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OUR VIEWPOINT

- Biodiversity is much more than carbon

As well as celebrating the International Day for Biological Diversity this month, on May 22, we are also on the eve of another international climate change conference: the 34th session of the Subsidiary Body for Implementation (SBI) and the Subsidiary Body for Scientific and Technological Advice (SBSTA), which are responsible for providing advice and guidance for the implementation of the United Nations Framework Convention on Climate Change. The two bodies will be meeting in Bonn, Germany from June 6 to 16.

The issues of climate and biodiversity are, in fact, very closely linked. Climate

conditions enabled the development of the rich biodiversity of life on earth, which took two million years to reach its current state. The climate crisis and its devastating impacts are threatening biodiversity and drastically impoverishing the world's ecosystems today.

The importance for the world of the conservation of biodiversity continues to be underestimated and undervalued by the parties to the climate change convention. While there is renewed emphasis on tropical forests at the international level, this is not due to their biodiversity, but rather their capacity to store carbon and to serve the interests of the countries that have historically contributed the most to global warming and yet refuse to take responsibility by adopting measures to reduce their greenhouse gas emissions. This extremely limited and deceptive view of forests has given rise to a mechanism known as REDD: Reducing Emissions from Deforestation and Forest Degradation. Promoters of this mechanism claim that it will also contribute to preserving the world's biodiversity. But is this really true?

In the first place, it should be stressed that very often, biodiversity is associated only with tropical forests. Nevertheless, while legal protection of most of the world's forests is already rather precarious and inefficient, the situation is even worse for other ecosystems that are also hugely important in terms of their wealth of biodiversity, such as mangroves, savannahs, grasslands, and others. Because they are less protected, these ecosystems are more rapidly destroyed to make way for shrimp farms or monoculture plantations of sugarcane, soy beans, oil palms and eucalyptus trees. As a result, while short-term profits are the only consideration, biodiversity continues to be destroyed – in tropical forest areas and elsewhere – without full awareness and recognition of its importance for the future of the planet.

Another basic problem is that the populations who have traditionally lived in ecosystems such as forests, mangroves, savannahs and grasslands are commonly excluded from them, as if they did not form an integral part of biodiversity. As a consequence, there is no consideration of the coexistence and knowledge of local populations on every continent, or of their relationships with the ecosystems that they depend upon for their survival and quality of life. For these populations, the ecosystems in which they live are essential as a means of providing everything they need for their nutrition and health, as well as for maintaining their ways of life.

In order for the upcoming negotiations in Bonn to give rise to sound advice and guidance for the implementation of the climate change convention, there must be recognition not only of the importance of biodiversity for humanity, but also acknowledgement of the fundamental presence of human beings as an integral part of biodiversity in every ecosystem. This means that initiatives to prevent deforestation must include such measures as recognition of the rights of local populations over their lands, where they have traditionally coexisted with the forest and with other ecosystems. However, in many of the plans drawn up by the governments of countries with tropical forests to obtain financing through REDD, the rights of the people who live in the forests are not recognized. On the contrary, these people are often accused of being mainly responsible for the destruction of forests.

Yet what we see in practice is that the governments discussing and implementing REDD continue to insist, at the same time, on maintaining a model of development

that continues to destroy the planet's biodiversity, and on the discourse of the need for "sustainability" and actions to combat climate change. And so in areas of high biodiversity, they continue building and implementing new mega-dams and industrial monoculture tree plantations, new mining operations and logging concessions, new highways and oil wells. Those who are mainly responsible for this ongoing destruction are in fact big corporations, and transnational corporations.

In order to effectively confront these destructive activities, we once again urge the SBI and SBSTA to consider what forest peoples on every continent have demanded time and time again: the recognition of their rights over their lands and over the forests where they live, and full involvement in the design and implementation of biodiversity conservation policies in their regions, as well as the strengthening and expansion of local economies based on multiple use of forests – something that these peoples have practiced for centuries, without causing destruction. Without a doubt, this is the route to follow.

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COMMUNITIES AND FORESTS

- Certification of shrimp farming endangers mangroves

Certification has become a perverse tool in the hands of big corporations that are using it like a "green seal" to impose intrinsically damaging systems of production that become a menace to valued ecosystems. This is happening now to a highly biodiverse ecosystem like mangroves.

Several NGOs working with local communities in the shrimp producer-nations and consumers in the shrimp-importing nations have rung the alarm bell regarding the draft standards and the whole fault-ridden WWF-ShAD (Shrimp Aquaculture Dialogue) process.

Having participated themselves in one of the so-called "shrimp aquaculture dialogues," these opposing NGOs have verified a worse case scenario whereby a predetermined end product - certification standards for farmed shrimp - is overriding any fair and inclusive stakeholder or resource user involvement in that process. Instead, the majority of those attending these "dialogues" were shrimp industry representatives, and local resource users. The vast majority of those affected by shrimp farming were noticeably absent from the entire three year process. This lack of local community input into the "dialogue" brings the whole effort to certify farmed shrimp into serious contention, especially contradicting WWF's stated claims that its standards represent the affected local communities.

Mangrove Action Project, along with other Conscientious Objectors to the whole flawed "aquaculture dialogue" process have tried unsuccessfully to convince WWF and its allies to not release its standards under the banner of "social and environmental standards," as this is just not fairly representative of their mainly technical standards which at most might be labelled Best Management Practices

(BMPs) only.

However, one of the big arguments we have with WWF, in addition to our contention that there is no local community input to the standards, is that WWF has not tried to directly alert its wide membership and the public in general to avoid the unsustainable cheap consumption of shrimp. If consumers of farmed shrimp would simply reduce their demand for the product, there would be an immediate reduction in the expansion of the industry, and consequently a reduction in the damage done by these resource hungry shrimp farms, thus greatly lessening the adverse effects of this ever expanding industry that encroaches upon new and unspoilt grounds.

Furthermore, industrial shrimp farming is largely an unsustainable and destructive process that should not be condoned by any existing standards as "more sustainable." The industry that WWF hopes to certify is mainly an open, throughput system of aquaculture that actually degrades the very ecosystems and resources needed to support it in the first place.

In the last 30 years, the rapid and largely uncontrolled expansion of the shrimp aquaculture industry has led to immense environmental and social problems, which have only recently been brought to light. Among the most serious problems is the degradation and loss of natural coastal resources. Unsolved pollution problems still plague the industry, despoiling once fecund waters of nearby estuaries and inshore coastal bays. Formerly rich fishing grounds are being impacted, and vital fish breeding and nursery habitat are being lost to the encroaching shrimp farms.

The overall setup processes and operations of industrial shrimp aquaculture are tremendously disruptive to the delicate and complex balance of coastal ecology. Vast stretches of invaluable mangrove forests are cleared to make way for shrimp ponds. Shrimp farms replace diverse, multiple resource environments with large-scale mono-culture operations. Worldwide, over a million hectares of valuable mangrove forests have been destroyed by shrimp farming alone--and this in only the last two- three decades!

Other important coastal habitats, such as mud flats, sea grass beds, and coral reefs have been degraded or ruined. Also, once productive farmlands have been left fallow, and important waterways and underground aquifers have been dangerously contaminated.

Industrial shrimp aquaculture first destroys the local means of livelihood and ruins longstanding jobs by removal of the mangroves and salinization of the lands where traditional livelihoods such as farming and fishing are no longer viable options for most.

This \$40-\$60 billion megalith is itself fed by the gross appetite of unwary consumers in the North that the same industry so cleverly created with its successful promotion of cheap imported shrimp. Industry proponents assume there is no other way but forward with shrimp production in the South because there are no longer other options, while they also assume there is no better way to feed the North's growing appetite for seafood than via shrimp imports from the South. Certification turns into a profitable permit for industrial shrimp farming companies, which find a way of

“greenwashing” their image and even find a new market for concerned consumers in the North.

In an Open Letter addressed to the committee members of the WWF-led Aquaculture Dialogues (1), activists from more than 40 organizations around the world denounce the intention of the ShAD General Steering Committee (ShAD/GSC) and the Aquaculture Stewardship Council’s (ASC) to establish standards for shrimp aquaculture certification which will mean the perpetuation of “unsustainable and destructive open-throughput systems of aquaculture – with a legacy of 400,000 hectares (and counting) of abandoned ponds in producer-nations”.

The Conscientious Objectors say that ShAD “puts too much trust in the industry to monitor and regulate itself. The certification programme depends upon an untried and untested auditing system. Other critical aspects of the process too require a “leap of faith” – that previously disastrous practices will miraculously reverse their effects once the ShAD standards are released.”

The open letter, which will be circulating for signatures for 2 months, reflects the determination of the activists that “have unanimously decided that we cannot support the ShAD General Steering Committee (ShAD/GSC) and the Aquaculture Stewardship Council’s (ASC) intentions or actions towards establishing standards for shrimp aquaculture certification”.

By Alfredo Quarto, Mangrove Action Project (MAP), e-mail:
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(1) <http://mangroveactionproject.org/news/action-alerts/shrimp-aquaculture-dialogue-standards-create-concern-your-comments-are-needed>

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- Asian forests lost to pet’s market

Often hidden, neglected or unknown, the underlying causes of deforestation are multiple and varied. And even odd.

Maybe many people are rather familiar with the idea that overconsumption in high-income countries constitutes a major underlying cause of deforestation but not so aware that pet’s consumption patterns share responsibility for the disappearance of forests.

According to The Guardian (1) a new study for the British Department of Food and Rural Affairs (Defra) – Mapping and Understanding UK Palm Oil Use (2) – reports that Great Britain imports more than half a million tonnes of palm oil a year but even more palm kernel meal – a lucrative by-product of the production of palm oil. Palm oil comes from the oil palm’s fruit, while kernel meal comes from palm nuts. Great Britain imports five times as much kernel from Indonesia as palm oil and more than a tenth of all the world’s palm kernel meal mostly for animal feed.

“British cats, dogs, cows, pigs and even goldfish are helping destroy the rainforests

of south-east Asia”, says The Guardian, pointing to manufacturers of animal feed AB Agri, owned by Associated British Foods, and BOCM Pauls, plus the commodity trader ED&F Man as major actors.

Oil palm is mainly grown on large scale tree plantations. Malaysia and Indonesia have become the largest producers and exporters of palm oil. In those countries the expansion of the industrial plantations of oil palm that cover millions of hectares has decimated forests and encroached territories of indigenous communities (see WRM Bulletin 134).

The oil palm business also has heavy impact on the environment as a consequence of the several million tons of solid oil wastes, palm fiber, and shells it causes as well as other several million tons of palm oil mill effluent, a polluted mix of crushed shells, water, and fat residues that have a negative impact on aquatic ecosystems. Further, most palm- oil cultivation need the use of petroleum-based pesticides, herbicides, and fertilizers thus not only polluting on a local level but also contributing to greenhouse gas emissions. (3)

A medium-size dog has roughly twice the ecological footprint of a Toyota Land Cruiser, say New Zealand Robert and Brenda Vale (4). (An ecological footprint is the average amount of land and sea required to create a product and then absorb its waste).

It's not about starving pets but reflecting on how pets in rich countries have become another market niche where the environmental costs of (over) consumption are hidden and big corporations reap unaccountable profits.

(1) “UK animal feed helping to destroy Asian rainforest, study shows”, Fred Pearce, The Guardian, <http://www.guardian.co.uk/environment/2011/may/09/pet-food-asian-rainforest>

(2) Mapping and Understanding UK Palm Oil Use, Proforest, April 2011, http://randd.defra.gov.uk/Document.aspx?Document=EV0459_10154_FRA.pdf

(3) Why is oil palm replacing tropical rainforests? Why are biofuels fueling deforestation?, Rhett A. Butler, mongabay.com, April 2006, http://news.mongabay.com/2006/0425-oil_palm.html

(4) “The environmental impact of pet food”, Nina Shen Rastogi, 2010, <http://www.slate.com/id/2244902/>

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- Brazil: Environmentalists murdered in the Amazon and debate over a new Forest Code: Impunity must end!

On May 24, environmental activists José Cláudio Ribeiro da Silva and Maria do Espírito Santo, who were husband and wife, were shot and killed near their home in the southeast of the state of Pará, in the Amazon rainforest region of Brazil. As leaders of the National Council of Extractive Workers (CNS), formerly known as the

National Council of Rubber Tappers, they fought for the sustainable and diversified use of the forest and against illegal logging and deforestation. Their murders are two more on a long list that seems never-ending...

The logging industry, which yields exorbitant profits, is at the root of this violence, and continues to be a direct cause of significant deforestation in the Amazon region. Further deforestation is caused by large landholders clearing new pastureland for cattle to supply the huge meat-packing plant established in the region, financed by the Brazilian government through the state-owned Brazilian development bank, BNDES, and run by big transnational corporations in the meat marketing industry. Brazil is already the world's leading exporter of beef, and the Brazilian government has set a goal of doubling beef exports this decade.

Other industrial interests, like the expansion of soy bean plantations to produce animal feed for industrialized countries and biodiesel for the domestic market, iron and bauxite mining, and hundreds of planned hydroelectric dam projects like Belo Monte in Pará, promise to destroy hundreds of thousands more hectares of forests, along with all their natural wealth and biodiversity. Added to this is the pressure exerted by the expansion of sugarcane plantations for ethanol production, which the Brazilian government aims to increase several times over. Although this expansion is concentrated in the central-western area of the country, where it is contributing to the destruction of the Cerrado tropical savannah ecosystem, it is displacing the cultivation of other crops and pushing them towards the Amazon region, leading to yet more deforestation.

This is the background to the current heated debate in the Brazilian Congress over one of the most controversial bills proposed in recent years: the reform of the country's Forest Code, spearheaded by Deputy Aldo Rebelo. The bill was passed by the Chamber of Deputies, the lower house of the Brazilian Congress, on May 24 – the same day as the brutal murder of the two environmental activists. It will now move up to the Senate.

What is the Forest Code?

The current Forest Code is a 1965 law that stipulates, among other provisions, that the owners of all rural landholdings in Brazil must maintain a certain percentage of the native forest on their property as a "legal reserve", which cannot be cut down. The percentage ranges from 20% in the Mata Atlântica or Atlantic Forest region to 80% in the Amazon Rainforest region. In addition, the Code includes the category of Permanent Preservation Areas (PPAs) for forests in particularly sensitive areas such as riverbanks and the tops and slopes of hills. For instance, depending on the width of a river, the Code stipulates that a strip of at least 30 metres along its banks must be protected from deforestation.

Why are changes to the Forest Code being discussed?

Currently, the vast majority of farmers do not comply with the stipulations of the Forest Code. The situation is most serious when it comes to large agribusiness landholdings in the Amazon. Almost none of their owners respect the requirement to preserve 80% of the forest cover on their properties as a legal reserve. This has become increasingly obvious as Brazilian federal government agencies have stepped up monitoring, control and the application of fines in recent years.

What are the changes proposed?

The reforms proposed by Deputy Rebelo include, among others, an amnesty for landowners who illegally deforested areas that they were required to protect as legal reserves up until July 2008. They also include the reduction of the size of legal reserves and PPAs, opening the way for further deforestation. Legal reserves would no longer be required whatsoever on landholdings of up to four “rural modules” (the equivalent of 400 hectares in the case of the Amazon region). And, to the benefit of tree plantation companies, up to 50% of deforested legal reserves can be “recovered” through the establishment of monoculture plantations of exotic tree species, such as eucalyptus. Moreover, this so-called “reforestation” would not need to be carried out on the specific landholding in question, but could take place elsewhere in the region, allowing for vast areas of nothing but monoculture plantations. The proposed changes would also take away jurisdiction over environmental management from the federal government.

The reforms proposed by Rebelo serve the interests of large landholders in the agribusiness sector, who are represented in Congress by the so-called ruralista bloc of lawmakers. They are pushing for a thorough revision of the Forest Code that will allow them to further expand their operations and will grant an amnesty for fines already handed out for illegal deforestation – some of which are owed by ruralista deputies and senators themselves!

In the meantime, social movements representing rural workers, environmentalists and scientists want to maintain the current Forest Code and would like to see complementary measures to guarantee the protection of the environment and small-scale family farming, which is in a completely different class from the large-scale operations of the agribusiness sector.

What is at stake?

What is at stake is the struggle for the conservation of forests and water resources in Brazil versus a “developmentalist” model that serves the interests of the logging industry and big national and transnational agribusiness companies, who want larger areas of land to fill with cattle, soy beans, corn, eucalyptus trees, etc. as well as an amnesty, in other words, impunity for those responsible for illegal deforestation. It should be mentioned that according to reports from monitoring agencies, deforestation rates in states like Mato Grosso have begun to rise at a frightening pace in the last few months, after years of consistently decreased rates. In addition to an amnesty for illegal deforestation that has already taken place, if the proposals of the ruralista bloc are passed, tens of thousands of hectares of forest could be legally destroyed, undermining all of the good intentions and efforts aimed at reducing deforestation, which Brazil so proudly publicizes both nationally and internationally.

Finally

In 1965, when the current Forest Code was adopted, the protection of biodiversity was already an important argument in its favour. Today, however, there is the added importance of the role of forest conservation with regard to climate change, which is primarily caused by greenhouse gas emissions from industrialized countries but is aggravated by deforestation, which further contributes to carbon emissions. The impacts of climate change affect everyone, but they particularly affect the most

vulnerable sectors of the population, not to mention the increased flooding that will inevitably result if forests in fragile areas like riverbanks, hilltops and slopes are cut down because they are no longer protected as PPAs. And once again, it is the most vulnerable sectors who will be hardest hit.

Brazil's territory encompasses the largest tract of rainforest in the world, and the country strives to portray itself internationally as a champion of the environment and a "green" economy. Maintaining and strengthening the current Forest Code is crucial for preserving this rainforest and thereby protecting the future of the planet, and especially the future of Brazil and the local, indigenous and traditional communities who struggle to defend it.

Maintaining the Forest Code also means fighting back against the endless greed for profits of the large landholders, logging companies and national and transnational agribusiness corporations who are destroying this priceless natural resource. This was the struggle waged by José Cláudio and Maria. To ensure that their struggle was not in vain, we must defend the current Forest Code, and cannot allow an amnesty for those guilty of deforestation and destruction – first and foremost, the large landholders. At the same time, we demand a thorough investigation of these murders and, above all, rigorous punishment for those who killed José Cláudio and Maria and so many others who have lost their lives in the struggle to defend the Amazon rainforest.

By Winfridus Overbeek, International coordinator of World Rainforest Movement, e-mail: winnie@wrm.org.uy

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- REDD-Monitor's round-up: Watching REDD unravel

After almost five month's of dithering, Indonesia's two-year forest moratorium started this month. President Susilo Bambang Yudhoyono faced a choice between two options: one version of the moratorium would have prevented new concession in all forests and peatlands; another version applied only to primary forests and peatlands. Yudhoyono chose the second.

The fact that the moratorium was welcomed by Asia Pulp and Paper, a company with one of Indonesia's worst records for forest destruction, indicates just how little companies will have to change from business as usual as a result of the moratorium.

There was the possibility that existing concessions (of which there are a very large number in Indonesia – many of which overlap and many of which are illegal) could be, at least, reviewed. It seems extremely unlikely that this will now happen. An indicative map is part of the presidential instruction that brings the moratorium into force (or farce as one commentator puts it). The indicative map shows the area of primary forest and peatlands that is to be protected for the two-year period of the moratorium. Huge white areas are carved out of green area representing primary forest, particularly in Papua – these represent existing concessions. Two national parks in Sumatra are completely omitted from the map.

The already weak moratorium is filled with loopholes. Existing concessions are specifically excluded from the moratorium, as are concessions that have already “received approval in principle” from the Minister of Forestry and the extension of existing permits. “National development” projects are excluded – the presidential decree includes a list: geothermal, oil and gas, electricity, land for rice and sugar cane.

The moratorium is part of Norway’s US\$1 billion dollar REDD deal with Indonesia. Norway has also promised US\$250 million to Guyana and US\$1 billion to Brazil.

In March 2011, members of civil society and members of parliament in Guyana wrote to Norway’s Minister of the Environment and International Development, Erik Solheim. The letter listed “eight key problems with the operation of the Memorandum of Understanding between the governments of Guyana and Norway”. Part of the problem is that deforestation is increasing in Guyana and the first project in President Bharat Jagdeo’s Low Carbon Development Strategy is a controversial hydropower dam in the middle of the rainforest. Construction of the access road has started, but is way behind schedule and the project is plagued with allegations of corruption and mishandling of funds.

The letter generated a large amount of discussion inside and outside Guyana. Almost two months after receiving the letter, Solheim replied, but wrote that, “It will not be possible to go into the details of your letter here”. Now Solheim has received another letter, requesting that he provides a detailed reply to the eight problems.

In Brazil, things are looking even worse. The rate of deforestation, which had fallen in recent years, shot back up this year. In March and April, nearly 593 square kilometres of forest were cleared – an increase of 470 per cent compared to the same two months last year.

One possible reason for the dramatic increase is that the increase in deforestation is the fact that the government has been discussing dramatically weakening the country’s forest code. Ranchers are clearing forest anticipating that the weakened forest code will be passed and that an amnesty will be granted for previous illegal logging. On 24 May 2011, Brazil’s House of Congress approved the amended forest code. It now goes to the Senate and, if approved there, requires the approval of Brazil’s president Dilma Rousseff.

The debate surrounding Brazil’s Forest Code (see article in this issue) reveals one of the perverse incentives of REDD. Governments with good laws in place, with good governance and with decreasing rates of deforestation stand to gain little from REDD. But with deforestation soaring, Brazil might just do very well out of REDD.

Meanwhile Brazil continues to push ahead with the Belo Monte hydropower dam, that has been opposed for 20 years by the indigenous peoples living in the Xingú watershed. Brazil is also pushing to include “forests in exhaustion” in the clean development mechanism – a proposal that amounts to no more than a subsidy for industrial tree plantations.

Two great videos came out recently in Europe, highlighting different problems with

the way REDD is currently developing. The first, produced by a Dutch TV programme, Keuringsdienst van Waarde, looked into carbon offsets and found that they could buy an area of Brazil's rainforest for as little as one cent per square metre. The programme is fascinating, in turns shocking and funny, and raises a series of problems with the idea of carbon offsets.

For the second video, journalists from the London-based magazine Don't Panic went undercover to see just how far Conservation International would go to help greenwash polluting corporations. Their first problem was that CI already works with a list of Corporate Partners that looks like a who's who of planetary destruction, including ArcelorMittal, BHP Billiton, Cargill, Chevron, Goldman Sachs, Kimberly-Clark, McDonald's, Monsanto, Rio Tinto, Shell and Wilmar International.

Don't Panic's journalists pretended to be representatives of Lockheed Martin, the world's biggest arms manufacturer. Conservation International's representative didn't see any problems and suggested a "carbon offset strategy" and that "Lockheed Martin" could "offset" its polluting and deadly operations by buying a forest in Madagascar, Asia or Africa. Don't Panic wanted to find out whether Conservation International is "any more than a green PR company?" The answer, clearly, is no.

By Chris Lang, <http://chrislang.org>

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- Peru: Land grabbing in indigenous peoples' territories

The Shawi indigenous people, also known as Chayhuitas, live in the territory made up by the basins of the Parapurus and Cahuapanas Rivers, located in the provinces of Alto Amazonas (in the region of Loreto) and San Martín (in the region of San Martín). Distributed among 180 communities, the Shawi share a system of social organization and symbolic representation. Traditionally hunters and gatherers, they also practice agriculture, growing crops like cassava, corn, beans, rice, peanuts, bananas, pineapples, papayas, cotton and tobacco. (1) They also raise poultry and small animals, in addition to cattle. They market rice, peanuts, corn and beans, and currently practice fishing as well.

Like many other indigenous peoples, the Shawi suffered the horrors of Spanish colonization, struck down in droves by weapons and disease and forced into slavery. Independence from Spain did little to improve their lives: the Amazon rubber boom brought with it the tyranny of the rubber barons.

Years later, in 1974, the Law on Native Communities recognized the right of indigenous peoples in Peru's Amazon region to collective ownership of their territories, although this was limited to the lands immediately surrounding established settlements. In 1977, however, the Forestry and Wildlife Law prohibited the titling of land designated as "suited to forestry" within the area of indigenous communities; this land would instead be transferred to state ownership. This measure totally undermined the rights of Amazon indigenous communities, since practically all of the land in the vast forested plain of the Amazon basin is "suited to forestry" and

consequently, the indigenous peoples living there would be denied access to the forest, on which they largely depend for their livelihoods.

The Constitution of Peru recognizes the existence of native communities even when they are not registered as legal entities in public registers, but in order to obtain land ownership titles, communities must be officially registered. In accordance with the Law on Native Communities (article 11 of the Constitution), the state grants indigenous communities ownership titles for land suited to agriculture and the right of use for land suited to forestry. The land titling process for indigenous communities is extremely slow and bureaucratic, and is not viewed as a priority by the Peruvian government. In the meantime, activities like agriculture, forestry, oil operations and mining are rapidly expanding into territories where land titling remains pending. (2)

And in this context, Amazon indigenous communities have been hit with yet another violation of their rights.

On April 27, the Shawi people of the communities located in the district of Pongo de Caynarachi, in the province of Lamas, and the district of Papaplaya, in the province and region of San Martín – who are represented by the Shawi Indigenous Regional Federation of San Martín (FERISHAM) – denounced in an open letter that they have learned that a Korean company, ECOAMERICA, has applied for the registration and titling of more than 72,000 hectares of land, at a price of 80 cents [in the local currency] a hectare, for crop production, logging and livestock raising. The land in question is made up by the territories of two Shawi communities and one Kechwa community, who have ancestral rights to these territories and have been officially registered as legal entities. (3)

The company had submitted its application to the Commission for the Formalization of Informal Ownership (COFOPRI) in the province of Loreto, an agency whose existence was completely unknown to the indigenous communities and others living in the area. After a considerable amount of legal wrangling, the application has now been put on hold, pending a decision by the Constitutional Court.

In response to this situation, the Shawi people declare in their open letter: “Our native communities do not have property titles, we have only legal recognition, and we are in possession of our ancestral territories. It is not just for our community lands to be valued at 80 cents a hectare; they want to hand them over without understanding the significance of the spiritual life of nature, of the trees, of the animals that the Shawi indigenous people protect.

“We are not accustomed to resolving our problems with their laws, we are not part of the process, we do not exist for the government, we do not have the resources to defend ourselves in the face of this situation. No government authority complies with ILO Convention 169, which says that the territories of indigenous peoples must be respected and that governments must do what is necessary to ensure that they are respected. No government authority has issued a statement or intervened. What do we have to do to be heard, and to receive justice?

“The Shawi indigenous people are saddened and angered. Tomorrow we could lose our ancestors’ territory, our mother earth, where we hunt animals and gather medicinal plants to cure our illnesses. The living forest helps us cover many needs.

The government gives us nothing: the school has been abandoned, the children have no teachers. We are worried by the procedures that this company has initiated with regard to the forests, because we live at the headwaters of the rivers, and we believe we could be affected. We want peaceful dialogue, we want to be heard and our rights to our territory to be respected. We don't want to suffer another Baguazo (4) but we are prepared to fight for our lands. If we must we will seek justice in accordance with our own customs.

“We do not understand why the government would hand over our lands to this company without consulting us, in silence. We are not second-class citizens, we are Peruvians, citizens with other customs, with a different culture. For years we have been asking for the titles to our land and the demarcation of our territory. And yet the requests of this company, which is not even based in the country, are being attended to because of its economic power.”

The Coordinating Committee for the Development and Defence of Indigenous Peoples in the San Martín Region (CODEPISAM) has endorsed this denunciation and stated, “For indigenous peoples, this is not a legal matter, rather it is the duty of the regional and national authorities to protect the rights of indigenous peoples, their territories, and their natural resources.” (5)

But the efforts to strip Peru's indigenous and peasant communities of their land and forests are much more widespread and are also reflected in Bill 4141 for a new Forest and Wildlife Law. Dozens of indigenous and peasant farmer organizations recently joined together to voice their opposition to the proposed new law, which would violate their rights and promote the invasion of vast agro-industrial plantations. (6) The indigenous peoples and peasant farmers of Peru are standing firm and remaining alert to fight these threats to their rights and livelihoods.

(1) Pueblos indígenas del Perú, Oswaldo Salaverry et al., <http://www.ins.gob.pe/insvirtual/images/artevista/pdf/rpmesp2010.v27.n2.a22.pdf>

(2) Pueblos de la Amazonía, Instituto del Bien Común, <http://www.ibcperu.org/presentacion/pueblos-amazonia.php>

(3) “Pueblo shawi teme perder territorios ancestrales por litigio entre terceros”, <http://lamula.pe/2011/05/05/pueblo-shawi-teme-perder-territorios-ancestrales-por-litigio-entre-terceros/Servindi>

(4) See WRM Bulletin 142.

(5) Comunicado de la Coordinadora de Desarrollo de los Pueblos Indígenas de la Región San Martín – CODEPISAM, <http://www.aidesep.org.pe/index.php?codnota=2008>

(6) Perú: Indígenas y agricultores rechazan proyecto de ley forestal, Servindi, <http://servindi.org/actualidad/45043>

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COMMUNITIES AND TREE PLANTATIONS

- Chile: A disastrous forestry model with new “branches” in Latin America

What the big forestry companies have done with our territories in Chile is so devastating, so sad and so irreversible that it brings to the mind the “shock doctrine” described by Canadian author and activist Naomi Klein in her book of the same name (1). Using the same line of reasoning, we can state that in less than 30 years, our native forests have been steadily and systematically replaced by monoculture tree plantations under a model promoted during the Chilean military dictatorship and sustained over the following years by a predatory and unjust economic system which is so difficult to combat that today, now that is a fait accompli and continues to be upheld by surreptitious violence, we are simply in a state of shock.

The Chilean forestry sector is dominated by two business groups: CMPC, run by the Matte family, and Arauco, owned by the Angelini family. The assets and economic power of both families grow in size year by year. And this is not a minor detail; it is important to stress, because the huge profits made by these companies that control the entire export circuit (with more than 600 million dollars in revenues each according to their 2010 annual reports) have not been obtained through extraordinary entrepreneurial talent. Rather, they have been earned at the expense of enormous damage, most of it irreparable, to the natural ecosystems and the local communities who have lived since ancestral times (the Mapuche people) or for more than a century (peasant farmer communities and settlers) in the territories where tree plantations are concentrated (Regions VII to X).

Moreover, companies like Arauco acquired many of their industries and landholdings during the military dictatorship through privatization processes imposed on every sector in the national economy, leading to heavy losses for the national treasury (the total losses incurred by the Chilean state through the sale of state-owned companies are estimated at 7.8 billion dollars at today's prices). And if this were not enough, the big forestry companies have received millions in government subsidies to establish hundreds of thousands of hectares of monoculture pine and eucalyptus plantations, which have frequently been created by replacing native forests.

The “dance of the millions” we describe here is danced by only a small few: these hefty profits are not shared by the 133,000 workers in the forestry industry. According to a study from the Department of Labour of the Bio Bio Region (Region VIII), only 25% to 30% of forestry workers have permanent contracts and 82% live below the poverty line, as the predominance of sub-contracting has made it difficult to obtain collective bargaining rights.

While all of this is happening, the millions of hectares of tree plantations are feeding a forestry industry geared to export, which generated 5.4 billion dollars in revenues in 2008, raising the forestry sector's share of the country's total exports to 13%. In the meantime, in the same rural areas where tree plantations and the forestry industry prosper – Regions VIII, IX and X – UNDP human development index scores (based on income, health and education statistics) are the lowest in the country.

On top of all this: around 17.7% of Chile's national territory is covered with native forest, which represents, according to studies, less than half of the native forest cover before the arrival of the Spanish, and which continues to be destroyed today. Recent studies indicate that in the Los Ríos region, more than 20,000 hectares of native forest have been replaced by tree plantations in the last decade. Among its

most recent scandals, Arauco was sentenced to making reparations for the environmental damage caused by the death of 33 specimens of araucaria, a native tree, to establish a plantation of exotic trees in the Bio Bio region. We should also mention the destruction of the Río Cruces Nature Sanctuary in southern Chile, for which the company was publicly sentenced and fined.

By way of example, we could cite the independent expert reports commissioned by Judge Gloria Hidalgo of the 1st Civil Court of Valdivia as part of the legal proceedings initiated six years ago by the government of Chile against CELCO-Arauco. Six independent experts – including a geographer, ecologist, biologist and chemical engineer – concluded that there is a direct link between the company's pulp mill waste discharges and the destruction of the Sanctuary. According to the experts, CELCO-Arauco has caused the ecological collapse of the wetlands, the “sudden and total death” of aquatic plants, the death of huge numbers of swans and other bird species, the loss of biodiversity, and a drastic increase in the contamination of the Sanctuary's waterways and sediments. (2)

Nevertheless, as if none of this had happened and was merely the figment of the imagination of a few individuals, the big forestry companies have continued to find endless means to further expand their influence. Arauco, the most powerful forestry company in Chile, has extended its tentacles to every single sector of society. One of the strategies it has used is to insert itself into the academic life of universities that train forestry engineers by funding infrastructure and research. The most recent case was this past March 30, when the School of Forest Sciences and Nature Conservation of the University of Chile and Celulosa Arauco Constitución (CELCO) joined together to cut the ribbon at the official inauguration of the university's new Arauco Pavilion – leading numerous organizations to join forces to circulate a letter of condemnation (in Spanish http://wrm.org.uy/paises/Chile/Pabellon_Arauco.pdf). The company also participates in international fairs and spends millions of dollars on publicity campaigns with unscrupulous slogans like “Bosques de Verdad para Chile” (“Real Forests for Chile”), alluding to its tree plantations, among other strategies.

Arauco has expanded its forestry model to other parts of Latin America, as well. In 1996, it bought the largest forestry company in Argentina, Alto Paraná S.A. Now it has moved on to Uruguay: through a joint venture with the Swedish-Finnish company Stora Enso, it is preparing to begin construction on a pulp mill in the department of Colonia, which is scheduled to enter into operation in the first half of 2013. Arauco strives to portray itself as an international model for “sustainable development” of forestry products. It claims to express this vision through “the search for opportunities for sustainable growth” and “efficient management that is responsible to the environment, local communities and future generations.” Well then, watch out Argentina and Uruguay, because in Chile, these principles have been systematically ignored.

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(Sources consulted: General Comptroller's Office of the Republic of Chile; Department of Labour of the Bio Bio Region; Arauco 2010 Sustainability Report; Forestry Companies and the Mapuche, Chamber of Deputies 2007;

<http://www.altoparana.com.ar/informacion.asp?idq=540>; www.bosquenativo.cl)

(1) In her 2007 book *The Shock Doctrine: The Rise of Disaster Capitalism*, Klein argues that free market policies have risen to prominence in some countries because they were pushed through while citizens were reacting to disasters and upheavals. She compares this economic shock doctrine to the original shock therapy, in which mentally ill patients were treated with the application of electric shocks.

(2) From an article published by the Ñuke Mapu Mapuche Information Centre:
<http://nukemapu2.blogspot.com/2011/04/juicio-contra-celco-arauco-por-el.html>

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- Kenya: Laureate Maathai advises discouraging plantation of Eucalyptus

When Kenyan Nobel Peace Laureate Wangari Maathai launched in 1977 the Green Belt Movement – promoting the planting of indigenous trees in forest catchment areas and riparian reserves, private farms with high community access, and public spaces to preserve local biological diversity – she was wary that the introduction of exotic plant species can have a severe effect on the balance of the ecosystem.

Professor Maathai called for a ban on commercial eucalyptus tree plantations in the country on the grounds that their high rate of water demand was contributing to the depletion of water.

Not only Maathai is aware of the impact of eucalyptus plantations on water: “munyua mai” (water guzzler) is the name given by Maathai’s native Kikuyu to the tree.

In 2002 fast growing species *Eucalyptus grandis* and *Eucalyptus camaldulensis* had been introduced to Kenya from South Africa and planted in great numbers everywhere. Some years later the effect of eucalyptus on water was felt when water sources began to deplete.

In 2009, environment minister, John Michuki, issued the directive to cut down eucalyptus tree species growing near water sources in an attempt to lessen the impact of the drought that was ravaging the country.

However, Minister for Forestry and Wildlife, Noah Wekesa, has launched guidelines for farmers who want to plant different species of eucalyptus.

Maathai has accused Wekesa of failing to curb eucalyptus in highlands despite the adverse effect of the trees on the soil, the water cycle, biodiversity and local vegetation. She said the government should discourage all species of eucalypts in highlands and water catchments.

Wekesa said eucalyptus fulfils local timber demands because it grows fast but Maathai argued that there are alternatives like native bamboo, which grows very fast, takes in little water, holds soil together and stops erosion, and has proved very useful in many countries where it is widely used for construction besides food and

medicine.

Standing far apart from the large-scale tree monoculture model, Maathai had already stressed the need to “expand existing proven and integrated tree-based practices such as combining conservation agriculture with agro forestry — what we might call “evergreen agriculture” (See WRM Bulletin 147). This would make it possible to achieve environmental benefits and sustainable food security and livelihoods. To achieve this will need sound decision support mechanisms from researchers — supported by policymakers for effective implementation — that builds on knowledge, partnerships and capacity.”

Article based on information from: “Maathai Wants Bamboo to Replace Eucalyptus”, John Muchangi, 27 April 2011, AllAfrica, <http://allafrica.com/stories/201104280123.html>

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- Malaysia: Landmark decision against oil palm joint venture companies

The High Court in Kuching, the capital city of the East Malaysian state of Sarawak in the island of Borneo, has made a landmark decision when it ruled out on last 20 February that any joint venture agreement between a non-native and native in oil palm plantation is in contravention of the Land Code that provides that ‘a person who is not a native of Sarawak may not acquire any rights or privileges whatever over native customary right”.

The decision is a victory for plaintiff ethnic Ibans, natives of Sarawak in the Pantu Land district, who have sued The Land Custody and Development Authority (LCDA), Pelita Holdings Sdn Bhd, Tetangga Arkab and the state government of Sarawak on behalf of themselves and 90 others.

The plaintiffs claim to be entitled to native customary rights over land in an area that had been undertaken by the defendants to establish an oil palm plantation under a joint venture agreement.

The Court declared the Ibans are entitled to their claim to land under the argument that “the natives have been deprived of their native customary rights land which is a source of their livelihood and lost the rights to their property which are violations of Articles 5 and 13 of the Constitution”.

And furthermore said that “It matters not that the landowners have been paid some dubious money of RM120.00 per hectare, a misery sum considering the fact that oil palm planted on their land had been harvested for more than three years.”

The decision of the court has wide implications for more than 20 joint venture agreements between non-natives and natives in the oil palm plantations as well as for the almost 200 lawsuits pending in the Sarawak courts relating to claims by indigenous people on lands being used for oil palms and logging.

And quite important, it restrains the companies from “entering, occupying, clearing, harvesting or in any way howsoever carrying out works in the plaintiffs’ native

customary rights land”.

In Sarawak state, once covered by rainforest, first logging and later oil palm plantations have cut down forests displacing thousands of forest people, some of whom have lived for centuries by fishing, hunting and farming in the jungle.

For many indigenous people who want to preserve their communal way of life in long houses that each are home to some 400 people, this means defending the forests that sustain them.

An Iban group of Sarawak living in the riverside (1) is determined to defend their land and has rejected an offer from a palm oil company to pay each family around US\$ 66 – a tiny amount even for people with simple means as them.

The village chief says it's not about the money. “We depend so much on the forest. We don't want to sell, the forest is not for sale”.

Article based on information from: (1)“The High Court decision has wide implications”, Joseph Tawie, The Broken Shield,
<http://thebrokenshield.blogspot.com/2011/02/high-court-decision-has-wide.html>;
“Malaysian tribes fight to protect rainforests”, Azhar Sukri, Al Jazeera's,
<http://english.aljazeera.net/video/asia/2011/04/201142962014821239.html>

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- Uruguay: The power of the plantation and pulp company Montes del Plata

Montes del Plata is the name of the joint venture created for operations in Uruguay by two forestry, pulp and paper transnationals: Arauco of Chile and the Swedish-Finnish company Stora Enso. The two have joined forces to build and operate a pulp mill that will produce at least 1.45 million tons of pulp annually.

As a result of this merger, the Montes del Plata consortium became the largest landowner in the country. It controls 250,000 hectares of land devoted to monoculture tree plantations, which will provide the raw material needed by its mega-pulp mill.

On May 25, construction work on the mill was initiated in the town of Conchillas, in the department of Colonia, despite the fact that the company has yet to release the assessment of the social impact of its operations on the region that had been demanded by the Uruguayan government's environmental authority, DINAMA. The construction of this mega-project, scheduled to take two years, will involve the hiring of up to 6,000 workers at peak times – most of them foreigners, according to predictions – who will descend on a town of around 500 inhabitants.

On top of this, a Uruguayan publication recently leaked excerpts from a “secret” investment contract signed between Montes del Plata and the Uruguayan government, in which both parties are prohibited from divulging any information related to the agreement by a “confidentiality” clause.

The contract establishes exceptional and considerable economic benefits for a

transnational investment that would not be available to any Uruguayan company. Hidden behind phrasing such as “the parties will make every possible effort to find solutions” are hours and hours of meetings between representatives of the company and the Uruguayan government, which were clearly a great success for the company. The agreement even stipulates that in the future, the company will be compensated for “significant changes in the tax regime or with regard to permits and authorizations which negatively affect the economic conditions of the project.” To learn about some of the benefits established in the agreement see “The secret investment contract between the Uruguayan government and Montes del Plata” at:

<http://www.guayubira.org.uy/2011/05/montes-del-plata-secret-investment-contract/>

The Uruguayan organization Grupo Guayubira, which has long opposed the expansion of monoculture tree plantations (and the pulp mills that accompany them) for their environmental and social impacts, has stated its condemnation of the manipulation and pressure exerted by this foreign company and warned that these types of negotiations threaten the country’s sovereignty: “This secret contract defines the course of the use of the country’s natural resources, its land management, its environment, essentially, the course of national development, conditioning the possibilities of intervention by Uruguayan society and the nation’s sovereign action for a very long period of time.”

Information gathered from the Grupo Guayubira press release “Montes del Plata: REPUDIO Y ALERTA”, <http://www.guayubira.org.uy/2011/05/montes-del-plata-repudio-y-alerta/>

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