



25-27 Nov / Lagos  
**AFRICAN  
PEOPLES  
TRIBUNAL**  
on Industrial Plantations

# SUMMARY OF CASES

2020



**Friends of  
the Earth  
Africa**



People power will triumph over corporate power at the first African People's Tribunal on industrial plantations. By creating a space for local communities to tell their own stories in their own way, the tribunal will strengthen advocacy and defend people's rights against the systematic environmental and social abuses committed by multinational companies and their financiers across Africa.

This document summarises 10 case studies that are brought to the tribunal from 25-27 November 2020 by community representatives and civil society.

# FOLLOW THE MONEY

Backed by international private and public financiers, industrial plantation companies such as Socfin in Sierra Leone and Cameroon, SIAT in Ivory Coast and Ghana, OLAM in Gabon, PZ Wilmar in Nigeria, Golden Veroleum Liberia (GVL) in Liberia, and Green Resources AS in Mozambique, Tanzania and Uganda operate monoculture plantations that impact hundreds of thousands of people and invaluable natural ecosystems across the continent.

Using complex and hidden corporate structures, owners and financiers try to avoid liability and accountability for their contribution to the harms caused by the plantation companies. The financial sector lacks transparency, harnessing bank secrecy and tax havens.

The companies right along the chains of control and finance breach regional agreements and international standards including the OECD guidelines, UN guiding principles on Business and Human Rights, and the ILO Convention 169 on indigenous and tribal peoples. But access to justice and remedy based on those international legal and policy frameworks is often impossible.



Marks the countries which have a case being heard at the African People's Tribunal

# STRUGGLES FOR JUSTICE

Local communities have been fighting for justice for many years, engaging the media, holding demonstrations, complaining to organisations such as the RSPO and OECD, petitioning the companies and government bodies involved, gathering evidence and taking the companies to court. Going to court is extremely challenging given the cost and lack of free and fair legal systems. The companies accused often appeal rulings and prolong the justice process.



Socfin has filed a criminal libel case against the Director of Green Scenery, one of the organisations fighting its violations in Sierra Leone. This is part of a series of SLAPP suits it has initiated in past years. Sixteen members of the Malen Affected Land Owners and Land Users Association are still on trial for alleged riotous conduct during the January 2019 confrontation between the company and landowners when two people were killed. The case has been continually adjourned, adding more financial burden to affected communities.

# SYSTEMS OF OPPRESSION

In order to curtail the efforts of local communities to attain justice, a range of oppressive tactics have been systematically employed by plantation companies. Strategies of divide and rule in the communities are used, such as co-opting leaders by offering work or grants and establishing alternative community representative bodies. Companies also lobby the government, local authorities and financiers.

They use their power and work with state forces to violently repress demonstrations with activists arrested and detained, and to intimidate communities including traditional rulers. Community members, along with human rights and environmental defenders, journalists and workers that stand up for their rights are targeted, facing arrest, violence (at times resulting in death) and loss of employment.

The agro-commodities sector is one of the deadliest sectors in the world for environmental and human rights defenders.

People from several villages in Ivory Coast claim their land was taken unlawfully for SIAT monoculture plantations. They protested after a court hearing that took place behind closed doors ended unfavourably. It followed an initial hearing that found they had not given up ownership rights to their lands. The gendarmerie intervened in the demonstration and two people were killed and a further 71 arrested and detained, of which one person died in prison. Many women and children fled the crackdown and lived away from their homes for up to 18 months as refugees.

# GREENWASHING

While plantation companies are committing vast environmental and human rights abuses and fighting resistance to these violations, they also work on another front, greenwashing their image. This opens up access to finance and the marketplace where financiers and buyers demand 'responsible' production.

The companies sign up for certification schemes and policies set up to protect people and the environment such as NDPE, RSPO, FSC, SDG commitments and other Corporate Social Responsibility programs as well as affiliation with organisations such as the Earthworm Foundation and the Dutch Sustainable Trade Institute. These standards and affiliations suffer from weak governance, standards and/or implementation failure.

Financiers also 'commit' to voluntary standards, either through their own policies or international initiatives such as the Investor Alliance for Human Rights and the Investor Working Group on Sustainable Palm Oil, although this means little in practice. Development banks are a specific category, where public money should deliver 'development' but in reality props up industrial business models that exploit people and nature while benefiting international shareholders and financiers.



Even though civil society exposed that Olam has destroyed around 19,000 hectares of forests in Gabon, the group and its companies continue to enjoy RSPO and FSC membership and certification.

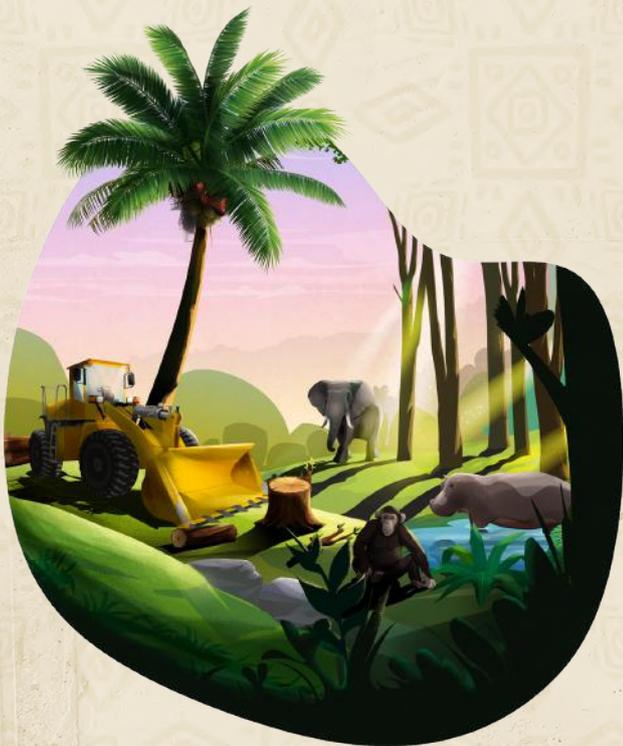
SIAT SA acquired plantations from a failed World Bank program that aimed to establish oil palm and rubber plantations in West and Central Africa in the 1970s and 1980s. In the 1990s these state plantations had large debts and were forced into privatisation. The founder of SIAT had previously worked as a consultant at the World Bank program. SIAT's subsidiary in Ghana received funding from the African Development Bank, the World Bank and International Finance Corporation.



## SOCIAL AND ENVIRONMENTAL IMPACTS

Across Africa, local communities, and especially indigenous people, forest dependent people, farmers, women and children, are heavily impacted. Due to landgrabbing they have lost access to forests, water sources and arable land for crops, hunting and fishing as well as the land they live on. Monocultures have resulted in the reduction of soil productivity and rainfall and have negative effects on locals' crops as well as on public health.

Thousands of rural Ugandans have been evicted to make room for plantations since Green Resources AS' arrival. They have lost access to the land they used for farming, grazing and the collection of wild food and firewood. People who maintained their land and agriculture around the plantations experienced negative impacts on their production, possibly due to the use of pesticides and other environmental impacts of monoculture plantations.



In Gabon locals must obtain permits to access areas where they traditionally fish and hunt and their freedom is also restricted by deep ditches OLAM has dug, which pose a danger to people and animals. The flow of water into the basins has also been altered by the company's activities and the waters have reportedly been polluted by waste and fertilisers.

While many companies make promises to local communities, including the development of fair outgrower programs, health and educational infrastructure, and jobs for local people, these often go unfulfilled.

In Cameroon, where Socfin subsidiary Socapalm operates, smallholder production of palm oil has been neglected. Civil society groups in Cameroon prefer a community-based smallholder model over large-scale industrial concessions because the community-based model ensures reduced risk of rights violations and a greater guarantee that benefits will flow into communities rather than to corporate owners.

Communities in Mapanda and Idete in Tanzania gave Green Resources AS consent to use their land in exchange for employment opportunities, the development of infrastructure including classrooms, medical facilities and water services, and 10% of the profits from carbon sequestration sales from eucalyptus and pine plantations. The company has since been operating for more than 20 years but its commitments have not been fully realised.

When they are employed, local workers often face low pay, poor and unsafe working conditions, no right to collectively organise, and the loss of their jobs if they speak out against the company's actions. There have also been reports of forced sexual favours in exchange for promises of employment, and use of child labour in some plantations.

There is no job security for locals who do manage to gain employment at PZ Wilmar in Nigeria. It is reported that pregnant women are denied maternity leave and carry out difficult tasks that affect their health, and that workers are transported with an overloaded tractor, with up to 50 people on a small truck. There have been several incidents allegedly resulting in deaths, including pregnant women, since 2018.

Corruption and bribery is rife between the companies and those in positions of authority.

The Director of Green Resources AS in Mozambique has many connections to national government - he was formerly the National Director of Forestry and Wildlife. Local and National government protect and defend the company's interests. This is evident by the lack of action to solve the many conflicts between Green Resources AS and affected communities. The government facilitates all community consultation processes and government officials participate, which goes against international norms on consultation as it limits communities' freedom to speak out.

Monoculture plantations pose direct threats to forests and biodiversity, even in high conservation forests, wetlands and the habitats of endangered animals. In Liberia hundreds of hectares of High Conservation Value and High Carbon Stock forest have been destroyed by Golden Veroleum Liberia (GVL), controlled by Golden Agri-Resources. This was first denied and later confirmed by GVL and is currently being dealt with in a formal complaint procedure with the High Carbon Stock Approach. Expanding industrial plantations is also destroying the habitats of elephants, chimpanzee populations and pygmy hippopotamus.

## **GOVERNMENTS, CORPORATIONS AND THEIR FINANCIERS MUST ACT NOW!**

### **Friends of the Earth Africa calls upon national governments to:**

- Promote agro-ecology and community-based forest management in legal frameworks and policies in order to protect and promote people's rights and benefits to land and natural resources.
- Protect local communities and indigenous people and ensure their consent: respect their right to say no to external investments and other claims on their land.
- In case of human rights violations, ensure that victims have immediate access to justice and remedy at national, regional and international level and hold companies to account.
- Actively participate in negotiations for the UN Binding Treaty on Business and Human Rights to halt corporate impunity.
- Ensure that the financial sector is regulated to prevent human rights violations, environmental harm and deforestation related to monoculture tree plantations and increase transparency.
- Restructure public development financial institutions to prevent them from financing harmful projects of monoculture tree plantations.

### **Plantation companies and their financiers should:**

- Immediately halt the practices of grabbing community lands, corrupting government officials, violating human rights, gender based violence against women, harassment and violence against Environmental Human Rights Defenders, exploiting workers and destroying forests and other natural areas, and provide compensation and remedy for past violations.
- Establish decent, safe and transparent procedures for workers to voice their concerns and criticism.
- Divest from corporations engaged in rights violations and environmental destruction. Given the systematic nature of harm to nature and people in monoculture tree plantations, this sector should be excluded from the finance portfolio.
- Commit to invest in and promote community-based agriculture and forest management initiatives.

**FOR MORE INFORMATION: <http://africanpeoplestribunal.org/>**