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OUR VIEWPOINT

- [Carbon neutral cheating](#)

CLIMATE CHANGE

- [Coalition created to intensify actions to prevent and respond to climate change](#)
- [Gender issues and climate change](#)
- [The paper industry and the "business of climate change"](#)
- [Why carbon sink plantations have been hardly implemented within the Kyoto Protocol's Clean Development Mechanism...so far](#)

COMMUNITIES AND FORESTS

- [Criminalized for Defending Nature](#)
- [India: Implementation of Tribal Forest Rights Act 2006](#)
- [Mekong: MRC doing the wrong checking](#)
- [Thailand's Community Forest Bill: Who does the military government think it's good for?](#)

COMMUNITIES AND TREE MONOCULTURES

- [Chile: What is not said about work in tree plantations](#)
- [Chile: The worthless CERTFOR tree plantation certification label](#)
- [Papua New Guinea: Woodlark's islanders demand a halt to oil palm plantations](#)
- [Swaziland: Woodmark and SAPPI ignore the lessons from a neighbouring farmer](#)
- [The European Union and agrofuels: Making the unsustainable "sustainable"](#)

OUR VIEWPOINT

- Carbon neutral cheating

Being "carbon neutral" seems to have become fashionable. The World Bank, the Vatican, the World Olympics, the Football World Cup, the Body Shop, the Rolling Stones, and a long list of celebrities proclaim themselves to be totally or partially "carbon neutral". Even Mercedes Benz recently held in California what was described as "the world's first ever carbon neutral fashion week"! It is therefore understandable that the New Oxford American Dictionary has proclaimed "carbon neutral" as its Word of the Year for 2006.

One must acknowledge that being "carbon neutral" sounds good –and that some of those mentioned above honestly

believe to be doing the right thing- because it gives the impression that “neutral” is synonymous to not emitting at all. However, the concept hides a dangerous cheating game, where many corporate players are winning, while the Earth’s climate is loosing.

Perhaps the best way to “neutralize” this absurdity is through ridicule. That is what people who created the Cheatneutral website did. They invented –following the steps of the carbon offset inventors- the concept of Cheat Offsetting. “Cheatneutral –they state- “offsets your cheating by funding someone else to be faithful and NOT cheat. This neutralises the pain and unhappy emotion and leaves you with a clear conscience.”

Pretending to “neutralize” carbon emissions is equally ridiculous. Carbon neutral flights are perhaps the best way to show that this is a cheating game. Planes do not fly on renewables; they run on oil. Once burnt to enable the planes to fly, the carbon contained in the fuel is released to the atmosphere, never to return to its original storage place underground. Such carbon can never be neutralized; it will add to the increasing amount of atmospheric carbon that is destroying the Planet’s climate.

In spite of that, the very imaginative carbon marketeers have thought out a way of making money out of this. If individuals don’t want to feel guilty or if companies wish to market themselves as being “climate friendly”, there are an increasing number of companies willing –in exchange for some money- to provide them with a way out.

For instance, the UK-based Carbon Neutral Company says that “Flying is one of the fastest increasing causes of climate change, due to the carbon emitted.” However, whoever may feel concerned about that is immediately assured that it is possible to “Neutralise your carbon emissions with our Carbon Neutral Flights, and make your travel greener.” Depending on the flight distance, “neutralizing” your flight has a cost ranging from £4.50 to £52.50. Apart from freeing you from guilt, the company also provides buyers with a “Certificate with a personal dedication if you wish”, a “Colour map and information about ‘your’ projects”, a “Baggage tag made of recycled leather” and a “Cream folder, tied with ribbon.” (this is not a joke, it’s in Carbon Neutral’s website!)

Many other companies have been created to benefit from carbon offsetting. TerraPass, Native Energy, DriveNeutral, Climate Friendly, AtmosFair, Climate Care, GreenSeat are some examples within a growing number of companies offering such services.

The means these companies use for “offsetting” are diverse, ranging from efficient light bulbs to planting trees. Within this cheating game, it is the latter that concern us most. A recent report (State of the Voluntary Carbon Market 2007) explains that some projects are more “charismatic” than others, adding that “Trees is one area of carbon sequestration that everyone understands, even little kids understand it... people get it.”

In spite of their “charisma”, trees have proved to be problematic and this had led some pro-carbon neutral institutions to publicly disassociate themselves with such schemes: “Due to the many problems with tree planting projects, the David Suzuki Foundation only purchases offsets from energy efficiency and renewable energy projects.” The Body Shop explains that “In 2006 we offset our business air travel ... by funding non-tree planting projects”. The Cleaner Climate Company –that provides carbon neutral services to Adobe- explains that it “does not plant trees” because “the science behind carbon sequestration is not accurate enough” and because it is “committed to having a positive impact on the local communities” –thus implying that plantations have a negative impact.

The above concern about offsets related to tree planting has not happened by chance. It is the result of years of campaigning against large scale monoculture tree plantations and documenting their impacts and struggles against them. Additionally, some particularly negative cases of carbon offset plantations (such as those of the Dutch FACE Foundation in Ecuador and Uganda) have been investigated and widely exposed, forcing carbon trading companies to seek for less risky investments.

This growing concern over plantations is very good news for local communities that could have been impacted by carbon offset plantations. However, it implies that the burgeoning carbon market is simply shifting to other more “charismatic” areas. This scam needs to be exposed. People must understand that being “carbon neutral” has exactly the same value as being “cheat neutral” –zero- and that real global action for drastically reducing fossil fuel emissions is urgently needed –without cheating.

[index](#)

CLIMATE CHANGE

- Coalition created to intensify actions to prevent and respond to climate change

During the Conference of the Parties to the United Nations Framework Convention on Climate Change held in Bali, Indonesia, in December 2007, a number of social movements and groups agreed to establish a coalition called Climate Justice Now! in order to enhance exchange of information and cooperation among themselves and with other groups with the aim of intensifying actions to prevent and respond to climate change.

Members of the coalition include Carbon Trade Watch, Transnational Institute; Center for Environmental Concerns; Focus on the Global South; Freedom from Debt Coalition, Philippines; Friends of the Earth International; Gendercc - Women for Climate Justice, Global Forest Coalition; Global Justice Ecology Project; International Forum on Globalization; Kalikasan-Peoples Network for the Environment (Kalikasan-PNE); La Vía Campesina; members of the Durban Group for Climate Justice; Oilwatch; Pacific Indigenous Peoples Environment Coalition, Aotearoa/New Zealand; Sustainable Energy and Economy Network; The Indigenous Environmental Network; Third World Network; WALHI/ Friends of the Earth Indonesia; World Rainforest Movement.

On December 14, the coalition issued the following statement:

“Peoples from social organizations and movements from across the globe brought the fight for social, ecological and gender justice into the negotiating rooms and onto the streets during the UN climate summit in Bali.

Inside and outside the convention centre, activists demanded alternative policies and practices that protect livelihoods and the environment.

In dozens of side events, reports, impromptu protests and press conferences, the false solutions to climate change - such as carbon offsetting, carbon trading for forests, agrofuels, trade liberalization and privatization pushed by governments, financial institutions and multinational corporations - have been exposed.

Affected communities, Indigenous Peoples, women and peasant farmers called for real solutions to the climate crisis, solutions which have failed to capture the attention of political leaders. These genuine solutions include:

- * reduced consumption.
- * huge financial transfers from North to South based on historical responsibility and ecological debt for adaptation and mitigation costs paid for by redirecting military budgets, innovative taxes and debt cancellation.
- * leaving fossil fuels in the ground and investing in appropriate energy-efficiency and safe, clean and community-led renewable energy.
- * rights based resource conservation that enforces Indigenous land rights and promotes peoples' sovereignty over energy, forests, land and water.
- * sustainable family farming and peoples' food sovereignty.

Inside the negotiations, the rich industrialized countries have put unjustifiable pressure on Southern governments to

commit to emissions' reductions. At the same time, they have refused to live up to their own legal and moral obligations to radically cut emissions and support developing countries' efforts to reduce emissions and adapt to climate impacts. Once again, the majority world is being forced to pay for the excesses of the minority.

Compared to the outcomes of the official negotiations, the major success of Bali is the momentum that has been built towards creating a diverse, global movement for climate justice.

We will take our struggle forward not just in the talks, but on the ground and in the streets - Climate Justice Now!"

[index](#)

- Gender issues and climate change

For the first time in the history of the United Nations Convention on Climate Change, a world wide coalition of women drafted position papers with the women's and gender perspective on the most pressing issues negotiated at this Convention that took place in Bali, Indonesia from 3 to 14 December. Gender and Climate Change (gender cc), a global alliance of women for climate justice, presented their position papers at a press conference during the Convention and distributed hundreds of copies to government delegates.

One of the key issues stated in those papers is that "Women are the most affected by climate change, but they are also key catalysts for positive change. Their knowledge and experience is fundamental for a successful mitigation of climate change, as well as for climate change adaptation".

They demanded "a future climate regime designed in a framework of gender equality and sustainability guidelines, instead of being driven by dominant economic factors. To mitigate climate change, the root causes must be addressed more fundamentally".

They also demanded the "acknowledgement of the contribution of women to forest conservation. Women should be included in any forest protection mechanism, measures and compensation schemes. Carbon trading, large hydro-projects and expansion of agro-fuels are not the solution for climate change but rather increase deforestation".

Ulrike Roehr, acting coordinator of the gender cc network stated: "We need to question the dominant perspective focusing mainly on technologies and markets, and put caring and justice in the centre of the measures and mechanisms." Roehr stressed that "The lack of gender perspectives in the current climate process not only violates women's human rights -fundamental principles agreed on by the UN community- but it also leads to shortcomings in the efficiency and effectiveness of climate related measures and instruments."

On the last day of the Conference, the gender cc network presented a strong Submission to the Plenary stating: "We urge you, our governments, to ensure drastic emission cuts at source. You have the power to do this here and now. People threatened by climate change cannot wait."

At the same time, in a joint declaration with MADRE (see http://www.wrm.org.uy/actors/CCC/Bali/Women_Agrofuels.pdf), both gender organisations rejected agrofuels as a valid way of reducing carbon emissions, and urged all parties and stakeholders to support, among other things, the call of the UN Special Rapporteur on the Right to Food, Jean Ziegler, for a five-year moratorium on agrofuel development, which increasingly occupies agriculture lands thus aggravating world hunger.

For more information of the gender cc network contact: Ulrike Roehr, gender cc -women for climate justice, roehr@life-online.de, www.gendercc.net

[index](#)

- The paper industry and the "business of climate change"

For many years, the pulp and paper industry has been trying to paint itself green. No challenge is too big, it seems, for one of the most polluting industries on the planet. Although paper production is a major consumer of energy and a major cause of greenhouse gas emissions, the latest challenge for the industry is to go "carbon neutral". While reducing greenhouse gas emissions may sound like something that we all welcome, this industry-dominated discussion sidesteps the fact that the pulp and paper industry is expanding rapidly, especially in the global South. It also ignores the issue of massive overconsumption of paper in the North. The best way of reducing the impact of the pulp and paper industry is by reducing the amount of paper produced. But of course the paper industry isn't interested in talking about this.

In October 2007, the Forest Products Association of Canada (FPAC) announced that by 2015 it would become Canada's first "carbon-neutral" industry. The announcement came during a conference at a luxury five-star hotel in the centre of Ottawa. Featuring key note speeches from Keith Trent of Duke Energy and Clive Mather, CEO of Shell Canada, the conference was titled, appropriately enough, "The Business of Climate Change Conference".

FPAC has entered into a partnership with WWF to "help guide the initiative". FPAC claims to have already reduced its greenhouse gas emissions by 44 per cent between 1990 and 2004. But this figure of 44 per cent reduction in emissions is a fraud. It excludes so-called "indirect emissions" - emissions produced in generating the electricity which the industry uses.

A 2005 report includes both direct and indirect emissions and concludes that the forest sector's greenhouse gas emissions in 2002 were the same as they were in 1980. The report, produced by the Canadian Council of Forest Ministers, notes that the forest sector is the "largest single industrial energy user in Canada and has significant GHG [greenhouse gas] emissions".

Another more recent report produces data indicating that the situation may be even worse. This report was commissioned by the FPAC, giving the industry little excuse to ignore it. Written by the National Council for Air and Stream Improvement (NCASI), the report compares emissions in 1990 with those in 2005. The report calculates direct emissions from manufacturing, "indirect" emissions from electricity generation, transport emissions and methane produced from forest products in landfills. In 2005, according to NCASI, the forest industry was responsible for a total of 53.3 million tonnes of carbon dioxide equivalent, compared to 49.7 million tonnes in 1990 – an increase of 7.2 per cent.

But the NCASI report doesn't stop there. It introduces some creative accounting in the form of "sequestration" and "avoided emissions", giving the impression that things are not as bad as they appear and in any case may soon get better. "Available data demonstrate that GHG emissions along the forest products industry value chain are largely offset by sequestration accomplished in forest products," writes NCASI. Methane emissions from rotting paper and other forest products in landfills are the largest single source of greenhouse gases from the Canadian forest industry, accounting for about 46 per cent of the industry's greenhouse gas emissions in 2005. NCASI reassuringly explains that, "landfill methane emissions attributable to Canadian forest products are more than offset by net storage of carbon in forest products deposited in landfills." Some forest products in landfill sites rot quickly and release methane, others rot more slowly, releasing methane more slowly. This, according to NCASI is "sequestration".

"Avoided emissions", meanwhile, are changes that the industry could make, such as producing more recycled paper or using combined heat and power generation. The fact that the industry could also avoid emissions by producing less paper isn't mentioned in NCASI's report. Instead, NCASI anticipates an increase in consumption of forest products.

In September 2007, the Confederation of European Paper Industries (CEPI) published a Carbon Footprint Framework. CEPI does not make any grand claims about the industry becoming "carbon neutral". Instead, the Carbon Footprint Framework presents a series of arguments that companies can use to convince consumers that their product is "carbon neutral". Not surprisingly, CEPI's arguments are similar to those of its Canadian counterpart. For example, CEPI proposes that the industry should argue that carbon is sequestered in both forests and in paper products: "Use the statement that Sustainable Forest Management (SFM) ensures that carbon stocks in forests stay stable or even improve over time and build on this statement."

Part of the reason that paper consumption is increasing is because paper companies are constantly coming up with new uses for paper and promoting ways of using more paper. When these paper products end up in landfills, they rot and produce methane. Rather than attempting to greenwash its activities with spurious arguments about carbon sequestration, the pulp and paper industry should stop producing rubbish.

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

[index](#)

- Why carbon sink plantations have been hardly implemented within the Kyoto Protocol's Clean Development Mechanism...so far

In the general public perception, trees are automatically associated with environmental benefits, and there is consumer demand for "cuddly" offset tree-related projects, as opposed to the type of industrial emissions reductions that have dominated the Clean Development Mechanism (CDM) market. It is estimated that some 40% of carbon credits generated in the voluntary market comes from tree-related projects.

However, forestry projects –and specifically plantations as carbon sinks-- have been largely absent from the "certified" –CDM- carbon market. They still represent a tiny share of the Kyoto Protocol's Clean Development Mechanism trading program.

As reported by Jutta Kill (WRM Bulletin 119), "in the three years since the rules for afforestation and reforestation projects were adopted, and after twelve rounds of baseline methodology submissions, only one plantation, in China, has been registered as a CDM project."

This is good news for local communities struggling against monoculture tree plantations, because if implemented, carbon sink plantations would have been legitimized by the Kyoto Protocol as an alleged "fix" to the increasing problem of climate change and would have further increased the expansion of destructive plantations in the South through subsidies channeled through the carbon market.

The idea behind the concept of carbon sinks is that tree plantations, through photosynthesis, could "offset" carbon dioxide emissions by absorbing CO₂. Many years ago, Larry Lohmann (1) had warned that "The problem is how to calibrate a meaningful and reliable 'equivalence' between the carbon sequestered permanently in fossil fuel deposits, the transient CO₂ in the atmosphere, and the carbon sequestered temporarily as a result of any particular tree plantation or national tree-planting programme. No one has any idea how to do this. Nor is it likely they ever will."

However, the question is: why have tree plantations not been widely adopted as an "offset" mechanism, when so many governments were very keen in their promotion, offering cheap and abundant carbon credits based on fast tree growth in Southern countries?

One of the possible explanations is that, while the Kyoto Protocol recognised afforestation and reforestation as valid activities to remove greenhouse gas emissions, it established limitations for offsets from so-called Activities in Land

Use, Land Use Change and Forestry (LULUCF): only the equivalent of 1% of base year (1990) emissions per year per country were allowed. Additionally, credits from such tree planting projects are temporary --a circumstance that buyers perceive as complex and risky.

In addition, carbon sink tree plantations are risky: they can burn and release the carbon stored in the trees, as has happened recently in South Africa and Swaziland (see WRM Bulletin N° 123). At the same time, such plantations face a number of legal problems related to land titles, title to carbon, transfer of rights, implementation and management contracts, and methodological troubles including unavailable baseline data, an unclear definition of forest, "leakage", etc. (2).

Even more importantly, opposition to plantations at the ground level and support from NGOs at the international level has certainly had an impact. As stated by Economist Franck Lecocq and World Bank officer Philippe Ambrosi in a 2007 report (3), "LULUCF projects in the CDM faced . . . criticism from some stakeholders, notably environmental NGOs. LULUCF projects, critics argued, would be environmentally unsound, would flood the market with unsound credits, and would lead to environmental catastrophes in the South because they would favor fast-growing industrial plantations of alien species over community-based, sustainable forest management. This pressure led to a strict limitation of the scope of LULUCF projects under the CDM in the Marrakesh Accords."

Two recent decisions however may yet attract more plantations to the CDM. First, restrictions have been removed that required that tree planting CDM projects could only happen on land that had not been forested after 1990. This restriction, originally put in place to guard against the CDM providing a perverse incentive to cut down forests to replace them with CDM sponsored monocultures, has recently been removed by the CDM Executive Board. With this change, the CDM will become much more attractive to plantations companies and the change "will make substantive areas used for controversial large-scale plantation management eligible as CDM projects." [see WRM Bulletin N° 119 at <http://www.wrm.org.uy/bulletin/119/CDM.html>]. The second change has just been agreed at the climate talks in Bali; it increased the size of tree planting projects that can apply to the CDM under simplified procedures and with fewer requirements to assess social and environmental impacts. This again will be an additional incentive for plantation companies to try accessing the CDM.

Another point worth mentioning is that while only one tree plantation project has been registered as a CDM afforestation and reforestation project, plantations companies have discovered another route into the CDM: as energy projects --rather than carbon sink projects. V&M do Brasil, whose plantations in Minas Gerais, Brazil, have taken this route and are now cashing in on the CDM without being identified as tree plantation projects in the CDM. In the case of V&M, even murder by its security guards of a peasant inside the V&M plantations was not enough to revoke the CDM registration [see WRM Bulletin No 119, at <http://www.wrm.org.uy/boletin/119/Brasil3.html>].

So far carbon sink plantations have been hardly implemented within the Kyoto Protocol's Clean Development Mechanism, but recent trends could make things change making it necessary to redouble awareness and resistance.

(1) see "The carbon shop: planting new problems", at <http://www.wrm.org.uy/plantations/material/carbon.html>

(2) see "Markets for LULUCF Credits", at http://www.climatefocus.com/newspubs/downloads/publications/LULUCF_markets.pdf

(3) "The Clean Development Mechanism: History, Status, and Prospects" (<http://earthmind.net/labour/briefing/docs/reep-2007-cdm.pdf>)

Article based on comments from Jutta Kill, FERN, e-mail: jutta@fern.org, Kevin Smith, Carbon Trade Watch, e-mail: kevin@carbontradewatch.org, and Larry Lohmann, The Corner House, e-mail: larrylohmann@qn.apc.org, and on the referred documents.

[index](#)

COMMUNITIES AND FORESTS

- Criminalized for Defending Nature

The Summit of Communities Criminalized for Defending Nature was held last November in Quito, Ecuador. Criminalization is part of a strategy aimed at silencing any protest against the extractive activities of transnational corporations within Ecuadorian frontiers. It would seem that the next accused could be anyone. It is sufficient to raise your voice against the irrationality of global economy.

Most of the cases arise in the last areas of tropical forest remaining in the country, which is where mining and oil resources are also located. At the Summit, circumstances were analyzed regarding the increasing number of these cases of unjust criminalization of indigenous and peasant populations in which opposition to national and transnational corporate extractive activities occurs.

As announced in the call to the Quito meeting, its intention was to be a first step towards "making visible to national and international public opinion the escalade of political, legal and para-legal persecution of social leaders defending nature and life, in opposition to an economist development model, violating rights" and it achieved its purpose. In Ecuador, criminalization of peasants has occurred in the North, in the subtropical zone of Intag and at present in the South of the country, in the Amazon region.

Some of the faces present at the event seemed to show relief, probably because they saw they were not the only ones suffering from this problem. The police, courts, investigations, enquiries, sentences, judges, lawyers, attorneys, doctors. This world came upon them all suddenly. Some have already become experts in law and criminal procedures. This is not surprising when one individual faces ten, fifteen and even twenty court cases.

This is the case of Tarquino Cajamarca, from the Canton Limón Indanza in the Amazon province of Morena Santiago, persecuted by Sipetrol, which manages the Hidroabanico project; of Rodrigo Aucay from El Pangui, also in the Amazon region of Zamora Chinchipe, persecuted by the Canadian-Ecuadorian Mining company, Corrientes Resource; or of Polibio Pérez, from the subtropical Intag area, who has been persecuted by the Canadian mining company, Ascendant Copper. During the event, testimonials were heard about these cases. The greatest crime of these three community leaders, respected and acknowledged in their place of origin, was perhaps to have been among those opposing more energetically the activities of the transnational corporations, affirm the representatives of human rights organizations. Unfortunately, these are not isolated cases.

The costs of defending these and other accused peasants are enormous, both in economic terms and physical and psychological efforts. Not only do they have to pay lawyers fees. The distances these criminalized people have to cover to attend the hearings are enormous. Many live in remote locations, where delinquency was practically non-existent until the intervention of transnational corporations in their area. These people are being made victims of a development model, totally foreign to their way of life and understanding of the world. Some have been in prison, others have had to hide for days or weeks to avoid going to prison, far from their families and daily activities. At the present time, Tarquino Cajamarca from Limón Indanza has an order for arrest hanging over him.

Defence is hard. In many cases, accusations are not made directly by the transnational corporation or by persons openly related to it, but by personnel paid to give false testimony and accuse the peasant leaders of a common crime that they have not committed. During some of the proceedings, identical testimonials made by different witnesses showed evidence of the fact that they were merely repeating a script that had been handed to them in advance. The Ecumenical Human Rights Commission (CEDHU) and the Regional Foundation for Human Rights Advisory Services (INREDH), both located in Quito, possess full documentation on many of these cases. According to a member of INREDH, the peasants are being linked to black lists. Tools of the trade, such as computers are stolen off them as

part of a strategy to immobilize social rights organizations. CEDHU's Investigation Unit also reports numerous cases of aggression by staff of the extractive companies or by personnel paid by these companies, including death threats, persecution, physical aggression, harassment, slander and many other actions.

However, there is an increasing number of people accused of some common crime they have not committed, making it necessary and urgent to take measures. The number of community leaders and peasants that are being criminalized by the companies in response to the resistance put up by some communities to their oil, mining or other extractive activities in tropical forest areas is alarming. According to the CEDHU Investigation Unit, there are over 100 accusations and there are many more people accused, taking into account that many of these processes are multiple, that is to say, more than one person is accused. All of them are well aware of the reason for their opposition to these economic activities. "Who has benefitted from 30 years of oil exploitation? The streets of the countries in the North are increasingly enhanced and illuminated, while at Lago Agrio (an oil city in the Ecuadorian Amazon) the streets are still in darkness and, even worse there are people suffering from cancer and contaminated" says Humberto Cholango, President of the Ecuarrunari. Many peoples have stated that they do not want to end up under similar conditions and for this reason reject the extraction of natural resources in their areas. There is clear resistance to mining in Intag, Pacto, El Pangui, Napo, Machala and other places in the country.

"Mother Earth gave birth to us peoples and for this reason, we must defend her," says Cholango. "But through non-violence," specified Esperanza Martinez, president of Acción Ecológica, an organization that also took part in this meeting. "Non-violence is a much more powerful weapon and, as defenders of nature, we cannot do things any other way," she added. This is in spite of the fact that sabotage and terrorism, attacks against State security, rebellion and attacks against public officials, apology of crime, unlawful association, crimes against property such as theft and crimes against people such as kidnapping, are among the crimes the various leaders and peasants are accused of. With these common crimes, an attempt is being made to mask grassroots resistance, while putting people in prison to eliminate them or neutralize those who exercise more opposition to the companies' activities on their territories. The paramilitary or professional murderers are hired to do the dirty work. This is a situation that has repeatedly occurred in Ecuador.

In the subtropical area of Intag, four of the fifteen legal actions launched by the Canadian mining company Ascendant Copper, were concluded with absolution and resolutions in favour of the unjustly accused community members. "Justice proved us right," said Robinson Guachagmira, who presented the case of Intag during the Quito meeting. "I myself was eight days in prison, the worst days of my life. My consolation was to think that hopefully this sacrifice would contribute to the environment and the forests of my region remaining intact for future generations." More than 90 people from the northwest area of Intag were surprised by this type of arbitrary accusations.

According to Dr. Raul Moscoso, a lawyer who is committed to social causes and who attended the Summit meeting, "The acts of community resistance are political acts." Dr. Moscoso prepared and upheld the first version of a draft Amnesty Law for this type of cases. The preparation of this draft Amnesty Law and the establishment of an International Network of people who have been affected to avoid those accused from isolated and individual confrontation, were just some of the solutions put forward to address the serious problem of peasant criminalization, in addition to the proposal for joint mobilizations. Through the Amnesty Law that was placed in the hands of Alberto Acosta, president of the Constitutional Assembly and in those of the Attorney General of the Nation on the same day as the Summit meeting, it is hoped to protect people who take part in ongoing or future acts of community resistance, It should be possible to apply this general Amnesty to individual cases. It should also include amnesty for civil responsibility.

Unfortunately, this criminalization phenomenon is not an isolated one nor is it exclusive to Ecuador. In other Latin American countries identical conditions are prevailing, associated with other extractive or agro-businesses, such as the case of extensive soybean plantations in Paraguay, or oil palm plantations in Colombia, where the companies also make indiscriminate use of complaints and accusations against the Afro-Colombian peasant population, trying to

silence any discordant voice attempting to prevent the development of economic enterprises on community land. Regarding mining, recently there has been a case of criminalization of 7 indigenous Maya Mam members in Guatemala. Identical news has come from this country: "Through this trumped-up court case, the company intends to weaken the anti-mining social movement that is struggling for its rights in the municipality of San Miguel Ixtahuacan, while it manages to expand its exploitation in the region and to socially disintegrate organizations opposing mining," according to Derechos en Acción in that country.

LAST MINUTE NEWS: Over the past few days, the issue of criminalization of social protests has become hot news in Ecuador. In fact, the Prefect of the Amazon province of Orellana has been arrested, accused of having organized a social protest culminating on 29 November in Tiguino and Dayuma. Twenty-two other people have been arrested with her. Criminalized. Their demands: tarmac for a highway, water and electricity supply, reparation of damage to the environment and to health caused by oil extraction. This has led to the province being placed in a state of emergency and a curfew has been declared. For his part, president Correa, at various public gatherings, referred along the same lines to social protests, calling the ecologists, left wing, romantic, childish and even terrorists, ignoring the fact that the protests come from the population and not from the "ecologists." Behind the President's anger is his desire to exploit mines and oil at all costs, in a desperate search for resources and in spite of having presented himself, on various occasions, as the "friend of the indigenous population" who will be those most affected in every way. The President does not seem to like legitimate social resistance that has been generated by the 30 years of oil exploitation in the Amazon, where poverty and abandon persist in spite of the promises once made by the oil companies.

As a conclusion we may note that the union of leaders and affected peasants is needed on a national and international scale and a response in accordance with the problem of criminalization by State institutions to avoid the persistence of this situation. Also, the guarantee of mechanisms – such as the Amnesty Law – is needed to prevent transnational corporations and the State itself from harassing the population. Anyone defending the environment, tropical forests and human rights can be the next person accused of sabotage, terrorism, theft, kidnapping, slander, arson, damages or illegal association. But we should not forget that the defence of rights continues to be everyone's responsibility.

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[index](#)

- India: Implementation of Tribal Forest Rights Act 2006

India's Minister of Tribal Affairs promised on 7.12.2007 to the Indian Parliament that the Scheduled Tribes and Other Forest Dwellers (Forest Rights) Act 2006 which the parliament approved a year ago, will be notified and implemented from 1.1.2008 onwards.

India has around 90 million tribals, called mostly Adivasis, who have lived mainly by sustainable indigenous forest life and whose rights could be ensured by this Act. During the past 60 years around 30 million tribals have been displaced from their homes and livelihoods for 'development' projects.

The new Act recognises for the first time that Adivasis and other traditional forest communities who have not had earlier ownership documents for their homes or cultivations, have legal rights to live in the forest by their indigenous livelihoods.

But the implementation of the Act has been delayed for months. It has been opposed even by TV advertisements, where children are holding banners which demand that Adivasis should be displaced from the forests to protect the forests.

Prime Minister Manmohan Singh and ruling Congress party's leader Sonia Gandhi consider now whether India will now rapidly determine countless indigenous forest dwellers to become displaced from their home forest in 600 sanctuaries without clarity on their rights - or will India make now first clear, compliant to its new Act, what are their rights before defining whether and how can they be displaced. To demarcate in a fortnight 'critical wildlife habitats' for 600 sanctuaries would violate requirements of any due procedure and displace possibly millions of people.

The Act provides a proper legal procedure for establishing critical wildlife habitats so that resettlement from them can take place only through communities' prior informed consent and mutually agreed compensations, based on their rights being duly settled. Also international biodiversity protection commitments require similarly crucial role for the indigenous and local communities and their involvement in sustainable use and conservation of biodiversity.

What will be decided now by the government of India before the new year about possible further evictions of indigenous forest communities, is still unclear. Forest and Biodiversity Program of the Friends of the Earth International, WRM and various other environmental organisations appealed 13.12.2007 therefore to the Indian Prime Minister and to Sonia Gandhi, the chair of the governing UPA Coalition, to ensure the due implementation of the Forest Rights Act.

The process to legalise the traditional and customary rights to Adivasi forest life, to forest homes, forest produce gathering and subsistence farming livelihoods will be in any case full of struggle as the bureaucracy, various elite groups and groups profiting from sanctuary tourism would like to keep control over the forest. Wide protests of forest rights movement groups, united through Campaign for Survival and Dignity, continue in various states around India against the forced evictions and to get the Act duly implemented.

As the Act says, the recognition of indigenous forest dwellers' rights is needed to correct the historical injustice done to them. This is true not only in India but also regarding the whole world.

By Ville-Veikko Hirvelä, e-mail: villeveikkoh@gmail.com

[index](#)

- Mekong: MRC doing the wrong checking

Old proposals of damming the Lower Mekong River were revived recently. According to press releases from the Thailand-based NGO TERRA, the governments of Lao PDR, Cambodia and Thailand have granted permission to Thai, Malaysian and Chinese companies, to conduct feasibility studies for up to six large hydro dams on the lower Mekong. Ten years ago the projects had been dismissed for their huge cost and potential environmental damage.

The international Mekong River Commission (MRC) has the obligation to protect the Mekong, According to TERRA (see press releases at http://www.wrm.org.uy/countries/Thailand/MRC/Mekong_Mainstream_dams_media.pdf and www.wrm.org.uy/countries/Thailand/MRC/Press_Release_12_Nov.pdf) "Under the 1995 Mekong Agreement, the MRC is required 'to make every effort to avoid, minimize and mitigate harmful effects that might occur to the environment... from the development and use of the Mekong River Basin water resources' (Article 7)." However, although at the Mekong River Commission's 6th Technical Symposium on Mekong Fisheries (2003) researchers concluded that "any dam on the Mekong mainstream . . . could be disastrous for fisheries..." the MRC has remained notably silent, said TERRA, who views that "Although the establishment of the MRC was hailed as a step towards overcoming past antagonisms in the Mekong Region, it continues to be dominated by the national interests of its member states, underpinned by a focus on economic benefits at the exclusion of all else."

Some 175 local and international organizations --including WRM-- signed a letter to the Chief Executive Officer of the

Mekong River Commission Secretariat, and donor institutions currently supporting MRC, expressing their concern over the projected construction of six hydropower dams in the Lower Mekong River as well as “the failure of the international Mekong River Commission to uphold the 1995 Mekong Agreement at this critical juncture” (see full letter at http://www.wrm.org.uy/countries/Thailand/MRC/Letter_%2012_November.pdf).

Instead of responding to the serious issues raised in the letter, MRC’s move was to start checking if the signing organizations were real. No doubt MRC has the right to do that, but it should at least do it properly.

WRM received a message from MRC --signed by Lieven Geerinck-- saying that “the Mekong River Commission takes the statements very seriously”, and that “The list of signed organizations in attached document is quite important although we have found some agencies of less relevance to the topic (e.g. www.proyctogato.org). We do believe in genuine communication. Can you confirm that your organization has signed the attached letter?” (see MRC message at http://www.wrm.org.uy/countries/Thailand/MRC/MRC_Message.html)

It seems that MRC made a huge mistake in assigning Proyecto Gato -for which Jan Cappelle signed- “less relevance to the topic”. Had MRC bothered to google “Jan Cappelle” as well as “Proyecto Gato” it would have not confused it with an organization that looks after cats! (“gato” means “cat” in Spanish) and would have learned about their direct involvement in the issue of dams in the region.

But that was not their only mistake. The press release and the media briefing were clearly produced by TERRA – an organization that has been working on this issue for many years- so MRC should have replied to them and not write to some of the signatories to ask whether they had signed or not or whether they were “relevant to the topic” or not.

MRC should act in line with its alleged seriousness and respond to the demand to provide “some measure of professional oversight and technical assessment of the proposed dam projects” as well as give details of its “major strategy on coordination of all kinds of hydropower projects in the Mekong Basin to ensure a sustainable solution or alternative measures are put in place”.

What has MRC done to ensure that dams that have been built in the Mekong Region since 1995 did not infringe basic human rights or result in environmental destruction? What has it done to address the impacts of dams that it was involved in before 1995?

Civil organizations from the Mekong River are still waiting for the response of MRC regarding these questions.

[index](#)

- Thailand’s Community Forest Bill: Who does the military government think it’s good for?

The National Legislative Assembly (NLA), set up after the military coup in Thailand last year and due to be disbanded following the general election on 23 December, has, in its dying breaths, approved the long awaited Community Forest Bill. Rather than consolidating the constitutional rights of all communities to manage their forest areas however, the NLA chose instead to exclude the rights of communities who are living outside the “conservation zones” to take part in forest management.

In a denial of the truth that communities in Thailand now have 18 years of experience in community forest management since the logging concession ban, most politicians and members of the NLA still see villagers as forest destroyers. One-sided information, news and analysis drawn from a superficial understanding of the problems, has created fear and suspicion amongst the general public in Thailand. This perspective only posits two ways to resolve problems of forest destruction. The first is to declare conservation areas (article 3) in which people are not allowed to live. “Conservation zones” mean “National park, Wildlife Sanctuary, No Hunting Zones, as regulated by the respective

laws or other areas which are watershed or other areas which have environmental value and are required to be conserved according to the ministerial regulations". The second is to pass laws which give monopoly power to the state officials to issue fines for forest destruction.

Despite these out of date perspectives, nowadays communities have learned from the crisis of the degraded forests which created serious problems for their livelihoods, in a context where agricultural communities must depend on nature. Communities who were involved in forest destruction in the past have come back together to preserve the forest. It is clear that these communities can only manage the forests effectively if society acknowledges their role and if communities can determine their own economic, social and political choices. On this basis they will be able to manage the forest using both formal and informal mechanisms depending on the nature of the areas and the condition of the group and the community. A learning process is being promoted by several external groups which includes learning about problems faced by the community or learning between communities, including information and news from outside the community.

Community forest management is not best served by a legal approach which seeks to determine the boundaries of various types of forest to make it easier for the state to manage, by dividing management zones according to different government units' responsibilities. On the contrary, the management of community forests does not strictly distinguish between farm areas, housing areas, forest areas nor does it strictly separate to whom the land and the forest belong.

The management of community forests in Thailand began with communities inside and outside the conservation forests. This reflects a growing awareness that the effective management of forests depends on a learning and strengthening process within the community. Communities have capacity and are ready to manage forests within a boundary which has been assessed together with the community according to their local social and environmental, economic and political conditions.

The concept in drafting the version of the Community Forest Bill proposed by the people comes from drawing the lessons from community forestry in practice. Community forest management deserves support to increase the area of natural forest in Thailand instead of commercial tree plantations in the national reserve forest areas, also to reforest degraded forest areas, or public lands, and wetland areas that are being destroyed for a variety of development projects. Community forests should especially be allowed in conservation forest areas which are at risk of destruction every day from illicit logging with collusion of officers and wealthy individuals. These areas have remained out of sight of the law and under the dark shadows of corruption by state officials forever looking out for their own profits. Did the NLA consider the fact that the communities who are established inside and outside the conservation zones have had an important role in protecting the nearby forests in conservation zones and that many community leaders were murdered in protecting the forest in many areas?

The expansion of the conservation areas by the state into the remaining fertile forests are precisely the areas that have been protected by communities. Instead of rewarding communities with trust, the draft Community Forest Bill has instead cut their rights to manage the community forests, on the basis that they are settled outside the conservation zone. The fact of the villages' location outside the conservation zone in almost every area is the result of negotiation between communities and the state. People demanded that the government exempt their long-established villages and farmlands from being zoned as conservation areas, while conceding that their community forest areas be designated within the government conservation zones. This was done with good intention, people hoped that their community forests could be well looked after jointly by the community and the state. This matter caused considerable suffering for the communities, having handed their community forests over to the "conservation zones", they found that the forest was destroyed even more quickly. The community had no power to stop the loggers, and at the same time were unable to use their forests.

This closing of social space for managing forests by the communities will create more severe conflicts between the state and communities. In the end, Thai society and communities will see increased forest destruction from the

investors groups and government officials who are ready to exploit their chances to gain profits from forest. In future, communities must face severe poverty from being cut off from the forest on which they depend. Who is going to take responsibility for this after the military government sends the Community Forest law to the old-boy politicians who will return after this weekend's election?

By Sayamol Kaiyoorawong. The author has been working to support the people's draft of Community Forest Bill. She is currently the Director of Environmental Awareness Building based in Trang province, Southern Thailand. This article first appeared in Thai in the Prachataam News Network in December 2007 (www.newspnn.com).

[index](#)

COMMUNITIES AND TREE MONOCULTURES

- Chile: What is not said about work in tree plantations

Forestry development in Chile –meaning monoculture tree plantations- is marked by a great imbalance in the distribution of the monetary wealth generated by this industry. The huge profits obtained -subsidized by the Chilean people- enable the economic groups that own these companies to generate enormous wealth, while the population does not receive in exchange any real benefits from this activity.

The economic damages produced by environmental disasters are suffered by the affected people (in Río Mataquito, Río Cruces in Valdivia, due to loss of water in planted areas, etc.). For their part, the State and the companies turn a deaf ear on the damage caused by their pine and eucalyptus plantations to the neighbouring and mainly Mapuche communities.

The conditions of forestry labour and forestry workers are hidden from public opinion and invisible to the community. These workers are unable to access the mass media that could reflect the many difficulties they face, both regarding labour and their physical and psychological health. The difference with workers from other sectors such as mining and transport is that these have the capacity to expose their problems because they generally live in urban or populated areas and the mass media disseminates their views more often as they are closer to the news. However, forestry work generally takes place in distant areas that are hard to access and usually restricted as they are private forestry property. To this is added the workers scant organizational capacity as they usually work for small contracting or sub-contracting companies.

The loss of access to natural resources affected by tree plantations, such as water -which is becoming increasingly scarce around the plantations- is causing the migration of peasants and poor Mapuche people to the cities. The new arrivals normally end up in urban poverty belts and require assistance from the different social welfare services.

Furthermore, the millions of dollars of damages to highways and bridges caused by the heavy traffic of trucks loaded with timber, fall directly on small farmers, as they are prevented by these circumstances from taking their products to consumer centres, very often losing them. The costs involved are thus not taken on by the companies but by the Chilean population which provides the money to pay for the repairs on the damaged highways.

The salaries of forestry workers are based on production or yield, measured in cubic metres. Sometimes the figures are altered, making out smaller figures. This is a mechanism used by some Forestry Service Companies to manipulate the information given by the workers regarding salaries to be paid.

No complete information is available about the total number of work-related accidents because minor accidents (falls, sprains, injuries that do not require major care) are frequent and treated outside the official system, generally at private clinics or with private doctors and are not reported. In this way they avoid increasing the rate of work-related

accidents and the cost of insurance.

The labour regime keeps family heads away from their homes for 12 days, and are then given 3 days rest. This does not facilitate a healthy family life and alters the maintenance of well constituted homes.

Contact with plantations recently sprayed with pesticides, herbicides and fungicides, among others, and the companies' scant concern over regular health checks does not enable the workers to receive due information on the risks they are exposed to.

The clearest proof of the repercussions of this development model is to be found in the high poverty rates and low human development in regions mainly dedicated to forestry activities, such as the eighth region and the province of Malleco in the ninth region of Chile.

Of course the forestry model produces wealth, in abundance, but the question is what type of wealth and how much of it goes to benefit those involved in its generation (forestry workers such as chainsaw operators, strippers, loaders, foremen, operators, drivers, mechanics, etc.) and how much only goes to fatten the coffers of unscrupulous economic groups that benefit from us Chileans bearing the load of the negative costs of this industry.

There is no doubt that forestry work generates more poor people than those who come out of poverty thanks to this activity. The excuse most frequently-used by the government and the companies to promote the forestry model in the poorest regions of Chile, is that it creates jobs and therefore absorbs labour. However the facts show the contrary as, due to the forestry industry, there has been a loss of well paid, independent jobs, with workers putting in hard work, but obtaining sufficient reward, being free and not causing major impacts on the environment, such as the jobs generated by artisan fishing, tourism and farming. In exchange, poorly paid, slave-like and risky jobs have been created, while at the same time generating considerable impacts on the environment.

What type of jobs do we want? What type of employment do our leaders want? It would seem that this is of no concern to them, as long as they can keep their own jobs.

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[index](#)

- Chile: The worthless CERTFOR tree plantation certification label

Most Chilean forestry companies' plantations are certified, some by FSC and the majority by CERTFOR (a member of PEFC). In round figures, FSC has certified some 350,000 hectares, while CERTFOR has certified approximately 1,600,000 hectares. Given the importance of CERTFOR in Chile, it interesting to analyze it in greater detail.

The first thing to draw our attention is the total number of hectares certified by CERTFOR, equivalent to almost 80% of the total number of hectares planted in Chile. That is to say that these certified companies are mainly responsible for most of the environmental problems documented in Chile at the level of plantations: destruction of native forests, depletion and pollution of water resources, negative impacts on soils, on flora and on fauna.

At the same time, these monoculture tree plantations have resulted in serious social impacts: the occupation of Mapuche territories, repression, criminalization, migration, loss of jobs, poor working conditions and health problems linked to the use of agrochemical products.

It should be noted that it was not an easy job to find information on the certified companies. Eventually the major figures regarding plantations set out in the following paragraphs were found, but it was not possible to find details of

the location and size of the various plots of land as none of these companies provide this type of information on their websites.

The fact that only one economic group – the Arauco Group – should possess over a million hectares of pine and eucalyptus plantations certified by Certfor is also noteworthy. Bosques Arauco (289.000 ha), Forestal Celco and Forestal Cholquán (550,000 ha) and Forestal Valdivia (252,000) are all companies forming part of this Group.

For its part, the other large economic group – the Matte Group, owner of Forestal Mininco- possesses between 550,000 and 600,000 hectares certified by this same certification scheme.

On top of the added impacts of these plantations (an aspect which does not seem to be of any importance to the certifying companies), these two major groups have a long track record of negative social and environmental impacts. In an article published recently in this bulletin (Chile: The short-lived lies of a “successful” forestry model), we summarized many of these impacts. For example, it was said that “during the season of the year when there is the greatest demand for labour, in the commune of Los Sauces, Province of Malleco in the South of Chile, the Mininco forestry company gives work to only 19 people from the commune and pays them very low salaries Like in other parts of the country, their enormous profits are expressed in a loss of quality of life for the local people. Thirty-three point eight per cent of the population live in either poverty or dire poverty.”

Furthermore, “Agricultural activities declined 22 % over the past 10 years, gradually forcing over 1,400 people to migrate to towns... One of the reasons is the lack of water as the plantations have dried up the soil. Every summer the municipality has to deliver water by truck for domestic consumption.”

“In addition to the lack of water is the problem of agrochemical contamination. The neighbours in the rural sectors of Porvenir Bajo and Porvenir Alto suffer from serious health problems due to plantation spraying by the Comaco forestry company. Agrochemicals, in particular herbicides (glyphosate and simazine), are mechanically or manually sprayed before plantation and at various times during the first stages of growth of the trees, polluting rivers, brooks and irrigation channels.”

Additionally, the workers that manage to obtain employment in these certified plantations face problems. An article published recently in the press (15/11/07) reported that “forestry workers in the Province of Arauco, in Curanilahue, accuse Forestal Arauco of intervention in the trade unions, of not fulfilling its commitments and obligations and of seriously impoverishing the Province.” More serious still, is the fact that a movement launched in March in the Arauco area “initiating negotiations between outsourced workers and the forestry holdings (Bosques Arauco, Forestal Mininco) ... ended with one dead worker.”

These companies are also responsible for criminalizing the opposition and for the lengthy prison sentences imposed on people who oppose their plantations. The exception happened on 15 June 2007, when for the first time a forestry company –Mininco- lost a court case lodged by a Mapuche community member, José Cariqueo. However it should be noted that for five years José Cariqueo suffered prison and persecution due to Mininco’s false accusations.

In sum, on granting its certification label to these companies, CERTFOR is granting itself a well deserved label: its death certificate.

Article based on information from: Mapuexpresss. Trabajadores Forestales denuncian a Empresa Arauco del Grupo Angelini, 15/11/07 <http://www.mapuexpress.net/?act=news&id=2185>

Pehuén. Mapuche wins court case against the forestry company, Mininco, 15/6/07
<http://www.pehuen.org/mapuche-gana-juicio-forestal-mininco>

El Quinto Infierno. A wide range of activities in Santiago and regions in support of CUT mobilization.

<http://www.elquintoinfierno.cl/2007/08/28/amplia-gama-de-actividades-en-santiago-y-regiones-por-movilizacion-de-cut/>

Data on certified plantations, <http://www.pefc.org/> y <http://www.certfor.org/>

[index](#)

- Papua New Guinea: Woodlark's islanders demand a halt to oil palm plantations

The 85,000 hectares territory of Woodlark Island in Papua New Guinea's Milne Bay Province is almost totally covered by dense lowland rainforest -- lowland dry forest on the eastern side and dense jungle on the western side --which is home to several endemic species. Woodlark Island holds unique ebony species which include dark/black, grey and grey/black varieties, - there are no other forests of this type in the world.

Most of the 6,000 island's inhabitants depend on the available natural environment as well as the marine resources, doing gardening --they mainly plant yams, taro, sweet potatoes, and bananas- as well as fishing and hunting --that play a smaller, though important, role in their diet.

Now the island faces the threat of being swallowed by a proposed 60,000 hectare oil palm estate, which is part of a project by the Malaysian-based company Vitroplant Ltd. The project also includes the building of an oil palm methyl ester plant in the province's capital city of Alotau. Woodlark will feed the plant with the palm oil beans grown in the extensive monoculture oil palm plantations to be converted into biodiesel for domestic consumption and export.

The oil palm plantation establishment will be situated on approximately 60,000 ha. Most of the project would be developed on governmental land and the rest as village oil palm, i.e. oil palm on customary land.

The company has submitted an application for an Environmental Permit which is still pending of awarding. According to the application, they have stated that all necessary requirements had been fulfilled, including consultation with the landowners.

However, George Laume, from CELCOR INC. Friends of the Earth-PNG, received reports from concerned people from the island regarding the major palm oil project and recently he gathered that there is still lack of consultation and communities are opposing this development.

Last month's Jeremy Hance report (1) said that "according to the islanders, they were never consulted regarding the plans until after the government had already granted the lease to Vitroplant Ltd." Dr. Simon Piyuwes is an island born medical doctor who has become an advocate of the struggle against the oil palm plantation. Hance quotes Piyuwes's "several reasons why Vitroplant Ltd.'s plans are unacceptable to the islanders. He states that the logging would destroy the island's endemic ebony, cause extinctions of rare species, and threaten marine life by waste from the project. Not only does he foresee environmental disaster, but also disintegration of the native culture, stating that the company's plans would bring 'socially unacceptable behavior on the island'. And that all the islanders would eventually be threatened with 'starvation' since 'there will be no space for gardening and hunting'. Dr. Piyuwes admits that while there may be some economic and infrastructure benefits to the island, he believes the disadvantages far outweigh the advantages."

A project heralded by its promoters as crucial to the island's development, is perceived by many as a threat for Papua New Guinea. Recently, more than one hundred islanders and supporters traveled to the Milne Bay provincial government headquarters in Alotau, to demand a halt to the palm oil project and claim their land back.

They know that the Vitroplant project --that implies logging-- will cause the waters to become turbid. This, in turn, will imply the death of coral reefs fringing the Island for lack of sunlight. The reefs and fishing grounds, fishery nurseries (mangroves) as well as food producing areas for the island will be affected. Hunting and foods gathered from the bush

will be lost. The people of Woodlark Island will become dependent on imported, processed food for their sustenance and will be forced to work on oil palm plantations to survive.

Oil Palm is labor intensive and the current population of approximately 6000 will not be able to bear the load of an oil palm plantation of this scale. A work force will need to be imported on to the Island to meet the demand of labor further exacerbating social and environmental pressures.

It has been suggested in the environmental plan that this will bring employment to other Papua New Guineans. Papua New Guinea is one of the most culturally diverse countries in the world with more than 850 different spoken languages. This means there are many cultural differences within relatively small distances. An introduction of outside groups will place immense pressure on the local population.

Growing from the grassroots, a halt to oil palm plantations may change the course of the country. Building on the awareness, determination, and drive of Woodlark's islanders, that change could be realised.

Article based on information provided by George Laume, CELCOR INC. FoE-PNG, e-mail: glaume@celcor.org.pg, www.celcor.org.pg, and (1) Biofuels versus Native Rights: Planned logging of Woodlark Island for biofuels opposed by islanders and scientists, Jeremy Hance, special to mongabay.com. November 12, 2007, http://news.mongabay.com/2007/1112-hance_woodlark.html

[index](#)

- Swaziland: Woodmark and SAPPI ignore the lessons from a neighbouring farmer

Peter George is a farmer. Or, to be more accurate, he used to be a farmer. He bought Elangeni Farm in the cool highveld of Swaziland in the mid-1970s. He grew vegetables along with some eucalyptus and acacia trees. He drove twice a day to the local market to sell his cabbages. He had a few sheep, chickens, two cows and a half-blind sheep dog. After a few years he started a small fish farm, selling to local restaurants and hotels. He built his own house, got married and started a family.

When he bought the farm, there was plenty of water from the streams flowing down the slopes next to the farm. In the mid-1980s, the Usutu Pulp Company started planting the hills with pine plantations. George was forced to stop farming when the streams on his farm dried up. In 1988, the South African pulp and paper company SAPPI took a majority share in the Usutu pulp mill and the associated plantations.

By 1990, the water supply "had slowed to nothing and the house supply was well down," he explains. At first he thought that it might be caused by a drought. "But when the streams didn't flow even in the rainy season, there had to be a good reason," he says.

In November 2007, I was part of a WRM team that visited Swaziland. Together with colleagues from Friends of the Earth, who were in Swaziland for their annual meeting, we visited SAPPI's stinking, polluting Usutu pulp mill. The water in the stream flowing past the mill was jet black from the pulp mill's effluent.. "Sometimes the water is so hot you can't put your hand in it," says Thuli Makama of Yonge Nawe (Friends of the Earth Swaziland).

Peter George invited us to visit his farm the following day. When we arrived, workers were busy cutting down eucalyptus plantations on his land that had burned earlier in the year. Since the streams dried up, eucalyptus is one of the few crops he can grow. SAPPI's plantations near George's farm were black from fire - SAPPI lost about seven per cent of its plantations in Swaziland to fires this year.

We drove around the farm and George showed us where the Usutu Pulp Company had planted pines trees right

through the streams which had supplied his farm with water. SAPPI started clearcutting the plantations in 2002 and since then the streams have started flowing again, although it took 18 months for one of the streams to recover. SAPPI has not replanted right up to the streams, but neither had it kept 30 metre-wide strips along the streams, which are required under Swaziland's regulations. In one place the trees were little more than 10 metres from a stream.

He pointed out the remains of a wall to us, all that is left of a homestead, now completely surrounded by the rows of SAPPI's pine trees. The hills "had been pastures and plough-lands for the local people as long as anyone could remember", George says.

In 1994, George told us, he wrote to SAPPI complaining about the lack of water on his farm. Seven months later, SAPPI replied, promising that they would look into the problem. SAPPI told George that the research would take two years. He's still waiting for the results of the research.

By 2004, he had started a legal process against SAPPI. George points out that it isn't just his land that dried out. "Other people's streams had dried out and it was not always drought that was to blame," he says.

In June 2006, the Soil Association's Woodmark certified SAPPI's Swaziland plantations as well managed under the Forest Stewardship Council system. Peter George met Woodmark's assessment team in March 2006. Woodmark's public summary of the assessment acknowledges that the meeting took place but gives few details. The public summary mentions that streams dried up but adds that they are now "back to normal". It fails to mention that for 12 years there was hardly any water on the farm. "The issue regarding the reduction of water flow caused by the planting of trees and the subsequent claim is 'sub judice' and is therefore [sic] under judicial consideration," comment Woodmark's assessors in the public summary.

Under the sub judice (from the Latin, "under judgement") rule in British law it can be an offence to publicly discuss current or upcoming court cases. The rule is intended to protect the right of defendants to a fair trial, but in this case Woodmark is hiding behind the sub judice rule to prevent legitimate debate.

Woodmark seems to want Peter George to just go away. When Woodmark's assessors revisited Swaziland in 2007 for their annual audit of SAPPI's plantations, they did not invite Peter George to their stakeholder meeting. Neither did they visit his farm.

George wrote to Woodmark in August 2007 pointing out that "SAPPI holds no planting permit for the blocks in question nor did they apply for one." George has a letter from SAPPI stating that the company has no planting permit for Block X - the land above Elangeni Farm. "In my opinion", George wrote to Woodmark, "SAPPI ought not to receive certification until this matter is settled. If such certification has been awarded, I will take steps to challenge it." Woodmark has not replied to George's letters.

The problems Peter George faces on his farm in Swaziland are not unique. WRM has reported many examples from the global South of streams and water supplies drying up after industrial tree plantations have been established. Instead of ignoring Peter George, Woodmark's "experts" should have the humility to realise they have a lot to learn from him.

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

[index](#)

- The European Union and agrofuels: Making the unsustainable "sustainable"

European politicians want to validate the accelerated introduction of agrofuels into the EU countries establishing

supposedly sustainable criteria. However, before making full assessments, consulting with the populations involved and establishing these criteria, the obligatory objectives or percentages of agrofuels to be mixed with fossil fuels have already been fixed. The percentages are so high (5.75% until 2010 and 10% until 2020) that many analyses claim that they are impossible to attain.

An attempt is being made to present a purely commercial activity as the solution to real and serious environmental and climate change problems. Irremediable social problems are created among the extremely vulnerable populations in the producer countries of the South. Palm, soybean, sugar cane and other crops continue to expand at the expense of tropical forests and other fundamental ecosystems. The local indigenous, Afro-Latin American and peasant populations are being seriously affected and dispossessed of their lands and way of life.

Furthermore, the economic sustainability of some industries would seem to depend on a continuous threat to climate and planetary stability. Presently, the environmental and social impacts of raw material production for agrofuels in the countries of the South, in response to demand from the countries of the North, have connotations which are a matter of serious concern to those affected in communities and social and environmental organizations. Not only due to current events, but also because of the possibility that this state of affairs will multiply in an exponential and irremediable way. The prices of land and food are increasing considerably. In order to produce agrofuels, tropical forests are being felled, affecting their biodiversity and the way of life of those inhabiting these ecosystems. Additionally, large amounts of agrochemicals are needed, polluting the population, soils and waters.

The European Union is including among its regulations the condition of sustainability of raw material imports for agrofuels imported from the countries of the South, but presently it has no system guaranteeing enforcement of social and environmental standards. What is more, no social and environmental certification label currently being applied in other similar fields has the initially desired results. On the contrary, the system taken as a reference, the well-known Forest Stewardship Council (FSC) forestry certification label, has given rise to numerous complaints (1) ranging from irregularities regarding environmental aspects to serious violations of human rights, made possible by the critical defects in the certification system structure. On-going initiatives to certify agrofuel sustainability have a predominant participation by governments and other first world institutions, companies and organizations favouring their interests, but that do not consider the present impacts or the concerns of social organizations in the South, or of the potentially affected populations. This is pure "green wash."

All this leads to the following question: "What sustainability are you talking about?" If the industrialized nations develop sustainability schemes without the intervention of producer countries, the reality and the socio-environmental priorities of the latter will not be reflected. What is more, in many cases, these priorities are unclear, even within the producer countries themselves. In most cases their policies are strongly influenced by transnational companies and policies supporting them, such as those of the World Bank, IBD, international cooperation agencies, etc. For this reason it is the small farmers, the local population and the poorest people who run the risk of paying all expenses, as at present.

The countries of the North have the obligation to consider the impacts of their agrofuel trade policies on other parts of the world, namely in the countries of the South. But nobody wants to give anything up: the companies do not want to give up a growing business that promises extraordinary benefits; government agendas appear to be dominated by the companies that are beneficiaries or potential beneficiaries in this multimillionaire business succeeding the oil industry, at least with the flippancy with which laws and regulations are being established (though with European frontiers well closed and increasingly closed, heaven forbid that the innumerable displaced people in the Global South should attempt to get into "the home"); the consumers do not want to give up their standard of living which implies an excessive use of energy in their daily lives, including individual transport, responsible for 20% of global emissions of CO₂.

Nobody seems to be suggesting serious and really effective policies for energy saving, nor a drop in the current excessive and exaggerated levels of consumption. It is significant that any of the Latin American countries where a

major part of agrofuel commodity production is planned, has significantly lower levels of CO2 emissions.

In order to clarify all these contradictions, over 190 organizations from the North and South are asking for a moratorium of 5 years for agrofuels (the moratorium text is available in several languages. Text and sign-ons at www.econexus.info). Recently the UN special rapporteur on food security, Jean Ziegler, also alluded in his report to the need for a moratorium.

Presently, there is no common internationally accepted and agreed on by consensus definition of "sustainable agrofuels." Therefore politicians, citizens of the European Community, let us be honest: What are you talking about when you speak of sustainability for the production of agrofuels? Does it mean that the producer companies are always ensured of a supply of raw material for the production of fuels such as agro-diesel and agro-ethanol? Does it mean maintaining an ostentatious and wasteful way of life? Perhaps it would be more just and human to be concerned about the indigenous and peasant people in the Global South being ensured for ever of their environment and in particular of the last tropical forests left, their food sovereignty and way of life.

Excerpted and adapted from the article of Guadalupe Rodríguez (see full text at http://www.wrm.org.uy/subjects/biofuels/European_Union_agrofuels.html), Campaigner Tropical Forests and Human Rights, Save the Forest, Latin America, e-mail: Guadalupe@regenwald.org, www.salvalaselva.org

(1) See <http://www.fsc-watch.org>

[index](#)

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