Muyissi Environnement: « monocultures favour the cultivation of one single species over others which leads to an environmental imbalance among plant and insect populations. Some species disappear and more powerful pests appear, because with prolonged use of pesticides insects create resistance. And this requires higher doses of pesticides. An aggravating factor is that these compounds are bioaccumulative, that means they accumulate gradually in the food chain and are neither eliminated nor dissolved over time. They are not biodegradable, in other words, they are resistant to biological degradation, in addition to being resistant to chemical and photolytic degradation, i.e. degradation to light. Therefore, even at low concentrations, they seriously affect the balance of the ecosystem.»

Sanga is facing a very severe situation now because the main water source of the village, located at about 50 meters from the houses at one side of the road, has become polluted as a consequence of the plantations encroaching. To address the villagers' complaints, OLAM constructed another well. As is often the case with such wells and bore holes constructed by plantation companies, this one, too, was not maintained well by the company and, moreover, is also located in close proximity to the polluted water source, which is fed by the same contaminated water table than the community's main water source that is now no longer fit for use.

Besides the aforementioned risk of pesticide contamination, water sources located close to monoculture plantations are at risk for another contamination: chemical fertilizers. Mr. Moukétou-Tarazewicz explains: "When used excessively and with poor planning, fertilizers can also pollute the surface water of rivers, lakes and wells, causing damage to the ecosystem. In fact, in general, these compounds are soluble in water." He adds that these compounds, once they enter water, also become nutrients for algae: "With runoff rainwater, these products are deposited in rivers, lakes and wells, causing a proliferation of algae in a proportion higher than normal. This hinders the penetration of light and the oxygenation of water. This situation becomes worse when these algae die, because they release a lot of rest matter that is degraded by aerobic microorganisms."

The main water source on which the villagers of Sangha depend shows this phenomenon described by Mr. Moukétou-Tarazewicz. During the field visit, he took water samples and has since carried out preliminary tests: "Preliminary analysis of parameters such as hydrogen ions and dissolved oxygen performed in situ showed that pH, turbidity, and dissolved solids were within the resolution range, which is not the case for Dissolved Oxygen (DO), revealing a high organic matter content of the water. For the other parameters concerned, a further analysis of the samples taken is needed to assess whether the authorized limit for Class II waters (WHO, 2004) has been reached and which may have adverse effects on human health."

Parameters analyzed	Results P1 / P2	Norms (WHO)
Conductivity ($\mu\text{S}/\text{cm}$)	P1=0558 / P2=0690	2000
Dissolved Oxygen (%)	P1=36.9 / P2=127.4	\geq
pH ()	P1=7.16 / P2=8.72	6,5 – 8,5
Temperature (T °)	P1=26.5 / P2=27.18	-
Turbidity (NTU)	P1=032.9 / P2=008.8	<
Salinity (mg/l)	P1=0558 / P2=0690	1000
TDS	P1=0361 / P2=0449	-

Results of the preliminary analysis of the multi-parameter sonde

The preliminary analysis clearly shows that the water is not safe for consumption. The results explain why people fell ill from drinking this contaminated water. Yet, despite the health risk, it

is the only source of water available as there is no other source near-by. Villagers who relayed the accounts of people who had fallen ill, report incidents of OLAM employees denying people who had fallen ill and on their way to the nearest health facility a lift in their cars.

An open letter to OLAM

Hearing the testimonies from villagers, meeting participants decided to write an open letter to OLAM (you can access the letter in French [here](#)). In the letter, participants demand that OLAM urgently resolve the water problem in Sanga. They also demand that OLAM improve the treatment of workers and the poor working conditions in general. Workers spoke about the lack of Individual Protection Equipment that can reduce the impact on the worker's health when applying pesticides. They also raised the issue of being paid low salaries which are dependent of workers achieving daily quotas in their tasks that are extremely onerous. The letter also demands clarification from OLAM about the information from the community of Mbadi that the company intends to create a park for ecotourism. Meeting participants heard that the community is opposed to this development because the forest area is fundamental for their livelihoods.

Communities reinforcing their own unity

The workshop held in Mouila showed the multiple impacts that large-scale oil palm plantations have on communities. The workshop also revealed OLAM's strategy to prevent the creation of spaces where communities can collectively express and discuss these impacts and other issues of concern.

Part of this strategy are community committees that OLAM is creating in each village. These committees do not operate on any legal basis. The committees are the place for so-called "dialogue" between communities and OLAM. The topics which can be addressed in this "dialogue", however are restricted to the contents of the "social contracts" that the company signed with each community. These contracts essentially consist of a list of "benefits" the company agreed it would provide and / or concede to the communities. Examples are solar panels to illuminate a single lamp outside each community house; a health post and/or a water pump; a sports place; lodging for professors teaching at the local elementary school. Villagers expressed their dissatisfaction because the committees are dominated by OLAM and state representatives and are not really functioning as a space for meaningful dialogue; the implementation of the contracts they are supposed to discuss are vague and do not contain timelines, nor do they spell out how the promised delivery will be done in practice or how structures will be maintained. What's more, OLAM decreed at the outset that the community committees have no mandate to discuss the issues of most concern to communities: the on-going expansion of the OLAM's plantations, as well as other plans by OLAM to control more land like the creation of additional protected areas and sites for ecotourism. Without any "dialogue", let alone consent from communities over this crucial issue of OLAM expanding its control over community land, the company continues to take over land and forests that communities use and depend on.

OLAM requested to be invited to the recent community meetings in Mouilla. Rather than use its daily presence in the region to seek meaningful exchanges with villagers, the company engaged in what was a blatant attempt to interfere with communities exercising their right to come together and freely discuss the problems they face with OLAM's activities.

Villagers defied the brazen attempt, came together and decided that the best response to OLAM's divisive tactics is to reinforce their own unity. They formulated a number of ideas and plans to strengthen their organisation and resistance against the advance of the plantations. They also discussed ways to improve their livelihoods, always based on the principle of

diversification of economic activities in order to secure the physical and cultural survival of their communities.

The village participants made it clear that promoting monoculture is not the way forward for the region of Mouila. It only results in one single corporation increasing its control over land and forests and pocketing the benefits while communities face the costs of being fenced in by industrial oil palm plantations. What is needed, instead, is that the fundamental right of communities to make a livelihood and decide over the use of the land they have lived on for generations be respected, now and in the future.

Signed by: WRM and Muyissi Environnement

The Xe Pian Xe Namnoy Dam collapse in Lao PDR: Will the Mekong region learn from this?



Lao. Ph: Reuters.

With nearly 40 per cent of the total volume of the Mekong River in the country, the government of Lao PDR has decided to establish the country as “the battery of Asia” by developing a series of major hydropower dams along the Mekong River, with a view toward exporting surplus power to neighbouring countries. The World Bank and the Asian Development Bank (ADB) are key influential players that have since the beginning backed up the neoliberal policies for dam development in Laos.

Increasingly, the flow and interconnection of ecological live spaces and cycles as well as ancient local economies and cultural heritages are being blocked and diverted by dams. This has created already in many cases irreparable damage.

Currently, 46 hydropower plants are in operation in Laos and over 50 plants are under construction across the country with an expected completion by 2020. The plan is to export some 85 per cent of the power production in the country, mainly to Thailand, Cambodia and Vietnam. (1)

This hydropower “development”, however, is facing increasing criticisms. The river is not only a problem for Laotian people but also for all the people in neighbouring countries, sharing its waters and currents. At the regional level, the impoundment of the Mekong and its tributary rivers will significantly reduce wild caught fishery production, vital for local livelihoods throughout the Lower Mekong Basin. Moreover, changes in the hydrological flows are expected to increase flooding, disrupt agro-ecological systems dependent on regular flood-pulse cycles, and impede silt that provides nutrients for agricultural production in Laos and downstream countries. The dams, moreover, run the risk of reducing the volume of water flowing from the upper Mekong and causing significant losses to farmers engaged in agriculture on the Mekong Delta in Vietnam. These projects may well cause serious disputes over water between Laos and the lower-Mekong countries. (2)

An account of the environmental and social impacts of dam projects in Laos showed how these projects led to the migration of people, from dozens to thousands, who lost their livelihoods and cultures and were then forced to earn a living in new trades completely strange to them. (3) Adding to this, the recent collapse of the Xe Pian -Xe Namnoy Hydropower dam in Southern Laos, which flooded numerous villages and generated high death tolls, accentuated the many other risks of such projects.

The Xe Pian - Xe Namnoy dam: who is behind?

Located in southern Laos, on the Bolaven plateau, the Xe Pian - Xe Namnoy Hydropower dam was built on the rivers that flow to Sekong, one of the major tributaries of the Mekong River. The project dates back to June 1993, when the Thai and Laotian governments signed a memorandum of understanding on the trade of 1.5 million kilowatts (kW) of electricity. The following year, Dong-A E&C, a Korean company, signed a contract with the Laotian government to develop a hydropower plant, with a total investment of US 498.41 million dollars.

The South Korean Ministry of Strategy and Finance (MOSF) provided part of the required financial resources to its Economic Development and Cooperation Fund (EDCF) for developing the dam. The Dong-A Group, however, went bankrupt in May 1998, shortly after the outbreak of the Asian Financial Crisis, and its subsidiary, Dong-A E&C, also filed for bankruptcy in November 2000. This left the dam project in an indefinite halt.

The project resurfaced when SK Engineering & Construction, another Korean company, and Korean Western Power Company (KWPC) signed a memorandum of understanding with the Laotian government in 2006 to resume the project. In 2011, the Laotian government applied for financial aid from Korea’s cooperation fund EDCF. The MOSF and its Laotian counterpart signed an agreement shortly afterwards. (4)

Besides South Korea’s investment, the Thai Ayudhya Public Company Bank also co-financed this joint venture. The Bank is currently under the umbrella of Japan’s Mitsubishi UFJ Financial Group (MUFG). Also, Japan’s Government Pension Investment Fund (GPIF) owns shares worth around a billion and a half yen (approximately 14 million US dollars) of the Krungthai Bank, another Thai co-financer of the joint venture, as well as credits worth over 6 billion yen (approximately 59 million US dollars) of the Export-Import Bank of Korea, which finances the Lao Holding State Enterprise (LHSE), which created the joint venture. (5)

The consortium advertised that the hydropower dam, capable of 410 MW of electricity after completion, would generate handsome profits for the next 27 years by exporting its product to the Thai Ratchaburi Electricity Generating Holding power company. The ads, however, avoid mentioning that indigenous people were forced again to leave their livelihoods as well as the many social and environmental risks that such a dam holds.

The silenced impacts

The indigenous Nyaheun people, who populated the area to be flooded by the Xe Pian -Xe Namnoy Dam Project, used to be self-sufficient; harvesting enough rice from their land, while the nearby river and forests also provided them with food and water.

However, shortly after the dam project contract was signed, they were forced to migrate to the mountainous region, leaving their generations-back fishing livelihoods behind and obliged to harvest coffee. The mountainous region, however, was home to another native ethnic group known as the Jhru. The Jhru and the Nyaheun had historically been on unfriendly terms with each other. The Nyaheun migration into the Jhru area meant a decrease in available drinking water as well as damage to the fertility of local soil, which resulted in reduced harvests and the necessity to use fertilizers. Migration has drastically compromised the quality of life for both groups. (6)

When Dong-A E&C's project failed two decades ago, the Nyaheun began to return to their home villages. However, when the construction resumed, they were again forced to leave.

Moreover, Cambodian villages around the lower Mekong, for example, already experienced abrupt changes in water volumes, rapid decreases and changes in the amounts and species of fish available for fishing, and the dramatic change in the way of life (including the necessary fixings on the structures of houses in response to sudden changes in water volumes) at the time the report was being written. These villagers have been experiencing such rapid changes all in the last decade since the construction of the dam was commenced in full force. Even more worrisome is the fact that these environmental changes have translated into an increasing detriment of food sovereignty.

“A disaster, but not a natural disaster” (7)

While being under construction, on July 23, the top of a saddle dam installed at one of the reservoirs of the Xe-Pian - Xe-Namnoy hydropower project collapsed, releasing a massive amount of water. As a result, six villages located downstream were inundated, while 13 other villages were also affected by severe flooding. As this dam construction was under a transboundary tributary of the Mekong River, the heavy flow of water also reached into Cambodia, causing damage to boarder communities in the Stung Treng Province. (8). The tragedy caused more than 30 people being dead, hundreds of missing people and uncountable loss of households and livelihoods.

After the dam collapse, the government of Laos announced all new proposed dams would be halted pending a review of all existing hydropower facilities. Yet, the day after this announcement, it initiated the prior consultation process on a new, highly controversial Mekong mainstream project — the Pak Lay dam. (9)

The bottom line is that mega dams are not new to controversy and environmental and social disasters, so why do dam-building plans in the Mekong River and elsewhere continue despite urgent calls to prevent their detrimental impacts?

Article based on information from:

(1) Mekong Eye, Laos expects to have 100 hydropower plants by 2020, July 2017,

<https://www.mekongeye.com/2017/07/12/laos-expects-to-have-100-hydropower-plants-by-2020/>

(2) Green W. and Baird, I (2016) Capitalizing on Compensation: Hydropower resettlement and the commodification and decommodification of nature-society relations in Southern Laos, *Annals of the American Association of Geographers*.

(3) International Rivers, Power Surge: The Impacts of Rapid Dam Development in Laos, 2008,

<https://www.internationalrivers.org/resources/power-surge-the-impacts-of-rapid-dam-development-in-laos-3964>

(4) South Korean Presence on the Mekong Hydropower Development Market: Current Status and Issues, LEE Kangjun (Director, Energy and Climate Policy Institute)

(5) Mekong Watch, Grave damage caused by dam collapse in southern Laos, July, 2018, <https://savethemekong.net/2018/08/06/mekong-watch-statement-grave-damage-caused-by-dam-collapse/>

(6) Idem (4)

(7) Mekong Watch statement, <https://www.internationalrivers.org/resources/save-the-mekong-statement-on-the-collapse-of-the-xe-pian-xe-nam-noy-hydropower-project>

(8) Idem 5

(9) New Delhi Times, Water Experts Question World Bank's role in Laos Dam, October 2018, https://www.newdelhitimes.com/water-experts-question-world-banks-role-in-laos-dam/?fbclid=IwAR1sgGgKkP_kAyRrEtXeVJKi_8F5kGuuPyI7qA9CX5I_fZ9LiLioFsO5WE

ACTION ALERTS

New step towards a Binding Treaty on Transnational Corporations and Humans Rights

The fourth Session of the Open-Ended Intergovernmental Working Group (OEIGWG) of the United Nations Human Rights Council was held in Geneva from the 15th to 19th of October. Violations of human rights and the rights of peoples and nature have become inherent to transnational corporations operations. But at the international level there is no binding rule for corporations on Human Rights. For this reason, this WG has been created to elaborate a meaningful binding treaty to regulate the activities of transnational corporations (TNCs) and other business enterprises with respect to the violation of Human Rights.

The Global Campaign to reclaim peoples' sovereignty, dismantle corporate power and stop impunity (Global Campaign), an international network integrated of hundreds of social organizations and movements, actively participated in this fourth session. The Global Campaign has been committed from the beginning of this process, not only with the creation of the mandate of the Working Group for it to elaborate a binding treaty with respect to the TNCs and their follow-up, but also with the elaboration of a draft Treaty that was presented last year to this WG as a way to contribute to the construction of the definitive Treaty on TNCs and Human Rights at the United Nations Organization. Please see

<https://www.stopcorporateimpunity.org/binding-treaty-un-process>

We share here the Declaration of the Global Campaign for the closing of this 4th session of the Working Group, which highlights some key elements for the elaboration of a meaningful instrument that allows those affected to have access to effective justice:

<https://www.stopcorporateimpunity.org/declaration-of-the-global-campaign-for-the-closing-of-the-4th-session-of-the-oeiwg-on-transnational-corporations-and-human-rights>

Court orders chilean company, Arauco, to return land to the Mapuche community

On September 28, the Chilean courts ruled in favor of the Ignacio Huilipán community, located in the Contulmo Commune, Bío Bío region. The ruling forces the company, Forestal Arauco (formerly Forestal Celco SA), to restitute 97 hectares of land that were usurped decades ago in order to expand its tree plantations. The court charged Arauco with having tried to prove ownership of the land in bad faith, and it recognized the "Merced Title"* from 1904 that the community claimed. See:

<https://www.biobiochile.cl/noticias/nacional/chile/2018/10/02/fallo-historico-justicia-restituye-a-comunidad-indigena-tierras-de-forestal-del-grupo-angelini.shtml>

Forestal Arauco made no statement regarding the usurpation of lands; it just filed an appeal against the order that decrees payment for the cost of the trial and the consequent claim for compensation for the impacts caused in the community over the last decades. See: <http://olca.cl/articulo/nota.php?id=107490>

(*) Property titles that the state delivered to Mapuche communities between 1884 and 1929.

Letter from the Collective of Women affected by monoculture oil palm from Gabon to FAO

Within the framework of September 21, International day of Struggle against Monoculture Tree Plantations, women affected by OLAM's oil palm plantations, during a meeting in the village of Fera, in Gabon, decided to send a letter to FAO denouncing the impacts they are suffering.

The Collective of Women affected by monoculture oil palm tree plantations alert about the impacts of such plantations on food security and food production. The women criticize FAO's policy in support of the expansion of industrial monocultures of oil palm because it severely affects food security and therefore it is in clear contradiction with FAO's mandate of combating hunger in the world.

Moreover, the women report in their letter that the forest destruction caused by industrial oil palm plantations affects them and their traditional knowledge about and multiple uses of forests in particular.

Read the full letter here: <https://wrm.org.uy/fr/files/2018/10/Lettre-des-femmes-%C3%A0-la-FAO.pdf>

Sign on statement: "RSPO: failing to eliminate violence and destruction from the industrial palm oil sector"

Friends of the Earth International and the World Rainforest Movement have launched an international sign-on statement denouncing the Roundtable on Sustainable Palm Oil (RSPO). The Statement, we are inviting organizations to sign-on, denounces the RSPO as a market based tool used by the oil palm industry to continue expanding and greenwashing the corporate destruction and human rights abuses in the oil palm sector.

The RSPO is having its annual conference in Malaysia from November 12 to 15. We invite organizations from all over the world to sign the statement by November 9, 2018.

If your organization would like to endorse please sign here: <https://wrm.org.uy/other-relevant-information/sign-the-statement-rspo-14-years-failing-to-eliminate-violence-and-destruction-from-the-industrial-palm-oil-sector/>

RECOMMENDED

A new documentary: "The exploitation of primary forests: Can an ecolabel stop the forest industry?"

A new documentary, produced by the European channel Arte, shows how the FSC certification of forests and industrial tree plantations looks like on the ground and whether it protects the forests and the rights of indigenous peoples and local communities. Once again, the results are devastating for FSC. The documentary concludes that over the past 25 years of its existence the FSC label has failed even to slow down the forest industry and concludes "we can only save the rainforest with legislation, not with labels." The documentary is available in French, Spanish and German. FSC Watch, the website that provides

information on the FSC certification failures, has produced additional information on the same country cases highlighted in the film, they are much recommended. The documentary and the articles can be accessed here: <https://fsc-watch.com/2018/10/18/new-documentary-slams-fsc-the-eco-label-could-not-slow-down-the-forest-industry/>

Closer to a United Nations Declaration in Defense of Peasant's Rights

This September, after more than 17 years of arduous struggle led by Via Campesina—and with the support of several organizations,—peasants and other people working in rural areas are one step away from achieving a United Nations Declaration that could defend and protect their rights to land, seeds, biodiversity, local markets and much more. The Member States of the United Nations Human Rights Council adopted a resolution on the United Nations Declaration on the rights of peasants and other people working in rural areas.

"It is now expected that this November, the Declaration be voted on and approved by all Member States of the United Nations. Once approved, the United Nations Declaration will become a powerful tool for peasants and other people working in rural areas to demand justice and favorable national policies on food, agriculture, seeds and lands—taking into account the interests of millions of rural food producers, without gender or age distinction.

We invite you to read more at: <https://viacampesina.org/es/la-via-campesina-el-consejo-de-derechos-humanos-de-las-naciones-unidas-aprueba-la-resolucion-relativa-a-la-declaracion-sobre-los-derechos-de-las-y-los-campesinx-en-ginebra/>

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