

The “greening” of the dark palm oil business



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RSPO: The “greening” of the dark palm oil business

Over the past few decades, oil palm plantations have rapidly spread throughout Asia, Africa and Latin America, where millions of hectares have already been planted and millions more are planned for the next few years. These plantations are causing increasingly serious problems for local peoples and their environment, including social conflict and human rights violations. In spite of this, a number of actors – national and international – continue to actively promote this crop, against a background of growing opposition at the local level.

It is within this context that a voluntary certification scheme has emerged – the Roundtable for Sustainable Palm Oil- with the aim of ensuring consumers that the palm oil they consume –in foodstuffs, soap, cosmetics or fuel- has been produced in a sustainable manner.

However, to pretend that a product obtained from large scale monocultures of mostly alien palm trees can be certified as “sustainable”¹ is –to say the least- a misleading statement. This is quite evident in the case of oil palm plantations, that have a well

documented history of tropical deforestation –including enormous fires- and widespread human rights abuses in many countries².

That is however, what the Roundtable for Sustainable Palm Oil (RSPO) is already doing and the first shipment of “sustainable” palm oil arrived in the Netherlands in November 2008. The alleged “sustainability” of that first shipment was strongly questioned by Greenpeace, which said that “United Plantations, the company producing the sustainable palm oil, is cutting down trees from vulnerable peat forests in Kalimantan, Indonesia.” Greenpeace added that this company “does not comply with local Indonesian laws that protect the environment” and that it is “entangled in land conflicts with the local population.” Not a good start for RSPO’s credibility.³

The RSPO has been a long, time-consuming and expensive process, involving industry, commerce and some social and conservation NGOs⁴. The question is: why did the private sector get involved in it? The answer is very clear in an “Overview of RSPO” included in a November 24, 2008 RSPO press release:

1 _ although the concept of sustainability is open to many interpretations, most people would probably agree with the following definition from Wikipedia: “Sustainability is the capacity to endure. In ecology the word describes how biological systems remain diverse and productive over time. For humans it is the potential for long-term maintenance of wellbeing, which in turn depends on the wellbeing of the natural world and the responsible use of natural resources.”

2 _ see section on oil palm plantations in WRM’s web site at <http://www.wrm.org.uy/plantations/palm.html>

3 _ <http://www.earthtimes.org/articles/show/241082.greenpeace-first-sustainable-palm-oil-shipment-not-sustainable.html>

4 _ the RSPO was established in 2004 and the process for starting certification was completed in August 2008

“As a result of all the above mentioned issues [tropical deforestation, social conflicts over land rights, food versus fuel] some environmental and social NGOs are actively campaigning against palm oil. There is a risk that the adverse publicity might lead the European Union to stop buying palm oil for biodiesel blending or remove tax support for palm biodiesel until palm oil meets the minimum sustainability criteria. Consumer outcry for sustainably produced palm oil in their food, soaps, detergents and cosmetics is also growing louder and must not be ignored.⁵”

The above quote illustrates the powerful role NGOs have played in generating awareness about the negative impacts of oil palm plantations and the resulting impacts on business from the related “adverse publicity” and “consumer outcry” for sustainability. Business was thereby forced to respond by setting up a mechanism for proving that its activities could meet “**minimum** (*emphasis added*) sustainability criteria”. As a result, big business spearheaded a process for the creation of the Roundtable on Sustainable Palm Oil.

Background to the RSPO

According to the RSPO’s web site, “In 2001, WWF gave an assignment to Reinier de Man, a Dutch consultant, to explore the possibilities for a Roundtable on Sustainable Palm Oil. The result was an informal co-operation among Aarhus United UK Ltd, Golden Hope Plantations Berhad, Migros, Malaysian Palm Oil Association, Sainsbury’s and Unilever together with WWF in 2002. A preparatory meeting was held in London on 20 September 2002 and this was followed by a meeting in Gland on 17 December 2002.

5 _ http://www.rspo.org/resource_centre/Press%20Release%20-%20Post%20RT6_1.pdf

These organizations constituted themselves as an Organizing Committee to organize the first Roundtable meeting and to prepare the foundation for the organizational and governance structure for the formation of the RSPO”.

At the time when the RSPO process started, the oil palm industry had already managed to achieve a very bad reputation as a result of its direct involvement in human rights violations and environmental destruction. In 1999, Wakker published “Forest Fires and the Expansion of Indonesia’s Oil Palm Plantations” and one year later, Wakker *et al.* produced “Funding Forest Destruction. The Involvement of Dutch Banks in the Financing of Oil Palm Plantation in Indonesia”.

In 2001, after having been documenting the impacts of oil plantations over several years, WRM published its first book on oil palm (“The Bitter Fruit of Oil Palm”) which included three case studies in countries that were major players in Asia (Indonesia), Latin America (Ecuador) and Africa (Cameroon), accompanied by a number of articles describing struggles in those and other countries against oil palm plantations. Apart from the environmental impacts of oil palm plantations, the book documented a large number of human rights violations linked to oil palm expansion.⁶

The fact that by then both issues –forest destruction and human rights violations- had been well documented, led large corporations linked to the palm oil chain (from plantations to retailers) to think strategically about the negative impacts that growing opposition and negative publicity might have on their businesses in the future.

6 _ In September 2006 WRM published a second book (Oil Palm: From Cosmetics to Biodiesel - Colonization Lives On”).

The “solution”: voluntary certification

Within such scenario, there was a clear need for a mechanism that could certify that the activity –from the production of oil palm fruit to the industrialization of palm oil- was “sustainable”. Such mechanism should also have sufficient credibility vis a vis importing country governments and consumers.

The chosen mechanism –the RSPO- was to a large extent mirrored on the previous WWF-led process of the Forest Stewardship Council (FSC). As in the FSC, the RSPO came up with a set of Principles and Criteria resulting from a negotiation process involving a broad range of “stakeholders”; compliance with those standards would be assessed by third party certification. Both mechanisms also assure consumers that their certified products are sustainably produced: the RSPO through its own name – “Sustainable Palm Oil”- and FSC stating that “Products carrying the FSC label are independently certified to assure consumers that they come from forests that are managed to meet the social, economic and ecological needs of present and future generations” –which is the standard definition for sustainability⁷.

To claim that large-scale monoculture tree plantations can be certified as being socially and ecologically “sustainable” is however impossible. In the case of FSC, WRM has produced ample documented evidence proving that large-scale monoculture tree plantations are uncertifiable due to their social and environmental impacts⁸.

The same is applicable to large-scale monoculture oil palm plantations. The only palm oil that could truly claim to be ecologically sustainable is the one produced by local communities in Western Africa –where oil palm is a native species- from natural palm stands⁹. Small scale plantations outside the species’ native habitat –such as in the case of Bahia in Brazil where it is part of the culture of Afro-Brazilians- have also proven to be socially beneficial and environmentally sustainable.

However, most of the oil traded internationally –even from Western Africa- comes from large-scale monoculture oil palm plantations that result in widespread social and environmental impacts. As with plantations of other trees –such as eucalyptus and pines- the problem is not the species planted but the way and scale in which they are established.

In order to avoid confusions, it is important to note that industrial production¹⁰ of palm oil fruit is carried out under three main schemes: 1) in large corporate-owned plantations; 2) in smallholder farmers’ lands; 3) in a combination of both –the “nucleus estate-outgrowers” model. However, in all three cases the result is the same: a large area of contiguous land is occupied by monoculture oil palm plantations.

The impacts of such plantations on plant and animal biodiversity are enormous, because they destroy the habitat –usually forest ecosystems- of a large number of species. Those impacts are further

7 _ http://www.fsc.org/vision_mission.html

8 _ see WRM web page section on certification: <http://www.wrm.org.uy/actors/FSC/index.html>

9 _ wild groves are harvested by subsistence farmers who extract the oil by traditional methods. In West Africa, palm oil is a major food item and it is typically used for making food stuffs with its natural flavour having a distinguishable effect on dishes. Palm oil is also used to make palm wine and local medicines. The leaves may also be used to make thatches, which are often used as roofing material in certain areas.

10 _ harvesting from wild groves or small scale plantations is not considered to be “industrial production”.

magnified by the heavy use of agrotoxics –ranging from herbicides to insecticides- that result in the elimination of yet more animal and plant species. Water resources are also impacted –and thus the living organisms dependent on water- due to site preparation for plantations –which includes extensive drainage systems- as well as by pollution resulting from the use of agrotoxics. In addition, these monoculture plantations provoke erosive processes, because their establishment involves the clearing of land formerly covered by forests, which leaves the soil totally exposed to heavy tropical rains.

The impacts of plantations on local communities are in many cases severe, particularly in corporate-owned plantations that appropriate large areas of land which had hitherto been in the hands of indigenous or peasant populations and had provided for their livelihoods. This dispossession commonly generates resistance from local people, which is in turn confronted by repression by state forces as well as that of the oil palm companies themselves. The violation of land rights is thus typically followed by other human rights violations, including even the right to life.

Leaving aside other social and environmental impacts, it is a well known fact that most of the plantations owned by the companies involved in the RSPO process have been established at the expense of tropical forests. In spite of that, the fruit harvested from those same plantations will be industrialized and sold as “sustainable” palm oil. This is made possible by one of the RSPO’s criterions (7.3), which states that certification will check that “New plantings since November 2005, have not replaced primary forest”. This of course means that all deforestation prior to that date will not be taken into account and that those plantations will receive the RSPO seal of approval. Given that oil palms can be harvested for up to 30 years, this implies that much of the palm oil traded with the RSPO

“sustainable” seal in the coming 10-20 years will be harvested from plantations that have “replaced primary forest”.

The scenario most likely to result from the RSPO process is that in the future there will be two production sectors supplying different markets. On the one hand, there will be a group of certified companies that will attempt to a greater or lesser extent to comply with the principles and criteria adopted by the RSPO, while on the other hand, there will be a second group of uncertified companies that will continue with “business as usual”. The first will cater for markets like the European Union, where consumers –and governments- demand compliance with certain social and environmental standards, while the second will supply all the other less demanding markets.

To complicate matters further, what is being certified is not the overall performance of an oil palm company, but specific plantation areas. This means that it is possible that one company will have some of its operations certified under RSPO principles and criteria while other operations of the same company will be carried out violating those same principles. This would be a likely scenario in plantations owned by one company in different regions within a country, as well as in different countries.

The final result will be that the cultivation of oil palm will continue to expand and the accumulated impacts of both “sustainable” and other plantations will continue to have serious impacts on people and their environment. The RSPO will have fulfilled its main objective: growth (as stated in the RSPO website: “Promoting the Growth and Use of Sustainable Palm Oil”).

A firm grasp by corporations

The power balance between corporations and NGOs is clearly shown in the RSPO's current Executive Board (February 2010), where the majority of its members represent corporations or associations of corporations:

President: Jan Kees Vis - Unilever

Vice-President I: Adam Harrison - WWF Scotland

Vice-President II: Derom Bangun - Indonesian Palm Oil Producers Association (GAPKI)

Vice-President III: Jeremy Goon - Wilmar International

Vice-President IV: Marcello Brito – Agropalma, Brazil

Treasurer: Ian McIntosh - Aarhus United UK

Members:

Marc den Hartog – IOI Group (Malaysia/Netherlands)

Paul Norton - HSBC Bank Malaysia Berhad

Johan Verburg - Oxfam International

Timothy J. Killeen – Conservation International

Faisal Firdaus - Carrefour Group, France

John Baker - Rabobank International

Christophe Liebon - Intertek

Tony Lass - Cadbury plc

Mohd Nor Kailany - FELDA

Abetnego Tarigan - Sawit Watch

From the above it is clear that there are only 2 Environmental/nature conservation NGOs (WWF and Conservation International) and 2 representing Social/development NGOs (Oxfam and Sawit Watch). The other 12 represent Oil palm growers (4), Palm oil processors and/or traders (2), Consumer goods manufacturers (2), Retailers (2), Banks/investors (2).

Additionally, its ordinary and affiliate members include some very well-known names of corporations typically associated with negative social and environmental impacts such as Cargill, Cognis, International Finance Corporation, British Petroleum, Bunge, Syngenta and Bayer among other.

A corporate-friendly certification system

In theory, certification under RSPO implies compliance with the established Principles and Criteria. However, experience with other certification schemes (such as the FSC), shows that companies are not required to comply with every single principle and criterion in order to receive certification and in case of non compliance with some principles/criteria certifiers will simply demand the company to carry out “corrective actions” within a certain period of time. Some corrective action requests (CARs) are defined as “minor” and others as “major”. One would assume that if “major” corrective actions are needed, certification would not be granted until the problem is solved. However, this is not the case, and certification is given prior to the implementation of the necessary actions.

Taking the above into account, we decided to analyse how easy or difficult it might be for companies to comply with as many criteria as possible to receive the “sustainable palm oil” certificate. With that aim, we organized the criteria under the following headings:

- 1 Criteria that all companies are obliged to comply with
- 2 Criteria that any large company will comply with
- 3 Criteria that any large company would like to comply with
- 4 Criteria that any large company can comply with, without major problems

5 Criteria where compliance will require some “flexibility” and “interpretation” from certifiers

6 Criteria that some companies can and others cannot comply with

The full list of criteria organized under those headings is included in Annex 1. The following are some examples to illustrate the approach:

1 Criteria that all companies are obliged to comply with

Criterion 2.1 There is compliance with all applicable local, national and ratified international laws and regulations.

2 Criteria that any large company will comply with

Criterion 3.1 There is an implemented management plan that aims to achieve long-term economic and financial viability.

3 Criteria that any large company would like to comply with

Criterion 4.2 Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield.

4 Criteria that any large company can comply with without major problems

Criterion 1.1 Oil palm growers and millers provide adequate information to other stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages & forms to allow for effective participation in decision making.

5 Criteria where compliance will require some “flexibility” and “interpretation” from certifiers

Criterion 2.2 The right to use the land can be demonstrated, and is not **legitimately** contested by local communities with **demonstrable** rights. [emphasis added]

6 Criteria that some companies can and others cannot comply with

Criterion 7.5 No new plantings are established on local peoples’ land without their free, prior and informed consent, dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.

The above groupings were then classified under two headings: “easy” and “difficult”:

EASY

1	Criteria that all companies are obliged to comply with:	1
2	Criteria that any large company will comply with:	3
3	Criteria that any large company would like to comply with:	18
4	Criteria that any large company can comply with without major problems:	10

TOTAL EASY: 32

DIFFICULT

5	Criteria where compliance will require some “flexibility” and “interpretation” from certifiers:	5
6	Criteria that some companies can and others cannot comply with:	2

TOTAL DIFFICULT: 7

The main conclusion from the above is that 82% of the criteria are fairly easy to comply with, which means that the RSPO will not result in a major hurdle for achieving the required “sustainability” seal for accessing the European market –even if some important criteria are not complied with.

Additionally, certifying firms have a long history of certification of large-scale tree plantations under the FSC scheme, where they have consistently violated the principles and criteria to provide the FSC logo to uncertifiable plantations¹¹. Their participation will ensure that the remaining hurdles will be easily overcome by almost any company wishing to certify its operations.

A look into the Principles and Criteria

The fact that most of the criteria appear to be relatively easy to comply with is already an indication that the RSPO will not result in major changes to current practices.

More importantly, the principles and criteria themselves allow for a continuation of many of the current socially and environmentally negative practices.

To begin with, they allow companies to greenwash their past. This is the case of Criterion 7.3, which states that “New plantings since November 2005, have not replaced primary forest or any area required to maintain or enhance one or more High Conservation Values.”

¹¹ _ see letter from organizations in 8 countries demanding FSC to withdraw certificates at http://www.wrm.org.uy/actors/FSC/Campaign_De_Certification/De_Certification_Campaign.html

Given that most of the existing oil palm plantations have been established at the expense of primary forests, the date established in this criterion means that all deforestation prior to that date will not be taken into account and that those plantations will be able to receive certification.

From that date on, companies will be able to continue to replace forests by plantations, as long as they are not “primary forests” or areas “required to maintain or enhance one or more High Conservation Values”.

This criterion is complemented with Criterion 5.2, that says: “The status of rare, threatened or endangered species and high conservation value habitats, if any, that exist in the plantation or that could be affected by plantation or mill management, shall be identified and their conservation taken into account in management plans and operations.”

In line with criterion 7.3., this means that most species and habitats can be destroyed by the plantation as long as they are not “rare, threatened or endangered species” or “high conservation value habitats”. But even in these cases, the company is only required to “identify” their “status” and to take their conservation “into account” in management plans and operations.

Regarding local communities, there are several criteria that appear to protect their rights, but on a closer look, they are sufficiently vague and could be even used to legitimate past and future appropriation of community lands.

For instance, Criterion 2.2 says that “The right to use the land can be demonstrated, and is not legitimately contested by local communities with demonstrable rights.”

That means that certifiers will have to judge the “legitimacy” of local peoples land claims and on whether they have “demonstrable rights” for proving it, while at the same time being hired by a company that will obviously hold the view that it can “demonstrate” its right to use the land.

A similar situation arises with Criterion 2.3: “Use of the land for oil palm does not diminish the legal rights, or customary rights, of other users, without their free, prior and informed consent.”

The wording of the criterion is very vague. The expression “does not diminish” is not synonymous to “does not violate”, while “other users” is not the same as “local communities”. In cases where those rights have “diminished”, who will judge if this happened or not with everyone’s “free, prior and informed consent”?

Criterion 7.5 adds that “No new plantings are established on local peoples’ land without their free, prior and informed consent, dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.”

This criterion would appear to be a safeguard for preventing companies to encroach on local peoples’ lands. However, certifiers would have to ensure that free and prior consent was achieved after the communities had had access to all relevant information on both impacts and benefits that could result from plantations and that the company involved did not manipulate the process in any way.

The above criterion is complemented by Criterion 7.6: “Local people are compensated for any agreed land acquisitions and relinquishment of rights, subject to their free, prior and informed consent and negotiated agreements.”

This means that compensation will be agreed upon between a large and powerful company and a small or several small communities or even individual landholders. Although obviously better than being expelled by force –as has commonly been the case- these negotiations will necessarily be unbalanced and will favour the large company.

Another major impact from oil palm plantations is the use of fire to clear land, which results in both forest destruction and CO2 emissions contributing to climate change. The relevant criteria demand that “Use of fire for waste disposal and for preparing land for replanting is avoided except in specific situations, as identified in the ASEAN guidelines or other regional best practice.” (criterion 5.5) and that “Use of fire in the preparation of new plantings is avoided other than in specific situations, as identified in the ASEAN guidelines or other regional best practice.” (criterion 7.7).

Although not using fire may seem to be a positive step forward, the adoption of the ASEAN¹² guidelines implies another set of negative impacts, ranging from the compaction and erosion of the soil by the recommended use of heavy machinery and by the increased use of agrottoxics for controlling pests whose population used to be controlled by the use of fire. However, the wording of the criterion is sufficiently vague so as to allow some interpretation by certifiers: use of fire is “avoided” –not banned- and there can even be exceptions “in specific situations”. This wording can be very useful for companies in Latin America, Papua New Guinea and Africa – that are not ASEAN members- which could apply “other regional best practices” allowing the use of fire.

12 _ http://pdf.usaid.gov/pdf_docs/PNACU609.pdf

Apart from forest destruction and appropriation of local peoples' lands, another major impact of the oil palm industry is the widespread use of agrochemicals (fertilizers, pesticides and herbicides), which has impacted on workers' and local peoples' health as well as on the environment as a whole.

In this respect, it would have been expected that the RSPO criteria would imply a major change in their use. What Criterion 4.6 demands is that "Agrochemicals are used in a way that does not endanger health or the environment. There is no prophylactic use of pesticides, except in specific situations identified in national Best Practice guidelines. Where agrochemicals are used that are categorised as World Health Organisation Type 1A or 1B, or are listed by the Stockholm or Rotterdam Conventions, growers are actively seeking to identify alternatives, and this is documented." In order to comment on this criterion, it is necessary to divide it in two parts.

The first one "Agrochemicals are used in a way that does not endanger health or the environment" is impossible to comply with, for the simple reason that agrochemicals will always endanger health and the environment. While companies can train operators and provide them with safety equipment, there will always be a health hazard. Regarding the environment, agrochemicals will always –to a larger or lesser extent- endanger local animals and plants. It is therefore obvious that this criterion will need to be interpreted as meaning something very different from what it implies.

The second part of the criterion is more in line with reality. It means that pesticides will not be applied to prevent pests (this is the meaning of "prophylactic use") but to control pests once they occur –though with the possibility of the flexible use of the wording

"except in specific situations identified in national Best Practice guidelines". In sum, that pesticides will continue being used. To make matters worse, the use of the most dangerous pesticides - World Health Organisation Type 1A or 1B, or those listed by the Stockholm or Rotterdam Conventions- is not banned. Companies will only need to prove that they "are actively seeking to identify alternatives". Among other agrotoxics, this means that one of the most hazardous herbicides –Paraquat- will continue being used in RSPO certified plantations –except where governments ban them, as has been the case in Malaysia.

Finally, another important impact of the oil palm industry is the exploitation of workers. In this respect, RSPO Criterion 6.5 says that "Pay and conditions for employees and for employees of contractors always meet at least legal or industry minimum standards and are sufficient to provide decent living wages."

This criterion is almost meaningless. Firstly, because meeting "at least" legal minimum standards is a legal obligation (therefore covered under Criterion 2.1). Secondly, because there is no definition on the meaning of "decent living wages", which is therefore left open for the certifiers' interpretation. The criterion says nothing about working and living conditions, which are in many cases inhuman, dangerous, unhealthy and exploitative.

The following Criterion (6.6) demands that "The employer respects the right of all personnel to form and join trade unions of their choice and to bargain collectively. Where the right to freedom of association and collective bargaining are restricted under law, the employer facilitates parallel means of independent and free association and bargaining for all such personnel."

Although obviously one of the most positive RSPO criteria, the second part is in clear violation of criterion 2.1 (“compliance with all applicable local, national ... laws and regulations”) and in cases such as those it is doubtful that any company will need to comply with that condition in order to obtain certification.

Regarding child labour, Criterion 6.7 states that “Children are not employed or exploited. Work by children is acceptable on family farms, under adult supervision, and when not interfering with education programmes. Children are not exposed to hazardous working conditions.”

This is one of the most positive criteria, though in most countries child labour is illegal and therefore already contained in criterion 2.1. In the case of family farms working under outgrower schemes, it would be very difficult to ensure compliance through certifiers unless formal complaints are made.

Criterion 6.8 would also seem to be a positive one: “Any form of discrimination based on race, caste, national origin, religion, disability, gender, sexual orientation, union membership, political affiliation, or age, is prohibited.”

However, this criterion appears to be a declaration of intent. Most – if not all- of those conditions are usually included in national legislation and even in Constitutions. Unless a company has a consistent policy of discriminating against some of those groups, individual cases of discrimination will not be a cause for preventing certification. In most cases, such discrimination will be very difficult to prove, because companies will have a number of arguments for not hiring certain individuals which they discriminate against.

A specific criterion on women (6.9) establishes that “A policy to prevent sexual harassment and all other forms of violence against women and to protect their reproductive rights is developed and applied.”

This is one of the few mandatory criteria, because companies need to prove that they do have a policy and that the policy is applied. However, it is very limited in scope regarding the needs and rights of female workers. For instance, a common situation is that of women that are often 10 or 12 hours out of their homes and have difficulties in finding someone to look after their children. Companies should provide child care facilities for those workers, but this is normally not the case.

A general conclusion on the whole set of principles and criteria is that it is clear that they are the result of a negotiation process between company representatives concerned about their business and other participants more interested in social and environmental issues. Perhaps the most obvious example is Criterion 6.11, which starts by stating that “Growers and millers contribute to local sustainable development” but ends up adding “wherever appropriate”, thus totally diluting the aim of the criterion.

Sustainable, improved or greenwashed?

The problem with the RSPO is that it conveys the message that palm oil can be certified as “sustainable”. Confronted with that claim, the only possible response from anyone who knows something about the impacts of large-scale oil palm monocultures is that RSPO certification is a fraud.

Most people would of course agree that a company that complies with some of the more progressive social and environmental criteria included in the RSPO's principles and criteria will have improved its performance. Even when the wording of almost every criterion allows for some "flexibility" in its interpretation, some criteria are at least a step forward as compared with currently prevailing practices. For instance, criterion 6.5 establishes that "Pay and conditions for employees and for employees of contractors always meet at least legal or industry minimum standards and are sufficient to provide decent living wages." It's not much to require "minimum standard" wages and it is difficult to define what "decent living wages" means, but it's obviously better than nothing.

Some social organizations –particularly in Indonesia- have seen this process as an opportunity for helping to open up political space for Indigenous Peoples and affected communities. It is clear to them that the RSPO cannot solve the fundamental problems of land tenure and community rights but it has been successfully used by some communities to assert their rights, and force member companies to respect the rights of communities affected by their oil palm operations. As some companies attempt to apply the RSPO standard, this is helping to show that companies and the industry overall will not be able to respect Indigenous Peoples' and communities' rights unless there is legal reform.

However, the question is not whether the RSPO will help for improving current practices –which it probably will in some cases- but on whether it can be a useful means for addressing the industry's most severe impacts on forests, local peoples, soils, water, biodiversity and climate. And the answer is no.

Regarding forests, the RSPO legalizes past, present and future destruction of all types of forests, with the exception of "primary

forests" and "rare, threatened or endangered species and high conservation value habitats".

In relation to local peoples' rights, the criteria do not ensure sufficient safeguards against the further expansion of oil palm plantations over their territories, which will deprive them of their lands and means of livelihoods, while at the same time impacting on their health.

As respects to soils, water and biodiversity, the RSPO will only serve to disguise the inevitable impacts of oil palm plantation management on these three crucial resources, while forest destruction will add further CO2 emissions to climate change.

Widespread civil society opposition

Contrary with what happened with the Forest Stewardship Council – and probably as a result of that scheme's drawbacks- few civil society organizations have participated in the RSPO process and many are actively opposing it.

On October 2008, a large number of national and international organizations responded to the first Latin American meeting of the RSPO with an "International Declaration Against the 'Greenwashing' of Palm Oil by the Roundtable on Sustainable Palm Oil".

The fact that the meeting was being held in Colombia appeared to prove the concerns of those organizations, given the long history of direct involvement of Colombian military and paramilitary forces in forced evictions of entire communities –including murder, torture, rape and disappearances- to make way for oil palm plantations.

The declaration defined the RSPO as “a tool for the expansion of the palm oil business” and as “another attempt at camouflaging and denying the true situation, providing ‘a green-wash’ to make a model of production that is intrinsically destructive and socially and environmentally unsustainable, appear to be ‘responsible’.” The declaration rejected the RSPO based on a number of reasons, among which the following:

- The principles and criteria proposed by RSPO to define sustainability include large-scale plantations
- RSPO is designed to legitimate the continuous expansion of the palm oil industry.
- Any model that includes the conversion of natural habitats into large-scale monoculture plantations cannot, by definition, be sustainable.
- RSPO is interested in economic growth and opening up markets in the palm oil sector, but not in social and environmental sustainability.
- RSPO is dominated by the industry and does not genuinely consult affected communities.
- The participation of NGOs in RSPO only legitimates an unacceptable process. Major organizations, such as the WWF promote and endorse this process which does not address the real problems of the affected populations of the South, but only worsens them.
- RSPO’s scheme enables companies to certify individual plantations, eluding overall assessment of their whole production. The “star” plantation enables them to show themselves as being “environmentally responsible” although they act in an irresponsible social and environmental manner. This has already happened in the past with other certification systems for industrial tree plantations, such as FSC’s forest certification system.

- RSPO is yet another attempt at camouflaging and denying the true situation, providing “a green-wash” to make a model of production that is intrinsically destructive and socially and environmentally unsustainable, appear to be “responsible.” (see full declaration and signatories in Annex 3)

One year later, and prior to the November 2009 RSPO general assembly in Malaysia, an open letter was sent to RSPO and WWF by a number of organizations under the heading “Oil palm monocultures will never be sustainable”. The signatories began stating that “Last year, over 250 groups worldwide, amongst them many which represent communities affected by oil palm plantations in Asia, Africa and Latin America, signed an International Declaration Against the Greenwashing of Palm Oil by the RSPO. Since then, oil palm expansion and greenwashing has continued and a WWF campaign has provided a major boost to the RSPO's image in the media.

The letter said that “We are deeply concerned that RSPO certification is being used to legitimise an expansion in the demand for palm oil and thus in oil palm plantations, and it serves to greenwash the disastrous social and environmental impacts of the palm oil industry. The RSPO standards do not exclude clear cutting of many natural forests, the destruction of other important ecosystems, nor plantings on peat. The RSPO certifies plantations which impact on the livelihoods of local communities and their environments. The problems are exacerbated by the in-built conflict of interest in the system under which a company wanting to be certified commissions another company to carry out the assessment.” (see full declaration and signatories in Annex 4)

The need to step up the struggle

Regardless of the good intentions of the NGO representatives – and even those from other sectors – who are participating in the RSPO process, the question remains whether industrial monoculture oil palm plantations can be socially and environmentally sustainable.

It is obvious that the majority of the members and affiliate members of the RSPO do not question the expansion of oil palm monocultures. On the contrary, they are actively seeking to boost both production and consumption aimed at traditional markets (food, soaps, detergents and cosmetics) and at the new emerging market of agrofuels. While it is true that many aspects of the production process can be improved, it is equally true that the model as a whole – even with these improvements – continues to be unsustainable.

Basically, the industrial production of palm oil is intrinsically tied to large-scale monocultures which require the use of large quantities of externally supplied inputs such as fertilizers, herbicides and pesticides, with the consequent impacts on the health of workers and local residents and the pollution of the environment.

At the same time, palm oil production requires large areas of land in areas originally covered by tropical forests, whose replacement with

monoculture oil palm plantations leads to serious social and environmental impacts.

As in the case of large-scale monoculture pine and eucalyptus plantations, certification will help the industry to expand its plantations and the accumulated impacts of both certified and non-certified plantations will continue to result in serious impacts on people and their environment.

Regardless of the intentions of the different sectors involved in the production, processing and marketing of palm oil, it is important to stress that the process they have initiated did not emerge out of the blue, but was in fact the result of the many local resistance struggles and national and international campaigns waged to denounce the current situation.

Therefore, rather than supporting or opposing the RSPO process, what is most important now is to step up these struggles and campaigns to curb the further advance of this essentially destructive industrial model. The key challenge today is not that of improving large-scale monoculture oil palm plantations, but rather on halting their expansion.

That was, is, and will continue to be our main role.

Annex 1

Classification of criteria according to ease or difficulty of compliance

1 - Criterion that all companies are obliged to comply with (1)

Criterion 2.1 There is compliance with all applicable local, national and ratified international laws and regulations.

2 - Criteria than any large company will comply with (3)

Criterion 3.1 There is an implemented management plan that aims to achieve long-term economic and financial viability.

Criterion 4.1 Operating procedures are appropriately documented and consistently implemented and monitored.

Criterion 7.2 Soil surveys and topographic information are used for site planning in the establishment of new plantings, and the results are incorporated into plans and operations.

3 - Criteria than any large company would like to comply with (18)

Criterion 4.2 Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield.

Criterion 4.3 Practices minimise and control erosion and degradation of soils.

Criterion 4.5 Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management (IPM) techniques.

Criterion 4.7 An occupational health and safety plan is documented, effectively communicated and implemented.

Criterion 4.8 All staff, workers, smallholders and contractors are appropriately trained.

Criterion 5.1 Aspects of plantation and mill management, including replanting, that have environmental impacts are identified, and plans to mitigate the negative impacts and promote the positive ones are made, implemented and monitored, to demonstrate continuous improvement.

Criterion 5.4 Efficiency of energy use and use of renewable energy is maximised.

Criterion 5.6 Plans to reduce pollution and emissions, including greenhouse gases, are developed, implemented and monitored.

Criterion 6.2 There are open and transparent methods for communication and consultation between growers and/or millers, local communities and other affected or interested parties.

Criterion 6.3 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all parties.

Criterion 6.5 Pay and conditions for employees and for employees of contractors always meet at least legal or industry minimum standards and are sufficient to provide decent living wages.

Criterion 6.7 . Children are not employed or exploited. Work by children is acceptable on family farms, under adult supervision, and when not interfering with education programmes. Children are not exposed to hazardous working conditions.

Criterion 6.8 Any form of discrimination based on race, caste, national origin, religion, disability, gender, sexual orientation, union membership, political affiliation, or age, is prohibited.

Criterion 6.10 Growers and mills deal fairly and transparently with smallholders and other local businesses.

Criterion 6.11 Growers and millers contribute to local sustainable development wherever appropriate.

Criterion 7.1 A comprehensive and participatory independent social and environmental impact assessment is undertaken prior to establishing new plantings or operations, or expanding existing ones, and the results incorporated into planning, management and operations.

Criterion 7.4 Extensive planting on steep terrain, and/or on marginal and fragile soils, is avoided.

Criterion 8.1 Growers and millers regularly monitor and review their activities and develop and implement action plans that allow demonstrable continuous improvement in key operations.

4 - Criteria than any large company can comply with without major problems (10)

Criterion 1.1 Oil palm growers and millers provide adequate information to other stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages & forms to allow for effective participation in decision making.

Criterion 1.2 Management documents are publicly available, except where this is prevented by commercial confidentiality or where disclosure of information would result in negative environmental or social outcomes.

Criterion 5.2 The status of rare, threatened or endangered species and high conservation value habitats, if any, that exist in the plantation or that could be affected by plantation or mill management, shall be identified and their conservation taken into account in management plans and operations.

Criterion 5.3 Waste is reduced, recycled, re-used and disposed of in an environmentally and socially responsible manner.

Criterion 5.5 Use of fire for waste disposal and for preparing land for replanting is avoided except in specific situations, as identified in the ASEAN guidelines or other regional best practice.

Criterion 6.1 Aspects of plantation and mill management, including replanting, that have social impacts are identified in a participatory way, and plans to mitigate the negative impacts and promote the

positive ones are made, implemented and monitored, to demonstrate continuous improvement.

Criterion 6.6 The employer respects the right of all personnel to form and join trade unions of their choice and to bargain collectively. Where the right to freedom of association and collective bargaining are restricted under law, the employer facilitates parallel means of independent and free association and bargaining for all such personnel.

Criterion 6.9 A policy to prevent sexual harassment and all other forms of violence against women and to protect their reproductive rights is developed and applied.

Criterion 7.3 New plantings since November 2005, have not replaced primary forest or any area required to maintain or enhance one or more High Conservation Values.

Criterion 7.7 Use of fire in the preparation of new plantings is avoided other than in specific situations, as identified in the ASEAN guidelines or other regional best practice.

5 - Criteria where compliance requires some “flexibility” and “interpretation” from certifiers (5)

Criterion 2.2 The right to use the land can be demonstrated, and is not legitimately contested by local communities with demonstrable rights.

Criterion 2.3 Use of the land for oil palm does not diminish the legal rights, or customary rights, of other users, without their free, prior and informed consent.

Criterion 4.4 Practices maintain the quality and availability of surface and ground water.

Criterion 4.6 Agrochemicals are used in a way that does not endanger health or the environment. There is no prophylactic use of pesticides, except in specific situations identified in national Best Practice guidelines. Where agrochemicals are used that are categorised as World Health Organisation Type 1A or 1B, or are listed by the Stockholm or Rotterdam Conventions, growers are actively seeking to identify alternatives, and this is documented.

Criterion 6.4 Any negotiations concerning compensation for loss of legal or customary rights are dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.

6 - Criteria that some companies can and others cannot comply with (2)

Criterion 7.5 No new plantings are established on local peoples' land without their free, prior and informed consent, dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.

Criterion 7.6 Local people are compensated for any agreed land acquisitions and relinquishment of rights, subject to their free, prior and informed consent and negotiated agreements.

SUMMARY

EASY

Criteria that all companies are obliged to comply with:	1
Criteria than any large company will comply with:	3
Criteria than any large company would like to comply with:	18
Criteria than any large company can comply with without major problems:	10

TOTAL EASY: 32

DIFFICULT

Criteria where compliance will require some “flexibility” and “interpretation” from certifiers:	5
Criteria that some companies can and others cannot comply with:	2

TOTAL DIFFICULT: 7

Annex 2

Comments on the RSPO Criteria

Principle 1: Commitment to transparency

Criterion 1.1. Oil palm growers and millers provide adequate information to other stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages & forms to allow for effective participation in decision making.

Comment: To demand “adequate” information in “appropriate” forms is obviously open to interpretation as well as the meaning of “effective participation in decision making”. More importantly, there is no requirement for including the results of “effective participation” in decision making. The result would be that people would be informed about the company’s viewpoints “on environmental, social and legal issues relevant to RSPO Criteria”, that they would be allowed to give their views and that the company would make the final decisions.

Criterion 1.2. Management documents are publicly available, except where this is prevented by commercial confidentiality or where disclosure of information would result in negative environmental or social outcomes.

Comment: This is clearly a loophole. All management documents should be made publicly available. “Commercial confidentiality” can be used by the company to avoid disclosure of any document it

wishes to maintain secret. To make matters worse, the last part of the criterion -“where disclosure of information would result in negative environmental or social outcomes”- leaves the door wide open for corporate secrecy on the most important issues. How can the disclosure of information result in negative “environmental” outcomes? More importantly, if disclosure of information of management documents can result in negative “social outcomes”, it is precisely because there is something there that can make local people react against it. This is precisely the case where the information is most needed by local communities and it is precisely here that the information can be prevented from being made available. In sum, the criterion allows companies to make all the irrelevant information available and to prevent access to the truly important information.

Principle 2: Compliance with applicable laws and regulations

Criterion 2.1. There is compliance with all applicable local, national and ratified international laws and regulations.

Comment: This criterion deserves no comment, because complying with the law is what must be expected from any company.

Criterion 2.2. The right to use the land can be demonstrated, and is not legitimately contested by local communities with demonstrable rights.

Comment: Certifiers will have to judge the “legitimacy” of local peoples land claims and on whether they have “demonstrable rights” for proving it, while at the same time being hired by a company that will obviously hold the view that it can demonstrate its “right to use the land”. Mission impossible, unless a great deal of “flexibility” and “interpretation” is used by the certifiers.

Criterion 2.3. Use of the land for oil palm does not diminish the legal rights, or customary rights, of other users, without their free, prior and informed consent.

Comment: The wording is very vague. “Does not diminish” is not the same as “does not violate”. “Other users” is not the same as “local communities”. In cases where those rights are “diminished”, who will judge if this happened or not with everyone’s “free, prior and informed consent”?

Principle 3: Commitment to long-term economic and financial viability

Criterion 3.1. There is an implemented management plan that aims to achieve long-term economic and financial viability.

Comment: To have a whole principle –and one single criterion- on something like this –which all companies are supposed to aim at- is completely superfluous. But even then, the criterion is much less stringent than the principle itself. In fact, companies will only need to prove that they have implemented a management plan that “aims”

at achieving long-term viability –which is not the same as proving a “commitment” to long-term viability.

Principle 4: Use of appropriate best practices by growers and millers

Criterion 4.1. Operating procedures are appropriately documented and consistently implemented and monitored.

Comment: The criterion doesn’t require an assessment on whether the operating procedures are adequate and useful.

Criterion 4.2. Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield.

Comment: The criterion only mentions “soil fertility” (which can be “improved” with the addition of chemical fertilizers), which is only linked to “optimal and sustained yield”, but there is nothing regarding soil biodiversity and quality.

Criterion 4.3. Practices minimise and control erosion and degradation of soils.

Comment: To “minimize” is not the same as to “prevent”. Practices that “minimize” erosion and soil degradation can actually result in the degradation of soils in the long run.

Criterion 4.4. Practices maintain the quality and availability of surface and ground water.

Comment: This is something clearly impossible to achieve. In the best of cases, companies might be able to prove that they have minimized –or mitigated- negative impacts on water quality and quantity. However, to prove that water quality has not been affected by soil erosion and chemical contamination or that its availability has not decreased through the industry’s standard drainage practices will need a great deal of “flexibility” and “interpretation”.

Criterion 4.5. Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management (IPM) techniques.

Comment: IPM techniques are in general terms a step forward as compared to more conventional chemical pesticide use. However, it does not exclude agrochemicals, which can be used in an “appropriate” manner.

Criterion 4.6. Agrochemicals are used in a way that does not endanger health or the environment. There is no prophylactic use of pesticides, except in specific situations identified in national Best Practice guidelines. Where agrochemicals are used that are categorised as World Health Organisation Type 1A or 1B, or are listed by the Stockholm or Rotterdam Conventions, growers are actively seeking to identify alternatives, and this is documented.

Comment: This criterion needs to be divided in two parts. The first one “Agrochemicals are used in a way that does not endanger health or the environment” is impossible to comply with, for the simple reason that agrochemicals will always endanger health and the environment. While companies can train operators and provide them with safety equipment, there will always be a health hazard. Regarding the environment, agrochemicals will always –to a larger

or lesser extent- endanger local animals and plants. The second part is more in line with reality. It means that pesticides will not be applied to prevent pests (prophylactic use) but to control pests once they occur. As usual, with the possibility of the flexible use of the wording “except in specific situations identified in national Best Practice guidelines”. In sum, that pesticides will continue being used. To make matters worse, the use of the most dangerous pesticides - World Health Organisation Type 1A or 1B, or those listed by the Stockholm or Rotterdam Conventions- are not banned. Companies will only need to prove that they “are actively seeking to identify alternatives”. Among other agrotoxics, this means that one of the most hazardous herbicides –Paraquat- will continue being used in “certified” plantations –except where governments ban them, as has been the case in Malaysia.

Criterion 4.7. An occupational health and safety plan is documented, effectively communicated and implemented.

Comment: It doesn’t say anything about requirements for the plan; the only requirement is that it “is documented, effectively communicated and implemented.”

Criterion 4.8. All staff, workers, smallholders and contractors are appropriately trained.

Comment: Training is economically beneficial for companies, because it results in increased productivity. The use of the expression “appropriately trained” – instead of more strict and specific wording on health and safety- is sufficiently broad for ensuring easy compliance.

Principle 5: Environmental responsibility and conservation of natural resources and biodiversity

Criterion 5.1. Aspects of plantation and mill management, including replanting, that have environmental impacts are identified, and plans to mitigate the negative impacts and promote the positive ones are made, implemented and monitored, to demonstrate continuous improvement.

Comment: Companies only need to prove “continuous improvement” to “mitigate the negative impacts”, but not that those impacts have been prevented.

Criterion 5.2. The status of rare, threatened or endangered species and high conservation value habitats, if any, that exist in the plantation or that could be affected by plantation or mill management, shall be identified and their conservation taken into account in management plans and operations.

Comment: This means that most species and habitats can be destroyed by the plantation as long as they are not “rare, threatened or endangered species” or “high conservation value habitats”. But even in these cases, the company is only required to “identify” their “status” and to take their conservation “into account” in management plans and operations.

Criterion 5.3. Waste is reduced, recycled, re-used and disposed of in an environmentally and socially responsible manner.

Comment: Positive, though of marginal importance

Criterion 5.4. Efficiency of energy use and use of renewable energy is maximised.

Comment: What does “maximized” mean? There is no requirement about how much renewable energy is used. There is no mention about the use of energy in plantation machinery or in local transport of fruit or in international transport to export markets.

Criterion 5.5. Use of fire for waste disposal and for preparing land for replanting is avoided except in specific situations, as identified in the ASEAN guidelines or other regional best practice.

Comment: Although not using fire may seem to be a very positive step forward –particularly when remembering the huge oil palm-related fires in Indonesia- the adoption of the ASEAN (*) guidelines implies another set of negative impacts, ranging from the compaction of the soil by the recommended use of heavy machinery and by the increased use of agrotoxics for controlling pests whose population used to be controlled by the use of fire. However, the wording of the criterion is sufficiently vague so as to allow some interpretation by certifiers: use of fire is “avoided” –not banned- and there can even be an exception “in specific situations”. This wording can be very useful for companies in Latin America, Papua New Guinea and Africa –that are not ASEAN members- which could apply “other regional best practices” allowing the use of fire.¹³

Criterion 5.6. Plans to reduce pollution and emissions, including greenhouse gases, are developed, implemented and monitored.

Comment: The only requirement is to “reduce”, without quantifying how much. One per cent? Ten percent? There is no mention about the use of energy in plantation machinery or in local transport of fruit or in international transport to export markets. No

¹³ http://pdf.usaid.gov/pdf_docs/PNACU609.pdf

mention is made about greenhouse gas emissions from deforestation, soil drainage and peat soils.

Principle 6: Responsible consideration of employees and of individuals and communities affected by growers and mills

Criterion 6.1. Aspects of plantation and mill management, including replanting, that have social impacts are identified in a participatory way, and plans to mitigate the negative impacts and promote the positive ones are made, implemented and monitored, to demonstrate continuous improvement.

Comment: As in Criterion 5.1., companies only need to prove “continuous improvement” to “mitigate the negative impacts”, but not that those impacts have been prevented.

Criterion 6.2. There are open and transparent methods for communication and consultation between growers and/or millers, local communities and other affected or interested parties.

Comment: The fact that they are “open and transparent” does not mean that they are useful or effective. There is no indication about how input from consultation will be taken into account.

Criterion 6.3. There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all parties.

Comment: The criterion leaves a number of questions unanswered: Who establishes the system? Mutually agreed between who? Who

are the “all parties”? Are there any conditions to be complied with by companies on how to deal with complaints and grievances?

Criterion 6.4. Any negotiations concerning compensation for loss of legal or customary rights are dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.

Comment: Very obscure wording. What is and who will produce the necessary “documented system”. The fact that local people are able to “express their views through their own representative institutions” is an insufficient guarantee for achieving fair compensation.

Criterion 6.5. Pay and conditions for employees and for employees of contractors always meet at least legal or industry minimum standards and are sufficient to provide decent living wages.

Comment: This criterion is almost meaningless. Firstly, because meeting “at least” legal minimum standards is a legal obligation. Secondly, because there is no definition on the meaning of “decent living wages”, which is therefore left open for the certifiers’ interpretation. The criterion says nothing about working and living conditions.

Criterion 6.6. The employer respects the right of all personnel to form and join trade unions of their choice and to bargain collectively. Where the right to freedom of association and collective bargaining are restricted under law, the employer facilitates parallel means of independent and free association and bargaining for all such personnel.

Comment: Although obviously one of the most positive criteria, the second part is in clear violation of criterion 2.1 (“compliance with all applicable local, national ... laws and regulations”) and in cases such as those it is doubtful that any company will need to comply with that condition in order to obtain certification.

Criterion 6.7. Children are not employed or exploited. Work by children is acceptable on family farms, under adult supervision, and when not interfering with education programmes. Children are not exposed to hazardous working conditions.

Comment: This is one of the most positive criteria, though in most countries child labour is illegal and therefore already contained in criterion 2.1. In the case of family farms working under outgrower schemes, it would be very difficult to ensure compliance through certifiers unless formal complaints are made.

Criterion 6.8. Any form of discrimination based on race, caste, national origin, religion, disability, gender, sexual orientation, union membership, political affiliation, or age, is prohibited.

Comment: This criterion appears to be a declaration of intent. Most –if not all– of those conditions are usually included in national legislation and even in Constitutions. Unless a company has a consistent policy of discriminating against some of those groups, individual cases of discrimination will not be a cause for preventing certification. In most cases, such discrimination will be very difficult to prove, because companies will have a number of arguments for not hiring certain individuals which they discriminate against.

Criterion 6.9. A policy to prevent sexual harassment and all other forms of violence against women and to protect their reproductive rights is developed and applied.

Comment: This is one of the few mandatory criteria, because companies need to prove that they do have a policy and that the policy is applied. However, it is very limited in scope regarding the needs and rights of female workers. For instance, a common situation is that of women that are often 10 or 12 hours out of their homes and have difficulties in finding someone to look after their children. Companies should provide child care facilities for those workers, but this is normally not the case.

Criterion 6.10. Growers and mills deal fairly and transparently with smallholders and other local businesses.

Comment: What does “fairly and transparently” mean? Who will judge if the prices paid are fair and if smallholders have been provided with the necessary information about local, national and international prices of oil palm fruit?

Criterion 6.11. Growers and millers contribute to local sustainable development wherever appropriate.

Comment: The addition of the expression “wherever appropriate” means that there is no obligation to do so.

Principle 7: Responsible development of new plantings

Criterion 7.1. A comprehensive and participatory independent social and environmental impact assessment is undertaken prior to establishing new plantings or operations, or expanding

existing ones, and the results incorporated into planning, management and operations.

Comment: To demand a comprehensive and participatory independent social and environmental impact assessment appears to be a positive step. However, the criterion only demands that the “results” are incorporated into planning, management and operations, which is not synonymous to demanding that recommendations for avoiding negative social and environmental impacts are fully implemented.

Criterion 7.2. Soil surveys and topographic information are used for site planning in the establishment of new plantings, and the results are incorporated into plans and operations.

Comment: It doesn’t express any requirement on whether some types of soils should be planted or left unplanted depending on the results of the soil surveys and topographic information.

Criterion 7.3. New plantings since November 2005, have not replaced primary forest or any area required to maintain or enhance one or more High Conservation Values.

Comment: Most of the existing oil palm plantations have been established at the expense of primary forests. The date established in this criterion means that all deforestation prior to that date will not be taken into account and that those plantations will be able to receive certification. From that date on, companies will be able to continue to replace forests by plantations, as long as they are not “primary forests” or areas “required to maintain or enhance one or more High Conservation Values”.

Criterion 7.4. Extensive planting on steep terrain, and/or on marginal and fragile soils, is avoided.

Comment: Companies prefer not to plant in those places, either because growth is slow or because palms can be more prone to pests and diseases or because it makes harvesting too expensive. But even so, there are two key words in the criterion: 1) “extensive” planting (which means that the terrain can be planted as long as it is not “extensive”); 2) is “avoided” (not banned or prohibited: only avoided).

Criterion 7.5. No new plantings are established on local peoples’ land without their free, prior and informed consent, dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.

Comment: This criterion would appear to be a safeguard for preventing companies to encroach on local peoples’ lands. However, certifiers would have to ensure that free and prior consent was achieved after the communities had had access to all relevant information on both impacts and benefits that could result from plantations and that the company involved did not manipulate the process in any way.

Criterion 7.6. Local people are compensated for any agreed land acquisitions and relinquishment of rights, subject to their free, prior and informed consent and negotiated agreements.

Comment: This is related to the criterion above. Compensation will be agreed upon between a large and powerful company and a small or several small communities. Although obviously better than being expelled by force –as has commonly been the case- these

negotiations will necessarily be unbalanced and will favour the large company.

Criterion 7.7. Use of fire in the preparation of new plantings is avoided other than in specific situations, as identified in the ASEAN guidelines or other regional best practice.

Comment: This is almost the same as criterion 5.5 and the same comments are applicable here: Although not using fire may seem to be a very positive step forward –particularly when remembering the huge oil palm-related fires in Indonesia- the adoption of the ASEAN (*) guidelines implies another set of negative impacts, ranging from the compaction of the soil by the recommended use of heavy machinery and by the increased use of agrottoxics for controlling pests whose population used to be controlled by the use of fire. However, the wording of the criterion is sufficiently vague so as to allow some interpretation by certifiers: use of fire is “avoided” –not banned- and there can even be an exception “in specific situations”. This wording can be very useful for companies in Latin America, Papua New Guinea and Africa –that are not ASEAN members- which could apply “other regional best practices” allowing the use of fire.¹⁴

Principle 8: Commitment to continuous improvement in key areas of activity

Criterion 8.1. Growers and millers regularly monitor and review their activities and develop and implement action plans that allow demonstrable continuous improvement in key operations.

Comment: The use of the expression “continuous improvement” does not mean that the operations don’t have major impacts; it simply means that there has been some improvement compared to what was previously in place.

¹⁴ http://pdf.usaid.gov/pdf_docs/PNACU609.pdf

International Declaration Against the 'Greenwashing' of Palm Oil by the Roundtable on Sustainable Palm Oil (RSPO)

In defence of Human Rights, Food Sovereignty, Biodiversity and Climate Justice

Ironically, on 16 October 2008, World Food and Food Sovereignty Day, a meeting will start in Cartagena (Colombia) to promote monoculture oil palm plantations, that are precisely the cause of so many violations of the Right to Food and contrary to food sovereignty insofar as they undermine the peoples' right to produce their own food according to their territorial conditions and their food culture.

The First Latin American Meeting of the "Roundtable on Sustainable Palm Oil" (RSPO) is a meeting of the board of directors of the Roundtable and representatives of companies involved in the oil palm agro-industry in Latin America, seeking to "acquire the corresponding certification from RSPO mainly in order to put palm oil, its derivatives and products on international markets."¹⁵ This is yet another attempt at "green-washing" the agro-industry, in response to all the negative publicity that it has had regarding the food crisis and in response to widespread world social and political opposition to expansion plans for the present model of agrofuel production.¹⁶

¹⁵ <http://www.fedepalma.org>

¹⁶ The 6th Annual Roundtable on Sustainable Palm Oil and the 5th Annual General Assembly of Members is to be held in Bali (Indonesia) on 28 November 2008.

In Colombia, social and environmental organisations denounce that "Roundtable on Sustainable Palm Oil (RSPO), is based on the false premise of establishing criteria for sustainability and giving a stamp of approval to palm plantations, in order to sell the product with social and environmental guarantees, thus seeking to legitimize a harmful business that infringes on the rights of indigenous, Afro-Colombian and peasant communities. At the same time as it seriously impacts lands and natural heritage through a strategy that seeks to facilitate the marketing of products derived from the oil palm, the RSPO generates only higher dividends, and not solutions to the conflicts that are created. In fact, no certification process can guarantee such solutions".

Palm oil is a strategic raw material in the agribusiness sector as it is the most marketed and consumed vegetable oil in the world, used as food and in industrial and energy products. It is produced for export to global markets (basically the EU, China, India, and the US) in tropical zones, under a regime of large-scale monoculture.

The negative consequences of monoculture oil palm plantations are tangible in Indonesia, Malaysia, Papua-New Guinea, Cameroon, Uganda, Côte d'Ivoire, Cambodia, Philippines and Thailand and also in Colombia, Ecuador, Peru, Brazil, Guatemala, Mexico, Nicaragua and Costa Rica. Below we give some details of these negative impacts:

Deforestation of tropical forests

Monoculture plantations replace tropical forests and other ecosystems, leading to serious deforestation together with loss of biodiversity, flooding, the worsening of droughts, soil erosion, pollution of water courses and the apparition of pests due to a breakdown in the ecological balance and to changes in food chains. They also endanger the conservation of water, soil, flora and fauna. Forest degradation diminishes their climatic functions and their disappearance affects humanity as a whole.

The UN Intergovernmental Panel on Forests has identified government policies replacing forests by industrial tree plantations – such as the oil palm – together with the advance of agricultural frontiers under pressure from monoculture plantations, as the causes of deforestation and forest degradation.

The expansion of oil palm trees is the first cause of deforestation in Malaysia and Indonesia. In both countries, the deforestation rate has dramatically increased over the past few years, parallel to the expansion of the oil palm. In the case of Malaysia it rose by 86% between 1990 and 2000 and between 2000 and 2005, while oil palm plantations extended over 4.2 million hectares. Indonesia, with the most extensive area under oil palm plantation has the highest rate of tropical forest destruction in the world.

More Climate Change

At present deforestation in the world is the second largest source contributing to increasing atmospheric carbon dioxide levels. In many countries, the expansion of monoculture oil palm plantations has taken place at the expense of peatland degradation and burning and of deforestation.

Various scientific studies¹⁷ warn that the destruction of peatlands¹⁸ involves at least 8% of world CO₂ emissions responsible for Climate Change. It is estimated that due to peatland degradation, between 136 million and 1.42 million tons of CO₂, are released periodically in Southeast Asia, in addition to emissions from deforestation, loss of soil carbon, use of nitrogen fertilizers, emissions from farm machinery and loss of CO₂ sinks. Satellite images show forest fires in Indonesia in the areas where there is greater carbon trapping in the soil, a product of deforestation practices related with palm oil production. Palm oil resulting from deforestation is sold to multinational corporations such as Unilever, Nestlé and Procter & Gamble, and other major food, cosmetic and agrofuel brands.

Furthermore, palm oil is being used for the industrial production of agrofuels, in the midst of the climate change crisis caused by indiscriminate burning of fossil fuels. Nevertheless, the Swedish Government, among many other institutions, has recognized in a study by the National Highway Authority that “increasing the amount of bio-

¹⁷ Hooijer, A., Silvius, M., Wösten, H. and Page, S. 2006. PEAT-CO₂, Assessment of CO₂ emissions from drained peatlands in SE Asia. Delft Hydraulics report Q3943 (2006).

¹⁸ Peatland covers 3% of the terrestrial surface (close on 4 million km²) and traps an important amount of carbon in the earth (some 528.000 million tons M/t), the equivalent to one-third of all the carbon reservoirs and 70 times more than the annual emissions of CO₂ from burning fossil fuels (approximately 7,000 Mt/year in 2006 equivalent to carbon and 26,000 Mt/year in CO₂). This mega reservoir of carbon dioxide is being released little by little into the atmosphere by: (1) draining of peatlands leading to their oxidation on entering into contact with the air, resulting in huge emissions of CO₂; and (2) intentional forest fires (dry peat causes an even greater ignition hazard and, in a scenario of higher temperatures due to Climate Change, we are talking about a vicious circle).

fuel by importing palm oil may increase the emission of CO2 instead of reducing it”.¹⁹

A threat to millions of indigenous people

According to the UN Permanent Forum on Indigenous Issues, 60 million indigenous people all over the world run the risk of losing their land and means of subsistence due to the expansion of plantations to produce agro-energy. Of these, 5 million people are located in Borneo (Indonesia) where the indigenous communities are threatened by plans for the expansion of oil palm plantations. What is more, the Government of Malaysia does not even recognize ancestral or indigenous territorial rights. Plantations are being established in lands claimed by indigenous communities and the Government has foreseen establishing another million hectares of new oil palm plantations on indigenous land. Similar situations also occur in other countries.

The UN Intergovernmental Panel on Forests identified the lack of recognition by the State of territorial rights and of the right to use forests and other resources of indigenous and other peoples who depend on forests, such as the Afro-Colombian communities, as the causes of deforestation.

As an example we mention the strategic plan for the plantation of agrofuel species just for the State of Chiapas (Mexico) – a spearhead and national example – establishing as a potential area in this State, 900,000 ha (one-seventh of the total area of the State). Two nurseries for African palm trees have already been established to the south of the Lacandona Forest, the largest nurseries in Latin America. This

¹⁹ Vägverket: Climate neutral freight transports on road – a scientific prestudy. 2007. http://publikationswebbutik.vv.se/upload/3547/2007_111_klimatneutrala_godstransporter_pa_vag_en_vet_enskaptlig_forstudie.pdf

megaproject has been labelled as ecocidal and ethnocidal by allowing and encouraging individual land deeding and the subsequent privatization of lands belonging to indigenous peoples and peasant communities, known in Mexico as ejidos and common lands.

Illegal appropriation of land, land tenure conflicts and violation of human rights

The occupation of territories by monoculture oil palm plantations has been done at the expense of local communities’ rights and has led to the destruction of their social web, their culture and biologically diverse ecosystems, thus damaging the means of subsistence on which their lives depend. Indigenous communities and Afro-descendent communities have been violently evicted or forced to displacement. Sometimes, through State violence or that of other armed parties, deception and pressure, they end up by renting out, selling or losing their lands.

In the case of Colombia, the expansion of oil palm plantations is related to serious human rights abuse and violation. International NGOs in Colombia have documented 113 murders in the river basin of the Curvaradó and Jiguamiandó rivers in the Choco region, in the hands of paramilitary forces working with palm-growing companies to enable them to allocate lands that legally belong to Afro-Colombian communities. The paramilitary forces operate with the support of Brigade 17 of the Colombian Armed Forces and are responsible for 13 forced displacements. The paramilitary strategy used in complicity with Colombian Armed Forces includes an economic blockade, selective murdering, massacres and torture. In spite of the evidence showing that the establishment of these oil palm plantations is illegal (as has been recognized by the Office of the General Attorney and Defender of the People of Colombia and the Inter-American Commission on Human Rights, etc.) and showing the destruction of human lives, the Colombian

government has not taken any effective measures to prevent the situation or to return the land to the Afro-Colombian communities.

The expansion of monoculture plantations threatens the lives, lands and habits of Afro-descendent, indigenous and peasant communities, not only in the Choco but also in Tumaco, Magdalena Medio, Vichada, Meta and the Amazon regions. According to the UN High Commissioner for Refugees, 200,000 people are displaced every year in Colombia, amounting to 4 million over the past 20 years – the second highest rate of displacement in the world – with the expropriation of over 6 million hectares of land. Most of the forced displacements are directly related to land issues, including the expansion of monoculture palm plantations.

In Indonesia conflicts have increased over the expansion of oil palm plantations: the large companies are illegally expropriating the farmers' lands and hiring private surveillance to impose a state of fact. In 2006 alone, 350 agrarian conflicts and 1,753 cases of violation of Human Rights were recorded.

In Ecuador, oil palm plantations have caused the loss of unique primary forests that were part of community and ancestral lands, depleting sources of water, food, medicine, spirituality and culture. Presently the Government's Agrarian and Forestry Plan foresees establishing over 450,000 ha of oil palm plantations, among other monoculture plantations for the production of agrofuel. This will occupy tropical forests and food crops on indigenous, Afro-Ecuadoran and peasant community territories. Their human right to water will be severely violated.

Increase in the use of agrochemicals

The RSPO “Principles and Criteria for Sustainable Production of Oil Palm” permit the use of very toxic pesticides that are extremely harmful for human and environmental health. Under their present form, the criteria serve the interests of the pesticide industry and not the health of palm oil plantation workers.

Although for many years now complaints have been made over the noxious effects of the use of Paraquat (its largest world producer is Syngenta) or Gramoxone on the health of women and men who work in monoculture palm oil plantations, every year tens of thousands of workers are contaminated by these agrochemicals and many die from being in contact with these extremely dangerous pesticides.

Violation of the Right to food and food sovereignty

Food sovereignty is the right of peoples to nutritious and culturally appropriate, accessible food, produced in a sustainable and ecological manner and their right to decide on their own food and productive system.

The production of palm oil in the present globalized economic model of industrial agriculture – with large-scale monoculture plantations – and at the pace of economic interests, involves competition with food production. Another matter for concern is the counter Agrarian reform that accompanies this model, in which large industrial groups take over the control of vast stretches of land, thus strengthening labour exploitation, rural-urban migration, poverty, social conflicts and violation of Human Rights.

Presently there are over 1000 million people in the world suffering from hunger and malnutrition. The UN World Food Programme estimates that some other 100 million people are unable to eat because of the steep rise in food prices over the past three years. The reasons are complex however, according to a confidential report of the World Bank agrofuels have led to a rise of up to 75% in the price of food – a much higher increase than previously thought. And there is a clear consensus among international organizations that the growing demand for raw materials for agro-energy is an important factor. Also, the OECD concluded that between 2005 and 2007 “up to 60% of the increase in food prices responded to the use of cereals and vegetable oils for the bio-fuel industry.”

This agro-industrial model also accelerates Climate Change, which in turn increases the loss of fertile soil and consequently, leads to famine. It may be affirmed that if this model is not curbed, it will lead to a deliberate increase in the number of starving people in the world and of conflicts over land tenure, which would be a crime of lese-humanity. In the case of Guatemala for example, mega oil palm projects have been implemented for the production of agri-diesel, causing an accelerated change in land use, that could affect the food sovereignty of rural areas and also lead to the displacement of large contingents of the peasant population.²⁰

Who wins with the Roundtable on Sustainable Palm Oil?

The Roundtable on Sustainable Palm Oil (RSPO) – a voluntary certification process promoted by large NGOs and industry – is an initiative contrary to peoples’ interests. Declarations by actors involved in RSPO such as the Indonesian Palm Producers Association (GAPKI),

²⁰ <http://www.biodiversidadla.org/content/view/full/44362> -
<http://www.inforpressca.com/index.php>

give a clear picture showing that it is a tool for the expansion of the palm oil business and not an authentic strategy to contain its environmental and social impacts. Many of the RSPO member companies continue to destroy vast stretches of rainforest and to violate human rights, such as in the case of Wilmar International on the Isle of Bugala (Uganda) and in Indonesia, PT SMART, Agro Group and IOI Group in Indonesia, FEDEPALMA in Colombia, or Unilever in Indonesia, Malaysia and Côte d’Ivoire.

The way this RSPO initiative is presented in Colombia, regarding its approach and actors involved, shows that the main interest in this process of “palm oil sustainability” is purely commercial. There is no authentic intention of curbing social impacts and impacts on human rights but rather to silence serious crimes, irregularities and paramilitary control related to the oil palm agri-business.

We reject the Roundtable on Sustainable Palm Oil (RSPO) because:

- The principles and criteria proposed by RSPO to define sustainability include large-scale plantations
- RSPO is designed to legitimate the continuous expansion of the palm oil industry.
- Any model that includes the conversion of natural habitats into large-scale monoculture plantations cannot, by definition, be sustainable. – RSPO is interested in economic growth and opening up markets in the palm oil sector, but not in social and environmental sustainability.
- RSPO is dominated by the industry and does not genuinely consult affected communities.

- The participation of NGOs in RSPO only legitimates an unacceptable process. Major organizations, such as the WWF promote and endorse this process which does not address the real problems of the affected populations of the South, but only worsens them.

- RSPO's scheme enables companies to certify individual plantations, eluding overall assessment of their whole production. The "star" plantation enables them to show themselves as being "environmentally responsible" although they act in an irresponsible social and environmental manner. This has already happened in the past with other certification systems for industrial tree plantations, such as FSC's forest certification system.

- RSPO is yet another attempt at camouflaging and denying the true situation, providing "a green-wash" to make a model of production that is intrinsically destructive and socially and environmentally unsustainable, appear to be "responsible."

Furthermore we denounce that, without paying due attention to all the impacts of incalculable dimensions, the European Union and other organizations and institutions are attempting to prepare formal sustainability criteria for the production of raw material for agrofuels. However, the cultivation of oil palms, like all other industrial monoculture plantations, IS NOT and NEVER will be, sustainable.

Much of the damage caused by the oil palm agro-industry in tropical countries is already irreparable. Nevertheless, through this declaration we demand:

- Total paralysation of further deforestation and conversion of land use to oil palm cultivation; no further destruction of a single hectare more of natural ecosystems.

- The cancellation of trade relations between companies purchasing palm oil and suppliers destroying forests and peatlands as they are responsible for or benefit from violating Human Rights.

- Protection of the human rights of indigenous peoples, Afro-descendent people and peasant communities affected by large-scale monoculture plantations.

- Guarantees for the overall reparation of human and environmental damage generated by the imposition of large-scale monoculture plantations and by the violation of human rights by State forces and private companies. Truth, Justice and Reparation for the victims.

- Resolution of all existing land conflicts linked to monoculture palm plantations. This implies immediate restitution of the ancestral lands of Afro-Colombian communities and indigenous peoples affected by monoculture plantations and the implementation of Convention 169 of the International Labour Organization (ILO).

- Respect for local communities' land and territorial rights.

- Hearing, addressing and resolving legal suits, complaints and other claims launched by the affected communities.

- Preventing agri-business lobby organizations, such as RSPO, from serving as a justification for the indiscriminate expansion of oil palm growing, and from guaranteeing a high level of agri-business, which only benefits large companies at the expense of the future of peoples and the planet.

- An immediate moratorium on the incentives of the EU and others to agrofuel and agro-energy produced by extensive monoculture plantations, including tree plantations, and a moratorium on imports.

This includes the immediate suspension of all obligatory percentages and incentives such as tax exemption and subventions benefitting agrofuel from monoculture plantations, including those funded by carbon trading mechanisms, international development aid or credits granted by International Funding Agencies such as the World Bank.

We are still in time to radically change our methods of producing, transforming, trading and consuming farm produce. To do this, for example we must:

- Halt industrial food production that is contributing to climate change and to the destruction of small rural communities.
- End privatization of natural resources.
- Dismantle agri-business companies, financial speculation with raw material and economic and trade policies responsible for the food crisis (and emergency).
- Replace industrialized agriculture by sustainable peasant and family agriculture supported by real Agrarian Reform programmes.
- Promote sustainable energy policies. Consume less energy and produce solar and wind energy and biogas locally instead of promoting large-scale agrofuel as is the case at present.
- Implement agricultural and trade policies at local, national and international levels supporting sustainable peasant agriculture and consumption of local and ecological food. This includes the total abolition of subventions that lead to unfair competition through subsidised food.

If your organization wishes to support this declaration, or for questions or comments please send an e-mail containing the name of your organization and country to:

unsustainablepalmoil@gmail.com

Signed:

Adhieren a esta declaración:

1. Acción Ecológica, Ecuador
2. Acción por la Biodiversidad, Argentina
3. Afrika-Europa Netwerk, Netherlands
4. AFOSCI Apoyo al Fortalecimiento de la Sociedad Civil, Paraguay
5. Agua Sustentable, Bolivia
6. AITEC, France
7. Alianza Social Continental | Hemispheric Social Alliance, Americas
8. Alotau Environment Ltd, Papua New Guinea
9. Alternative Agriculture Network, Thailand
10. Amis de la Terre (member of FoE International), Belgium
11. Amics de la Terra Eivissa, Spain
12. AMODE, Mozambique
13. ANUC-UR Asociación Nacional de Usuarios Campesinos – Unidad y Reconstrucción, Colombia
14. Asamblea Coordinadora Patagónica contra el Saqueo y la Contaminación, Argentina
15. Asamblea de Unidad Cantonal de Cotacachi, Ecuador
16. A SEED Europe, Netherlands
17. Asociación Amigos de los Parques Nacionales AAPN, Argentina
18. Asociación Cultural Pacifista de Moratalaz, Spain
19. Asociación Ecologista Verdegaia Galicia, Spain
20. Asociación Ecologistas Plasencia, Spain
21. Asociación El Puesto Ecológico Tenerife, Spain
22. Asociación HESED-JUSTICIA, Spain
23. Asociación Katio, Spain
24. Asociación de Mujeres de Singuerlín, España

25. Asociación Nacional de Afectados por los Síndromes de Sensibilidad Química, Fatiga Crónica, Fibromialgia y para la Defensa Ambiental (ASQUIFYDE), Spain
26. Asociación para la Recuperación de la Memoria Histórica, Spain
27. Associació Fundacio Dada Gugu, España
28. Associação para o Desenvolvimento e Democracia, Mozambique
29. ATALC Amigos de la Tierra América Latina y el Caribe
30. ATTAC, Spain
31. AVES Association for Wildlife Conservation, France
32. Base Investigaciones Sociales BASEIS, Paraguay
33. Basler Appell gegen Gentechnologie, Switzerland
34. Biofuelwatch, United Kingdom
35. Bismarck Ramu Group Madang, Papua New Guinea
36. Bharatiya Krishak Samaj, India
37. Budongo Conservation Field Station, Uganda
38. BUNDjugend MV, Germany
39. Campaña “No te comas el Mundo”, Spain
40. CANE Coalition Against Nuclear Energy, South Africa
41. CAPOMA Centro de Acción Popular Olga Márquez de Aredez en defensa de los Derechos Humanos, Argentina
42. Carbon Trade Watch, Netherlands
43. CEMEP-ADIS, Argentina
44. CENSAT Agua Viva Amigos de la Tierra Colombia
45. Center for Encounter and active Non-Violence, Austria
46. Centre for Environmental Justice, Sri Lanka
47. Centre for Orangutan Protection, Indonesia
48. Centre for Organisation Research and Education, India
49. Centro Balducci, Italy
50. Centro de Derechos Humanos Fray Bartolomé de Las Casas AC, México
51. Centro de Documentación en Derechos Humanos Segundo Montes Mozo S.J. CSMM, Ecuador
52. Centro Ecologista Renacer, Argentina
53. Centro tricontinental – CETRI, Belgium
54. CESTA Amigos de la Tierra, El Salvador
55. CIFAES-Universidad Rural Paulo Freire, Spain
56. Club Unesco di Udine, Italy
57. CODEFF – Amigos de la Tierra, Chile
58. COECOCEIBA – Amigos de la Tierra Costa Rica
59. Colectivo Feminista, Ecuador
60. Colectivo Sur Cacarica Valencia, Spain
61. Comisión Intereclesial de Justicia y Paz, Colombia
62. Comitato Ambiente di Vittorio Veneto, Italy
63. Comité Cerezo, Mexico
64. Comité Monseñor Oscar Romero de Valladolid, Spain
65. Comité Obispo O. Romero, Chile
66. Comité Oscar Romero de Madrid, Spain
67. Comité Oscar Romero de Vigo, Spain
68. Colectivo de Solidaridad por la Justicia y Dignidad de los Pueblos Coliche, Spain
69. Comisión de Solidaridad y Derechos Humanos de Imbabura, Ecuador
70. Comisión Pastoral Paz y Ecología COPAE Diócesis de San Marcos, Guatemala
71. Comisión Permanente de Derechos Humanos, Colombia
72. Comité pour les droits humains Daniel Gillard, Belgium
73. Comunidad Cristiana de Base de Genova, Italy
74. Comunidades Cristianas Populares, Spain
75. Conciencia Solidaria ONG Interprovincial, Argentina
76. Consejo Comunitario Afrodescendiente de la Cuenca del Río Naya, Colombia
77. CONTAC Confederação Nacional dos Trabalhadores nas Indústrias da Alimentação, Agro-Indústrias, Brasil
78. Contraloría Ciudadana de Asunción, Paraguay
79. Cooperativa de Recolectores, Emprendedores y Recicladores “EL OREJANO”, Argentina
80. Cooperativa Futura Societa Cooperativa ONLUS, San Vito al Tagliamento (PN), Italy
81. Coordinadora Ecoloxista d’Asturies, España
82. Coordinadora Ecuatoriana de Agroecología CEA
83. Coordinadora Popular Colombiana en París CPCP, France
84. Corporación Buen Ambiente CORAMBIENTE Bucaramanga, Colombia
85. Corporate Europe Observatory CEO, Netherlands
86. CO2 Accion, Argentina

87. De Gaarde Foundation, entre for Ecological Living, Netherlands
88. Dritte-Welt-Kreis Panama e.V., Germany
89. Earth Peoples, International
90. Earth Savers Movement, Philippines
91. ECAs del Centro del Valle del Cauca, Colombia
92. ECO Yeshemachoch Mahiber ECOYM, Etiopia
93. Ecological Internet, USA
94. Ecological Society of the Philippines, Philippines
95. Ecologistas en Acción, Spain
96. EcoNexus, United Kingdom
97. Economic Justice and Development Organization EJAD, Pakistan
98. Ecoportal.Net, Argentina
99. En Buenas Manos e.V., Germany
100. Entomological Society of Latvia, Latvia
101. Entrepueblos, Spain
102. Envirocare, Tanzania
103. Environment Protection Association – APROMAC, Brazil
104. Espacio Bristol-Colombia, United Kingdom
105. ETC Group, international
106. FASE – Solidaridad y Educación, Brasil
107. FDCL Centro de Investigación y Documentación Chile – Latinoamérica, Germany
108. Federacion Accion Campesina Colombiana ACC, Colombia
109. Federación Andaluza de Consumidores y Productores Ecológicos FACPE, Spain
110. Federación de Comités de Solidaridad con Africa Negra, Spain
111. FERAESP Federação dos Empregados Rurais Assalariados do Estado de São Paulo, Brasil
112. FIAN, Germany
113. FIAN Internacional
114. Fisherfolk Movement (KM), Philippines
115. Focus on the Global South, Bangkok Thailand
116. Fórum de Defesa do Baixo Parnaíba Maranhense – Brasil
117. Foodfirst Information & Action Network FIAN, Belgium
118. Foodfirst Information & Action Network FIAN, Mexico (mexican section of FIAN International)
119. Foodfirst Information & Action Network FIAN, Netherlands
120. France Amérique Latine Niza, France
121. France Amérique Latine Paris, France
122. Frente Nacional de Lucha por el Socialismo FNLS, Mexico
123. Frente Nacional por la Salud de los Pueblos, Ecuador
124. Frente por la Vida y Contra el Desierto Verde, Colombia
125. Freunde der Naturvölker e.V./FdN – fPcN, Germany
126. Friends of the Earth, Australia
127. FTA Watch Thailand, Thailand
128. Fundación AGRECOL Andes – Bolivia
129. Fundación Hombre Lux Naturaleza HOLUNA, Colombia
130. Fundación Páramo y Frailejones, Colombia
131. Fundación Semillas de Vida A.C., Mexico
132. Global Indigenous Peoples Movement, USA
133. Global Forest Coalition
134. Global Justice Ecology Project, USA
135. Grupo de Colombia, Nürtingen, Alemania
136. Grupo de Reflexión Rural, Argentina
137. Grupo de Trabajo Suiza Colombia ASK, Switzerland
138. Jubileo Sur, Mexico
139. Hermanas de Nuestra Señora de Sión Managua, Nicaragua
140. IAR International Animal Rescue, Indonesia
141. Iberica 2000, Spain
142. Ibiza Ecologic, Spain
143. IGLA Informationsgruppe Lateinamerika, Austria
144. Indonesian student Association PPI, Netherlands,
145. Iniciativa para el Desarrollo Local La Matanza BsAs, Argentina
146. Iniciativa Paraguaya para la Integración de los Pueblos, Paraguay
147. ICID Iniciativas de Cooperación Internacional para el Desarrollo, Spain
148. Institute for Global Justice, Indonesia
149. Instituto de Botánica Aplicada FUNIBA, Colombia
150. Instituto Políticas Alternativas para o Cone Sul PACS, Brasil
151. KAIROS Canadian Ecumenical Justice Initiatives, Canada
152. Kein Strom aus Palmöl !, Germany
153. Kelir, Indonesia
154. Kolko – Human Rights for Colombia, Germany

155. Koordination Gerechtigkeit, Frieden und Bewahrung der Schöpfung der Franziskaner Mitteleuropas
156. Korea Alliance of Progressive Movements, South Korea
157. La Fuerza de los Niños Ciudad Evita, Argentina
158. Labour Rights and Democracy LARIDE, Philippines
159. Labour, Health and Human Rights Development Centre Ithahrde, Nigeria
160. Lasojamata, Netherlands
161. Latinamerican Network against Monoculture Tree Plantations
162. Maderas del Pueblo – Chiapas, Mexico
163. Mangrove Action Project MAP, USA
164. México Nación Multicultural UNAM Oficina Oaxaca, México
165. Minga, France
166. Movimiento Ambientalista de Olancho MAO, Honduras
167. Movimento de Mulheres Camponesas MMC (Vía Campesina), Brasil
168. Movimento dos Trabalhadores Rurais Sem Terra MST (Vía Campesina), Brasil
169. Movimiento Madre Tierra (miembro de FoE), Honduras
170. Movimiento Mexicano de Afectados por las Presas y en Defensa de los Rios MAPDER, México
171. Movimiento de Resistencia Popular del Sureste (MRPS-FNLS), de Chiapas, México
172. Movimento Rede Afropunk, Brasil
173. Mujeres Luna Creciente, Ecuador
174. Muyuqui San Justo Santa Fe, Argentina
175. National Federation of Dalit Women, India
176. Neotropical Primate Conservation, United Kingdom
177. Network for Ecofarming in Africa, Kenya
178. Network of Alternatives against Impunity and Market Globalisation
179. New Forest Friends of the Earth, United Kingdom
180. Nimfea Environmental and Nature Conservation Association, Hungary
181. NOAH Friends of the Earth, Denmark
182. Norwich Green Party, United Kingdom
183. Ökumenischer Arbeitskreis Christen & Ökologie, Germany
184. Osservatorio Informativo Indipendente sulla Americhe, Italy
185. Pacific-Network, Germany
186. Palm Oil Action Group, Australia
187. Pambang Katipunan ng Makabayang Magbubukid (PKMM), Philippines
188. Partnership for Agrarian Reform and Rural Development Services PARRDS, Philippines
189. Pastoral de la Tierra Nacional de la Conferencia Episcopal, Guatemala
190. Pax Christi Alemania Fondo de Solidaridad Un Mundo, Germany
191. Perkumpulan Elang, Indonesia
192. PIPEC Pacific Indigenous Peoples Environment Coalition, New Zealand
193. Plaidoyer pour un Développement Alternatif PAPDA, Haïti
194. Plataforma de solidaridad con Chiapas, Oaxaca y Guatemala de Madrid, Spain
195. Plataforma Rural, Spain
196. Platform of Filipino Migrant Organizations in Europe, Netherlands
197. Plural Anitzak Ortuella Euskadi, Spain
198. Poor People's Economic Human Rights Campaign PPEHRC, USA
199. Por una Vida Digna BsAs, Argentina
200. Pro Wildlife, Germany
201. Proceso de Comunidades Negras PCN, Colombia
202. Progressive Alliance of Fishers Pangisda, Philippines
203. Pro Regenwald, Germany
204. Proyecto Gran Simio GAP/PGS, Spain
205. PWG Pelindaba Working Group, South Africa
206. Rainforest Information Centre New South Wales, Australia
207. RAP- AL, Ecuador
208. RAP-AL, Panama
209. RAP- AL, Uruguay
210. RBJA Red Brasileña de Justicia Ambiental, Brasil
211. Red Ambiental Loretana, Perú
212. Red Colombiana de Acción frente al Libre Comercio y el ALCA - RECALCA, Colombia
213. Red Comunitaria, Cuba
214. Red Mexicana de Accion frente al Libre Comercio RMALC, Mexico
215. Red Mexicana de Afectados por la Minería REMA, Mexico
216. Red Theomai, Argentina
217. REDES Amigos de la Tierra, Uruguay
218. Regenwald-Institut e.V., Germany
219. Rel-UITA, Uruguay

220. Reseau Defendeurs des DDHH Bamako, Mali
221. Rete Radié Resch, Italy
222. Robin Wood, Germany
223. Salva la Selva/ Rettet den Regenwald, Germany
224. Save Our Borneo, Central Kalimantan, Indonesia
225. Semillas de Identidad, Campaña por la Defensa de la Biodiversidad y la Soberanía Alimentaria, Colombia
226. Serikat Petani Indonesia SPI Indonesian Peasant Union (Via Campesina), Indonesia
227. Sindicato Trabajadores Rurales de Coraler SITRACOR, Uruguay
228. Slow Food, Kenya
229. Sociedad Colombiana de Automovilistas SCA, Colombia
230. Sociedade Maranhense de Direitos Humanos, Brasil
231. Society for Threatened Peoples, Germany
232. Soldepaz Pachakuti, Spain
233. Southern African Faith Communities Environment Institute SAFCEI, South Africa
234. Student Board of Executives, Social and Political Science Faculty University of Indonesia, Indonesia
235. Timberwatch, South Africa
236. Transnational Institute, Netherlands
237. Transnational Migrant Platform, Netherlands
238. Traper@s de Emaus de Dualez, Torrelavega, Cantabria, Spain
239. El Tribunal internacional de Opinión Caso Sur de Bolívar, Colombia
240. Tulele Peisa Inc., Papua New Guinea
241. Unión de Trabajadores Rurales del Sur del País UTRASURPA, Uruguay
242. Union paysanne, Canada
243. Vecin@s del pueblo de Dualez, Torrelavega, Cantabria, Spain
244. WALHI Jambi Friends of the Earth Province Jambi, Indonesia
245. Walter Sisulu Environmental Centre Pretoria, South Africa
246. Watch Indonesia, Germany
247. WEED Weltwirtschaft, Ökologie & Entwicklung e.V., Germany
248. Women in Europe for a Common Future, Europe
249. World Rainforest Movement WRM, Uruguay
250. Yayasan Sahara, Indonesia
251. Youth for Ecology Liberation, USA
252. Zona Humanitaria Comunidad Civil de Vida y Paz CIVIPAZ Meta, Colombia
253. Zona Humanitaria de la Comunidad Vida y Trabajo La Balsita Dabeiba, Colombia
254. Zonas humanitarias y de Biodiversidad de la Comunidad de Autodeterminación Vida y Dignidad CAVIDA Cacarica, Colombia
255. Zonas Humanitarias y Zonas de Biodiversidad, Consejo Comunitario del Curvaradó, Colombia
256. Zonas Humanitarias y Zonas de Biodiversidad, Consejo Comunitario del Jiguamiandó, Colombia

Annex 4

Open Letter to RSPO and WWF: Oil palm monocultures will never be sustainable (November 2009)

One year ago, the International Declaration Against the 'Greenwashing' of Palm Oil by the Roundtable on Sustainable Palm Oil was published, signed by over 250 organisations worldwide (<http://www.regenwald.org/international/englisch/news.php?id=1070>).

Since then, the RSPO has continued to certify palm oil produced by companies which are directly responsible for violating the rights of local communities, for the ongoing destruction of rainforests and peatlands and other abuses against people, the environment and climate.

Even worse, palm oil suppliers are being granted “interim” RSPO certification based solely on self-assessments.

Destructive oil palm plantations have been certified in Malaysia, Indonesia and Papua New Guinea and the same greenwashing exercise has started in Colombia, Thailand and Ghana.

We are deeply concerned that RSPO certification is being used to legitimise an expansion in the demand for palm oil and thus in oil palm plantations, and it serves to greenwash the disastrous social and environmental impacts of the palm oil industry. The RSPO standards do not exclude clear cutting of many natural forests, the destruction of other important ecosystems, nor plantings on peat.

The RSPO certifies plantations which impact on the livelihoods of local communities and their environments. The problems are exacerbated by the in-built conflict of interest in the system under which a company wanting to be certified commissions another company to carry out the assessment.

We are also concerned at the role played by WWF in promoting the RSPO and using it to support endless growth in the demand for palm oil. WWF initiated the founding of the RSPO, continues to lobby worldwide for it, and combines this with their support for the agrofuel industry, including palm oil.

WWF's involvement is being used by agrofuel companies to justify building more refineries and more palm oil power stations in Europe. The promise of “sustainable palm oil”, backed by WWF, was one important factor behind the EU's decision to go ahead with a 10% agrofuel target by 2020, and the RSPO will be used to allow palm oil to become eligible for EU agrofuel subsidies and other support. This is speeding up indiscriminate palm oil expansion in even more countries, including Mexico, Guatemala, Cameroon, DR Congo, Republic of Congo, Uganda and Tanzania.

Unilever, with 1.6 million tonnes per year - the biggest palm oil consumer in the world - uses a “commitment” to use RSPO palm oil

in future as a way of portraying itself as a “responsible” company, ignoring the real impacts of palm oil. Wilmar International has applied for RSPO certificates in Indonesia, even though evidence of their involvement in illegal land-grabbing, fire-raising and rainforest and peatland destruction has led to the World Bank having suspended funding for palm oil. That hard-won suspension is now at risk of lost because of false promises by the RSPO.

In Colombia, palm oil company Daabon, an RSPO member, succeeded in being portrayed in European media as a “responsible” company, despite the fact that they had illegally evicted small farmers from their land, felled trees and contaminated the Caribbean Sea with palm oil spills. In South-east Asia, IOI has had plantations certified, despite being responsible for the illegal destruction of peatlands and rainforests in Kalimantan, destroying the livelihood of indigenous peoples. Their customer Neste Oil has gained an interim RSPO certificate on this basis and is using this to promote biofuels for aviation, while building the world's biggest palm oil biofuel refinery.

Palm oil monocultures for food production, cosmetic and chemical industries and agrofuels are a major cause of deforestation and climate change. They destroy the livelihoods of millions of small farmers, indigenous peoples and other communities. They require agro-chemicals which poison workers and communities, soil, water and wildlife. They deplete freshwater and soils. Palm oil monocultures are not and can never be sustainable and 'certification' serves as a means of perpetuating and expanding this destructive industry.

We therefore reiterate the call made in the International Declaration last year and demand:

- An end to all agrofuel targets, subsidies and incentives, particularly in Europe and the US
- Major reductions in the demand for vegetable oil and energy in the North
- The cancellation of trade relations between companies purchasing palm oil and suppliers destroying forests and peatlands as they are responsible for or benefit from violating Human Rights
- Land reform to devolve land to local communities, guarantee food sovereignty and restore biodiverse agriculture and ecosystems
- Resolution of land conflicts, protection of human rights, reparation for damages
- Restoring all remaining peatlands which have been drained for oil palms as far as this is still possible in order to mitigate global warming.

NGOs should not lend legitimacy to the RSPO and WWF must stop promoting the RSPO palm oil supporting agrofuels

Governments in Europe and the US must reduce the demand for palm oil by stopping the policies which have created the artificial agrofuel market and ending agrofuel use.

NOTES:

The Roundtable on Sustainable Palm Oil (RSPO) is a private organisation or 'stakeholder forum', which has created an “independent” label for certification of 'sustainable' palm oil. Among the members of the RSPO are 80 palm oil plantation companies and federations, 8 banks and finance companies, 51 consumer good manufacturers, 23 retailers, 118 processors and traders and 21 NGOs.

Signatures:

Maderas del Pueblo del Sureste, Chiapas, Mexico
Centre for Orangutan Protection, Indonesia
Bismarck Ramu Group - Madang, Papua New Guinea
World Rainforest Movement, Uruguay
Latin American Network against Monoculture Tree Plantations
RECOMA
Network of Alternatives against Impunity and Market Globalisation,
International
Watch Indonesia!, Germany
Biofuelwatch, UK
Salva la Selva/Rettet den Regenwald, Germany
Colectivo de Colombianos Refugiados en Asturias, Spain
Colectivo Sur Cacarica, Spain
Comité Cerezo, México
Osservatorio Informativo sulla Americhe, Milan, Italy
Plataforma de Solidaridad con Chiapas de Madrid, Spain
Kinal Antsetik, A. C., Chiapas, México
Cooperativa de Artesanas Jolom Mayaetik, Chiapas, México
Colectivo Rosa Luxemburgo, Chiapas, México
Afosci, Paraguay
Comité Oscar Romero de Vigo, Spain
Ecoportal.Net, Argentina
Guildford and Waverley Friends of the Earth Group, England
Freunde der Naturvölker e.V./FdN (fPcN), Germany
Action Populaire Contre la Mondialisation, Geneva, Switzerland
Mangrove Action Project MAP, USA