
Ecuador: Oil palm and forestry companies in the Choco bio-region

In Ecuador, the Esmeraldas forests are part of the relict tropical forests on the Pacific coast of America. These forests are part of the Choco bio-geographical region, one of the planet's ten "hot spots", stretching from the South of Panama to the North of Esmeraldas. There are some 10,000 species of plants in this zone, of which some 2,500 are endemic. This is the home of the Awa, Chachi and Tsachila peoples and of Afro-Ecuadorian communities, which keep up traditional life styles.

However, these forests are being destroyed at an astonishing speed, due to deforestation caused by oil palm monocultures and the timber industry, that have so far enjoyed the complicity of the National Government.

On 8 August 2002 the Ecuadorian President, Gustavo Noboa issued executive decree 2691, prepared jointly between the ministries of the Environment, Agriculture and Foreign Affairs. This decree designates a 50,000-hectare polygon in the San Lorenzo Canton, Province of Esmeraldas, for agricultural use. Of this area, 5,000 ha are Forestry Heritage of the Ecuadorian State, over 5,000 hectares are Afro-American ancestral lands, and over 1,000 hectares are Awa indigenous lands. Constitutionally and legally, the community lands are indivisible and un-transferable. The undeclared aim of this decree is to legitimise the systematic expropriation of ancestral and State Forestry Heritage lands, being undertaken over the past years by the palm-growing companies in the north of Esmeraldas. The palm-growers have taken the land away from the communities through illegal purchases and forced displacement of ancestral families. This decree is specifically dedicated to the palm-growers, among which are family members of the out-going President, Gustavo Noboa Bejarano.

Within this policy of dispossession, advantage is being taken of the situation generated by the Colombia Plan on the country's northern frontier. To mitigate the effects of the conflict, the Northern Development Unit (Unidad de Desarrollo del Norte - UDENOR) has been set up with funds to support the communities located near the Colombian border. However, these funds, under the protection of the above decree, are being usurped by the palm-growers and not reaching the affected communities.

The constitutionality of the decree has been questioned by CONAIE, Acción Ecológica and other local and environmental organisations, through a claim for unconstitutionality lodged with the Constitutional Tribunal.

Furthermore, the Ministry of the Environment has not complied with its responsibility in controlling the deforestation process in the State Forestry Heritage lands and the illegal awarding of these lands by the National Agrarian Development Institute (Instituto Nacional de Desarrollo Agrario - INDA) to the timber companies ENDESA and BOTROSA, members of the Pena Durini group, one of the most powerful groups in the country. In investigations carried out in the Pambilar plots, within Block 10 of the State Forestry Heritage (one of the many grounds being questioned) by the Ministry of the Environment in the year 2000, 2,000 hectares of the land in question were identified and found to have been illegally granted by INDA to the BOTROSA company. Based on this case, the Commission for Civil Control of Corruption showed that at least another 18,000 hectares of forests

had been illegally awarded. The report by the Commission led to intervention by the General Comptroller of the State which, in July 2002, initiated a special examination of the Ministry of the Environment and INDA to identify the state of land granted in the grounds located within the Forestry Heritage and to establish the civil administrative responsibility and indication of criminal responsibility, committed both by officials and directly involved actors.

The minister of the Environment, Lourdes Luque, also a member of President Noboa's family, has turned a blind eye on this process and has acted at snail's pace, thus benefiting the palm growing and timber companies.

In October 2002, the Constitutional Tribunal issued a verdict in favour of constitutional protection submitted by the peasants deprived of their lands in the zone, and demanded sanctions to be taken against the officials involved in this illegal awarding, together with the restitution of the lands and compensation to be paid to those affected by the ENDESA and BOTROSA timber companies.

The Ecuadorian tropical forest, hosting an enormous cultural and biological diversity is about to disappear. There is no room in this process for the concept of certified forest exploitation, such as ENDESA and BOTROSA aspire to (they have submitted a request for certification of their exploitation to SMARTWOOD and to FSC). Neither is there room to believe that plantations or reforestation projects can substitute the original primary forest.

In this scenario, the in-coming government of Colonel Lucio Gutierrez faces a major challenge in the conservation of the scant remains of the primary forest. Perhaps the only thing that can save the forest is a declaration of an indeterminate moratorium on commercial forestry exploitation.

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