



Defending Commons' Land and ICCAs

2018 Yearly Bulletin

*in support of our special programme: 'SECURE' for
Indigenous Land Rights Defenders*

**Palawan,
The Philippines**





CALG

CALG is a Member of

The ICCA
Consortium

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Photos

Cover: Oil palm nursery in Sarawak,
© Dario Novellino.

2nd page: Forest conversion for oil
palm plantations in Riau Province,
Sumatra Indonesia. © Dario Novellino

Back Page: Forest destruction by oil
palm companies in Bataraza, Palawan
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Because of them, we have been able to empower our communities to resist and counter land grabbing, as well as assist indigenous land rights defenders and their families during moments of danger and uncertainty.



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Introduction

The Coalition Against Land Grabbing (CALG) is a collective of indigenous peoples from Palawan, Philippines, defending local communities against all forms of land grabbing. We reject food production systems that contribute to climate change and the privatisation of natural resources. The Philippines has been experiencing violent conflicts for almost 50 years. Behind the conflict between political ideologies lies a conflict over land and resources. It is perhaps not surprising that the Philippines has consistently been one of the most violent countries for journalists, activists and indigenous defenders.

On Palawan, where CALG is based, our focus has been the rampant nature of land grabbing taking place on “territories and areas conserved by indigenous peoples and local communities” (ICCAs) or “territories of life”. Land grabbing is a vital issue to our indigenous cultures as our own existence is intimately intertwined with the land which we inhabit. Conflicts over resources and space have become conflicts for life, impacting our rights to cultural integrity and impeding on our abilities to sustain ourselves. We understand that the risks we face in Palawan are not entirely unique to our island; in fact, the issues we are dealing with are also faced by many others across the globe. This is why we have felt the need to come up with an international bulletin, contextualising our own problems within a wider global scenario. Due to the commonalities that we share with other indigenous and rural peoples around the World, we believe that a publication of this kind may contribute towards the creation of active dialogues and strategic advocacy alliances which will lead to reciprocal support when addressing common difficulties.

The problems we are experiencing are not unique to Palawan nor the Philippines, the indigenous struggle for self-determination is a global issue. Environmental and Human Rights Defenders (EHRDs) are increasingly being targeted as they stand up for their rights against ‘top-down’ development projects and the pursuit of capital gains. A report by Global Witness: *At What Cost?*, has been monitoring acts of violence and registered the murders of at least 207 defenders in 2017. This was the deadliest year on record showing an upward trend since monitoring began in 2015. Agribusiness was the most dangerous sector, overtaking mining, with 46 defenders killed while protesting against the way in which consumer goods are being produced. Armed forces and police accounted for 53 of the total killings, while a vast majority of the perpetrators (58) remain unknown. These figures clearly indicate the explicit complicity and indirect involvement of state actors in the destruction of both environments and traditional communities around the world.

These killings are perpetrated at a time when drastic action is needed to face global climate change. It comes as no surprise and yet with great relief, that the conflict for land rights recognition and climate change have become indivisible issues. World Resources Institute has released several reports discussing this point and how tenure security generates significant social, economic, and environmental benefits for local populations and society^{2,3}. This trend is amplified by the fact that half of the world’s land is associated with a ‘customary land use’ claim, while only 10% is legally under indigenous and community ownership⁴. There are about 1,591 concluded land deals involving foreign corporations or countries leasing or purchasing lands in low-income and middle-income countries. These deals encompass almost 49.2 million hectares. To add to this figure are the 209 intended land deals which cover almost 20 million hectares, and 119 failed deals which accounted for 8.3 million

¹ Global Witness. (2018). *AT WHAT COST? Irresponsible business and the murder of land and environmental defenders in 2017*. London: Global Witness. Retrieved from <https://www.globalwitness.org/en/campaigns/environmental-activists/at-what-cost/>

² Ding, H., Veit, P., Gray, E., Reytar, K., Altamirano, J. C., Blackman, A. and Hodgdon, B., (2016). *Climate Benefits, Tenure Costs: The Economic Case for Securing Indigenous Land Rights in the Amazon*. World Resources Institute: Washington, DC. Available at <http://www.wri.org/publication/climate-benefitstenure-costs>

³ Stevens, C., R. Winterbottom, J. Springer, and K. Reytar. (2014). “Securing Rights, Combating Climate Change: How Strengthening Community Forest Rights Mitigates Climate Change.” Washington, DC: World Resources Institute. Accessible at www.wri.org/securing-rights.

⁴ Dooley, K et al. (2018) *Missing Pathways to 1.5°C: The role of the land sector in ambitious climate action*. Climate Land Ambition Rights Alliance. Available from: climatelandambitionrightsalliance.org/report



hectares⁵. What has not been discussed and documented sufficiently is the percentages of 'deals' taking place on contested lands.

Between the 1st of January and the 30th of November, 2018, PAN Asia Pacific (PANAP) monitored⁶ a total of 91 incidents of killings⁷; 136 arrests/detentions/legal persecution incidents⁸; 49 threats/harassment/physical assault incidents⁹; and, 9,288 victims of displacement¹⁰, all specifically related to land conflicts. Of the 91 killings, 77 were males while 14 were female.

Our investigation for this bulletin registered 50 cases of arbitrary detention and litigation actions; 171 killings of social leaders, lawyers and EHDRs; 3 failed assassination attempts; 67 cases of threats and/or beatings against EHDRs; and 4 kidnappings. The most dangerous region for EHDRs and indigenous peoples was South America where 96 of the killings took place. It should be noted that these are rough estimates as the monitoring of such incidents comes with difficulties. Many of them go unreported. We have reported, what we believe are, the most relevant, confirmed cases directly related to conflicts over land. We apologise for any case which we have overlooked and failed to report.

During the collating of this bulletin we came across a vast array of crimes and aggressions against trade unionists, workers and journalists. Though important, we have not included these in our report, since our focus is primarily on indigenous, community and land rights defenders.

This 2018 edition includes news and updates covering 10 nations in East and Southeast Asia, 4 in South Asia, 3 in the Pacific region, 17 in Africa, 10 in South America, 7 in Central America and the Caribbeans, 2 in North America, 2 in the Middle East, 7 in Europe, in addition to Turkey and Russia.

East and Southeast Asia

During 2018, in East and Southeast Asia we have observed recurring conflicts surrounding hydro-electric projects and related claims to land and water.

The Philippines and the Mekong Delta in particular, have seen several incidents of displacement caused by dam construction. In Cambodia and Laos dam construction has severely impacted fishing communities, depriving them of their livelihoods and food security.

In Cambodia, disputes over arable land have created escalating unrest favouring large holders and urban development at the expense of local communities.

In spite of ongoing pressure from global and local conservation movements, the leading palm oil producing countries (Indonesia and Malaysia¹¹) continue to convert their last remaining forests into oil palm plantations. Corruption, opaque business deals, and ineffective legislative and judicial systems are weakening the resistance and counter-strategies of rural and indigenous populations in these

⁵ The Land Matrix. (2018). LAND MATRIX. Retrieved from <https://landmatrix.org/en/>

The Land Matrix is a global and independent land monitoring initiative. A 'deal' is referred to as an intended, concluded or failed attempt to acquire land through purchase, lease or concession that meets the criteria defined below. Such deals are in connection with agricultural production, timber extraction, carbon trading, industry, renewable energy production, conservation, and tourism in low- and middle-income countries.

Deals must:

- Entail a transfer of rights to use, control or ownership of land through sale, lease or concession;
- Have been initiated since the year 2000;
- Cover an area of 200 hectares or more;
- Imply the potential conversion of land from smallholder production, local community use or important ecosystem service provisions to commercial use.

⁶ PAN Asia Pacific (PANAP). (2018). *PAN Asia Pacific's Land & Rights Watch 2018 Yearend Report*. Retrieved from <http://files.panap.net/resources/PANAP-Land-and-Rights-Watch-2018-Yearend-Report.pdf>

⁷ Indigenous Peoples (15); Farmers/Farm workers (43); Land Activists (32); Unspecified Sector (1)

⁸ Indigenous Peoples (17); Farmers/Farm workers (43); Land Activists (76)

⁹ Indigenous Peoples (25); Farmers/Farm workers (16); Land Activists (5); Unspecified Sector (3)

¹⁰ Indigenous Peoples (4,860); Farmers/Farm workers (4,128); Unspecified Sector (300)

¹¹ Zahari, M. J. I., Azizah, B. & Anuar, F. H., & Othaman, R. (2017). Palm oil industry in South East Asia and the effluent treatment technology—A review. *Environmental Technology & Innovation*. 9. 10.1016/j.eti.2017.11.003.

countries. The Gecko Project has produced detailed reports on palm oil production in West Papua which shed light on the linkages between opaque business deals, local corruption and environmental destruction.

Through 2018, Vietnam has continued to persecute EHRDs and imprison environmental activists, with several human rights organisations denouncing their actions and calling for the immediate release of almost 100 'prisoners of conscience'.

In the Philippines (the most violent country in Southeast Asia for EHRDs¹²) indigenous peoples are still paying a heavy price for ongoing extrajudicial killings and enforced displacement due to increasing militarisation. They are often victims of fake charges, such as being sympathisers and/or members of Maoist guerrillas (The New People's Army, NPA).

Issues that need to be addressed with haste include:

- The President's attempt to revise the Constitution;
- The need to reform the mining law;
- The poor and slow implementation of the IPRA law (Indigenous Peoples' Rights Act);
- The imposition of martial law in Mindanao;
- The ineffective judicial system;
- The rise of extrajudicial killings;
- A high degree of impunity for documented cases of harassment against civilians and indigenous leaders by the Armed Forces of the Philippines;
- The drive to open ancestral domains to foreign investors for extractive and large-scale development projects (such as oil palm plantations).

Local advocacy groups such as 'Karapatan', CALG and, many others, have already addressed some of these issues with much concern. We feel, however, that national environmental NGOs across the country have overlooked very important issues such as oil palm development and agribusiness in general), rather than taking a clear and uncompromising stand on these.

Through our attentive monitoring of web sources, media releases, and the helpful information provided by our local partners, we were able to register 32 killings; 14 cases of arbitrary detention and litigation; 33 serious cases of death-threats (including one against a member of our own organisation), and a case of torture in East and Southeast Asia alone.

South Asia

In Southern Asia, top-down environmental conservation and hydropower projects have heavily constrained communities' rights to lands and resources. India, in particular, has seen an increase in conflicts surrounding tiger conservation and indigenous peoples. In certain regions, legislation has dismantled communal rights in favour of individual tenure rights, paving the way for the privatisation of communally managed lands. The most affected people in this process are nomadic and semi-nomadic tribes.

Nepal's developmental drive, both in terms of infrastructure and hydroelectric projects, such as the Upper Trishuli-1, has adversely impacted indigenous communities across the Himalayas.

Bangladesh has seen the escalation of land grabbing that has resulted in the forced displacement of its rural population and ethnic minorities. As of now, the government has failed to acknowledge responsibility for these events.

In 2018, throughout Southern Asia, CALG has recorded 4 killings and 14 cases of arbitrary detention.

The Pacific

Of serious concern is the future of Papua New Guinea and the Solomon Islands' forests. These countries export virtually all of their timber to China, whose demand for wood corresponds to two-thirds of the global tropical timber trade. Several reports by Global Witness have highlighted this issue while addressing the immediate need for the Chinese government to regulate its timber imports and stay away from the illegal timber trade. Poor national regulatory systems are also to be blamed for the rampant nature of illegal deforestation on these islands.

¹² For the Philippines, in 2018, CALG reported 25 killings of EHRDs while PANAP registered 33 killings.

In Australia, Adani group coal mines have been at the centre of several ongoing conflicts over clean energy and land rights. High profile corruption scandals have seen funds intended for the preservation of aboriginal territories used, instead, towards the privatisation of these lands. Moreover, indigenous peoples' legitimate claims to coastal waters continue to represent an emerging issue for several aboriginal tribes, such as the Yuin people.

Africa

The biggest issue facing the African continent is unregulated mining and the extractive industry. Land rights are highly disregarded while Free, Prior and Informed Consent (FPIC) processes are rarely implemented correctly; this is particularly true for countries such as South Africa, Malawi, Sierra Leone and Mozambique.

In principle, communal rights and forest management laws have the potential to protect land rights in Liberia, as well as in Cameroon. However, these two countries have and continue to suffer from rights abuses and land grabbing by oil palm and rubber plantations. Golden Veroleum Liberia, a subsidiary of the Singaporean-registered palm oil giant Golden Agri-Resources, has withdrawn its RSPO membership after receiving strong criticism about its 'modus operandi', and now continues to pursue its company's objectives in total disregard for basic environmental and human rights concerns. Chinese owned Sud-Cameroun Hevea rubber continues to encroach on the Dja Faunal Reserve (a UNESCO World Heritage site), displacing local and indigenous peoples from their land.

The DRC plans to remove its logging moratorium on primary rainforest and it is allowing mining and logging companies to encroach on a UNESCO world heritage forest.

Because of mining, Nigeria, Senegal and South Africa have all paid the heavy price of having some of their rivers contaminated by toxic chemicals such as lead, mercury and cyanide, further putting rural and indigenous peoples' lives at risk.

Overall, in Africa, there is a recurring disregard for indigenous rights within protected areas. This is best exemplified in how the Kenya Forests Service is burning and harassing Sengwar indigenous people in the Embobut and Kobolet forests.

With reference to the African continent, CALG has recorded only 7 killings, a failed assassination attempt, 6 injuries at the hands of authorities, 3 cases of arbitrary detention, 1 kidnapping with beating and 1 severe case of intimidation. We believe that cases of extrajudicial killings and intimidation are far higher compared to those being reported in this bulletin. CALGs current connection to the African continent is not as strong as the Americas and Southeast Asia. Furthermore, it has become increasingly difficult to obtain detailed reports from African countries such as the Democratic Republic of Congo due to the repression and control of media in these nations. We hope that our reporting on Africa may improve in the future.

South America

As the most dangerous region for EHRDs, South America has also seen a spike in its deforestation rates, especially across the amazon basin¹³. The peace accord between the Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia - FARC*) and the Colombian government saw deforestation increasing in areas where FARC once operated. In our yearly report, Colombia features as the most dangerous country for EHRDs, with 74 reported killings of indigenous peoples and EHRDs. The work of Gimena Sánchez-Garzoli, at the Washington Office on Latin America (WOLA), and that of regional NGOs, such as Somos Defensores and indepaz, have been of particular importance in monitoring and assessing human rights violations within the country. The rise in coca production, and the targeting of social leaders who work to promote crop substitution, has not been discussed in this bulletin, however, we acknowledge the importance and complexity of this issue.

The rise to presidency of far-right ex-military Jair Bolsonaro has made Brazil one of the most observed countries by environmental and indigenous peoples' advocacy groups around the World. What was once a country at the forefront in terms of recognition of indigenous peoples' rights, it is now one of the most precarious.

In Ecuador, - despite the well-documented ongoing ecological catastrophe - continued environmental destruction from oil drilling, spillages and the contamination of major rivers within indigenous territories and national parks seems inevitable.

¹³ Weisse, M. and Goldman, E. (2018). 2017 Was the Second-Worst Year on Record for Tropical Tree Cover Loss | World Resources Institute. Available at: <https://www.wri.org/blog/2018/06/2017-was-second-worst-year-record-tropical-tree-cover-loss>

Peru's attempt to withhold constitutional rights in mining areas is a clear indication that the extractive sector is being favoured over the rights of indigenous peoples. Deforestation is expected to increase now that the government has significantly diminished the autonomy of the 'national forest watchdog' OSINFOR (*Organismo de Supervisión de los Recursos Forestales y de Fauna Silvestre*) by cutting its funding.

With respect to South America, CALG has recorded 96 killings; 18 cases of threats; 3 cases of arbitrary detention; 17 cases of beatings and victimisation; and 3 kidnappings.

Central America

Central America has been a notoriously dangerous region for EHRDs. In 2018, CALG recorded 28 killings; 8 cases of arbitrary detention; 10 cases of threats and intimidation; 1 assassination attempt; and an attack where 70 assailants fired indiscriminately on peaceful protesters. In connection with this incident, 17 people were seriously injured. For Mexico, Honduras and Guatemala water rights in the context of hydroelectric projects continue to represent a central cause of conflict.

North America

One of the major issues facing North America is the conflict surrounding the encroachments of pipelines into the ancestral domain of 'First Nation' peoples and the proliferation of extractive industries in valuable nature conservation areas. In the US, the opening of national parks, such as 'Bears Ears', for mineral and oil exploration, is one such example.

In Canada, large scale development projects have been nationalised while resident indigenous populations are not properly consulted. By and large, First Nation people's desires and aspirations are still disregarded and their constitutional rights are being undermined.

With reference to North America, CALG has recorded one case of arbitrary detention and one case of harassment through litigation.

Europe, Turkey and Russia

Encroachment over Hambach forest represents, perhaps, the biggest environmental conflict within Central Europe. Here, a unique forest ecosystem is threatened by the expansion of Europe's largest Coal mine. Going through with the expansion challenges Germany's commitment to reduce its emissions as ratified in COP 21 agreement.

Overall, for these three geopolitical regions, CALG has registered 4 cases of arbitrary detention; one beating and 4 killings. Specifically, three of these murders refer to Russian journalists who were investigating mining in the Central African Republic and, the fourth, an environmental activist murdered in Ukraine.

In documenting these incidents, CALG wishes to open a platform for discussion which may involve communities, individuals and grassroots organisations, the witnesses of injustices, and all those who are willing to report such incidents. Those who would wish to contribute to our growing database, and to the next bulletin issue, can approach our CALG team via email: calgpalawan@gmail.com. All contributions will remain anonymous; a reference or two would be welcome for every event/information shared with us. We appreciate and are happy to note a growing community surrounding the issues of land grabbing (particularly on ICCAs) and the plight of defenders globally. In this respect, CALG wishes to keep track of extrajudicial killings and the victimisation of environmental human rights defenders (EHRDs) world-wide, especially in locations where access to free information is highly constrained. 'Territories of life' and the rights of indigenous peoples to self-determination will always be at the centre of our mission and mandate. With your help and our own humble effort, we can continue to monitor the situation of EHRDs globally, and add to the work that other well-known organisations are already doing.



East & Southeast Asia



Cambodia

January:

Villagers seek help in land dispute with mining firm Published on the 15th of January, 2018 (Land Grabbing and Intimidation)

“Seven villagers from Preah Vihear travelled to Phnom Penh to deliver a petition on Friday asking the government to intervene in a dispute involving gold mining company Delcom... the villagers accuse Trapeang Tuntem Village Chief Uk Nga of forcing them to sign a contract with a Delcom representative in July of 2016.” It is alleged by the villagers that both “authorities and Delcom lied to them by saying they would get land titles if they signed the contract... claim[ing] the contract says they are ‘living on the company’s land’”. The “poor and illiterate” farmers “did not understand the meaning in the contract, and [through] intimidation from commune authorities” they signed the contract.

“Nga, the village chief, denied authorities lied or forced the villagers to thumbprint the contract with Delcom”. Instead declaring that “[he] read the document for them to avoid them saying that the investing company grabbed their land, so I agreed with the commune chief to make the contract over the land they control”. Sou Se she wife of one of Sengching, one of those who left for the capital to deliver the petition, shortly after the contingent left “said six officials from Romtom commune, Rovieng district police and Commune Chief Prak Phorn went to her home to ask her why her husband had gone to Phnom Penh. ‘They came to my home three times on Thursday and I told them that my husband went to get medicines for me,’ she said.”

The “people began to occupy the area between 1997 and 2011, but Delcom expanded in 2015, grabbing their land”. (Seangly, 2018a)

February:

Cambodian Village Now Fully Submerged by Lower Sesan 2 Dam

Published on the 2nd of February, 2018 (Hydro and Land Rights)

“Homes, land, school, temple, ritual sites, riverbank gardens and fishing grounds all underwater”

“The Lower Sesan 2 Dam is being developed by a consortium of Chinese, Cambodian and Vietnamese companies, including China’s Hydrolancang International Energy Co. Ltd and Cambodia’s Royal Group. According to publicly available information, the completed dam is approximately 75m high and 8km long and will create a

33,560 hectare reservoir. The dam has a generating capacity of 400 MW. More than 5,000 people, most of whom are indigenous and ethnic minority groups, will be displaced. Hundreds of families from five villages have already moved to designated project resettlement sites.”

“According to local residents, the flood level in Srekor village has reached 6-7 meters since the



On the **23/2/2018** a community leader representing 50 families, Heng Sok (48), was arbitrarily detained for allegedly installing nine boundary posts on 103 hectares of land within the LYP Group’s agricultural land concession. The LYP Group is owned by ruling party Senator Ly Yong Phat who was granted the land concession, within the Botum Sakor National Park, in 2010. A Cambodian rights group, Licadho, have stated that the villagers have been farming there since 2001, though none of them live there ^(1.).

On the **8/3/2018** 6 villagers were killed during a protest, in Kratie, which began after military police and soldiers burned down huts belonging to villagers. The huts were on land at the centre of a long-running dispute between the Memot Rubber Plantation Company and residents ^(2.).

On the **12/5/2018** Ven Et, an Indigenous activist of the Areng Valley, suffered an attempt on his life a month after receiving death threats from Til Chan, a Chumnaop first commune council member as well as member of the government’s Cambodian People’s Party (CPP). This incident is believed to be related to the arrest of Et’s elder brother Ven Vorn, an indigenous environmental activist, in 2015 for “forest crimes” ^(3.).



**Photo taken on the morning of 29 January 2018 by a local resident.
(Gyorvary, Suk and Soto Medallo 2018)**

dam began operating in November. Close to five thousand people, from indigenous Bunong, Lao and ethnic Khmer communities, have been resettled to make way for the dam's reservoir. Approximately 63 families, committed to protecting their land and ancestral graves, have moved to a community forest located one kilometer away, where they hope to secure the legal right to remain. Representatives of the remaining families have sought to negotiate with the government and the project developers - China's Hydrolancang International and Cambodia's Royal Group - seeking compensation for lost homes, property, gardens, and farmlands, and the cost of relocating to new land that they claim is less fertile than that in their old village."
(Gyorvary, Suk and Soto Medallo 2018)

**Proposed lèse majesté law, changes to Constitution undermine freedoms: rights group
Published on the 5th of February, 2018
(Constitutional Changes)**

"The amendments, drafted by members of the ruling Cambodian People's Party, were all approved by the Council of Ministers on Friday, and will soon be voted on in the CPP-dominated National Assembly." A "statement from ASEAN Parliamentarians for Human Rights quotes Philippines representative Tom Villarin, who specifically warned that Articles 42 and 49, which require that individuals and political parties place the nation's interests first, would 'severely undermine freedom of association in Cambodia' and were 'exceedingly vague.'" "[T]he lèse majesté law will likely serve as 'yet another addition to the government's arsenal of legal tools' with which it attacks political opponents." Cambodia's "National Assembly is 'fundamentally undemocratic' following the forced dissolution of the opposition Cambodia National Rescue Party, which received 44 percent of the vote in the national election in 2013. The CNRP's seats were redistributed between the CPP and three minor parties that won less than 5 percent of the vote combined."
(Nachemson, 2018)

**Cambodia: Coalition condemns land grabbing
Published on the 6th of February, 2018
(Land Grab)**

"The Asian Peasant Coalition has strongly condemned the intensifying repression and land grabbing by the Chinese company Hengfu Group Sugar Industry Co Ltd against the indigenous Kuy people in Preah Vihear province."

APC chairperson P. Chennaiah said that "The Kuy people only learned about the ELCs when the company started clearing their ancestral lands and forest in 2012. The Kuy people were never consulted on the project. When they confronted Hengfu, local authorities accused them of illegal settlement on state land."

(Indigenous Voices In Asia, 2018)



**Villagers display photos during a protest over a land dispute. KT/Chor Sokunthea
(as cited in Indigenous Voices In Asia, 2018)**

**Will huge new airport planned for Kandal see locals stripped of land
Published on the 8th of February, 2018
(Land Grab)**

“A document from the Council of Ministers, dated December 21 [2017], approves an investment proposal from Cambodia Airport Investment Co Ltd to build a \$1.5 billion, 2,600-hectare airport in Kandal province’s Kandal Steung district, about 30 kilometres south of Phnom Penh.” This “2,600-hectare airport would be the ninth-largest airport in the world... [T]he current Phnom Penh International Airport is about 400 hectares.” “According to the document, OCIC [Overseas Cambodia Investment Corporation] will invest \$280 million, while unspecified ‘foreign banks’ will provide \$1.1 billion in funding. OCIC will own 90 percent of the shares in the completed airport, with the rest going to SSCA [State Secretariat of Civil Aviation].”
(Kimsay & O’Byrne, 2018)

Expanding from the Kimsay & O’Byrne (2018), 15th of January, publication. The Kandal Stung district has been home to several villages of rural farmers, some who settled the area “more than 20 years ago” others who have been there since the Pol Pot-era. After the 12th of January, when the “government announced the development of a \$1.5 billion airport on 2,600 hectares... and a massive multi use development project... villagers in three communes went to court, protested... and clashed with Military Police. Hundreds of families were affected.” “The news shocked villagers, who had court verdicts in 2006 and 2007... in their favour and... promised that land titles were coming.”

“Villagers say it was 2005 when... men began bulldozing land to claim it, despite a 2001 land law that says people who live peacefully on any piece of uncontested land for five years can claim ownership.” “[I]n 2014, the Supreme Court ruled that the land in fact belonged to a company called Min You Cultural Foundation, represented, according to court documents, by Oknha Thai Seng Long and two Japanese businessmen. The company appears to be unregistered and no trace of it could be found in Ministry of Commerce records. A contact for Seng Long was unavailable.” In 2016 “[O]ne of two people listed by the Supreme Court as an original owner of the land – a former Funcinpec senator named Pov Sith – was convicted... of forging documents to sell 1,000 hectares in Kandal Stung district to a Japanese bank and sentenced to one year in prison.” Another actor who claimed ownership, Oknha Seang Chanhen, “had her own run-ins with the law involving shady land deals, and was convicted of faking land titles in order to sell 147 hectares in Kampong Chhnang to Chinese investors.”

(Chen & Dara, 2018)

March:

Updated: Authorities deny six killed in Kratie clash between protesters, soldiers Published on the 8th of March 2018

(Police Violence, Land Grabbing, Intimidation and Agro-Industry)

“The protest began when military police and soldiers burned down huts belonging to the villagers, angering the villagers who then proceeded to block the road. The huts were on land at the centre of a long-running dispute between the Memot Rubber Plantation Company and residents who moved into the area around the same time that the land was granted to the company.”

“Hours after video emerged appearing to show security officers in Kratie opening fire on a crowd of protesting villagers today, with a rights official reporting six killed, authorities are denying any deaths resulted from the clash, even as villagers at the scene continued to insist that at least two people were shot dead.”

“Soueng Sen Karuna, land rights coordinator at Adhoc, said that he had been contacted by a Kratie Provincial Court official demanding the rights group retract its previous statement, saying the initial report was wrong and warning that ‘If not, you’ll have a problem’.”

“A doctor who answered the phone at the district referral hospital, meanwhile, declined to comment, before then saying there were no deaths. When pressed, he declined to comment further, saying it was ‘very difficult’ to talk about the matter.”

A villager claims that when she “left the body to... call people to help... when we came back the police already put the body in a car”.
(Meta, Koemsoeun & Seangly, 2018)

Four villagers called to court over land dispute

Published on the 29th of March. 2018

(Land Grabbing and Agro-Industry, a Continued Conflict)

“Peasants restrain HengFu from bulldozing their lands in Boh Village, Preah Vihear Province, Cambodia. The authorities, side with the Company, came to resolve.”

(IPHRD, 2018).



**A screenshot from a video showing clashes between security forces and villagers at a rubber plantation in Kratie province. Supplied
(Meta, Koemsoeun & Seangly, 2018)**

April:

Kuoy villagers ignore summons

Published on the 5th of April, 2018

(Land Grabbing and Agro-Industry, a Continued Conflict)

“Six ethnic Kuoy villagers, citing fear of arrest, refused to appear for questioning in Preah Vihear on Wednesday over the confiscation of four pieces of equipment being used to clear community land by a subsidiary of the Chinese sugar company Rui Feng.”

“On March 21, Phy Sithorn, deputy provincial prosecutor, issued summonses for four villagers – Than Thany, Rim Thoeuy, Kham Sopheak and Chea Eng – to appear in court for questioning on accusations of “incitement to commit a crime, extortion and intentionally destroying” machinery.”

“Sopheak and two other villagers, Nab Noeun and Thai Sothina, were also asked to appear at the Chheb District Police Station for questioning on Wednesday and Thursday. The villagers were asked to appear for questioning after they refused to return the four tractors and bulldozers they seized. Heng Yu, a subsidiary of Rui Feng, had hired a Kampong Thom province contractor to clear the land, and the owner filed a complaint to the court following their refusal to return the machinery.”

(Seangly, 2018b)

June:

Preah Vihear families seek land dispute solution

Published on the 13th of June, 2018

(Land Grabbing, Continued Conflict)

“Almost 150 people representing some 253 families from Preah Vihear province’s Choam Ksan district travelled to Phnom Penh on Tuesday to seek help from the authorities to resolve an ongoing land dispute.

The families, who have been evicted from their villages, had also petitioned the Ministry of Land Management on April 30 for a solution, but returned to the capital on Tuesday after claiming no action had been taken.

The petition said that on January 1, 2012, Chuk Phoeun, chief of the National Authority in Preah Vihear, and Suos Yara, a lawmaker from the Cambodian People’s Party, allegedly colluded with provincial authorities who brought the armed forces with land-clearing machinery to demolish houses, schools, hospitals, pagodas, and ultimately, forcefully evicting the villagers.

The area has been slated for development to house military veterans, with the villagers being forced off their land. However, they were previously offered some of the land they had originally lived on, but rejected it. The dispute prompted the villagers to submit petitions to national authorities in the capital multiple times. Until now, they claim that no solution has been forthcoming.”

(Koemsoeun, 2018)

December:

Bunong families claim Lower Sesan II dam is causing water shortage

Published on the 4th of December, 2018

(Right to Water)

“More than 100 families, including Bunong ethnic community members who have been impacted by the Lower Sesan II dam in Stung Treng province, complained on Monday about the shortage of clean water.”

“The villagers, who have rejected compensation for relocation and currently live on higher ground about 5km from their now-flooded villages in Sesan district’s Kbal Romeas commune, said a pond dug by the provincial authority in the area has not produced any water.”

“Srang Lanh, a representative of the families, told The Post on Monday that water in the dam’s reservoir is not clean enough for consumption. He said the water is smelly and could be harmful to villagers’ health, while rainwater has also run out.”

(Chakrya, 2018)

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China & Tibet:

On the **9/2/2018**, “lawyer Chen Wuquan (陈武权) was criminally detained with five villagers on an island off the coast of Zhanjiang (湛江), on the southwest peninsular of Guangdong Province. He was not a lawyer representing clients in a land rights defense case, as one may assume. Instead, he was a disbarred lawyer living at home in his village, leading an effort against forced demolition, illegal land reclamation, and the logging of redwoods along the beach. The group of six had petitioned on behalf of the village, and the police responded by detaining them for “obstructing the start of construction” (1.).

"China remains a one-party authoritarian state that systemically curbs fundamental rights. Since President Xi Jinping assumed power in 2013, the government has arbitrarily detained and prosecuted hundreds of activists and human rights lawyers and defenders. It has tightened control over nongovernmental organisations, activists, media, and the internet through a slew of new laws that cast activism and peaceful criticism as state security threats. In 2016, the government abducted and forcibly disappeared several critics in Hong Kong and other countries. The government's highly repressive rule in the ethnic minority regions of Xinjiang and Tibet persists. Despite legislation to protect against custodial torture, the practice remains widespread, including of Communist Party members accused of corruption.”
(HRW, 2018)

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Indonesia

2017:

On the **23/1/2018** Heri Budiawan (38), an Indonesian environmentalist, was sentenced to 10 months in prison under a tough anti-communism law. A court in east Java found him guilty of spreading communism during a demonstration against the opening of a local gold mine last year. Some protesters were seen carrying banners with an image of a hammer and sickle during the protest and Budiawan was fingered as the rally organiser ^(1.).

On the **12/3/2018** Basuki Wasis, an expert on environmental degradation from the Bogor Institute of Agriculture (IPB) who has testified in more than 200 cases involving environmental crimes, was sued by Nur Alam, the suspended governor of Southeast Sulawesi. On the **14/2/2018** Basuki helped convict Alam on corruption charges and abuse of power in the issuance of mining licenses. The retaliation against expert witnesses creates obstacles to reporting and cracking down on environmental crimes ^(2.).

On the **10/6/2018** Muhammad Yusuf, a journalist in Indonesia, reportedly died of a heart attack while being held on charges of defaming a palm oil company owned by a powerful tycoon. Yusef had been reporting on land conflicts involving PT Multi Sarana Agro Mandiri (MSAM) and local farmers who accuse the company of bulldozing their crops to

**Indonesia in 2017: A fighting chance for peat protection, but an infrastructure beatdown for indigenous communities:
Published on the 4th of January, 2018**



Photo taken on the morning of 29 January 2018 by a local resident (Gyorvary, Suk and Soto Medallo 2018)

“Throughout 2017, environmental protection, especially on peat zones which are essential, has been challenged by systemic efforts to defy the laws and policies by corporates,” the Indonesian Forum for the Environment (Walhi), the country’s largest environmental pressure group, said in a press statement.”

There have been efforts by the government “to protect peat areas, and hence mitigate the inevitable fires that accompany the annual clearing of land for new oil palm and pulp plantations”. These have been contradicted by the Jokowi administration’s ambitious infrastructure development plan, “undergirded by a project to build an additional 35,000 megawatts of power-generation capacity by 2019. [This] project calls for the construction of 117 new coal-fired power plants, which the government hopes will raise Indonesia’s electrification rate from the current 93.08 percent to 97.32 percent by 2019.”

Failure to give indigenous peoples more autonomy, as promised, has seen the number of conflicts in Indonesia increase “by 50 percent from the previous year to 659 cases in 2017, according to data from the Agrarian Reform Consortium (KPA) — this despite land reform being one of President Jokowi’s policy priorities. Most of the conflicts involved oil palm plantations, accounting for 208 cases (32 percent), followed by conflicts with property developers (with 199 cases) and infrastructure projects, at 94 cases.”

(Jong, 2018a)

January:

make way for its plantation. Yusef spent more than 7 weeks in custody awaiting trial before being transferred to hospital and dying 30 minutes after his arrival (3).

On the **17/9/2018** Bogor Agricultural University's (IPB) faculty of forestry Professor, Bambang Hero Saharjo, was sued by palm oil firm PT Jatim Jaya Perkasa (JJP) after testifying against its practices (4).

Indonesia: Kalimantan Villagers File Complaint Against RSPO in Switzerland **Published on the 24th of January, 2018** **(Land Grabbing)**

"An Indonesian community rights group filed a complaint against the Roundtable on Sustainable Palm Oil at the Organisation for Economic Cooperation and Development, or OECD, on Tuesday (23/01) for failing to address complaints by residents of two West Kalimantan villages."

"The indigenous Dayak community in Kerunang and Entapang villages are accusing Malaysian palm oil giant Sime Darby – a member of the RSPO – of stealing tribal land."

"Despite no formal contract with the communities, MAS obtained cultivation permits and a land-use contract valid until 2030. The Kerunang and Entapang communities were not aware of these developments."

(Indigenous Voices In Asia, 2018).

March:

Millions of indigenous people may lose voting rights: Alliance **Published on the 20th of March, 2018** **(Voting Rights)**

"Around three million indigenous people in areas across Indonesia may not be able to participate in the 2018 regional elections and 2019 legislative and presidential elections because they do not have e-ID cards, an alliance said on Thursday."

"Indigenous Peoples Alliance of the Archipelago (AMAN) secretary general Rukka Sombolinggi said around one million out of the three million indigenous people lived in conservation areas, which did not belong to any village or other administrative area."

This is particular important for issues regarding land rights and indigenous rights.
(Holliani Cahya, 2018)

#PlacesToWatch

Oil Palm Plantation Encroaching on Primary Forest in Indonesian Papua

2,300 ha
approximate area affected
since November 2017

bit.ly/PTWMarch18



"Oil palm stretches out to the horizon in what was previously primary forest in the PT Bio Inti Agrindo concession, owned by POSCO Daewoo. Photo credit: Mighty."
(as cited in Weisse & Fletcher, 2018)

Places to Watch: 3 Forest Regions at Risk Right Now

Published on the 20th of March, 2018

(Oil Palm Deforestation of Primary forest)

“[V]arious Indonesian government agencies have actively promoted large scale-agricultural investment in southern Papua. This has resulted in several new oil palm projects, including investment in the PT Bio Inti Agrindo (PT BIA) concession highlighted in the previous edition of Places to Watch. PT BIA Block II has resulted in more than 20,000 hectares (49,500 acres) of tree cover loss since 2013, most of it in primary forest, with around 2,300 hectares (5,580 acres) affected since November according to GLAD alerts.”

NGOs warned oil palm buyers that “purchases from POSCO Daewoo would violate their No Deforestation and RSPO (Roundtable on Sustainable Palm Oil) commitments.”

(Weisse & Fletcher, 2018)

In a land untouched by mines, indigenous holdouts fight a coal invasion

Published on the 28th of March, 2018

(Indigenous Peoples, FPIC and Indonesian coal)

“[T]he central government issued a mining permit to PT Mantimin Coal Mining (MCM), a nebulous coal company that has been trying and failing to obtain the required environmental impact assessment (EIA) for a decade.”

“Locals quickly organized protests, and the environmental NGO Walhi in late February sued the Ministry of Energy and Mineral Resources for allowing Batutangga to be mined.

Indonesia’s environmental laws require mining companies to present an EIA before they can be considered for a permit. Walhi argues in the lawsuit that the ministry not only ignored the legal process to grant a permit but also the concerns of residents. Any EIA, they maintain, would be illegal because it would not have the approval of the district. Additionally, roughly 100 hectares (247 acres) of the 1,964-hectare (4,853-acre) Batutangga concession area overlaps with protected forests.”

“According to residents and government officials, the company has never been to South Kalimantan, despite seeking support for a permit since 2008.”

There are 8,000 residents in the concession area.

(Morse, 2018)

April:

Palm oil sustainability assessment of Salim-related companies in Borneo peat forests

Published in April, 2018

(Shadow Companies and Sustainable Palm Oil)

“Mr. Anthoni Salim and family rank 4th in Indonesia’s Top 50 wealthiest.”

“[T]wo plantation companies associated with Mr. Salim are operating in serious non-compliance with recent Indonesian policies and regulations that restrict peatland development.”

The Salim group continues to deforest protected peat forests in spite of international and national agreements and protection schemes including the Presidential instructions and Regulation No. 57.

“These companies’ practices are also non-compliant with the sustainability policies of the Salim Group’s joint venture partners, financiers, investors and buyers. Field investigations and satellite analysis have shown that the Ketungau peat forest, the only remaining large peat swamp forest in Sintang (Borneo), continues to be cleared for oil palm by Salim-related companies.”

(Aidenvironment, 2018)

Bid to protect indigenous Indonesians hit by ministry’s doubts over rights bill

Published on the 20th of April, 2018

(Legal backlog)

“The Indonesian government looks poised to derail a long-awaited bill on the rights of the country’s indigenous groups, calling it “not a necessity” and saying it will only trigger new problems.”

(Jong, 2018b)

June:

Indonesia to investigate death of journalist being held for defaming palm oil company

Published on the 21st of June, 2018

(Suspicious Death)



Indigenous Indonesians of Mentawai district depend their lives on the resourceful forests. Photo by Vinolia Ahmad/Mongabay-Indonesia.

“Indonesia’s national commission on human rights has vowed to investigate the death of a journalist who was being held on charges of defaming a palm oil company owned by a powerful tycoon.”

“From November 2017 to March of this year, Muhammad Yusuf wrote at least 23 articles for the news portals *Kemajuan Rakyat* and *Berantas News* about a land conflict involving PT Multi Sarana Agro Mandiri (MSAM). The company holds the rights to develop a massive oil palm plantation in Pulau Laut, a small island off the coast of South Kalimantan province, in Indonesian Borneo. It is owned by tycoon Andi Syamsudin Arsyad, popularly known as Haji Isam.”

“Parts of MSAM’s concession are claimed by several other firms as well as by local farmers who accuse the company of bulldozing their crops to make way for its plantation. Yusuf covered this dispute. After MSAM reported him to the police, he was arrested on charges of hate speech and defamation, for which he faced up to six years in prison and a 1 billion rupiah (\$72,000) fine if convicted.”

“Yusuf spent more than five weeks in police detention, before he was transferred to the custody of the Kotabaru district attorney’s office in early May to await trial, which began two weeks later, according to local media.”

“On the morning of June 10, Yusuf was taken to a local hospital after complaining of breathing difficulties and chest pain.”

“He died 30 minutes after arriving at the hospital. He was 42, and leaves behind a wife and two children.”

(Jong, 2018c)

Abdon Nababan: ‘North Sumatran land mafia offered me \$21m to win election — and then hand over control of government’

Published on the 21st of June, 2018

(Corruption)

Abdon Nababan is one of Indonesia’s most prominent activists. “During his decade-long tenure as head of AMAN, the country’s main advocacy group for indigenous rights, Abdon led the organisation to a series of high-profile wins. These included a landmark court decision that eroded the state’s legal claim to indigenous peoples’ territories, which have widely been leased out to agribusiness and extractive companies by corrupt politicians. North Sumatra is no exception: Its last two governors were convicted of graft.”

“The vote for governor will take place later this month, but Abdon didn’t make it onto the ballot. Instead, the election will be contested by two candidates representing the more familiar faces of Indonesian politics. One of the them is a retired army general, while the other is running alongside a wealthy palm oil baron.”

“The fact that Abdon couldn’t stand reflects a phenomenon Mongabay and The Gecko Project have been investigating over the past 18 months: the role of money in elections, and its connection to destructive business interests that have established a stranglehold over politics in much of Indonesia, a young democracy still recovering from more than three decades of military rule. To get on the ticket, Abdon says, he faced the choice of illegally paying political parties millions of dollars to back his

candidacy, or standing as an independent by collecting the signatures and copies of the ID cards of nearly 800,000 voters. He chose the latter route and, despite garnering more than half a million backers in less than four months, was not able to meet the deadline.”



**Abdon Nababan. Image by Philip Jacobson for Mongabay
(as cited in The Gecko Project and Mongabay, 2018).**

“As Abdon tried to get on the ballot, he was afforded an inside look at how business and political interests collide and corruption flourishes in the lead-up to an election in Indonesia. In an exclusive interview with Mongabay and The Gecko Project, below, he described how:

- He was approached by a consortium of business interests who offered to provide 300 billion rupiah (\$21 million) to bankroll his campaign;
- The trade-off would have entailed handing over de facto control of budgetary and land allocations in the province;
- Political operatives offered to provide him with an additional 300,000 signatures so that he could qualify to run as an independent, at a cost of 40 billion rupiah (\$2.8 million);
- He believes progressive candidates can break through by running as independents, given more time and civil society support;
- He believes progressive candidates can employ national-level policies and transparency initiatives to close the opportunity for corruption.”

(The Gecko Project and Mongabay, 2018)

August:

Indonesia’s ‘one-map’ database blasted for excluding indigenous lands

Published on the 10th of August, 2018

(Neglect of Indigenous Territories)

“The Ancestral Domain Registration Agency (BRWA), an organisation set up by a number of NGOs to pool the results of customary land mapping, has marked out 96,500 square kilometers (37,300 square miles) of indigenous territory. It was a painstaking process undertaken through a participatory method of mapping, in which entire communities were consulted for their approval to get their areas mapped out.

Of that total, some 12,000 square kilometers (4,600 square miles) of land, comprising 51 indigenous territories, have been formally recognized by local governments through bylaws. The process is a tedious and time-consuming one that involves petitioning local councils to pass a bylaw in each of the hundreds of jurisdictions in which indigenous lands occur.”

“By excluding customary maps from the one-map database, the government is essentially denying the existence of indigenous territories.”

(Jong, 2018d)



**Dani man in Indonesian Papua. Image by Rhett A. Butler for Mongabay.
(as cited in Jong, 2018d)**

Indonesia's land swap program puts communities, companies in a bind

Published on the 27th of August, 2018

(Governmental Error & Neglect of Indigenous Territories)

“Last year the inhabitants of Konbaki village in the Indonesian island province of East Nusa Tenggara filed a request to farm some 174 hectares, about 430 acres, of land in their village.

The provincial forestry department approved the plan, filed with the assistance of NGOs. But that was as far as the villagers would get. When the forestry department forwarded the request to officials in the national government, it turned out that the land in question overlapped onto areas earmarked the Ministry of Environment and Forestry for a land swap program benefiting big plantation companies.”

(Jong, 2018e)

October:

Indonesian islanders fight developer with snorkels and homestays

Published on the 9th of October, 2018

(Land Rights & Water Rights)

“Syahrul Hidayat’s family has lived on the Indonesian island of Pulau Pari for four generations, fishing in its clear blue waters and selling seaweed to supplement their incomes.”

“But their lives and livelihoods have come under threat in recent years as their customary land rights have been denied, and a developer claims ownership of much of the island off the northern coast near Jakarta.”

“The 1,200-strong community is already contending with the existential threats of warmer temperatures, rising seas and worsening marine pollution. But the denial of land rights could strike the deadliest blow, said Hidayat.”

(Chandran, 2018)

Urgent action needed to halt the takeover of indigenous peoples’ lands for megaprojects in Indonesia

Published on the 12th of October, 2018

(Land Grabbing)

““Urgent action is needed to halt the takeover of indigenous peoples’ lands for megaprojects in forested provinces like Kalimantan and Papua in Indonesia. The destruction of forests and rivers is undermining local indigenous livelihoods, and destroying ancestral lands. Between 40 and 70 million people in rural Indonesia depend on access to lands and resources, including water for drinking and sanitation, protected by customary laws.”

“Forest Peoples Programme continues to fight alongside local organisations for the rights of indigenous peoples to be upheld and calls on re-consideration of the projects by the Government of Indonesia, and has made the following submission to the ‘Asia-Pacific Regional consultation on the impact of mega-project on the human rights to water and sanitation’.”

”Indonesian indigenous peoples and supportive NGOs have made repeated submissions about these two projects to CERD In both cases, and CERD has validated the concerns and called on the

Indonesian government to respect indigenous peoples' rights, reform laws accordingly and halt developments until rights are safeguarded. The Government of Indonesia has not responded to CERD. Both projects continue. Appeals have also been made to the national human rights commission which has highlighted the need for legal reforms to protect indigenous peoples' land and resource rights. We will continue to raise this issue at the highest levels."
(FPP, 2018)

November:

Press Release Mpur indigenous community demand PT. Bintuni Agro Prima Perkasa to immediately leave Mpur community customary land Published on the 17th of November, 2018 (Rights Recognition, FPIC)

"At present, indigenous communities, villages and customary forests in Papua are experiencing pressure, injustice and social tensions from development activities carried out by large scale plantation companies and commercial logging. Our customary lands and forests, confiscated and taken without consent, consensus and free decision from the people, by the interface of government as permits giver, as well as security for those corporations."

"[T]he clan landowners in Kebar, who actively voiced the problems of PT. BAPP, revealed, 'PT. BAPP is not transparent to the community and deviates from the agreement... in doing so company has destroyed the forest and community sago hamlets,'"

"The life of the Mpur tribe in Kebar and the indigenous Papuans general whose customary territories are targeted and given to plantation industry, still rely their live to the forest and sago hamlet as a source of food and community livelihoods."

" [They] face difficulties, violence and intimidation by company security forces, "
(Mpur Indigenous Community and Forest Peoples Programme, 2018)

Indonesia: Uphold Article 18b-2 of the Indonesian Constitution of 1945 and the Constitutional Court Decision no. 35 of 2012 to Recognise the Cek Bocek community as Indigenous Peoples/ Masyarakat Adat Published on the 24th of November, 2018 (Recognition of Indigenous Rights)

"Solidarity Statement of the Asia Indigenous Peoples Pact's IPHRD Exchange 2018 Participants to Cek Bocek"

"In 1935, during the Dutch colonisation, the indigenous Cek Bocek were forced to relocate from Selesek Suri village to Lawin village. Even though they are moved, they still go back and forth to maintain their farm and observe religious practice at their original village."

"The Cek Bocek community, also known as Berco tribe, with a population of 372 households, have long suffered from the neglect of the Republic of Indonesia to protect their right to land, particularly to freely access their traditional forest, since the mining company, PT. Newmont Nusa Tenggara (NNT), started its exploration in their customary forest in Sumbawa district in 1986. NNT has acquired concession of 16.000 hectares of the 29.000-hectare customary land of the Cek Bocek community. Within the concession, are 1,525 graveyards, 4 rivers and 20 streams where 4 streams are considered sacred, and 150 small houses used for making brown sugar."

"The restriction to access their forest affected their source of livelihood and limited their right to observe their spiritual practices."

"PT. NNT has acquired its license to operate in 1986 and has been conducting exploration since. It started drilling in 7 exploration sites, which expanded to 200 until 2018 causing some of the ancestral graveyards desecrated. In 2016, PT. NNT sell their shareholder to PT Amman Mineral Nusa Tenggara (AMNT). Without license from Ministry of Environment and Forestry to operate in forest zone, the mining company has built road to get access to the concession area by cutting trees and plants within Cek Bocek traditional territory."

"despite the community being able practice the traditional institution, the elders express concern on the distrust and internal conflicts that the mining company has been creating. The company employs some youth as surveyors affecting the social cohesion of the Cek Bocek community."

"In order to prevent further neglect and degradation of their lives, it is imperative for the Cek Bocek community to be recognised and respected as indigenous peoples/*masyarakat adat*."
(IPHRD Net, 2018)

The secret deal to destroy paradise
Published on the 28th of November, 2018
(Special Report)



Illustration by MURUGIAH for The Gecko Project (The Gecko Project, 2018)

The Gecko Project has produced an exceptional piece of investigative reporting for its *Indonesia for Sale* series, an in-depth series on the opaque deals underpinning Indonesia's deforestation and land-rights crisis. *The secret deal to destroy paradise* is the third instalment.

This brief summary is not capable of bringing justice to the investigation and reporting that has taken place. For those interested in Land Grabbing, Corruption and Extractive industries reading the report is recommended.

It investigates an elaborate plan "to generate billions of dollars by logging untouched rainforests... then razing what remained and replacing it with oil palms. If fully developed, it could become the single biggest palm oil plantation in Indonesia." These forests were "home to indigenous tribes and a treasure trove of biodiversity".

"The rights to the land had been acquired through a maze of shell companies. The shareholders were mostly fronts, controlled like puppets on a string. The companies were a façade, masking whoever was truly set to benefit from the project".

"Over the past few decades, but mostly in the last two, some 210,000 square kilometres of Indonesian land has been ceded to plantation firms. Permits were issued in opaque circumstances, principally by district politicians who have demonstrated considerable susceptibility to corruption. This year, the KPK completed its hundredth case against a regional leader, a haul that is widely believed to be the tip of the iceberg. Many of the same politicians who were convicted of budget skimming and procurement scams have played an important role in the licensing spree that has placed an area of land the size of Kansas in the hands of private firms."

"Both of these subjects merit further investigation: to discover who is hiding what, and how they got their assets. But the Tanah Merah project emphasises the intriguing overlap between these two phenomena. It raises the prospect that finding out who is behind a web of shell companies and front shareholders may also reveal exactly why those shell companies were granted valuable assets in the first place."

(The Gecko Project, 2018)

December:

Justice for defenders of Pari Island

Published on the 1st of December, 2018

(Justice)

“Pari Islanders fighting the occupation of their territory were given a glimmer of hope last month after a prominent environmental defender, Pak Sulaiman, was found not guilty of a land breach.”

“Sulaiman is one of many Pari Islanders who have faced criminalisation and intimidation as the company tried to push the community to leave the islands after they rejected the privatisation of the island by PT Bumi Pari Asri. Sulaiman was accused of grabbing, selling and using the company’s land. PT Bumi Pari Asri claim they own 90% of Pari Island despite islanders disputing this.

The community of Pari Island, who are mostly fisherfolk, argue that they have lived on the island for more than 20 years. They conserve the mangroves and coral reef and have developed Community Based Resource Management through eco-tourism, managed by the community for the community.”
(Storey, 2018)

Vast palm oil project in Papua must be investigated by government, watch dogs say

Published on the 6th of December, 2018

(Land Grabbing and Deforestation)



**Yanuaris Kobi, a member of the Auyu tribe, with his traditional costume. Image by Nanang Sujana for The Gecko Project.
(as cited in Jacobson, 2018)**

“The Indonesian government must put an immediate halt to land clearing in the Tanah Merah project, a vast stretch of land earmarked to become the world’s biggest oil palm plantation, environmental advocates and anti-graft watchdogs say.”

“Spanning 2,800 square kilometers (1,100 square miles), nearly five times the size of Chicago, the land sits at the heart of one of the world’s last great tracts of unbroken rainforest, on the giant island of New Guinea.”

“Permits issued for palm plantations across Papua, including in Boven Digoel, are marked by ‘many irregularities’ and a ‘lack of transparency,’ said Mufti Ode, of Forest Watch Indonesia.”

“The impact is that many companies have emerged who only want to seize natural resources without regard to environmental conditions and the rights of indigenous peoples,’ he said. ‘Companies proven to have violated the licensing process and who fail to recognize the existence and rights of the people must [have their licenses] revoked.’”

(Jacobson, 2018)



Oil palms on the edge of the Tanah Merah project. Image by Nanang Sujana for The Gecko Project. (as cited in Jacobson, 2018)

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Laos:

March:

Water rights and fights: Lao dams on the Mekong River

Published in the Journal of Soil and Water Conservation, March/April 2018 vol. 73 no. 2

(Water Rights)

Thai-financed, Xayaburi Dam “will be the first dam south of the China border constructed across the main stem of the Mekong River in Lao. There is worldwide concern that the Xayaburi Dam could open the door for more dams across the Mekong River”.

“Many are concerned that the Xayaburi Hydropower Dam could cause irreversible and long-term ecological damage to a river that feeds millions of people, force the resettlement of 2,100, directly affect 202,000 people who use the Mekong bottomlands to produce food, and may push endangered fish, such as Mekong giant catfish, to extinction.”

(Olson & Morton, 2018)

July:

Flooding from Laos hydroelectric dam leaves hundreds missing

Published on the 24th of July, 2018

(Water Rights)

“[P]art of the Xepian-Xe Nam Noy hydropower dam in southeastern Attapeu province collapsed Monday evening, releasing large amounts of water that swept away houses, flooded villages and made more than 6,600 people homeless.”

“According to the website of the company that built and runs the dam, it is majority-owned by SK E&C and Korea Western Power. The Ratchaburi Electricity Generating Holding Public Co. Ltd. of Thailand holds a 25 percent stake and the Lao Holding State Enterprise holds 24 percent.”

“The dam was built to divert the Houay Makchanh, Xe-Namnoy and Xe-Pian rivers into reservoirs that feed into a 410-megawatt power plant that is due to begin operations in 2019. Only 10 percent of the power generated was to be used locally, with 90 percent exported to Thailand.”

(Kurtenbach & Lee, 2018)

September:

Laos' hydropower ambitions threaten Mekong fishing villages

Published on the 4th of September, 2018

(Right to Water)



Construction of dams in Laos is threatening the livelihood of fishermen, like those in the southern Mekong region of Champasak. (as cited in Kishimoto, 2018)

"The tiny Southeast Asian nation of Laos champions itself as "the battery of Southeast Asia," exporting hydroelectricity to its neighbors as it seeks to exit the ranks of least developed countries."

"But developing hydropower -- Laos' major national industry -- is threatening the numerous fishing villages that line the Mekong River, which are seeing fish stocks dwindle as new dams spring up."

"In the village of Nakasang on the southern banks of the river, a forty-seven-year-old Moai Chai Leopas sighed. 'Since they began making the dam, the fish have been disappearing,' she said, referring to the Don Sahong Dam project. 'If things continue like this, we won't have enough money to send our children to school'."

"Laos has hoped to exploit its mountain ranges to produce and sell hydroelectricity. But as dam projects proceed, the country is being forced to rethink its priorities: electricity or fish?"

"It appears the latter are losing.

(Kishimoto, 2018)

October:

New Laos land law could block customary rights, women's titles: analysts

Published on the 19th of October, 2018

(Right to Land and Gender)

"A new land law may bring greater transparency in land management and modernisation of records in Laos, but it could also curb ownership by women, as well as the customary rights of rural and indigenous people, analysts said."

"The long-delayed legislation is scheduled to be tabled before the country's National Assembly next month, according to campaigners and analysts who have given feedback on the draft."

"The new law aims at the "proper use of land for better livelihoods, and improved socio-economic development ... without negative effects on the environment and society", according to a translation of the draft policy."

"The landlocked Southeast Asian country is experiencing rapid transformation as it lures foreign investment to tap resources and build much-needed infrastructure."

"But this is putting greater pressure on the land, much of it untitled. Most citizens have customary rights without formal documentation, according to the advocacy network Land Information Working Group (LIWG)."

(Chandran, 2018)

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Malaysia:

January:

TDM receives Terengganu land for expansion plan

Published on the 3rd of January, 2018

(Oil Palm and Deforestation)

"TDM Bhd has accepted a total of 4,515ha of land offered by the Terengganu state government for its domestic plantation expansion plan.

"TDM is an oil palm plantations cultivator wholly owned by state investment arm Terengganu Inc Sdn Bhd."

"The State had agreed to convert the Lands from Forest Reserve to Government Land and that the State will replace the affected areas with other Lands as Forest Reserve."
(The Star, 2018).

February:

Gua Musang Orang Asli fight against the Musang King Published on the 17th of February, 2018 (Resistance, Land Grabbing and Plantations)

"Gua Musang Orang Asli fight against the Musang King - Gua Musang Orang Asli have revitalised efforts to protect their ancestral lands, this time setting up blockades not just to hinder loggers, but also durian plantations."

"Kelantan Orang Asli Villages Network (JKOAK) chief Mustafa Along said forests were being cleared and logged in Pos Tohoi to make way for Musang King durian plantations."

"Other locations such as Chawas, were being cleared for rubber trees, while oil palm plantations were also encroaching on forests in Kuala Wok."
(Buang, 2018)

Temiar Blockades Rise Again Published on the 17th of February, 2018 (Resistance, Land Grabbing and Plantations)



[Photos by Temiar youth Nizam at the Pos Pasik and Kuala Wook blockades.]

"The Temiar blockades in Gua Musang are up again. After weeks of discussion and planning, the Network of Orang Asli Villages in Kelantan (JKOAK) began their latest round of blockades in the (mainly eastern) Temiar homelands of Gua Musang."

"The blockade structures are still being constructed but they effectively prevent loggers, especially as they return from the Chinese New Year holidays, from entering their logging concessions in the Pos Gob, Pos Simpoh, Pos Enching, Kuala Wook and Pos Pasik Temiar areas."

"[I]t appears that the areas where the protesting Temiars come from have been earmarked for development of all sorts – from mono-crop plantations to a huge hydro-electric dam. Logging is just the 'groundwork' for these projects."

"We are not talking selective, sustainable logging here. But outright clear-cutting of forests."
(COAC, 2018)

April:

Call for parties to include land rights in manifesto Published on the 18th of April, 2018 (Resistance, Collaboration)

"About 30 groups nationwide have issued a joint declaration urging political parties to give more attention to indigenous land rights."

"The NGOs from Sarawak, Sabah and the peninsula held a dialogue here before issuing the declaration which will be forwarded to political parties."

“Jaringan Orang Asal SeMalaysia president Yusri Ahon said not enough has been done to comprehensively resolve land woes affecting natives.”

“This problem is being faced by indigenous communities not only in Sarawak and Sabah but also several states in the peninsula.”

“Other groups at the dialogue included Save Sarawak Rivers and Borneo Resources Institute.”

“In the joint declaration, they asked for clearer policies by the political administration at federal and state levels to confirm the rights of native people over their ancestral land.”

“They also want a timeframe to settle cases between native settlements and developers.”

“The declaration also calls for legal recognition and acknowledgement that ancestral land cannot be developed without the prior consent of natives.”

(Then, 2018)

Dignified resistance in Malaysia

Published on the 19th of April, 2018

(Mining, Oil Palm and Land Grabbing)

“For the past two months, approximately 800 Orang Asli Indigenous Peoples have maintained blockades at several sites in Gua Musang district, Kelantan State, Malaysia in defense of the environment and their customary rights over land.”

“The protest measure by the Indigenous Peoples aims to stop forest exploitation, mining and large-scale monoculture plantations in the lands that belong to communities through their customary rights. But they also aim to raise awareness about their struggle and the impacts of forest destruction around the world, not only indigenous communities.”

(Real World Radio, 2018)

Orang Asli file suit against federal, Perak govt over hydroelectric dam.

Published on the 25th of April, 2018

(Rights, Land Grabbing and Industry)



Thirty-five orang asli settlers from Ulu Geruntum, Gopeng gather outside the High Court in Ipoh, after filing suit against the Federal government and the Perak state government, April 25, 2018. (Picture by Marcus Pheong; as cited in Kumaran, 2018)

“A group of 35 orang asli settlers from Ulu Geruntum, Gopeng filed a suit against the Federal government and the Perak state government and four others at the High Court... over the construction of a hydropower plant on their ancestral land... for infringing the community's rights on 63ha of the affected land — which they claim was cleared without their consent.”

“The settlers, who are from the Semai tribe, come from six villages in the Ulu Geruntum area namely Kampung Sungai Kapor, Kampung Sat, Kampung Ulu Kepayang, Kampung Empang Main, Kampung Poh dan Kampung Ulu Geruntum.”

“Besides the federal and state government, the suit also named Perak Hydro Renewable Energy Corporation Sdn Bhd, Conso Hydro RE Sdn Bhd, the Perak Land and Mines director, and the Orang Asli Development department director-general as defendants.”

“[N]early 1,000 families were affected by land clearing activities conducted under the project, which began around three months ago.”

“The project destroyed the plaintiffs' fruit tree plantations and between 40 and 50 ancestral burial

grounds without permission from the Semai people in Ulu Geruntum. Their water source was also contaminated”
(Kumaran, 2018)

July:

Indigenous Malaysians fight new land law with maps of burial grounds Published on the 16th of July, 2018 (Land Rights Claims and Legislation)

“Indigenous people in Malaysia are drawing up detailed maps using drones and testimony from village elders to fight a new law they say denies them customary rights to their land, amid rising demand for territory for commercial plantations.”

“Hundreds of indigenous people took to the streets at the weekend to protest amendments to a land law in Sarawak state, which stretches along the northwest coast of Borneo and is dotted with dense rainforests.”

“Disputes over land have long festered in Sarawak, and under the law passed last week, indigenous people will have to apply to the state for recognition of ancestral domain and communal forests.”

“There will also be a cap on the size of such land granted to communities.”
(Chandran, 2018)

August:

Displacement in Sarawak Published on the 7th of August, 2018 (Displacement)



Left: Land that's been logged, stripped bare, and terraced for palm oil plantations near to the Long Jaik longhouse near the Muran Dam. Image by Stuart Franklin/Magnum Photos. Malaysia, 2018.

Right: Outflow from the Bakun Dam pounds into the Rajang River. Image by Stuart Franklin/Magnum Photos. Malaysia, 2018.

“The rainforests of Sarawak—a Malaysian state located along the northwestern coast of the island of Borneo, facing the South China Sea—host some of the most contested land in the world. They are home to dozens of indigenous groups, including the Iban, Kayan, and Penan, who traditionally made their living hunting and gathering, fishing, or slash-and-burn farming. By Malaysian law, each group owns the land it customarily uses, but in practice, the state often claims swaths of forest for its own, offering licenses to private companies to log or farm it.”

“In 1998, the government resettled around 10,000 indigenous forest-dwellers to make way for the

state-sponsored Bakun Dam, but it never made good on promises of free housing and electricity, activists say. The three acres of farmland that families received as recompense doesn't grow enough food to support them."

"The government is inclined to look out for companies' interests, not forest people's, says Harrison Ngau, an indigenous land-rights lawyer based in the Sarawak city of Miri."

"In response, indigenous groups have blockaded logging and plantation roads that run through their land. They've also filed hundreds of suits against companies and the government. Some of these cases have taken decades to resolve. In the meantime, timber harvesting and oil-palm plantations leave the forest degraded, unable to support the indigenous livelihoods it once did."

"Women often suffer the most."

(Franklin & Diep, 2018)

November:

Malaysia: Report details shocking abuses against Indigenous peoples defending their land

Published on the 29th of November, 2018

(Violence Against Indigenous Peoples)

"Indigenous communities across Malaysia face relentless harassment, intimidation, arrest, violence and even death as they peacefully resist attempts to force them off land they consider ancestral, a report by Amnesty International reveals today."

"The report, *"The Forest Is Our Heartbeat: The Struggle to Defend Indigenous Land in Malaysia*, documents the countless obstacles faced by members of Indigenous communities and those who advocate on their behalf across the country. Amnesty International's investigation is based on dozens of interviews with Indigenous community members, village heads, local activists, members of civil society organisations, lawyers, academics and journalists across Peninsular Malaysia, as well as Sabah and Sarawak."

"The government is failing to protect Indigenous peoples' right to land, which on paper is recognized under Malaysian law," said Rachel Chhoa-Howard, Malaysia Researcher at Amnesty International. "Indigenous cultures are at risk of disappearing completely, together with Malaysia's forests."

"From our research, it is clear the Federal and state authorities are in denial about the scale of abuses against Indigenous peoples. The new government must intervene urgently to introduce immediate reforms, as promised in its election manifesto."

(AI, 2018)

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On the **5/4/2018** Saw O Moo, a committed land protector, peace advocate and Indigenous rights defender of the Mutraw Indigenous Karen people and staff of the Karen Environmental and Social Action Network (KESAN), was shot and killed by Burma Army soldiers while returning home from a meeting organising humanitarian assistance for villagers forcibly displaced by recent and ongoing Burma Army attacks in the area ^(1.).

On the **22/5/18** U Khin Maung Than, an Arakanese farmer, was tortured by Myanmar Army also known as Myanmar Tatmataw's soldiers ^(2.).



Myanmar

February:

Tanintharyi locals say national park conservation plan threatening livelihoods

**Published on the 21st of February, 2018
(Conservation Land Grab)**

"[The] Conservation Alliance of Tanawthari warned the government's designation of "Protected Areas" for forest reserves and efforts by international conservation groups risked cutting off local residents from land and resources."

"Locals say the proposed Tanintharyi and Lenya national parks on the Thai border, first proposed by the former military junta in 2002*, threatened to override customary land claims in the region, where their ancestors have worked and resided for upwards of 300 years harvesting areca nut plantations and farming through shifting cultivation."

"Saw Chit Win Htoo, who fled the area soon after to take refuge in Hpa-an, returned after the signing of a bilateral ceasefire between the government and the KNU in 2012. Around a third

of the villagers currently residing in his village of Kyaetuzaw had similarly returned after being displaced to other parts of the country or living as refugees in Thailand for two decades. Saw Chit Win Htoo said that after they returned, 'the forests where we worked at were, unfortunately, already given to business people or regarded as Protected Areas.'"

"A 2.5 million acre wildlife reserve there failed to prevent the establishment of a 200,000 acre cassava and sugarcane plantation by Yuzana Co. Ltd in 2004, while communities who tended to agricultural land elsewhere in the reserve were barred from the area. Naw Eh Tee Wah, an advisor from Tarkapaw Youth Group, said that the encroachment of business interests into the proposed national parks, along with overlapping authority of the government and armed groups in the area, had also left returning refugees in Tanintharyi vulnerable."
(Mon, 2018a)

March:

Hpapun residents call for end of military road construction

**Published on the 22 of March, 2018
(Land Grab)**

"Villagers in Ler Mu Plaw village in Hpapun township of Kayin State protested on Monday against the ongoing road construction undertaken by the Tatmadaw (military) in their area."

"The demonstration follows two months of tensions between the military and the Karen National Union (KNU), a signatory to the Nationwide Ceasefire Agreement (NCA), brought about by the resumption of a road project that cuts across local lands."

"Indigenous Karen people of Ler Mu Plaw and Kay Bu villages denounced the ongoing military build-up in the area that led to the displacement of villagers from their lands."

"We hold traditional Karen ceremonies to pray for peace, freedom from fear, and the right to determine our own future, as we are losing our land and rights," said Saw Lar Mu Hal of Ler Mu Plaw village."

"Villagers have fled their homes amid fears the military buildup could lead to renewed fighting between government forces and the Karen National Liberation Army (KNLA), the armed wing of the KNU."

"According to a statement issued by the residents, over 1700 villagers, including the elderly, women and children, fled over the past two weeks and are now hiding in the forest."

"The mountainous region is cold at night and people are suffering from psychological trauma and illness, exacerbated by shortages of food and medicine," the statement said."

(Han, 2018)

April:

Karen group says plan to protect forests ignores people's rights

Published on the 11th of April, 2018

(Conservation and Land Grabbing)

"Tanintharyi has the largest remaining intact areas of low-elevation evergreen forests in Southeast Asia, says the Conservation Alliance for Thanawthari, a coalition of seven Karen community groups that are concerned about the human impact of government plans for the region."

"Moves to declare two proposed national parks in Tanintharyi as protected areas have caused anxiety among about 16,650 villagers living within their designated boundaries, most of whom grow areca palms or practice shifting cultivation to make a living." Not to mention the "more than 16,000 villagers who fled the area because of fighting between the Tatmadaw and the Karen National Union in the 1990s and want to eventually be able to return to their homes."

"There are 10 villages in the affected area, which has a population of about 2,470, most of whom are Karen but also including Myeik, Bamar, Mon and Rakhine. Another three villages are just outside the affected area."

(Mon, 2018b)



Photos by Steve Tickner for Frontier

"The Conservation Alliance for Thanawthari says the protected area proposals were made without the free, prior and informed consent of the communities that would be directly affected." (as cited in Mon, 2018b)

July:

Myanmar Urged to Review Hydropower Dam Projects Seen Damaging to Rural Communities

Published on the 10th of July, 2018

(Hydroelectricity and Rights)

"The Myanmar government must undertake reforms in its hydropower sector to prevent dam projects from negatively impacting rural ethnic minority communities in southeastern Kayin state, a region wracked by armed conflict where electrification rates are lowest in the nation, according to a report issued by two ethnic Karen NGOs."

"The 31-page report titled "Development or Destruction? The human rights impact of hydropower development in villages in Southeast Myanmar," issued in June by the Karen Human Rights Group and Karen Rivers Watch, notes the detrimental effects that proposed dams will have on Karen villagers."

"The findings of the report, based on information collected in districts in Kayin state, discussions with focus groups, individual interviews with villagers, and legal research, conclude that instead of benefiting local communities, hydropower development in ethnic minority areas has diminished the

livelihoods of those who rely on their land to secure their food and income.”

“Residents are usually forced from their land by companies involved in dam-building or by armed forces, are given little or no opportunity to give their input on the projects, and are later permitted limited access to natural, religious, or cultural sites where the dams are constructed, the report says.”

“The report also says that hydropower development in southeastern Myanmar often occurs without adequate consultation with ethnic communities or due process of law, and that villagers receive inadequate or no compensation for the land, homes, and possessions they are forced to give up.”
(Htun, Mar & Gerin)

August:

Myanmar's indigenous people fight 'fortress' conservation

Published on the 6th of August, 2018

(Conservation and Traditional Rights)

“Saw Ma Bu’s family has lived in the mountainous forests of Myanmar’s Kayin state for generations, farming and fishing in the Salween river, even as a decades-long armed conflict raged in the region.”

“Now, he says, they fear their way of life is under threat as the government declares swathes of forest in indigenous Karen homelands as protected areas.”

“Saw Ma Bu and other community leaders have drawn up their own plan to conserve the forest, preserve their traditions and livelihoods, and be a model for indigenous lands elsewhere in the country.”

“Under their proposal, the Karen people would manage the Salween Peace Park, a 5,200 sq km (2,008 sq mile) area on Myanmar’s eastern frontier with Thailand.”

“Myanmar officials have not yet agreed to their proposal.”

(Chandran, 2018a)

Myanmar: Tatmadaw leaders must be investigated for genocide, crimes against humanity, war crimes – UN report

Published on the 27th of August, 2018

(Genocide)

“Myanmar’s top military generals, including Commander-in-Chief Senior-General Min Aung Hlaing, must be investigated and prosecuted for genocide in the north of Rakhine State, as well as for crimes against humanity and war crimes in Rakhine, Kachin and Shan States, a report by the UN Independent International Fact-Finding Mission on Myanmar* today urged.”

“The Mission, established by the UN Human Rights Council in March 2017, found patterns of gross human rights violations and abuses committed in Kachin, Rakhine and Shan States that “undoubtedly amount to the gravest crimes under international law”, principally by Myanmar’s military, the Tatmadaw, but also by other security forces.”

(OHCHR, 2018)

September:

Myanmar-Thailand highway branded 'ecological and social disaster'

Published on the 1st of September, 2018

(Land Grab and Development)

“Community and conservation groups in Myanmar have branded a planned highway linking a port project to Thailand an “ecological and social disaster”, saying it would uproot indigenous people from their homes and farms.”

“Critics said an environmental and social impact assessment for the road project, approved by the Myanmar government in June, failed to adequately specify compensation for loss of land and livelihoods, among other problems.”

(Ferrie, 2018)

November:

Displaced villagers in Myanmar at odds with UK charity over land conservation

Published on the 2nd of November, 2018

(Conservation and Land Grabbing)

“Fauna and Flora International (FFI) is helping to finance the \$21m (£15.8m) ridge to reef project,

which is led by the UN's development programme and aims to protect up to 800,000 acres of the country's south-eastern Tanintharyi region from threats like poachers, loggers and palm oil companies."

"But the project faces widespread opposition from ethnically Karen people who depend on the forests for their livelihoods. They fear it could convert their ancestral lands into protected areas, making it illegal for them to grow crops, fell trees to build homes, or forage and hunt for food."
(Carroll, 2018)

December:

Myanmar law aims to settle land claims, but could cause conflict

Published on the 17th of December, 2018

(Land Rights)

"Millions of people risk being forced off their land in Myanmar due to a recently-amended law, which campaigners and analysts warned could also undermine peace negotiations between the government and ethnic armed groups."

"The 2012 Vacant, Fallow and Virgin Land Management Law aims to clarify land claims and reduce landlessness. It covers almost a third of Myanmar, mostly in states that have large indigenous populations and an array of ethnic armed groups."

Following an amendment by Myanmar's parliament, the government on October 30 announced that anyone using vacant or fallow land needed to obtain a permit by March 2019. But the Karen National Union (KNU), an ethnic armed group, said the amended land law violates a 2015 national ceasefire agreement, which it has signed along with nine other armed groups."

"Under the terms of the ceasefire, laws affecting the land rights of ethnic minority communities must be approved by signatory groups, said Tah Doh Moo, a spokesman for the KNU. The amended law 'shows no concerns to the rights of indigenous people or human rights norms and discourages peace building,' he said in an email to the Thomson Reuters Foundation."

"Advocacy groups have warned that the land permit process may exclude people - mostly indigenous communities - from untitled land they have been farming, which could then be made available for commercial concessions."

(Chandran, 2018b)

Myanmar Land Grab Fears Stoked by New Law

Published on the 21st of December, 2018

(Land Grabbing)



La Moi, 25, and Kaw Nan, 28, whose father was jailed for resisting a land grab near Myitkyina, Kachin State.

(P. Vrieze for VOA as cited in Hogan, 2018)

“A new land conflict is threatening to erupt in Myanmar, where land is so sought after that even a cemetery can be eyed by developers.”

“In September an amendment to the Vacant, Fallow and Virgin (VfV) Lands Management Law was passed, that requires all people on VfV land to apply for a permit. If they fail to do so, they could be arrested for trespassing on their own land and face up to two years in prison.”

“People have less than three months to apply for a permit, with the deadline of March 2019.”

“Nearly one-third of Myanmar's land is considered by the government to be vacant, fallow or virgin land, amounting to over 45 million acres. Seventy-five percent of that land is found in ethnic states. And many of these states have thousands of people displaced by conflicts that can't return home to apply for a permit.”

“Many rural farmers VOA interviewed said they didn't even know this amendment had been passed. Farming networks worry that this information also won't reach most communities in the isolated areas.”

(Hogan, 2018)

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Members of CALG have, and continue, to face constant threats to themselves and their families. These include but are not limited to attempted bribery, threats both verbally and through messages and letters, being followed and, intimidation. CALG has created the 'SECURE' programme which aims at protecting community members who are themselves victims of death threats, intimidation and/or experience a spectrum of human rights violations as a result of their direct involvement in the struggle against land grabbing. As of August 2018, we offer safe shelter and financial support to five indigenous land rights defenders. We continue to assist the wife and children of a former CALG founding member, who was murdered in April 2016 ⁽¹⁾.

On the **8/1/2018**, the house of couples, Lumad Ronel Asay, 29, and Jingky Asay, 33, members of Kayapan-Amihan, an organisation of Mamanwa, in Bangayan village, Kitcharao, were strafed by two unidentified men. Fortunately the couple was able to escape the premises unharmed. The group said the 29th Infantry Battalion is actively conducting military operations in their community ⁽²⁾.

On the **9/1/2018**, in North Cotabato, peasant activists Jarold Adiaton, Jane Solis - both members of the Balite Farmers Association (BFA) - were illegally arrested by the 15th and 39th Infantry Battalions of the Philippine Army (IBPA) and Cotabato Provincial and municipal police officers. This took place inside their house in Balite village, Magpet ⁽²⁾. In a separate incident on the **9/1/2018**, peasant activist Datu Maylan Andas was illegally arrested by soldiers and police ⁽²⁾.



Philippines

January:

Zambales loses P250M livelihood to mining

Published on the 7th of January, 2018

(Mining and Livelihood Destruction)

"The Alyansa Tigil Mina (ATM), in a statement released to The Manila Times, said environmental destruction continues in Zambales because of mining... contamination of irrigation waters, river siltation and flooding have affected the agricultural livelihood of the communities."

This is due to "[d]estructive nickel mining operations" in the area by "[f]our large-scale mining companies – Zambales Diversified Metals Corp. (ZDMC), Benguet Corp Nickel Mines Inc. (BNMI), LNL Archipelagic Mining Inc. (LAMI) and Eramen Minerals Inc."

An estimated P250 million (£ 3,776,492) of annual livelihood has been lost, according to the alliance of mining-affected communities (ATM). "Citing data from the Department of Agriculture, the ATM said nickel mining in Santa Cruz town is causing losses of 8,000 tons of palay (unmilled rice) production annually amounting to P200 million (\$5 million) in about 1,000 hectares of irrigated rice lands... the town also lost about P20-million worth of fish catch in three major rivers and at least another P30-million decrease in fish production in at least 100 hectares of fishponds... It is estimated that each hectare of fishpond is earning P300,000 net yearly."

(Roxas, 2018)

More Army troops deployed to IP areas in Davao region

Published on the 25th of January, 2018

(Martial Law, IPs and Mining Concessions)

"In response to the pronouncement of President Rodrigo Duterte to 'destroy the enemy,' the Armed Forces of the Philippines (AFP) announced it will augment its brigade covering indigenous peoples communities in Southern Mindanao region."

"Wala pa nag-deploy, pirmi na ang pagpamatay sa mga Lumad sama ni Obello Bay-ao (Lumad killings continue even before the additional deployment of troops, like in the case of Obello Bay-ao)," said Datu Kaylo Bontulan, leader of the local Lumad group Salugpungan Ta' Tanu Igkanugon (Salugpungan) in Talaingod.

"once the additional troops arrive in Talaingod, IPs will have no choice but to flee, leaving their farms and homes."

"The Lumad leader slammed the food blockade and the red tagging that ha[s] further impoverished their communities... if the military is actually targeting communist rebels,... they should have deployed the soldiers evenly in Luzon and Visayas as NPAs are also operating in other parts of the country."

"[T]he rapid military deployment and expansion of its operations in Mindanao are meant to protect the mining companies that are exploiting and poised to exploit more on IP's ancestral domain. There are about 52 applications for mining concessions in Talaingod, Bontulan said."

(Tupas, 2018)

On the **16/1/2018** farmers Filjun Celeste Arpajo (30), and Venjie Catampo (28) were forcibly taken by suspected members of the 28th IBPA. Both were residents of Purok Mahayahay, Marayag village, Lupon, Davao Oriental. According to the village residents, the two were taken by the military and used as guides in their operations ⁽²⁾.

On the **19/1/2018** CPA Chair Windel Bolinget received a text message on his phone, which said "...a police asset is tracking you down they believe you are umbrella wing of CPP NDF NPA" ⁽³⁾.

On the **25/1/2018** Arturo Colao (56) was shot by two unidentified motorcycle-riding gunmen in Puting Balas, Talisayan town. Colao sustained a gunshot wound on his hip. He is the provincial leader of the Misamis Oriental Farmers Association (MOFA). This is the latest of a series of attempts on Colao's life ⁽⁴⁾.

On the **28/1/2018** Ricky Olado (30) was shot dead by suspected military agents. Olado was a member of the local IP group Tinanaon Kulamanon Lumadnong Panaghiusa (TIKULPA) under the PASAKA Confederation of Lumad groups in Southern Mindanao. The organisation fights for land rights, against the interests of multinational corporations as well as mining and logging companies ⁽⁵⁾.

On the **4/2//2018** the Lumad Datu Banadjao Mampaundag, and his son, Jhonard Mampaundag were killed by New Peoples Army for allegedly "committing grave crimes against the revolutionary movement and the people... [as a] rabid

Philippines: Lumads say Duterte's war to affect thousands of Lumads in Mindanao

Published on the 29th of January, 2018

(Indigenous Statement)

In a response to "President Duterte... going after progressive organisations as part of the government's all-out war against the Communist Party of the Philippines. Kerlan Fanagel, Chairperson of PASAKA", an organisation which includes 338 Lumad organisations in Southern Mindanao, said "[h]is pronouncement... is a go signal to continue military deployment and operations on the ground, and we Lumads and farmers are targets. Expect more Lumads to be displaced," warned Fanagel.

"PASAKA objects to Duterte's statement as it discredits the Lumads' struggle to protect their ancestral lands."

"We are raising legitimate concerns such as protection of our ancestral domain from mining and plantations, and our schools from militarisations. And this is how Duterte answers our demands, by threatening us as communist sympathizers? Said Fanagel."

(AIPP, 2018b)

February:

Duterte to find investors for ancestral domains

Published on the 1st of February, 2018

(Land Grabbing and Industrial Expansion)

President Duterte wishes to open ancestral domains in Mindanao to investors, telling hundreds of Lumad leaders that "I'll do the search of investors myself."

Aware this idea could spark controversy Duterte told the Lumad among the Lumad that "opening these areas to investors would be a way for them to generate wealth."

Telling them that (The government worked hard now you were given ancestral domain. The problem is you didn't use it)

"Ang gobyerno naningkamot...karon gitagaan mo ug ancestral domain. Ang problema wala ninyo gamita,"

(Basa, 2018)

Karapatan condemns attack on alternative media outfit, background check on journalists

Published on the 2nd of February, 2018

(Attacks on the Media)

"Kodao Productions, an alternative news outlet, reported an attack on its website on Friday, February 2, 2018. Since its establishment in 2000, Kodao has covered issues related to indigenous peoples, peasant communities, and human rights violations in rural areas and urban centers. Kodao has extensively covered the peace process between the government and the National Democratic Front of the Philippines."

(Karapatan, 2018a)

Palace defends investors' entry into Lumad land

Published on the 4th of February, 2018

(Land Grabbing)

In the aftermath of the previous comments made by Duterte Lumad leaders responded:

Duphing Ogan, secretary general of Kahugpong sa mga Lumad sa Mindanao (Association of Lumad in Mindanao, or Kalumaran stated that;

"Instead of telling the indigenous peoples to protect their ancestral

recruiter [for] the notorious Alamara paramilitary forces ^(6.).

On the **7/2/2018**, the Marine Battalion Landing Team 2 (MBLT 2), along with two barangay officials, escorted a volunteer teacher of the Center for Lumad Advocacy Networking Services Inc. (CLANS), Jolita Tolino (24), to the MBLT 2 camp before she was transferred to the Kalamansig police station ^(7.).

On the **21/02/2018** the “Department of Justice (DOJ) filed a petition before the Manila Regional Court against more than 600 individuals, tagging them as terrorists under the Human Security Act of 2007 (Republic Act 9372), also known as the Anti-Terrorism Law, for to their alleged connection with the Communist Party of the Philippines (CPP) and the New People’s Army (NPA)”. The list comprises several prominent Filipino human rights defenders ^(8.). Notable names amongst the list include;

- Victoria Tauli-Corpuz, United Nations (UN) Special Rapporteur on the Rights of Indigenous Peoples;
- Joan Carling, Co-convener of the Indigenous Peoples Major Group on the Sustainable Development Goals, former Secretary General of the Asia Indigenous Peoples Pact (AIPP) and former member of the UN Permanent Forum on Indigenous Issues;
- Ms. Beverly Longid, Global Coordinator for the Indigenous Peoples Movement for Self-Determination and Liberation (IPMSDL);
- Windel Bolinget, Chairperson of the Cordillera Peoples Alliance (CPA) and National Co-Convener of KATRIBU National Alliance of Indigenous Peoples in the

lands from the hands of big landlords and foreign investors, Duterte has now become the spokesperson of foreign capitalists to further plunder the environment and natural resources... It is now clear to us that the presence of 65 battalions of the Armed Forces of the Philippines in Mindanao will secure the investments of foreign multinational companies. And this will translate to more human rights violations against Lumad leaders”.

The Co-Chair of Sandugo, a coalition of Lumad and Moro Leaders, Jerome Aba mentioned that;

“It is the investors, big corporations, military and Duterte that are making trouble in our lands... [with these actions t]he plunder of the resources in our ancestral lands will further be legitimized,”

“Taking us, the national minorities away, from our lands is taking away our identity and our existence—(and) thus will lead to (more Lumad killings),... 30 Lumad have been killed under the Duterte regime and at least 30,000 have evacuated due to aerial bombings”.

It seems that the government is preparing the entry of foreign corporations and big local businesses into ancestral lands. Supported by the Duterte administration’s support congressional efforts to amend the Constitution. The President’s administration is claimed to be designed to protect indigenous peoples in the highlands from being exploited by communist rebels.

(Nawal and Salaverria, 2018)

Lumad communities flee homes anew in Surigao

Published on the 4th of February, 2018

(Displacement)

“Sarry Campos, spokesperson of MAPASU or the Malahutayong Pakigbisog Alang sa Sumusunod, a local IP group, told Davao Today in a phone interview that at least 161 families composed of 758 individuals are currently seeking refuge in Km. 9 Barangay Diatagon, Lianga town, while unaccounted number of individuals are currently staying with their relatives. The Lumad communities decided to evacuate on Monday, January 29 due to series of threats, harassment and intimidation allegedly by military troops.”

706 students and 51 faculty staff of alternative Lumad school Alternative Learning Center for Agricultural Development (ALCADEV) and Tribal Filipino Program of Surigao del Sur (TRIFPS) were also affected.

Campos declared that the “intensified military operations in the countryside, especially in Lumad communities, clearly shows that the military is not going after the NPAs but communities and organisations that struggle to defend their ancestral lands from mining and foreign corporations.”

“Kahugpungan sa mga Lumadnong Organisasyon (KASALO) – Caraga said in a statement that eight battalions of the Armed Forces of the Philippines (AFP) under two brigades were deployed in the region ‘resulting in widespread human rights violations’...All these are being implemented to eliminate opposition against the continuing operation of 23 large scale nickel, chromite and gold mines and the entry of 15 coal mining operations, expansion of banana and oil palm plantations and other destructive projects within our ancestral lands”.

(Genotiva, 2018)

Military rampage in Cagayan Valley results in rights violations

Published on the 12th of February, 2018

(Military Violence against Rural and Indigenous Peoples)

Philippines;

- Ms. Zara Alvarez, Research and Advocacy Officer of the Negros Island Health Integrated Program (NIHIP);
- Mr. Isidro Indao, Matigsalog-Manobo village chief, council member of the PASAKA Lumad Confederation in Southern Mindanao;
- Ms. Elisa Tita Lubi, Karapatan National Executive Committee member.

On the **2/3/2018** indigenous and environmental activist Ricardo Pugong Mayumi was shot dead in Sitio Angadal, Ambabag, Kiangan, Ifugao, by at least two assassins. Mayumi (52) was one of the leaders of the Ifugao Peasant Movement (IPM) and led the opposition to the Quadriver Mini Hydro Dam in his native Tinoc town, also in Ifugao ⁽⁹⁾.

On the **20/03/2018** Agudo Quillo was shot dead. Quillo was the chairperson of Hugpong sa mga Mag-uuma sa Pantukan (HUMAPAN), a municipal-wide peasant organisation. “Quillo was killed because of his active participation in the peasant movement calling for land reform and due to his strong opposition to the large-scale mining operation of St. Augustine Mining Limited and Kingking Pantukan Mining” ⁽¹⁰⁾.

On the **29/4/2018** Father Mark Ventura (37), was murdered immediately after celebrating Mass in Peña Weste. An unidentified man wearing a motorcycle helmet emerged from the back of the gym and shot the victim twice. Fr. Ventura was also known for his anti-mining advocacy and for helping indigenous peoples in the province, a province which is famous for its

“In Cagayan Valley and in many other parts of the country, the military is taking its offensive against peasant and indigenous communities a notch higher. Military rule readily creates an environment for repression of people’s rights, as illustrated in reported violations in Cagayan Valley. It is the soldiers’ unwanted presence and activities that endanger residents and cause fear and insecurity in communities,” said Karapatan Secretary General Cristina Palabay.”

One such registered event which took place on the “evening of February 10, 2018, the 17th Infantry Battalion – Philippine Army took custody of five farmers who were subjected to interrogation and harassment. Farmers Rafael Guimay, Nelson Guimay, Nani Maglapay, Matias Asco, and Mario Garon were forcibly brought to the 17th IBPA headquarters in Alcala, Cagayan.”
(Karapatan, 2018b)

‘Minahang Bayan’ application to be made easier for pocket miners

**Published on the 20th of February, 2018
(FPIC and Mining)**

“Small-scale miners in this upland province have something to look forward to as the Department of Environment and Natural Resources’ Mines and Geosciences Bureau (MGB) in Cordillera is set to relax the registration procedures for them to be included in the so-called “Minahang Bayan” or People’s Small-Scale Mining Area.”

According to the MGB official, one of the major setbacks “for the small-scale miners seeking registration in the Minahang Bayan program is securing the consent of the indigenous people and large mining companies.”

A requirement stated in the “Republic Act 7076 or the People’s Small-Scale Mining Act of 1991, also known as the Minahang Bayan Law” and the “Indigenous Peoples Rights Act of 1997 (IPRA Law), which states that Indigenous Cultural Communities or Indigenous Peoples (ICCs/IPs) have the right to Free and Prior Informed Consent (FPIC) prior to the conduct of any activity within their ancestral domain areas.”

The bureau’s regional director, Fay Apil, “admitted that applicants for Minahang ng Bayan in Benguet are having a hard time in getting the FPIC.”
(PNA, 2018)

Philippines: 9 Lumad leaders face trumped-up charges in Bukidnon

**Published on the 20th of February, 2018
(Indigenous Persecution)**

“Nine members of the Pigyayungaan organisation in Cabanglasan, Bukidnon face trumped-up charges of frustrated murder, accusing them of an encounter between the 8th Infantry Battalion of the Philippine Army (IBPA) and the New People’s Army (NPA) in said town last year.”

“The charges were made by 8th IBPA Sgt. Ramie Valle, Pvt Alfie Jauculan, and Civilian Active Auxiliary members Nilo Bongchan and Estelito Yawan. They alleged that the accused were part of the NPA unit that ambushed the 8th IBPA on March 30, 2017 in Sitio Saluringan, Brgy. Canangaan, Cabanglasan. Valle and Jauculan were both wounded in said firefight.”
(IPHRD Net, 2018a)

copper and gold mines ^(11.).

On the **14/5/2018** two Dumagat indigenous peoples, Ricky Torres and Dandoy Abellaneda, were tortured and illegally arrested by soldiers from the 80th and 202nd Infantry Brigades of the Philippine Army, 2nd Jungle Fighter Company, the 2nd Infantry Division-PA, Philippine National Police's Criminal Investigation and Detection Group (CIDG) and the AFP South Luzon Command (SOLCOM). The two Dumagats were accused of being NPA rebels and were beaten up and tied to the corpse of a dead soldier. The two remain incarcerated for trumped up charges of murder ^(12.).

On the **26/5/2018** Beverly Geronimo (27), a farmer who joined the Tabing Guangan Farmers Association (TAGUAFA) in Trento, Agusan del Sur to protect her community from mining projects, was gunned down by three men in motorcycles. She is survived by three children ^(13.).

Between the **15th and 31st of May, 2018**, some 160 members of the Dumagat tribe, which Torres and Abellaneda belonged, were forcibly evacuated from their homes at Sitio Dadiangao, Brgy. Umiray, General Nakar, Quezon Province, due to military operations and encampment of the above-mentioned military and police units in their community. The military also imposed a food blockade, adding to the misery of the evacuees ^(13.).

On the **4/6/2018** assistant special prosecutor at the Office of the Ombudsman and 5 months pregnant with her 2nd child, Atty. Madonna Joy Ednaco-Tanyag (33), was stabbed to death in front of a lottery outlet in Visayas. Madonna handled the prosecution of government officials involved in various forms of graft and corrupt practices ^(14. & 15.).

March:

Asia-based IP groups express alarm over Duterte gov't's alleged 'worsening attacks' vs indigenous peoples in PH
Published on the 5th of March, 2018

(Rights Violations)

"Representatives of indigenous peoples organisations from various countries in Asia have expressed alarm over the alleged "worsening attacks" against IPs in the Philippines under President Rodrigo Duterte's 'tyrannical regime.'" "In a statement signed last March 3 in Bhubaneswar, India, representatives of IP groups who attended the Feb. 28 to March 3, 2018 Asia Preparatory Meeting on UN Mechanisms and Procedures Relating to Indigenous Peoples claimed that the attacks against IPs in the Philippines come in the form of political extrajudicial killings, filing of fabricated charges against indigenous leaders and activists, forced evacuation, harassment, intimidation, illegal arrests and detention, and political repression."

"Under the regime of President Duterte, every month at least two indigenous peoples are extrajudicially killed,"

"According to the groups, last February 27, two Lumads from the Philippines — Kerlan Fanagel and Lorna Mora — were allegedly barred by the Philippine immigration from traveling outside the country to participate in the Asia Preparatory Meeting to talk about the issues of the Lumads and learn about UN mechanisms that might be useful in their campaign against violations to their rights to their ancestral lands and resources, and human rights."

(Interaksyon, 2018)



"[T]aken during a Jan. 13, 2018 ritual at the Ancestral Domain of Ovu Menuvu in Emamaling Magpet, North Cotabato. The ritual was participated by 15 tribes of Lumad in Mindanao. The ritual was organized by the leaders to seek guidance from the spirits as the tribes faced systematic attacks on their lives and ancestral domains. CONTRIBUTED PHOTO"

(Interaksyon, 2018)

On the **6/6/2018** Lando Perdicos (45) and Jovie Jose (54) were shot and killed in two different occasions in Compostela Valley. Both of these individuals were active members Kilusang Magbubukid ng Pilipinas (KMP) and strongly opposed the militarisation of communities and the entry of big mining companies and plantations into their areas ^(16.).

On the **6/6/2018** Jose Unahan (56), Higaonon peasant leader, anti-mining activist and member of the Unyon sa Mag-uuma sa Agusan del Norte (UMAN) - a provincial formation of the Kilusang Magbubukid ng Pilipinas (KMP) - was shot dead. The perpetrator was on a motorcycle and immediately fled in an unknown direction. Jose was involved in his tribe's defence of their ancestral land against large-scale mining and other extractive industries ^(17.).

On the **10/6/2018** Nestor Dagatan Sacote (29), another member of KMP who opposed the militarisation of communities and mining, was shot and killed ^(16.).

On the **13/9/2018** four women were detained in Nueva Ecija on Sunday afternoon under the guise of being communist rebels spreading propaganda. Rights group Karapatan insists they are peasant advocates and were illegally arrested. Karapatan stated that (Diamsay) Ortiz, 46, and Ladesma, 44, are members of Anakpawis and Gabriela Women's party-list respectively while Emocling, 23, and Galario, 20, are both youth activists and peasant advocates^(18.).

On the **23/9/2018** HR volunteer Mariam Uy Acob (43) was shot and killed by two unidentified military agent gunmen onboard a single motorcycle. Mariam was a Volunteer for the human rights group Kawagib Moro Human Rights based in Maguindanao ^(19.).

In **October**, 27 individuals and a number of organisations in the

Lumad, farmers file complaints against army's 8th, 88th infantry battalions

Published on the 6th of March, 2018

(Harassment)

"Indigenous people from Bukidnon filed a number of harassment complaints against the 88th and 8th Infantry battalions (IB) on Tuesday morning, March 6, at the regional office of the Commission on Human Rights regional office".

(Lagsa, 2018)

'Mining Act on steroids' | Why cha-cha will worsen plunder of PH resources

Published on the 6th of March, 2018

(Land Grabbing)



'Dudirty' Dragon in their midst

(Photo by M. Salamat / Bulatlat; as cited in Salamat, 2018a).

"The controversial Mining Act of 1995 turned 23 years old last March 3... groups of indigenous peoples and environmentalists held a picket protest at the gate of Congress on Monday, March 5. They feared that under the Duterte administration's proposed charter change, the already recorded destruction resulting from the Mining Act of 1995 will be a mere preview of things to come. For pushing charter change, President Duterte was depicted by indigenous groups during the protest as a 'Dudirty' Dragon.

"They viewed him not only as an agent of killings and of destruction but also of dirty energy and industry. Kalikasan PNE blames the Mining Act for having allowed transnational corporations to "steal 79 percent of the country's generated mineral wealth" since it took effect in 1998. On top of that, they said, the law gives these corporations auxiliary rights that allow it to clear out forests, divert rivers and springs, and in the process, push away the communities living at or near the mine sites."

"As the affected communities resisted for their survival, they are dealt with violence by the mines' guards and government troops. Under the proposed charter change being deliberated in Congress, the licenses being given to mining TNCs under the Mining Act of 1995 will be expanded some more. The indigenous peoples who are already bearing the brunt of these mining operations, through militarisation, forced evacuation and loss of livelihood, anticipate a more difficult time ahead. They picketed the gate of Congress March 5 to take it to task for the enactment of the Mining Act in the first place and the cha-cha drive that they say would worsen it."

Philippines found themselves targeted in a way that is a common precursor to extra-judicial killings. The one thing these individuals and organisations have in common is their open criticism of Canadian mining company OceanaGold's copper-gold mine in the Province of Nueva Vizcaya (20).

On the **5/10/2018** Lumad Leader Jimmy Ambat, was gunned and killed by elements of the 73rd IBPA in Upper Suyan, Malapatan, Sarangani Province. "Ambat was killed when he stepped out of his house to check on his relatives when a volley of gunshots was directed at him; he died instantly. The perpetrators also torched the house of peasant Jomar Tinao; ransacking his house and stealing eight chickens. This is part of the series of military operations done against indigenous communities in communities in Region 12 (20).

On the **20/10/2018** 9 members of the National Federation of Sugarcane Workers (NFSW), who occupied the farm at Hacienda Nene in Purok Firetree, were killed. It is alleged that the incident took place in a confrontation with Armed Forces of the Philippines and private armies of the landlords, who commonly harass, threaten and kill farm workers. The victims were Eglicerio Villegas (36); Paterno Baron (48); Rene "Dodong" Laurencio; Rannel "Bingbing" Bantigue (41); Angelife Arsenal (47); Morena Mendoza; Marcelina "Necnec" Dumaguit; Jomarie Ughayon Jr. (16), and, Marchtel Sumicad (17) (21).

On the **5/11/2018** the HR attorney who responded to the massacre of Sagay farmers, Benjamin Ramos (56), was shot dead in Kabankalan, Negros Occidental. Ramos is the 34th lawyer killed under the administration of President Rodrigo Duterte and 8th member of the profession killed in Visayas (22).

(Salamat, 2018a).

Nueva Vizcaya officials vow to block renewal of OceanaGold mining permit

Published on the 6th of March, 2018

(Mining & Local Communities)

"Several provincial officials of Nueva Vizcaya province have promised to block the renewal of a soon-to-expire permit of OceanaGold Philippines Incorporated (OGPI), a foreign mining firm. Board Member Flodemonte Gerdan, chairman of the Committee on Environment of the Sangguniang Panlalawigan, said the board will prevent the renewal of OGPI's permit, citing environmental and human rights issues the company allegedly neglected."

"Gerdan said board members vowed to vote against the endorsement of OGPI's permit, which is set to expire in 2019."

"This mining company has shown bad faith in its dealings with our province, and must no longer be allowed to continue operating for all the sufferings it has brought to our people," Gerdan told Inquirer's Melvin Gascon."

"The OGPI operates an open pit mine in Didipio village in Kasibu town. They produce tons of copper and gold, and have done so since acquiring a permit in 1994."

(Dullana, 2018)



OCEANAGOLD. A mining pit operated by OceanaGold. (Image from oceanagold.com; as cited in Dullana, 2018)

April:

Fisherfolk says no to Bulacan international airport

Published on the 4th of April, 2018

(Threats to Traditional Livelihood)

"The national fisherfolk alliance *Pambansang Lakas ng Kilusang Mamalakaya ng Pilipinas* (PAMALAKAYA-Pilipinas) opposes the international airport project in Bulacan that has been approved by the National Economic and Development Authority (NEDA)."

"With NEDA's approval, Ramong Ang's San Miguel Corporation (SMC) is set to build, operate, and maintain the P700-billion international "aerotropolis" which involves an airport covering 1,168 hectares and a city complex to be built at a 2,500-hectare area along Manila Bay in Bulacan, Bulacan."

"For its part, PAMALAKAYA Chairperson and former Anakpawis Partylist solon Fernando Hicap said the project will lead to environmental disaster in Manila Bay threatening the livelihood of

more than 20,000 fisherfolk in the municipality of Bulacan, Bulacan and other neighboring towns.” (Pamalakaya-Pilipinas, 2018)

Duterte regime on a red-tagging rampage in Negros

Published on the 18th of April, 2018

(Criminalisation of Activists)

“The criminalisation of activists and rights defenders is apparently the standing mandate of all agencies of government, regardless of whoever is appointed – from the Justice Department, the military, the police, and down to the local government. This practice of lumping together the names and pictures of progressives and labeling them as “terrorists” to justify violations against said individuals is becoming more commonplace under the Duterte regime. Truly, there is a repression spectrum with which this regime is employing without any hesitation,” said Karapatan secretary general Cristina Palabay.

“On April 16, 2018, posters bearing the pictures of leaders of mass organisations was reportedly being circulated and posted in public places in Moises Padilla, Negros Occidental. The said material claimed that the individuals were “CNN personalities”, insinuating their alleged link to the Communist Party of the Philippines – New People’s Army – National Democratic Front. A number is also included in the poster -- a hotline that directs the caller to the Moises Padilla police station.” (Karapatan, 2018c)

Driven from home, Philippine indigenous people long for their land

Published on the 19th of April, 2018

(Violent Displacement)

“The Philippines was the deadliest country in Asia last year for land and environment activists amidst a government crackdown on rural communities, according to advocacy group PAN Asia Pacific.”

“Campaigners say indigenous people in Mindanao are particularly vulnerable under martial law, imposed after Islamist militants took over the city of Marawi.”

“At least 60 tribal people have been killed since 2016 when Duterte came to power, many of them in Mindanao, according to rights groups.”

“Duterte, who is from Mindanao, has threatened airstrikes on indigenous schools that he said are teaching “subversion” and communism. Lumad elders deny this, but dozens of schools have been shut or destroyed.”

“Mansumuy, the chief of a Lumad tribe in Mindanao island, decided they had to leave and seek shelter until martial law was lifted and it was safe to return to their homes in Talaingod village”.

“Today 244 of them, mostly women and children, are in rickety shelters of bamboo and tarpaulin in the middle of a banana plantation in Madaum village, about 80 km (50 miles) from Davao City, with no inkling of when they can return to their homes.”

“Campaigners say the extended militarisation of Mindanao is intended to force indigenous people off their land, so they can be handed over to mining, energy and logging companies.”

(Chandran, 2018a)

Rights groups, victims and kin file at least 200 complaints on HR violations vs Duterte regime

Published on the 20th of April, 2018

(Human Rights Abuses)

“On April 20, 2018, various organisations, victims and their relatives assisted by Karapatan filed at least 200 complaints on human rights violations under the Duterte government at the office of the Government of the Republic of the Philippines (GRP) Monitoring Committee on the Comprehensive Agreement on the Respect for Human Rights and International Humanitarian Law (CARHRIHL) at Quezon City.”

(Karapatan, 2018d)

Philippine water plan threatens thousands of tribal people

Published on the 23rd of April, 2018

(Indigenous Territories and Socio-Economic Development)

“Tribal communities in the northern Philippines are being threatened by a government-sponsored water project that is being funded by China, tribal leaders claimed.”

“Windel Bolinget, a tribal leader in the Cordillera region, said that while the US\$62-million irrigation project on their ancestral lands could benefit poor farmers, it would submerge tribal communities.”

“The irrigation project will source its water from the 175-kilometer long Chico River, which straddles



“A tribal leader places a cross on the altar during a celebration on April 22 to mark past victories of Philippine tribes against so-called development aggression in tribal lands.” (Photo by Mark Saludes; as cited in Saludes, 2018)

the Cordillera mountain range and flows down to join the Cagayan River.”

“The river is... considered a "river of life" by tribal people who live along its banks.”

“The Cordillera People's Alliance, claimed scheme will displace at least 100,000 individuals and submerge their communities and farmlands.”

“Alliance spokesman, Bestang Dekdeken, said it will also result in the ‘privatisation of agricultural services ... under the guise of advancing a socio-economic agenda.’”

(Saludes, 2018)

Australian nun details what she was doing before arrest in Philippines

Published on the 30th of April

(Extrajudicial Killings and Arbitrary Detention)

An Australian missionary nun facing deportation from the Philippines has talked about her involvement in an international investigation into extrajudicial killings in the south of the country.

"We interviewed people in relation to 27 killings during the past year," 71-year-old Sister Patricia Fox told AAP.

"A lot of the deaths are related to land issues.”

“Sister Fox, from the Sisters of Our Lady of Sion, was arrested on April 16 and detained for 22 hours for purportedly being involved in partisan political protests.”

“Her comments follow claims by rights' activists of military links to the violence.”

“The investigation is due to release findings in early May.”

(SBS News, 2018)

May:

Cordillera indigenous peoples stand firm against renewed development aggression

Published on the 9th of May, 2018

(Indigenous Rights and Development)

“Indigenous peoples of the Cordillera Region of the Northern Philippines called the Igorots renewed their resolve to stand up against development aggression that is being pushed under the rule of President Rodrigo Duterte as they started before during the reign of the dictatorship of Ferdinand Marcos.”

“In their celebration of the 34th Cordillera Day held from April 22-24, the Igorots led by the widest alliance of indigenous peoples (IPs) in the Cordillera Region resound their call to further their struggle for the defense of their ancestral domain and for Self-Determination through making of resolutions and formation of the Cordillera Movement against Tyranny (CMAT).”

“According to Cordillera People's Alliance (CPA) Chairman Windel Bolinget, the tyrannical environment during the martial law years of Marcos in the 70s 'til the middle 80s is again being brought back by Duterte whom he said is like hell bent in following the footstep of the late dictator toppled by popular Filipino people's power on February 25, 1986.”

(Quitason, 2018)

Palawan's indigenous food, forests threatened

Published on the 10th of May, 2018

(CALG)

“Rapidly expanding oil palm plantations threaten indigenous lands and food security in Palawan, the Philippines' last ecological frontier.”

“At last count, at least 9,000 hectares of land have been cleared, claimed and planted to oil palm in southern Palawan, the justification being that the oil from the plantations and labor opportunities offer “inclusive,” “sustainable” and “green” development opportunities. Research by the Coalition Against Land Grabbing and its NGO partners point to major renewed interest in ramping up the financial and capital investments in oil palm expansion in both Palawan and Mindanao (<https://www.rainforest-rescue.org/petitions/1089/we-need-our-land-not-oil-palms>).”

“Paralleling the forest plunder in Indonesia and Malaysia, oil palm expansion in Palawan is unfolding at an alarming rate and with devastating consequences: Oil palm is destroying Palawan's forests, encroaching on ancestral domains and, increasingly, threatening the indigenous peoples' food security.”

“In a forthcoming paper in the international journal *Development and Change*, we show that the customary food security of the indigenous Pala'wan is being threatened by interrelated dynamics:

- As oil palm expands into lower sections of upland areas, plantations claim and destroy indigenous swidden farms (uma) that feed families.
- As oil palm moves further upland, it destroys older swidden fallows and storehouses of agroecological (including knowledge and genetic) diversity that's drawn on throughout the year, particularly in times of hunger.
- When cooperatives hire indigenous Pala'wan as laborers on the plantations, their customary food supply is gradually substituted with commercial goods and provisions (on credit) to ensure their continued work there.”

(Montefrio & Dressler, 2018)

June:

Philippines: AFP's lies, desperate attempt to end indigenous peoples' just struggles

Published on the 11th of June, 2018

(False Media, Indigenous Struggle)

“*We denounce the military assembly of some 150 Lumad, mostly children, in Nasilaban, Talaingod, Davao del Norte on June 9, 2018 and the deceitful announcement that Datu Guibang Apoga has surrendered to the military. This is another devious move to strip the Manobos of our right to our ancestral domain and self-determination.”

“‘Fake Surrender.’ The Alamara-AFP paramilitary forces and the 56th IBPA orchestrated the Lumad gathering to make it appear that the ailing and elderly Manobo tribal chieftain Datu Guibang Apoga has “surrendered” himself and the tribe's struggle to defend the ancestral domain from mining, logging and energy corporations and the scornful militarisation of our communities.”

“The military and the US-Duterte regime has grown desperate in quelling our ranks. In the last few

months it placed 3 army battalions in our ancestral lands, intensified its campaigns for the closure of community schools and harassment our teachers, students and parents, and now waggles Datu Guibang as a surrendered leader.”
(IPHRD Net, 2018b)



Data provided by Karapatan showing the total violation of civil and political rights between July 2016 and June 2018. These figures do not include drug-related extrajudicial killings (as cited in Karapatan, 2018e).

Urgent Appeal for Action on the Forced Evacuation of Indigenous People in Misamis Oriental and Quezon Province, Philippines

Published on the 18th of June, 2018

(Displacement Event)

“Communities of indigenous people in Misamis Oriental and Quezon Province in the Philippines are now subjects of intensified militarisation, with their homes occupied by soldiers. They have resorted to mass evacuations in fear for their lives at the hands of the Armed Forces of the Philippines.”

(Karapatan, 2018f).

July:

Lumad in Surigao del Sur evacuate yet again, military withholding relief

Published on the 18th of July, 2018

(Displacement of Indigenous Communities)

“On July 16, 2018, after more than a month of military presence in several Lumad communities in Surigao del Sur, Caraga, around 1,607 individuals from 15 communities evacuated out of their ancestral lands. Karapatan Caraga reports that around 100 soldiers have been encamping in several areas in Brgy. Diatagon, Lianga, Surigao del Sur.”

Karapatan secretary general Cristina Palabay “emphasized that this is not an isolated case. She added that ‘this is martial law; this is Duterte’s counterinsurgency program Oplan Kapayapaan in

action; this is the State's despotic response to any and all communities who have shown resistance against anti-people policies. Combining these elements, we have a repressive state apparatus with a green light to do whatever they want, and a tyrannical government doling out resources and granting permission for such abuses to continue.” (Karapatan, 2018g)

State forces tighten noose on human rights workers and indigenous communities
Published on the 30th of July, 2018
(Attempted on Rights Defenders)

“On July 28, 2018, a 23-member fact finding mission composed of human rights workers from Karapatan Southern Tagalog were on their way to Atimonan, Quezon aboard a jeepney when they were fired at by men on-board a motorcycle. The mission team members were set to investigate reports of rights violations due to militarisation in Atimonan, including the alleged death of 2 residents from Montes Callagan, Atimonan. The perpetrators attacked the mission team's vehicle while they were still in Brgy. Bilukaw, Pitugo, Quezon, around 30 kilometers from the team's destination. Bullets hit the vehicle's wheels but none from the team were hurt.” (Karapatan, 2018h)



Photo courtesy of SOS Caraga (as cited in Karapatan, 2018g).

August:

Unchecked, arbitrary military powers under ML suffocating indigenous communities in Mindanao
Published on the 1st of August, 2018
(Displacement of Indigenous Communities)

“On July 30, 2018, 1,607 evacuees from 14 Manobo communities in Lianga and San Agustin, Surigao del Sur were forced to leave their Brgy. Diatagon sanctuary because of ongoing military threat, harassment and intimidation. Humanitarian aid such as food were also blocked and controlled by the 75th IBPA and the PNP. The said communities left their homes on July 16 after military personnel encamped in their communities for a month, resulting to several violations. They stayed at a gymnasium in Diatagon only to evacuate yet again.”

“On July 31, 2018, 164 individuals composed of teachers, students and supporters of the Center for Lumad Advocacy, Networking and Services (CLANS) and Mindanao Interfaith Services Inc. (MISFI) were on their way to the municipality of Kalamansig for the burial of Dulangan-Manobo leader Pakingan Gantangan when they were harassed and blocked by police officers from Lebak, Sultan Kudarat. Policemen threatened the group of trumped-up charges of illegal assembly.”

“This is the everyday reality of our Lumad brothers and sisters. State forces have long terrorized their communities to pave the way for extractive industries and the implementation of counterinsurgency program Oplan Kapayapaan. Their ordeals have no end in sight, especially with martial law and the Duterte regime's militarist response to their struggle,” said Karapatan secretary general Cristina Palabay. (Karapatan, 2018i)

September:

Police arrests environmentalists picketing conference of mining companies & 9 environmental defenders arrested
Published on the 20th of September, 2018
(Mining and Land Grabbing)

“Today members of the Philippine Police with the help of security personnel serving the Chamber of Mines’ exhibition in Sofitel arrested and detained nine scientists and environmental activists after they held a lightning rally during the International Conference of the Chamber of Mines.”

“Environmentalists said the mining operations of members of the Chamber of Mines have proved deadly and hazardous to ordinary Filipinos, environmental defenders and the mining-affected communities in the country. The record shows locals are being displaced, killed, maimed, or injured in the course and after-effects of mining. They suffer from toxic mine spills, landslides, flash floods, dried out or poisoned waters, deforestation, and sinkholes. As if these are not enough, they have to live with harassments, threats, and even death at the hands of the military deployed in defense of mining investments.”

“Their detention is an example of how mining companies and the government that supports them are ready to silence those who struggle to stop environmental plunder,” the Agham Youth – University of the Philippines Manila group said on Twitter, using hashtag #FreeChamberofMines9

“In a statement, the Concerned Artists of the Philippines condemned the “harsh dispersal, violent treatment, and detention of environmental defenders and advocates.”

“It is only right to expose the impacts of the state’s mining policy on the people. Decades of wanton large-scale mining in the Philippines destroyed entire ecosystems and dispossessed indigenous peoples of their land, their culture and ways of living,” CAP said.

“Major sponsors of the Chamber’s conference such as Filminera in Masbate and OceanaGold in Nueva Vizcaya have a plethora of human rights violations monitored in their mine sites. At least nine killings involved peasants in Masbate who were from communities that mobilized against Filminera’s destructive operations”.

(Olea, 2018; Salamat, 2018b)

October:

Published on the 1st of October, 2018 (CALG)

Dear friends,

This is another successful story that we would like to share with all of you.

In early 2016, two major agribusiness companies (the Green Power Palawan Agriculture Corporation – GPPAC, and Lionheart Agrotech) began the clearing of parcels of land found within the ancestral domain of the Pala’wan of Barangay Ransang (Municipality of Rizal), without following due Free and Prior Consent (FPIC) procedures. The affected areas being converted into coconut plantations are located in Sitio Malutok, Sitio Sumurom, and Sitio Balinbalin. It is important to point out that such locations are also bordering some valuable ICCAs (Territories and Areas Conserved by Indigenous Peoples and Local Communities), such as the Signapan valley, being managed by the Tau’t Batu (a sub-group of the Pala’wan). Hence, the targeted 10,000 hectares of plantations might have posed significant pressure on the neighbouring upland ICCAs.

The plan to stop such companies has been a CALG priority, since the very beginning. After three years of community organizing, petitions writing, collection of evidences and documentation, we are finally harvesting the results of this long struggle. According to NCIP (National Commission on Indigenous Peoples) and CALG findings, the MOA previously entered between the two companies and the local communities was based on an improper application of FPIC guidelines. Hence, this was the reason why the companies’ Certificate of Precondition (CP) was suspended.

As a result, the two companies filed a motion of reconsideration as of June 1 2017, requesting NCIP to lift the order of suspension and allow Lionearth and GPPAC to resolve the issue by paying the required bond to be decided by the affected tribes, pursuant to section 23 of the 2012 FPIC guidelines.

The final response from NCIP Region IV Office - contained in the CEB Resolution no. 07-124.2018, Series of 2018 - and being transmitted to NCIP Palawan Provincial Office on 1 October, does confirm that both companies should, indeed, pay the bond as required by the law. But this, by itself, will not allow them to resume their operations. In fact, both Lionheart and GPPAC are now been requested to submit the Environmental and Socio-Cultural Impact Statement, followed by a comprehensive work plan which shall include the project’s profile and plan of operations, the identification of the targeted area, etc. More importantly, the companies should strictly comply with all procedures related to section 19-23 of the 2012 FPIC guidelines.

In a nutshell, all this means that both companies are now suspended until they comply with all NCIP requirements. Given the opposition of the local indigenous residents, we have good reasons to believe that the companies will be unable to provide the documents requested by NCIP, and to obtain the communities’ Free and Prior Informed Consent (FPIC).

While CALG will continue to monitor this case closely, we would like to express our sincere appreciation for the collaboration of NCIP key officials, which – indeed - has been pivotal to put these two companies on hold.
(CALG, 2018)

OIL PALM MORATORIUM APPROVED!
Published on the 10th of October, 2018
(CALG)

To counter the encroachment of oil palm plantations, we have entered into negotiations directly with the various municipalities in Southern Palawan, so to encourage them to pass their own municipal resolutions against any further development of oil palm plantations. On May 2015, we did succeed in having one of such resolutions (no. 2015-072) being passed by the Municipality of Quezon and, after months of strenuous negotiations, on 10 October 2018, CALG did succeed in influencing the Municipality of Rizal to pass its own resolution against the expansion of oil palm plantations. Given the enormous pressure from both foreigner and local entrepreneurs on ICCAs in Rizal, we do appreciate and welcome this new and positive step being taken by the municipal government.
(CALG, 2018)



**An indigenous farmer plants rice on the terraces of Banaue, Ifugao Province. April 14, 2008
(Lindsay Fendt).**

October turning bloody red as martial law kills, violates people’s rights in Mindanao
Published on the 12th of October, 2018
(Martial Law and Civilian Persecution)

“Lest we forget, there is already martial law declared in the southern part of the country. The imposition of martial law has merely contributed to the intensification of attacks against the Filipino people. Five indigenous and peasant leaders were arrested in the first week of October in Misamis Oriental and Surigao del Sur. The violations continue unabated as another Lumad is killed in Sarangani province and striking workers at a Japanese multinational company were violently dispersed this week. Mindanao is being ravaged by what can only be referred to as State terrorism,” said Karapatan Secretary General Cristina Palabay.”

“Palabay cited the case of leaders Gerry Basahon and Gabriela coordinator Merlita Dorado who

were illegally arrested on the basis of trumped-up charges of attempted and frustrated murder on October 4. They were among the eleven members and leaders of progressive peasant and Lumad organisations who were wrongly charged with the said offenses. The next day, on October 5, Enecito Catapte, Junie Catapte and Lito Delicona, all members of a local indigenous organisation, were held at the camp of the 36th IBPA headquarters in Tandag City, Surigao del Sur, Caraga.”
(Karapatan, 2018m)

Fleeing Violence, the Philippines’ Anti-Mining Activists Are Trapped in a ‘Waiting Game’

Published on the 18th of October, 2018

(Displaced Persons)

“On a secluded banana plantation on the Philippine island of Mindanao, nearly 400 people pass each night in tents, huts and makeshift dormitories. They bathe in the plantation’s irrigation ditches, surrounded by blue bags of pesticides that have fallen from the banana plants. The entire camp subsists on rice donated from a local farmers’ association. The plantation’s residents almost never leave their hideout. It may be the only place they are truly safe.”

“Many of the residents are members of organisations like the Compostela Farmers Association, a peasant group that is fighting the expansion of large-scale mining in the Compostela Valley. Others are indigenous people who say they were forced off their land to make way for mining and other projects. All of them say they were harassed by the Philippine military and that the threats reached a point where they needed to flee for their lives.”

(Fendt, 2018)

[OPINION] Coffee and the blood of indigenous peoples

Published on the 22nd of October, 2018

(Land Rights)

“On December 3, 2017, a week before Human Rights Day, indigenous leader Datu Victor and 7 others were killed in a surprise attack by the Philippine military, according to a report from the Global Witness.”

“Datu Victor was part of a group of indigenous peoples locked in a 28-year struggle with DM Consunji Incorporated (DMCI) over land in South Cotabato, Mindanao.”

“DMCI, a billion-peso real estate and mining company, has expanded its portfolio to include coffee production.”

“Mindanao now produces about 70% of the country’s locally grown coffee, according to the Philippine Coffee Board. With the growing local demand for coffee, DMCI wants a piece of the action.”

“Silvicultural Industries Incorporated (SII) runs the 1,800-hectare Dawang Coffee Plantation in the village of Ned, in Lake Sebu, South Cotabato. Some 300 hectares of this plantation belong to the T’boli-Manobo S’daf Claimants Organisation (Tamasco), which was headed by Datu Victor before his death. SII is a subsidiary of DMCI.”

“SII operates the plantation through an agreement issued by issued by the Department of Environment and Natural Resources (DENR). Tamasco had resisted the agreement and the encroachment of SII into their territory, but SII won out in the end.”

“House Resolution No. 1550 filed in the House of Representatives in December 2017 stated that DMCI supplies its coffee beans to a food and beverage giant.”

“The agreement that allowed SII to run the coffee plantation was supposed to have expired on December 31, 2016. Asked in 2015 if they would give their Free, Prior and Informed Consent (FPIC) for the renewal of the agreement, Tamasco declined.”

“Datu Victor and members of Tamasco, all poor subsistence farmers, could now work on their land in peace, to plant crops and feed their families.”

“To Datu Victor’s surprise, a document, signed by a DENR undersecretary, had magically turned up in 2015 that gave SII permission to run the plantation until 2032.”

(la Viña & Mercado, 2018)

Fact-finding mission says paramilitary killed Sagay farmers

Published on the 28th of October, 2018

(Rights Abuses)

“A national fact-finding mission on the massacre of nine farmers in Negros Occidental said suspected government agents are behind the bloodbath last October 20 even as the Philippine National Police insists so-called recruiters of the victims are the suspected perpetrators.”

“The mission said the likely killers are active members of the Special Civilian Auxiliary Army (SCAA) who are “commonly known” to be engaged in protecting haciendas and are under the control

of the local government of Sagay City.”

“Based on the way the victims were brutalized after being killed and their history of killings and harassments, it is likely SCAA gunmen, numbering 10 to 15, killed the farmers, the mission said.”
(Villanueva, 2018)

November:

Lumad boy shot by guard in Bukidnon Published on the 5th of November, 2018 (intimidation and Violence)

“A 10-year-old lumad boy was reportedly shot and wounded by a security guard inside a disputed land in San Fernando, Bukidnon, on Monday, November 5.”

Raol Kampan, a member of the council of Kaugalingong Sistema sa Igpasasindog to Lumadnong Ogpaan, a local lumad organisation in Bukidnon, identified the boy as Aboy Mandaget. Kampan 9“identified the alleged assailant as a 'Totung.' Around twenty (20) armed security guards arrived at the piece of land collectively cultivated by Lumads to grow rice. The guards started destroying the seedlings, prompting the Lumad to defend their crops. The security guards started firing shots at the Lumad and witnesses saw 'Totung' fire at Mandaget, hitting the latter on his foot. The boy was rushed to a hospital”.
(Nawal, 2018)

December:

Philippine radio station tunes into indigenous land rights Published on the 5th of December, 2018 (Community Reporting)

“A community radio station in the Philippines is drawing attention to the struggles of indigenous Lumad people, whose rights to ancestral land and resources are increasingly under threat from industrialisation.”

“Radyo Lumad, launched last year by the charity Rural Missionaries of the Philippines (RMP) and the rights group Kalumbay Regional Lumad Organisation, broadcasts eight hours a day, five days a week. Its 43 community reporters focus on rights violations, including forced evacuations and threats from industrial and mining projects.”
(Chandran, 2018b)

Philippine dam project a disaster waiting to happen Published on the 5th of December, 2018 (Water & Land Rights)

“What's wrong with a Philippine government project to build a new dam seeking to provide for the future water needs of millions of residents of the capital Manila and outlying provinces?”

“This is the US\$226.4-million New Centennial Water Source-Kaliwa Dam Project, which has been in the pipeline for three decades now.”

“To be built in the province of Quezon, the dam is expected to be completed by 2023 if started soon enough. It is supposed to complement an existing dam that currently supplies 96 percent of the water needs of the capital and nearby provinces.”

“The Metropolitan Waterworks and Sewerage System (MWSS) noted that the Kaliwa Dam will add 34 million liters of water daily to these areas. It is supposed to address the possible water shortage that Metro Manila and surrounding areas might experience in the coming years due to the anticipated increase in urban population.”

“The project is already “a done deal,” according to the water agency, with a loan from the Chinese government to fund dam construction.”

“Those opposing the building of the dam cited a number of reasons why the government should take a second look at the project.”

“One, it would inundate the ancestral domain of the Dumagat-Remontados tribal people and uproot them from the Sierra Madre mountains where they lived since time immemorial. Besides, the indigenous people have not given their free, prior and informed consent to the project as required by law.”

“Second, the proposed dam will be constructed over the Infanta Fault and will endanger some 100,000 people who live downstream of Kaliwa River.”
(Hilarion, 2018)

Govt' body finds 2 Army commanders in Mindanao liable for human rights violations

Published on the 8th of December, 2018

(Military Violence against Indigenous Peoples)

"The Commission on Human Rights (CHR) has found two military commanders liable for human rights abuses in connection with the killing of seven tribal members in a remote village on December 3 last year."

"Erlan Deluio, CHR Region 12 director, identified the military officials as Lt. Col. Harold Cabunoc, commander of the 33rd Infantry Battalion (IB) based in Sultan Kudarat province, and Lt. Col. Benjamin Leander, then commander of the 27th IB based in South Cotabato."
(Sarmiento, 2018)

Mindanaon activist wins global Alexander Soros Award

Published on the 21st of December, 2018

(Indigenous Rights)

"A Mindanaon activist bagged the 2018 Alexander Soros Foundation Award for Environmental and Human Rights Activism for standing with the lumads or indigenous peoples in their fight against "development aggression".

"South Cotabato native Rene Pamplona assured the award from the New York-based foundation would inspire him to do more for the sake of the environment and human rights protection."
(MindaNews, 2018)

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Taiwan

January:

Proposed Mining Act Amendment Sidesteps Environmental Laws, Indigenous Rights

Published on the 12th of January, 2018

(Mining Code and Indigenous Rights)

“Outrage has broken out regarding a proposed, long controversial draft amendment to the Mining Act which would allow mining companies to sidestep environmental regulations and or measures taken to provide for indigenous rights.”

“What is controversial is that the draft amendment calls for the Bureau of Mines to accept requests to renew mining permits from quarries that already have mining permits without need for another approval process. In this way, it is feared that the Bureau of Mines will come to act as a rubber stamp for existing mines, allowing their mining permits to be renewed over and over. In this way, mining companies would be allowed to avoid environmental oversight or protection measures for indigenous rights.”

“In this way, mining companies would be allowed to avoid environmental oversight or protection measures for indigenous rights. Mines which obtained permits before the 1993 Environmental Impact Assessment Act, including the controversial Asia Cement mine in Hualien on protected indigenous land, will be allowed to continue operating without need for an environmental assessment.”

(Hioe, 2018)

March:

Protesters call for closure of Hualien quarry

Published on the 1st of March, 2018

(Historic Land Grab)

“Protesters yesterday gathered in front of an Asia Cement Corp mine in Hualien County’s Sincheng Township (新城) to demand an end to the company’s quarry operations.”

“The Executive Yuan on Dec. 7 last year proposed an amendment to the Mining Act (礦業法) that would require quarries in Aboriginal territories to obtain the consent of Aboriginal communities.”

“However, the Sincheng quarry was exempted because the Bureau of Mines in March last year extended the company’s mining rights by 20 years.”

“Aborigines from the Taroko National Park area yesterday said the Executive Yuan’s approval of the amendment was illegal and demanded that their traditional land, which is occupied by the quarry, be returned to them.”

“Tien Ming-cheng (田明正), who was leading the protesters, said the Ministry of Economic Affairs’ approval of the amendment was in breach of Article 21 of the Indigenous Peoples Basic Act (原住民族基本法), which stipulates that development on Aboriginal land must be approved by the communities that would be affected.”

(Chun-chi and Hetherington, 2018)

June:

Meet Taiwan's Newest Official Indigenous Group

Published on the 29th of June, 2018

(Indigenous Rights Recognition)

“In May, Taiwan’s courts officially recognized the Siraya as the island’s 17th indigenous group. Now awaiting official proclamation of their status from the central government in Taipei, the Siraya people are set to receive the same rights and privileges as Taiwan’s other indigenous groups.”

“Recognition means national funding is opened up for Siraya cultural preservation, education benefits, autonomous rights over local government and affairs, representation in the central government, and, potentially, land rights.”

“The group, vanguarded by the Siraya Cultural Association, was able to successfully appeal to the Supreme Court with a petition signed by over 10,000 Siraya from Tainan.”

(Morris, 2018)

August:

Aborigines urge Tsai to deliver on vow

Published on the 1st of August, 2018

(Indigenous Rights)

“Aboriginal rights advocates yesterday protested on Ketagalan Boulevard in Taipei, urging President Tsai Ing-wen (蔡英文) to deliver on her promise two years ago to promote transitional justice for the nation’s Aborigines.”

“Tsai on Aug. 1, 2016, delivered a landmark apology to Aborigines on behalf of current and past governments. She promised to reinstate traditional Aboriginal territories and promote the preservation of their culture and language.”

“However, Aboriginal rights advocates said that Tsai had “lied to them,” as the government has failed to stop developers from obtaining permission to carry out construction projects on traditional Aboriginal territories, which are essential to the preservation of their culture.”

(Maxon, 2018)

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Thailand

February:

Land protest in Krabi over 7,712 rai of land

Published on the 9th of February, 2018

(Land Grab and Corruption)

"A group of more than 100 Krabi farmers gathered at the Krabi Provincial Hall to protest against alleged corrupt land officers and privately-owned palm garden that they claim encroaches 7,712 rai of forest land".

"The protest yesterday (February 8) was led by Yokin Khamwong who handed a letter to Krabi's Governor calling for an investigation on the concession land of a palm oil plantation which belongs to Thai Palm Oil and Palm Plantation Industry Company Limited located in Plaipraya District saying that the company has encroached the forest land nearby."

"Governments do not help us solve these problem. Many groups of local people have been calling for the government to arrange 14 plots of oil palm plantation land that had their concessions expired 11 years ago, covering 72,000 rai for poor people, but it never happened. The business owners are still taking advantage from the land and, we believe, share some profits with some government officials to avoid law enforcement."

(Mueanhawong, 2018)

April:

Two Thai companies face flak over practices in Cambodia and Myanmar

Published on the 5th of April, 2018

(Irresponsible Business and Rights Violations)

"As the United Nations Working Group on Business and Human Rights concluded its visit to Thailand to inspect human rights protection at business operations, it was revealed that the business operations of Thai sugar giant Mitr Phol and a Thai joint venture Energy Earth PCL have allegedly caused adverse impacts on the environment and the livelihood of locals in Cambodia and Myanmar.

"The Extraterritorial Obligation Watch Coalition (ETO Watch) reported that more than 600 families in five villages of Oddar Meanchey province in northern Cambodia were displaced from their land and their houses burnt down, allegedly to facilitate the land concession to Mitr Phol's subsidiary Angkor Sugar Co Ltd since 2008."

"In another case of alleged human rights violation by a Thai overseas investor, indigenous communities in the Ban Chaung area of Myanmar's Tanintharyi region released a statement asking the UN Working Group on Business and Human Rights to give more attention to the situation of locals impacted by the human rights and environmental violations at Ban Chaung coal mine. It was highlighted in the statement that after the coal mine began full-scale operations in early 2012, the mining operations and the ensuing waste disposal have polluted the air and water and harmed up to 16,000 people living in 22 villages in the Ban Chaung area."

(Rujivanarom, 2018)

Thais rally against officials building homes on sacred mountain in Chiang Mai

Published on the 29th of April, 2018

(Land Grab and Deforestation)

"Around 1,000 people rallied in the northern Thai city of Chiang Mai on Sunday (April 29) to protest the construction of homes for officials on forested land flanking a revered mountain, in one of the largest shows of dissent under junta rule."

"Protesters say the mountain, which looms over Chiang Mai and hosts a hugely popular temple believed to hold a relic of the Buddha, is a sacred site and conservation area."

"The regime, which says it is preparing a return to democracy next year, has faced a growing number of protests in recent months as impatience mounts over military repression and impunity for the wealthy and well-connected."

(The Straits Times, 2018)



Partially constructed houses within the Court of Justice's 955-billion-baht housing project in Chiang Mai. PHOTO: TEERASAK RUPSUWAN (as cited in The Straits Times, 2018)

May:

Government to return Doi Suthep housing land plot to park

Published on the 6th of May, 2018

(Land Grab and Deforestation)

"The government agreed on Sunday to end the controversial housing project in the foothills of Doi Suthep by returning the area to the park... Reforestation will soon be carried out in the area, and a clear boundary drawn to separate the plot to be returned to the park from the area allowed to be used for the regional appeal court, according to Mr Suraphan".

(Bangkok Limited, 2018)

June:

Karen dismayed as Phetchaburi forest eviction upheld

Published on the 12th of June, 2018

(Conservation and Land Grabbing)

"A centenarian and five other ethnic Karen plaintiffs have won compensation after forestry officials burnt down their homes in Phetchaburi's Kaeng Krachan National Park in 2012 – but not the right to return to the place they had long called home."

(Thirasupa , 2018)

June:

Thai campaigners urge change to forest law after indigenous verdict

Published on the 28th of June, 2018

(Conservation and Land Grabbing)

"Campaigners are calling on Thai authorities to amend a law they say violates the rights of

indigenous people, after the country's top court ruled that a group of Karen evicted from a national park had no legal right over the land."

"It is the latest case of indigenous people being evicted from land they consider theirs by birthright, with the rush to develop - or protect green space - leading to clashes worldwide over who owns land when deeds are unclear."

"Authorities had removed nearly 400 Karen from the Kaeng Krachan National Park, saying they were encroachers. When some returned, officials burned down their shelters."
(Chandran, 2018A)

December:

Tourism and marine parks threaten Thailand's 'people of the sea'

Published on the 10th of December, 2018

(Water Rights, Tourism and Marine Conservation)

"When Suteem Lakkao's grandmother and father died, they were buried much as their ancestors had been: on the beach, close to their beloved boats so they could listen to the waves and watch over the Chao Lay community of fisherfolk in their afterlife."

"But when his time comes, Suteem will be laid to rest in a cemetery where all he will hear is the roar of traffic on Phuket, Thailand's largest island and a key tourism destination."

"The land in which Suteem's ancestors were buried now heaves with daytrippers taking selfies, while the Urak Lawoi community of the Chao Lay are confined to a small patch of Phuket's Rawai beach that is also claimed by developers and individuals."

"Some, like the Moken, are nomadic, spending weeks on the sea and free-diving to spear fish. Others, like the Urak Lawoi on Rawai beach in Phuket, have a more settled life while fishing in the Andaman Sea with their traps of rattan and wire."

"But the community may be facing its greatest threat yet as marine conservation efforts limit their traditional fishing grounds, and a tourism boom pits them against developers keen on the patch of land that their boats, homes and shrines sit on."

(Chandran, 2018b)

SPECIAL REPORT: New forest policy over conflicting claims needs widening public participation

Published on the 29th of December, 2018

(Land Rights)

"Nationwide, there are thousands of... communities with claims over land rights that have long conflicted with the state. As long as the claims are unresolved, the residents are deprived of their rights of access to basic needs and infrastructure, and more critically, to land security."

"Conflicting claims over land rights between forest residents and the state have long simmered in Thailand. During the reign of King Rama V, land experts say the first land deeds were issued to ordinary people as well as laws promulgated concerning land rights."

"The critical turning point followed the sixth land deed issuance law in 1936, when land occupation and utilisation by ordinary people nationwide received stronger recognition... These people were able to turn that recognition into actual land ownership under the 1954 Land Code, under condition that they must notify the state and get Sor Kor 1 documents in order to secure a land deed. But if the land was declared part of a reserved or protected forest area, those previously recognised rights would be nullified."

(Wongruang, 2018)

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Vietnam:

February:

Investors shouldn't bankroll Vietnam Rubber Group due to connections to violent, devastating land grabs and illegal logging

Published on the 1st of February, 2018

(Corrupt Business & Land Grabbing)

“As Vietnam's rubber giant Vietnam Rubber Group (VRG) prepares to launch an initial public offering, Global Witness is calling on investors to boycott the company due to its implication in vast land seizures, the violent eviction of communities across Cambodia and Laos, and illegal logging says Global Witness.”

(GW, 2018)

April:

Vietnam: Drop Charges Against Human Rights Defenders

Published on the 4th of April, 2018

(Persecution of Activists)



Top (left to right):
Le Thu Ha, Nguyen
Bac Truyen, and
Nguyen Trung Ton
Bottom (left to
right): Nguyen Van
Dai, Trung Minh
Duc, and Pham Van
Troi

© Private
(as cited in HRW,
2018)

“Le Thu Ha, Nguyen Bac Truyen, Nguyen Trung Ton, Nguyen Van Dai, Pham Van Troi, and Truong Minh Duc are accused of being affiliated with Brotherhood for Democracy, which was founded in April 2013 by Nguyen Van Dai and fellow activists. With the stated goal “to defend human rights recognized by the Vietnam Constitution and international conventions” and “to promote the building of a democratic, progressive, civilized and just society for Vietnam,” Brotherhood for Democracy provides a network for activists both in and outside Vietnam who campaign for human rights and democracy in Vietnam.”

Brad Adams, the Director for Asia, for Human Rights Watch stated that “The only crime that these activists have committed is to campaign tirelessly for democracy and defend victims of human rights abuses... The Vietnamese government should thank them for their efforts to improve the country instead of arresting and putting them on trial.”
(HRW, 2018)

Viet Nam: New research reveals almost 100 prisoners of conscience as crackdown on dissent intensifies

Published on the 4th of April, 2018

(Persecution of Activists)

“Viet Nam is one of Southeast Asia’s most prolific jailers of peaceful activists – a shameful title no one should aspire to. The 97 prisoners of conscience that we are aware of in the country are all brave women and men who have been robbed of their freedom for nothing but promoting human rights,” said James Gomez, Amnesty International’s Director of Southeast Asia and the Pacific. “What is worse is that this number is likely an underestimation. It is impossible to know the real figure, given the shroud of secrecy the Vietnamese authorities operate under.”

(AI, 2018)

Two more activists jailed in Vietnam amid widening dissent crackdown

Published on the 12th of April, 2018

(Persecution of Activists)

“Courts in Vietnam handed prison sentences to two activists on Thursday, as the communist-ruled government widens a crackdown on dissent. A court in the north central province of Nghe An sentenced Nguyen Viet Dung to seven years in prison for posting “anti-state propaganda” on his Facebook account, police said.”

“Despite sweeping economic and social reforms in Vietnam, the ruling Communist Party retains tight media censorship and does not tolerate criticism. It has been stepping up sentencing and arrests of activists and handing them longer jail terms.”

(Schuettler, 2018)

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South Asia



Bangladesh

April:

Santals' demand is legitimate
Published on the 24th of April, 2018
(Land Grab and Intimidation)

"We are surprised that the Santal community of Gabindaganj upazilla (Gaibandha district) who had been cruelly evicted from their own farm land by law enforcers, are still having to bring out a human chain, to demand justice and the return of their land."

"The mill authorities have violated The East Bengal (Emergency) Requisition of Property Act 1948 which stipulates that if the requisitioned land is not used for the purpose as stated at the time of requisitioning, the authorities must return the property to the original owners, in this case the Santals. It is a mystery why this issue has not been resolved and these people are still without their land. It is the state's responsibility to protect the rights of all its citizens, more so those who belong to marginalised groups such as many indigenous communities. But in many cases we see that these groups are deprived of the land they had been living in for generations, with the help of local influentials and even members of law enforcement. The protesters have claimed that they are being harassed by local law enforcers and that false cases have been filed against indigenous and Bengali people of the area in order to intimidate them."
(The Daily Star, 2018a)

May:

Govt blamed for uptick of Chittagong Hill Tracts violence
Published on the 7th of May, 2018
(Rights Abuses against Indigenous Peoples)



An indigenous Tripura family at Bandarban district of Chittagong Hill Tracts in January.

Home to some 25 ethnic hill tribes, the region has seen violence stemming mostly from land disputes between indigenous peoples and Bengali Muslim settlers since the 1970s. (Photo by Rock Ronald Rozario/ucanews.com)

“A bishop has blamed government policy for creating an atmosphere that has led to the recent shooting deaths of six people in the Chittagong Hill Tracts of southeastern Bangladesh.”

“Unknown assailants gunned down Shaktiman Chakma, chairman of Naniarchar Upzila Council, a local government body in Rangamati district, in front of his office on May 3.”

“Chakma was vice-president of a faction of Parbatta Chattagram Jana Samhati Samity (United People's Party of Chittagong Hill Tracts), an indigenous political party active in the three hill districts — Rangamati, Khagrachhari and Bandarban — collectively called Chittagong Hill Tracts.”

“The next day, gunmen opened fire on a small bus carrying Chakma's supporters en route to his funeral, leaving five dead and three critically injured.”

“No one — including the feuding indigenous political parties of the region — has claimed responsibility for the killings.”

“Bishop Gervas Rozario of Rajshahi, president of Bangladeshi bishops' Justice and Peace Commission, condemned violence and criticized government policy which adversely affected the lives of indigenous people — most notably state-sponsored settlement of Bengali Muslims in the region since the 1970s.”

(Uttom & Rozario, 2018)

Acknowledge enforced disappearance

Published on the 8th of May, 2018

(Disappearance)

“As Bangladesh is set to attend the third Universal Periodic Review (UPR) on May 14, rights activists yesterday demanded that the state make a time-bound pledge before the UN to amend related laws to legally acknowledge enforced disappearance.”

“The state should also pledge to form an independent commission for holding credible investigations of rights violation against state agencies and ensure their due punishment, they said at a press briefing.”

“Human Rights Forum Bangladesh (HRFB), an alliance of 20 leading rights and development organisations, arranged the press briefing at Jatiya Press Club in the capital, prior to departure of its five members for the UPR session in Geneva, Switzerland.”

“According to rights group Ain o Salish Kendra, a key HRFB member, 362 incidents of enforced disappearance have taken place in Bangladesh from January, 2013 to September, 2017. During this period, 874 incidents of extra-judicial killings also took place in the country, says ASK report. The government, on a number of occasions, denied occurrence of enforced disappearance and involvement of state agencies in such activities.”

(The Daily Star, 2018b)

July:

Kapaeeng Foundation Half - yearly Human Rights Report

Published on the 1st of July, 2018

(Rights Abuses against Indigenous Peoples)

“In January-June 2018, at least 70 human rights violations incident on indigenous peoples both in plain and CHT have been observed. A total of 209 indigenous persons including 12 children and 23 women and girls and 125 families have been subjected to the victims including 74 houses/families have been searched in these 70 incidents. In these 6 months, a series of killing, gang rape, rape, torture, sexual harassment, arbitrary arrest and detention, destruction of property and arbitrary house searching have been witnessed so far.”

“Apart from that a significant number of attack, arbitrary arrest, detention and house searching on indigenous people have increased over these 6 months. Especially, filing fabricated cases against the indigenous rights activist on allegation of being extortionist, arm miscreants and terrorists, followed by arbitrary arrest, sending to the jail, detention and physical torture in the camps, searching houses, etc. Thus, during these 6 months, 96 persons have been charged in four false cases and among them, 32 persons have been arrested so far.”

“On the other hand, the situation of indigenous women and girls has become worse. A total of 23 indigenous women and girls were subjected to kill, rape, gang rape, attempt to rape, sexual harassment in which, 2 were killed after rape and more 4 were killed, 2 was gang raped, 7 were raped, 5 were attempted to rape and 3 were sexually harassed and assaulted in Bandarban, Chittagong, Khagrachari, Mymensingh, Rangamati and Dhaka.”

(Kapaeeng Foundation, 2018)

August:

Forced displacement of indigenous people must stop

Published on the 7th of August, 2018

(Displacement)

“Indigenous people have been enduring forced displacement from their ancestral land across the country, and in Chittagong Hill Tracts the situation is particularly worrisome with little progress in implementing the CHT Peace Accord, signed 20 years ago, Bangladesh Adivasi Forum said.”

“Indigenous people are being deprived of basic human rights. Abduction, torture, rape, and murder of indigenous women have alarmingly gone up in recent times. Against this backdrop, according to Kapaeeng Foundation, 500 indigenous people migrated to Myanmar from Bandarban due to prevailing insecurity there.”

“Since 1947, indigenous people were forced to leave their homeland on several occasions. Forty-seven years have passed since independence but they are still being repressed politically, economically and are facing violence, said the release.”

“Under state patronisation, more than 5 lakh Bangalee settlers have been rehabilitated in the CHT so that the indigenous community living there becomes a minority; the conspiracy is on, said the statement.”

“‘They [indigenous people] are so neglected by the state that the stories of their displacement remain unheard,’ said Adivasi Forum President Jyotirindra Bodhipriya Larma while reading out the statement during a press conference at a city hotel.’

(The Daily Star, 2018c)

September:

5 Marma families under grabber's threat

Published on the 10th of September, 2018

(Land Grabbing)

“Seventy-year-old Sing Yu Marma and his only son have to keep vigil on their remaining 40 decimals of jhum land almost round the clock as an influential man has already grabbed their 3.60 acres of jhum land among four acres of their land in Bangamura Marma Para in Bandarban Sadar upazila.”

“‘The land grabber named Mohiuddin gave death threat to me and four other families of Bangamura Marma Para to leave our land,’” said the indigenous man, worried about impending poverty amid mental agony with his physically challenged wife.”

“The affected five families are now living in fear of ouster from their ancestral homes as three male members of the families had to go to jail in a ‘false’ case filed by the alleged land grabber in July.”

‘The land grabber is very influential, he managed the local administration and police,’ said U Hla Aung, another victim of the land grabbing of the para.

“Mohiuddin grabbed around 1.26 acres of jhum land of the four families including the karbari, said U Hla.”

“‘On July 28, hired thugs of Mohiuddin destroyed our jhum cropland and hung a signboard there. On July 29, the land grabber filed a false case against seven of us and the next day the court sent three of us to jail when we attended the court,’ he added.”

“The indigenous families, dependent on jhum cultivation and forest resources for their livelihood, are worried about their future as they are hardly in a position to engage in legal battle with the influential person.”

(Barua, 2018)

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January:

Raigarh authorities should protect Adivasis' rights: Amnesty

Published on the 14th of January, 2018

(Right to Protest, Land Grab)

“Local authorities in Raigarh, Chhattisgarh, should respect and protect the right of Adivasi villagers opposing the activities of private companies to conduct peaceful protests on 15 and 16 January.”

“Residents of six villages in Gharghoda block, Raigarh are planning a protest against the unlawful construction of an ash pond by TRN Energy Limited in Nawapara Tenda village and the establishment of a coal washery by Mahavir Coal Washery Private Limited in Bhengari village. The Chhattisgarh Environment Conservation Board has scheduled a public hearing on 16 January as part of the environmental clearance process for the coal washery.”

“Adivasi villagers have a right to peaceful protest under the Constitution of India and international law,” said Karthik Navayan, Manager, Business and Human Rights, Amnesty International India. “Authorities have a duty to uphold this right, and ensure that protesters are protected from threats and attacks.”

“On 11 January, local villagers wrote to authorities alleging that a scheduled environmental public hearing on 16 January for the establishment of a coal washery in Benghari had not followed required procedures. Villagers plan to conduct a community public hearing as a form of protest on 15 January.” (Awaaz, 2018)

Meet resolves to revoke construction of Irang hydroelectric project

Published on the 25th of January, 2018

(Land Grab and Water Rights)

“A community meet cum tentative programme on protection of land and environment held today at Taobam (Irang) Village in Tamenglong District has adopted certain strong resolutions including revoking of the MoU signed between Government of Manipur and NEEPCO to construct a 60 MW Irang Multipurpose Hydroelectric Project.”

“The gathering resolved to make Irang river flow free, stop construction of the project and disallow any development project in Irang river without people's consent. It is said that the Government of Manipur and NEEPCO signed the MoU to construct the multipurpose hydroelectric project in Irang river in 2010. The proposed site of the project is located near Taobam (Irang) village and the project envisages constructing a 104 metre high earthen dam across Irang river.”

“Professor Amarjit Gurumayum of JNU asserted that the North East region witnessed a huge impact in its natural resources in the last 15-20 years due to the changing development policy of the Central Government. The policy identifies North East as the region which is rich in natural resources... India follows a new economic policy in the last 15-20 years with emphasis given on more production of domestic products to minimize its import for domestic requirements. It resulted in formation of a design to exploit more natural resources in the region, he elaborated. He claimed that the design is an anti-people step as the demand for extraction of natural resources from the region like oil exploration does not come out from the dwellers. The design only aims at empowering oil companies to earn more profit, the professor observed. He contended that India tries to become a regional super power in terms of energy among the neighbouring countries of Asia with exploitation of natural resources in North East.”

(E-pao, 2018a)

On the **7/6/2018** community leader Suresh Oraon (27), of Purnadih Chatra Jharkhand, was shot dead. Suresh and his people were the owners of the land on which the state owned Central Coalfields Limited (CCL) built their Purnadih coal mines. When CCL bulldozed the resistance, Suresh and his community started fighting for jobs and compensation. When CCL started to dump mine waste into the Damodar river they took the management to court and won ^(1.).

On the **6/6/2018** the police simultaneously raided the houses of Mr. **Surendra Gadling**, a Dalit human rights lawyer and the Secretary General of the Indian Association of People's Lawyers; Mr. **Rona Wilson**, Public Relations Secretary of the Committee for the Release of Political Prisoners (CRPP); Mr. **Sudhir Dhawale**, a Dalit human rights activist and editor of the Marathi magazine *Vidrohi*; Ms. **Shoma Sen**, a Dalit and women's rights defender and a member of the national network Women Against Sexual Violence and State Repression; and, Mr. **Mahesh Raut**, a land rights activist and convener of the People's Movement Against Displacement (Vishapan Virodhi Jan Vikas Andolan), in various parts of India. They were all immediately arrested under the Unlawful Activities Prevention Act (UAPA) and transferred to Shivaji Nagar police station in Pune where they were subsequently placed in police custody for a week on trumped up accusations of spreading controversial pamphlets and delivering hate speeches in connection with violence that had broken out in Bhima Koregaon ^(2.).



The Arunachal Pradesh Land Settlement and Records Amendment Bill, 2018, which confers ownership rights to indigenous tribal people, was passed by the assembly. (Photo by arrangement; as cited in Parashar, 2018)

February:

India: Opposition against Mapithel Dam grows Published on the 20th of February, 2018 (Land Grab and Water Rights)

"Imphal, February 19 2018: A consultative meeting against the plan of the Government to "force inaugurate" Mapithel Dam/Thoubal Multipurpose Project was organized today at Ramrei village in Ukhrul district. The meeting was conducted under the banner of "Save our land, save our future". About 300 men and women participants from the affected villages from Nongdam to Sharkaphung took part in the day's consultative meeting."

"speaking at the occasion, Daniel Ramsan, senior advocate dwelt on the "pertinent violation" of Article 371 C of the Indian Constitution during land acquisition for Mapithel Dam."
(CRAM, 2018)

Meet on Natural Resources Protection & IP rights in Manipur Published on the 24th of February, 2018 (Paper Rights)

"The participants of the Civil Society meeting on Protection of Land and Natural Resources in Manipur, organized by the Committee on the Protection of Natural Resources at Manipur Press Club, Imphal, Manipur on 24th February 2018 hereby resolved:"

"To affirm that indigenous peoples have the exclusive and intrinsic rights over their land and natural resources, including to sustainably manage and use their land and resources as per their wishes, aspirations and self-determined rights."

"Concerned with the aggressive targeting of Manipur in India's Act East Policy with subsequent push for extractive industries, hydropower projects, and infrastructure projects with increased involvement of neo-liberal forces, multinational corporate bodies and international financial institutions."

"Resolved that all plans to drill and explore oil and gas without the free, prior and informed consent of indigenous peoples of Manipur should be withdrawn. All production sharing contract and Production Exploration License signed by the Government of India and Government of Manipur with Oil Companies like the

On the **18/6/2018** Piyush Manush, an environmental rights defender and convener of Salem Citizen's Forum, was arrested. "He regularly organises meetings, events and protests with local farmers and villagers whose land rights and livelihoods are endangered by mega-industrial projects in Salem district". "He was arrested for allegedly instigating people against the Salem airport expansion project and the Salem-Chennai green corridor highway project during an event he had organised with people of the surrounding villages to protest against the projects on **May 3/2018**. He was taken to Omalpur police station. The projects are likely to destroy more than 2,000 hectares of agricultural land, which will negatively impact the livelihoods of farmers in that area as well as displacing them" ⁽³⁾.

On the **19/6/2018** Valarmathi Madhaiyan, a student human rights defender and member of the Iyarkai Paadukappu Kuzhu (Nature Protection Group), was arrested for opposing the proposed central government sponsored and funded Salem-Chennai "green corridor" highway project. Upon her release, she declared that she would continue to protest against the highway project as it would destroy natural resources and put the livelihoods of those living in the area in danger. She frequently organises environmental rights protests and participated in rallies to support local communities of farmers protesting an oil and gas pipeline amidst concerns that they might damage cultivable lands that are the source of their livelihoods. She has been arrested numerous times due to her work as a human rights defender ⁽³⁾.

Jubilant Energy, Oil India Limited, Asian Oilfields etc should be revoked."

"Express our concern and condemnation with oil companies, primarily the Asian Oilfields, the Oil India Limited for its forcible attempts to explore and drill oil in various parts of Manipur disrespecting the longstanding peoples resolve and call to refrain from any exploration and drilling related activities. The Government of Manipur should not permit any oil exploration activities without recognizing peoples' rights over land and resources and without considering the multifaceted and long term impacts."

"Concerned that Manipur is afflicted with commissioning of controversial, incomplete and failed projects like Khuga dam, Mapithel Dam, Dolaithabi Barrage etc. The plan to commission the much controversial Mapithel Dam and Dolaithabi Project in March 2018 without addressing the multifaceted impacts of the Mapithel dam including in both upstream and downstream areas of the dam and without completing the major infrastructures for water supply, irrigation and power supply etc is premature and irrational."

"The Northern Frontier Railways, Corporate bodies and the Government should stop destruction of peoples land, forest and contamination of water sources in Tamenglong and other areas. Railway companies and Government should stop harassing villagers for seeking their rights and justice."

"Concerned with the increased financing of multilateral and bilateral financing institutions like the World Bank, Asian Development Bank, Japan International Cooperation Agency etc, for financing infrastructure projects like road projects, water supply, high voltage transmission and distribution lines etc to facilitate the expropriation and plunder of Manipur's land and natural resources."

"Express concern that the pursuance of extractive industries, hydropower project and other related infrastructure projects led to increased militarisation and targeting of indigenous community leaders and organisations in Manipur under the Armed Forces Special Powers Act, 1958 (AFSPA) and other criminal laws. We called for repeal of AFSPA, 1958 and to demilitarize Manipur."

(CPNRM 2018)

Indian officials order stop to eviction of tribal people from tiger reserves

Published on the 27th of February, 2018

(Conservation & Land Conflicts)

"The National Commission for Scheduled Tribes (NCST) asked the Ministry of Environment and Forests to ensure that its tiger conservation policy does not threaten the rights of indigenous people."

"It also said that those who are asked to move from core tiger habitats must be adequately compensated and given land."

"The environment ministry's National Tiger Conservation Authority (NTCA) issued a notice last year asking 17 Indian states to suspend the granting of rights to tribal and other forest dwellers in all critical tiger habitats."

(Chandran, 2018a)

March:

Arunachal Pradesh confers land ownership rights for the first time to indigenous people

Published on the 14th of March, 2018

On the **20/6/2018** Mr. Vanchinathanis, an advocate practicing at the Madurai Bench of the Madras High Court and a state organiser of the Human Rights Protection Council, was arrested at the Chennai airport. His arbitrary arrest is built upon trumped up charges and he was arrested in the absence of any written order. He has been very closely associated with the anti-Sterlite movement in Tuticorin. He has been engaged in a number of legal interventions through his organisation and other human rights lawyers in regards to a number of people's issues ⁽⁴⁾.

On the **27/7/2018** environmental and Right to Information activist, Ajit Maneshwar Naik (57), was attacked and killed. Naik often walked along the Kali river speaking to the locals and fought the best fight he could against a corrupt, opaque system. The Kali river is a centre for Hydroelectricity in India. Naik fought to stop the building of a seventh dam on the Kali river which could have destroyed the river and its surrounding ecology ⁽⁵⁾.

On the **28/8/2018** rights defenders "Arun Ferreira, Gautam Navlakha, Sudha Bharadwaj, Varavara Rao, Vernon Gonsalves, were arrested while the houses of others were raided by police. The arrested have been advocating and protecting the rights of the most marginalized communities and indigenous peoples in the country. They have unimpeachable credentials and a strong body of human rights work spanned over decades... [Human Rights and Business India network (India)] believes that they have been targeted to divert attention from the Sanatan Sanstha conspiracy, as well as

(Land Rights)

"Indigenous tribal population of Arunachal Pradesh will be able to have ownership rights for the first time over their land, thanks to a bill passed this week in the state assembly in a move to spur investment."

"The move is expected to benefit nearly two-third of the state's population. According to 2011 census, the border state's population is 13.84 lakh."

"Land in Arunachal Pradesh was held under customary laws and no document conferring the title of the land was given to the people."

"Apart from government land, most of the land across Arunachal Pradesh was owned by communities and not individuals. Though people had Land Possession Certificates (LPCs), for the plots which belonged to them, it didn't give them ownership rights," said Jumyir Basar, associate professor, Arunachal Institute of Tribal Studies at the Rajiv Gandhi University, Itanagar.
(Parashar, 2018)

Individual land rights to India's indigenous people could be 'disastrous', expert says

Published on the 15th of March, 2018

(Land Rights & Policy)

"Indigenous people in India's northeastern Arunachal Pradesh State will get land ownership rights for the first time, but an expert said an expected rush of investment could deprive them of their livelihoods and trigger conflicts."

"The Arunachal Pradesh Land Settlement and Records Amendment Bill, 2018, passed earlier this week, gives ownership rights to indigenous people who earlier held lands jointly as a community."

"Nearly two-thirds of the state's population is indigenous, with land use determined by tribal councils. The government contends that this traditional system has held back development."

"With ownership rights, tribal people will be able to lease out their land, and use it as collateral to get loans from banks, the government said in a statement."

"But conferring individual ownership rights also makes it easier for the state to acquire land for industrial purposes, said Walter Fernandes, a senior fellow at the think tank North Eastern Social Research Centre."

"It's a way for the state to take land from them more easily for hydro projects and mining," he said.

"In Arunachal Pradesh, in addition to increasing the vulnerability of the state's tribal people to land acquisitions, individual rights will also change their way of living and farming, Fernandes said."

"The tribes now practise shifting cultivation. Without adequate preparation for settled cultivation, their livelihoods will be affected, and it will be disastrous for them," he said.

(Chandran, 2018b)

New National Forest Policy, If Passed, Will Open Govt Owned Forest Lands To Industrial Plantations

Published on the 26th of March, 2018

(Policy & Land Rights)

"The corporate sector may now be allowed to grow, harvest and sell trees on government-owned forest land if the new National Forest Policy drafted by the Union Government is approved. This would replace the existing National Forest Policy (NFP) laid down in 1988."

discourage...defenders protecting land and forest rights of indigenous communities from the corporate cronies of the ruling government. An effort is being made to malign people's movements by clubbing all genuine protests as orchestrated by naxals and maoists particularly those in the recent past such as anti-sterlite and villagers protesting land grab by multinational companies, such as POSCO struggle". The actions of the police forces/government are in breach of the International Covenant on Civil and Political Rights (6).

On the **7/9/2018** deputy ranger Subedar Singh Kushwaha (50), of the forest department, was crushed to death by a tractor ferrying illegally mined sand. He was stationed at a check post on National Highway 3 here to curb illegal excavation of sand from the Chambal riverbed. Kushwaha was trying to intercept a tractor-trolley laden with illegally mined sand when another one intentionally mowed him down from behind (7).

On the **11/10/2018** Swami Gyan Swaroop Sanand (87) died after fasting for 111 days in protesting against mining and hydropower projects in the river Ganges. He wrote a letter to the Prime Minister with demands for cleaning the river Ganga, or he would fast-unto-death. No action took place to clean up the river (8).

On the **17/11/2018** John Allen Chau (26), an American missionary, was killed by bow and arrow while attempting to contact the Sentinelese on North Sentinel Island, in the Andaman and Nicobar Islands. These Islands are strictly off limits to outsiders and

"The previous government had made conscious efforts to protect the rights of the 300 million tribals and forest dwellers who heavily depend on forest lands for their livelihood. In 2006, the Congress-led United Progressive Alliance government passed a law – the Forest Rights Act (FRA) – to further strengthen the rights of tribals over forests."

"The proposed new policy says that the old policy needs to be replaced since new challenges have emerged in the forestry sector and that the policy needs revision in the context of "low quality and low productivity of our natural forests, impacts of climate change, human-wildlife conflict, intensifying water crisis... and the continuously declining investments in the sector".

"In the new policy, there are provisions to increase the carbon sink, promote urban greens, curb the occurrence of forest fires by mapping vulnerable areas, developing early warning systems and afforestation in catchment areas for river rejuvenation and water recycling. But the key change in the new draft policy which has proved to be the bone of contention is the one which can open up natural forests for private plantation."

"In August 2015, the environment ministry had sent out guidelines saying that the government investment in forestry is proving to be insufficient to improve the productivity and the quality of India's forests and hence private investment was required. These guidelines, which were leaked to the media suffered a major backlash from tribal activists who feared that the plan would lead to leasing out of forest lands traditionally used by the tribals to the private companies."

(Goled, 2018)

April:

Govt of India push for 'commercially important' invasive timber for afforestation to damage ecology, groundwater Published on the 15th of April, 2018 (Indigenous Rights & Displacement)

"The recently-released draft National Forest Policy (NFP), says a representation before the Ministry of Environment, Forests and Climate Change (MoEFCC), would adversely affect scheduled tribes, 90% of whom live in forest areas and intractable terrains, by turning them into migrant construction labourers by displacing them for the exploitation of minerals and other development projects."

"[B]y seeking to achieve afforestation in the name of increasing tree cover and not forest cover, mm&P (mines, minerals & People) says, the draft policy 'emphasizes on monoculture', which can lead to 'major disturbance in the local ecology. For instance, studies have shown that the plantation of eucalyptus in the name of afforestation has depleted groundwater in Arkavathi Basin, which led to fall in water supply in Bengaluru'."

"Commercialisation of forest is a major threat to the forest dwelling communities and tribal communities."

"Most of the livelihood of these communities (350-400 million people) depend on non-timber forest products (NTFPs). The focus on increasing the timber species which will lead to reduction in the NTFPs. It has to be remembered that forests are much more rewarding in terms of NTFPs than timber produce... Economic use of timber can be very dangerous - as there is no specification of how government can monitor the exploitation of the forest by the corporates."

(Counterview, 2018a)

contacting these isolated uncontacted tribal peoples could decimate the culture and peoples due to the transfer of common illnesses to which they have no built up resistances. This incident led to widespread international discussion regarding the rights of uncontacted indigenous peoples (9.).

On the **9/12/2018** the body of Amit Topno, a journalist and video volunteer, was found with a bullet to his head. Amit had reported on the Pathalgadi resistance in Khunti district of Jharkhand. The Pathalgadi movement began as a tribal resistance against the new state land policies, including forest and community lands earmarked for industrial use. Amit also reported on issues like illegal sand mining (10.).

Murder of eight-year-old in India tied to nomadic land rights, activists say

Published on the 17th of April, 2018

(Sexual Violence & Land Rights)

"The brutal rape and murder of an eight-year-old girl in India, that has triggered massive protests, highlights nomadic tribes' vulnerability and lack of land rights, activists said."

"According to the police, the girl was kidnapped, gang raped and killed in the northern state of Jammu and Kashmir as part of a plot by Hindu residents to evict her nomadic Bakkarwal community from a village where they had temporarily settled."

"Nearly 2 million people in the state belong to the Muslim Bakkarwal and Gujjar ethnic groups who traditionally spend the summer months in mountain pastures, and winters on the plains with their cows, sheep and horses. They have sparred with Hindu villagers in recent years over their shrinking access to grazing and forests, said Javaid Rahi, a tribal activist in Jammu. 'Their biggest problem is the lack of land rights... They are being seen as encroachers on lands they have lived on for centuries. Where can they go? Even a burial ground was denied to the child because their right over it was disputed.'"

Anita Sharma, a sociologist who has studied the community stated how "rights are precarious for forest dwellers across the country, and the Bakkarwals have to cope with many layers of disadvantage... The relationship of the pastoral nomad with settled populations has changed drastically, owing to the continued marginalisation of the pastoralist. The migration of the nomad is increasingly viewed as an indulgence."

(Chandran, 2018c)

CPNRM against oil exploration

Published on the 30th of April, 2018

(Oil Exploration & Land Rights)

"According to [the Committee on the Protection of Natural Resources in Manipur] CPNRM, multinational companies and the Government have been trying to 'exploit natural resources without considering' the livelihood dependence of communities over their land and resources over generations."

"Oil exploration will unleash not only environment and social impact, but also multifaceted conflict among and within communities while undermining inter-generational survival," it added.

"CPNRM reiterated its call to the Government and oil companies to stop all forms of oil exploration and drilling works in Manipur."

"The Oil India Limited, Asian Oilfield, Jubilant Oil & Gas Private Limited should immediately stop all surveys and blasting activities related to oil exploration and drilling in Manipur," it asked.

"The Committee also stated that all production sharing contracts and Production Exploration Licenses signed by the Government of India and the Government of Manipur with oil companies like Jubilant Oil and Gas Private Limited and Oil India Limited etc should be revoked."

"The Government of India, the Government of Manipur and oil companies should recognize indigenous peoples' rights over their land and resources and to fully respect their right to self-determined development before pursuing any unsustainable projects in their land and territories," it stated.

(E-pao, 2018b)

May:

REVEALED: How Tamil Nadu Officials Made Up A Report To Aid Illegal Sand-Mining

Published on the 11th of May, 2018

(Corruption and Mining)

"A joint-inspection team from the Union Ministry of Environment and Forests and various departments of Tamil Nadu, including the mining department, prepared a report in four days to



**Beach sand-mining along the coast of Tamil Nadu
(Photo by Sandhya Ravishankar; as cited in Ravishankar, 2018)**

allegedly exonerate the state's powerful sand-mining lobby.”

“The sand-mining companies obtained this report via the Right to Information Act and used it to contradict the government's stance in the Madras High Court.

The report's conclusions were so surprising, that the amicus curiae – a court-appointed lawyer overseeing the case – questioned if officials had played ‘a collusive role to ensure that the mining companies escape liability for the innumerable illegalities committed by them’.”

“The ease with which a cabal of bureaucrats stymied their own government's investigations has activists in Tamil Nadu worried.”

(Ravishankar, 2018)

August:

India's indigenous opposes bill denying rights to inherit land if married outside tribe

Published on the 8th of August, 2018

(Land Rights and Gender)

“Indigenous women in northeastern India are calling on the Meghalaya state government to block a bill that would deny them rights, including the ability to inherit land if they marry outside their tribe.”

“Khasi women are the latest to join a growing movement in the country challenging discriminatory legislation and practices.”

“The bill was passed last month by the tribe's governing body, which said it is a measure to protect the group's indigenous identity.”

“If approved by the state governor, it would deny women their tribal status and rights if they marry a non-Khasi man. Their children would also not be seen as Khasi.”

“Khasis, along with two other tribes in Meghalaya, are among the few matrilineal societies in India. Children take their mother's name, and daughters inherit property from their mothers.”

“But Khasi women lack the power to make important decisions - including on the sale or transfer of land - and the new law would weaken their rights further, and ostracise them from their community, according to campaigners and analysts.”

(Devdiscourse, 2018)

How the Yanadi, an Oppressed Indigenous People in India, are Reclaiming Their Rights One Village At a Time

Published on the 9th of August, 2018

(Land Rights and Exploitation)

“There are roughly three million Yanadis in India today, spread over four districts in Andhra Pradesh state, and divided into four clans. The Reddy or ‘Good’ Yanadis have always worked for the Reddy's or

the rich men of the villages, while the Challa Yanadis had menial jobs only, which included scavenging. In return for their work they were paid only with leftover food—a clear indication of their exploitation.”

“The Kappalla Yanadi who catch fish and also often frogs, make up the third clan. And finally, there are the Adavi Yanadi, who live in the forests as hunter gatherers.”

“While the clans live in different areas and traditionally take on different types of work, what is common among all four is the cycle of utter poverty and deprivation that they have been subjected to.”

“At least 60 percent of Yanadi do not own a home and live in makeshift thatched huts, with the majority labouring hard in other people’s homes as domestic workers or on farms as labourers for little or no wages.”

“Only 14 percent of Yanadis are literate despite the fact that Andhra Pradesh state has an average literacy rate of 67 percent.”

“And despite the large size of their population, this group of indigenous people still have no political representative in either the National Parliament or the Assembly (the provisional legislature). In addition, save barely two to three percent, the entire people are landless.”

“Much of their current condition is a result of their semi-nomadic lifestyle, says Sheikh Basheer who heads the Association for the Rural Development (ARD), a non-governmental organisation that has been working for the rights and welfare of the Yanadis for nearly 30 years.”

“These indigenous people initially lived in the forests and near small water bodies like rivers, streams and ponds, catching fish and small animals. However, as resources dried up slowly, they moved away from this type of life and had to begin working as manual labourers to survive. But while they worked for people in villages, they continued to live in their isolated huts, and unlike their village counterparts they did not own land or settle down to a more organised village life. As a result, they were left out of village affairs, and became seen as pariahs who lived in isolation.”

“But most damaging to the Yanadis and their way of life has been their bondage—a form of slavery where the village elites who employed the Yanadis also decided their present and their future.”

(Paul, 2018)



The women of Macharawari Pallem, a village of the Yanadi indigenous people located some three hours from Chennai city in South India, finally re-claiming their land after being award it over two decades ago and grabbed later by landlords and village elites. Credit: Stella Paul/IPS

September:

Stop the Attacks on Jiten Yumnam and Indigenous Human Rights Defenders!

Published on the 12th of September, 2018

(Human Rights and Defenders)

“The Land is Life network and the Cordillera Peoples Alliance support the call of various organisations for a stop to the attacks against Land is Life South Asia Coordinator, Jiten Yumnam, and other indigenous human rights defenders. As organisations working for the advancement of indigenous peoples’ rights and welfare, we strongly condemn the attacks on indigenous peoples who are dedicating their lives for the protection of our ancestral lands and the environment, and the respect of human rights.”

“Jiten is a staunch environmental and human rights defender. Currently, the secretary for the Centre for Research and Advocacy – Manipur (CRA-Manipur) and a long-time solidarity partner of the Cordillera Peoples Alliance, Jiten is being subjected to harassment and intimidation by local state forces in Manipur, India. In a statement and complaint he submitted to the Chairperson of the National Human Rights Commission of India, he narrated the harassment that the Manipur police committed at his residence on August 13, 2018 where they verbally informed his mother of a pending case against him without written documents to support the claim and that he is being summoned to the Imphal West Manipur Police Commando Complex. Jiten and his family fear that such summons could result to arbitrary arrest and detention as a repeat of what happened to Jiten in September 2009 where he was detained and tortured in the same police complex.”

(Land is Life, 2018)

October:

How an indigenous tribe in K'taka's tiger reserve won battle over forest rights

Published on the 1st of October, 2018

(Conservation & Indigenous Rights)

“Soligas are an indigenous tribe of Karnataka, inhabiting the peripheral forest areas near Biligiri Rangana Hills (BR Hills) and Male Mahadeshwara (MM Hills) in Chamarajnar district. Traditionally, they have been dependent on the forests for their livelihood. The Soligas are also called the children of bamboo because the word is believed to mean that they originated from bamboo.”

“When the government declared the forests they live in, a protected reserve, the Soligas created history by becoming the first tribal community living inside the core area of a tiger reserve in India to get their forest rights officially recognised by the court of law.”

(Rajappa, 2018)

Anti-bullet train campaign: Opposition parties seek "personal hearing" with Japanese funding agency

Published on the 30th of October, 2018

(Land Rights)

“The Bhumi Adhikar Andolan (BAA), in alliance with 12 representatives of major Indian political parties, have submitted a memorandum to the Japan International Cooperation Agency (JICA), which is funding Ahmedabad-Mumbai Bullet Train Project, claiming that farmers, Adivasis and other affected communities want the project to be scrapped, as it is being implemented alleged through coercion and impingement on their democratic rights.”

(Counterinterview, 2018b)

The world's tallest statue will be unveiled today, but it's already been widely condemned

Published on the 31st of October, 2018

(Land Rights)

“India’s Prime Minister Narendra Modi will today inaugurate the world’s largest statue, the Statue of Unity in Gujarat. At 182m tall (240m including the base), it is twice the height of the Statue of Liberty, and depicts India’s first deputy Prime Minister, Sardar Vallabhbhai Patel.”

“The statue overlooks the Sardar Sarovar Dam on the Narmada River. Patel is often thought of as the inspiration for the dam, which came to international attention when the World Bank withdraw its support from the project in 1993 after a decade of environmental and humanitarian protests. It wasn’t until 2013 that the World Bank funded another large dam project.”

“Like the dam, the statue has been condemned for its lack of environmental oversight, and its displacement of local Adivasi or indigenous people. The land on which the statue was built is an



Adivasi sacred site that was taken forcibly from them."
(Gamble & Davis, 2018)

November:

Right to land is top demand as Indian farmers march to parliament

Published on the 30th of November, 2018

(Right to Land)

"Tens of thousands of farmers marched to the Indian parliament in New Delhi on Friday, demanding that lawmakers hold a special session to discuss their most pressing issues, including a lack of land rights, mounting debt and plunging produce prices."

"It was the latest of several protests this year."

"Thousands of women farmers marched into Mumbai alongside their male peers in March, demanding recognition of their rights over forest and farm land."

"We are demanding legal rights for farmers - especially for tenant farmers and women farmers with no rights," said Kavitha Kuruganti, with the advocacy group Alliance for Sustainable & Holistic Agriculture.

"Our farmers need secure rights over land and better prices for their crop to be free from debt," she said.

"Campaigners say implementation of the landmark 2006 Forest Rights Act (FRA), which was meant to benefit a fifth of India's population, has been hobbled by conflicting legislation and a lack of political will."

(Chandran, 2018d)

December:

Targeting of indigenous people fighting for forest rights in India is a fact, say experts

Published on the 1st of December, 2018

(Targeting Indigenous Peoples)

"Indigenous or tribal people fighting to defend their forests, land and other resources in India are

being targeted prominently, though not in the way one sees in other nations, say tribal and forest rights activists.”

“In India, the situation is a bit different,’ says prominent tribal rights activist, Ganesh Devy, who is based in Dharwad, Karnataka. ‘Instead of outright killings, like in the Americas or parts of Asia, the indigenous peoples of our country are being subjected to slow genocide. This is being done by eliminating them through laws and structural mechanisms,’ he says.”

Devy then explains his point. ‘Look at The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 or Forest Rights Act (FRA). Its implementation has been a struggle and the record of the government has been poor’.”

“Under the Forest Rights Act, if an indigenous person can prove through oral testimony or documents, that the land belongs to his family, the government can give a land title to him.”

“The reality though is that the government does not always accept title claims. In fact, the gap between claims received and settled is enormous in India. Imagine this: a person whose family may have lived in an area for generations and may think that the land belongs to him/her. But the government denies him/her that right,” says Devy.

“In many tribal areas of the country, especially Chhattisgarh, we have alleged Naxals and Maoists being killed in encounters without trials. Nobody has investigated whether they were really what they were alleged to be,” he says.

“Chhattisgarh’s Minister for Home Affairs, Ramsewak Paikra told the state Legislative Assembly in February this year that as many as 300 Naxals had been reportedly killed in separate encounters with security forces in Chhattisgarh in the last two years.”

“Who knows whether they were really Naxals or just tribals fighting for access to their forests and lands?” wonders Devy.”
(Ghai, 2018)

**Stop the Attacks on Jiten Yumnam and Indigenous Human Rights Defenders!
Published on the 12th of September, 2018
(Human Rights and Defenders)**



**Rabha tribals protesting their incorporation under the Assam State Capital Region Development Authority.
(Photo by Chanai; as cited in Chanai, 2018)**

“If the last vestiges of India’s natural forest cover and biodiversity hot spots remain intact in some pockets of the Northeast border areas, it is thanks to the tribal communities’ protection. A recent visit to the Rabha – a tribal community residing in the Assam valley – provided a glimpse into the struggles they face in doing so.”

“The Rabha areas of Assam are administered by the Rabha Hasong Autonomous Council, created in 1995 by an ordinance of the Assam government. Ceded after 18 years of Rabha struggle, it saw 24 people lose their lives. The council’s first election was held in 2013. It gave the Rabha locals governing rights and an increased annual budget. However, this failed to satisfy them because key control over

home, external and financial powers remained in the hands of the Assamese ruling class.”

“The Assam government only gives us grants and doles. We want power, as given under the 6th Schedule of the constitution, to manage our own affairs,” said Ramakanta Rabha, deputy chairman of the council. In recent months, agitation and unrest has exploded in these areas, provoked by a surreptitiously enacted legislation passed in the state assembly in October 2017 – the ASCRDA Act.”

“The Act incorporated the Rabha areas under the Assam State Capital Region Development Authority, subsuming them into the Guwahati metropolitan area. This pries open these fertile agricultural tracts to the corporate depredations of industrialisation.”

“The Rabha say their land, forests and underground resources, which they have long protected, now stand threatened. Unfolding here is the BJP government’s machination to ‘legally’ grab control of the tribal areas of the Northeast for exploitative development. The Rabha believe that their very survival is at stake.”

(Chinai, 2018)

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February:**Lost in hydro dreams:****Upper Trishuli-1 hydro project comes at the cost of indigenous land and livelihoods****Published on the 15th of February, 2018****(Hydro-Electric & Indigenous Rights)**

Photo by Supriya Manandhar (as cited in Ghale, & Ghale, 2018)

“Hydropower development is often presented as an unequivocal boon for Nepal. But its impact on people who live in hydro project areas has received little attention. Most large hydro projects in Nepal are located in the ancestral territories of marginalized communities. Many people in hydro project sites have lost their land and livelihoods, and become more vulnerable to disasters. The Upper Trishuli-1 project in Rasuwa is just one example.”

“The 216 MW Upper Trishuli-1 (UT-1) is a run-of-river scheme that is being developed by Nepal Water and Energy Development Company. It is a joint venture of three Korean companies, the International Finance Corporation (a sister organisation of the World Bank), and a Nepali investor... The local population is predominantly Tamang.”

“Project baselines suggested that the project would have serious impact on the local communities and environment. Forty Tamang households would lose their means of livelihood and several others would be displaced from their land. The project would dewater an 11-km stretch of the Trishuli and affect natural riparian and aquatic life. It would take over several community forests on which the locals depend for daily needs, and have significant environmental and social impacts associated with the influx of the temporary construction workforce and heavy construction work.”

“Land and forest areas acquired for the project mostly lie in Haku, one of the poorest areas in the district. The vast majority of project-affected families speak Tamang, their mother tongue. Many,

especially women, either do not understand Nepali or have difficulty expressing themselves in Nepali. (This was also evident during our study, where we couldn't have communicated with many of the women without an interpreter.) But we found that all project-related communication had been carried out in Nepali. Most of the project-affected families were ill informed about the project and their rights and entitlements."

Consultations had been carried out as a formality; the views of affected people had no bearing on project decisions. For example, project representatives had told the locals that they would be given jobs in the project. But later most of the construction workers were brought from outside Rasuwa district. A resident of ward 8, Haku said, "The project wants cheap labour that they can exploit. They don't want affected communities to get information about the project through their involvement in the project."

"[T]he livelihood of all the affected families was land-based, i.e., agriculture, the project did not offer land-based compensation as an alternative. According to Performance Standard 7 of the International Finance Corporation, a project that is being built on land that is traditionally owned by indigenous communities or under customary use is obliged to provide land-based compensation or compensation-in-kind where feasible. If the project is unable to offer suitable land, it must provide verification that such is the case, and then provide income-earning opportunities over and above cash compensation. But not a single person interviewed during the study knew that such a provision existed." (Ghale, & Ghale, 2018)

April:

Nepal: Stop the Use of Violence to the Indigenous Newar Community and Uphold their Rights to Peaceful Assembly

Published on the 2nd of April, 2018

(Indigenous Rights and FPIC)

"Asia Indigenous Peoples Pact (AIPP) condemns in highest terms the violent response of the Nepalese government during the recent peaceful protest in Baneshwor on 28 March 2018. The incident resulted to arrest of 16 leaders and injuring many others as they were met with police' water cannons and tear gas."

"The indigenous Newar communities and activists were protesting about the road expansion, the Fast Track Highway, Outer Ring Road, and other satellite cities, among other destructive development projects to be built on their lands. These projects are set to destroy their homes and religious and cultural heritages."

"The demands of the indigenous Newar for their right to free, prior informed consent in the projects remains to be unheard and disregarded. The National Human Rights Commission should respond to the communication the community representatives and local leaders forwarded demanding for their respect and protection of their rights."

(AIPP, 2018)

Civil Society Intervention to the 95th CERD session, focuses on major development projects

Published on the 30th of April, 2018

(UN-CERD Documentation and Indigenous Rights)

"Government of Nepal has given a high priority to the infrastructure development, without respecting international instruments, including ICERD, ILO Convention No. 169 and UNDRIP adversely impacting to indigenous peoples' identity, existence, heritages, cultures and way of life... [I]nfrastructure developments have been taking place in indigenous ancestral lands. Since 2015 the Government has intensified the activities with deployment of security forces and military that has resulted in banning on peaceful protests, routine torture, intimidation and suppression against indigenous peoples and locals living with them."

"Hydropower generation, road widening and other infrastructure construction are the major development projects initiated by the State and multinational companies and funding agencies. Out of 683 proposed hydropower projects, 95% are in the lands of indigenous peoples that displace millions of individuals and affect adversely to hundreds of cultural and religious sacred sites. Similarly, the road expansion project in Kathmandu valley will forcibly evict more than 150,000 individuals from their houses, livelihood and ancestral lands. Out of them, 95% are indigenous Newa people. Many of them have already lost their lands and houses without any compensation. In Khokana, the contractor of the Fast Track Road Construction is Army and they are deployed to capture Indigenous sacred sites and private lands forcefully."

"Criminalisation of indigenous peoples' culture, tradition and rituals are more serious concern. The

Nepalese laws consider killing cow and ox and consuming beef are the crimes. But, beef is inevitable for many indigenous communities to celebrate their traditions and rituals. That seriously violates their cultural rights and right to food. The police data from 2012 to 2017 shows 184 people are in jail and large number of people arrested in 2018 in charge of Cow slaughter. And the Supreme Court issued an order to blacklist any lawyer who brings cases relating to cow slaughter. Seriously, there is no access to justice in this regard.”
(Thami, 2018)

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Pakistan

"The Pakistan government is increasingly silencing critical voices of journalists and activists under the pretext of national security. Enforced disappearances, extrajudicial killings, and torture take place with impunity, while security forces exercise undue political influence over civilian authorities. Blasphemy-related violence against religious minorities, fostered in part by government persecution and discriminatory laws, is frequent. Authorities have failed to establish adequate protection or accountability for abuses against women and girls, including “honor” killings and forced marriage. Over 490 people have been executed since the government ended an unofficial ban on the death penalty in late 2014.”
(HRW, 2018)

On the **12/4/2018**, Younis Iqbal was taken away by six plainclothes policemen as he tried to enter the Anti-Terrorism Court for his trial in the city of Sahiwal in Okara. He had been charged under the Anti-Terrorism Act of 1997 in April 2016 for having protested the illegal detention of farmers in Okara district. The human rights defender was taken to an unknown location where he was kept in illegal detention for four days before officially being arrested on 16 April. On the same day, Younis Iqbal’s father was threatened when he went to the police station to inquire about his son’s whereabouts. The following day, the family filed a petition in the Sessions Court of Okara district against the short-term enforced disappearance of the human rights defender. On **16/4/2018**, Younis Iqbal was officially arrested and has been remanded in custody for fifteen days. He was arrested under multiple sections of Pakistan Penal Code, Maintenance of Public Order Punjab (MPO Act, 1960), and Anti-Terrorism Act 1997, which include the trumped-up charges of ‘attempted murder, obstructing a public servant in carrying out their duties, rioting while in possession of a deadly weapon’ (1.).

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The Pacific



Australia

February:

Traditional owners Yuin fight for cultural fishing rights with NSW native title claim

Published on the 19th of February, 2018

(Fishing/Land Rights)

"Indigenous people along the New South Wales south coast say they are a step closer to achieving traditional fishing rights, with a historic native title claim being lodged in the Federal Court."

"The claim covers almost 17,000 square kilometres from the Royal National Park, south of Sydney, to south of Eden on the far south coast and extends three nautical miles into the ocean."

"There are 52 family groups associated with the claim and more than 500 Indigenous people met in 2016 to approve the submission... [t]hey had been on the waiting list for more than seven years and it was a significant milestone to now have the claim included on the national register."

"The Yuin group of Aboriginal peoples along the south coast have had a long association with the ocean, and Mr Stewart said it was vital they had more of a role in its management."
(Coote, 2018)

May:

Cape York traditional owners call for land-clearing halt to protect burial sites

Published on the 23rd of May, 2018

(Sacred Sites)



The Oikola Aboriginal Corporation has called for a halt to the Kingvale station's land-clearing plans over fears burial sites are at risk.

Photograph: Dave Hunt/AAP (as cited in Cox, 2018)

"The traditional owners of Kingvale Station on Cape York peninsula have said clearing occurred on the property without their knowledge and sacred burial sites that are hundreds of years old are at risk

from further bulldozing.”

“The Olkola community maintains it was not notified before the initial clearing occurred and important sites, including burial grounds, may have been bulldozed. A federal decision on the remaining 2,000 hectares is due soon, but the Olkola Aboriginal Corporation has said it wants no further approvals given until it can ensure the sites are protected.”

(Cox, 2018)

July:

Adani says it could start works at Abbot Point without traditional owners' input

Published on the 7th of July, 2018

(Mining, Land Rights and Indigenous Representation)

“Adani says it will proceed with new construction work at its Abbot Point coal terminal with or without the involvement of Juru local traditional owners, amid an escalating dispute about the protection of sacred sites.”

“On Thursday a group of traditional owners, Juru Enterprises Ltd, lodged an application for a stop order that could force Adani to cease work in the vicinity of Abbot Point and along part of the proposed rail link to the Carmichael mine.”

“Guardian Australia has seen correspondence that confirms Adani plans to soon begin work at Abbot Point that is outside the area covered by a cultural heritage management plan and has not been surveyed or assessed by Juru people.”

“In May, the federal court ruled Juru Enterprises was the appropriate “nominated body” to represent Juru people on a land-use agreement with Adani. The court did not consider or rule on a suite of other agreements, which remain in dispute.”

“Adani claims it has an “absolute legal obligation” to work with another group, the embattled Kyburra Munda Yalga Aboriginal corporation, which holds in trust the native title rights of Juru people. Kyburra is under special administration, in significant debt and mired in claims of financial mismanagement.”

“Kyburra’s special administrator, Gerry Mier, wrote to Adani on 25 May to say the organisation was “not permitted” to conduct surveys because Juru Enterprises was the proper nominated body under the relevant agreement.”

(Smee, 2018a)



The Abbot Point coal terminal in Queensland, where Adani plans to undertake contentious works.

(Photograph: Tom Jefferson/Greenpeace; as cited in Smee, 2018a)

Native title system 'embeds racism', Australia's first Indigenous silk says

Published on the 19th of July, 2018

(Mining and Indigenous Rights)

"Australia's first Indigenous silk, Tony McAvoy, says the native title system "embeds racism" and puts traditional owners under "duress" to approve mining developments or risk losing their land without compensation."

"McAvoy, speaking at a forum in Brisbane on Monday night, said Indigenous people must "resist, in whatever fashion we can" to protect their land and culture. His comments come as two legal disputes between traditional owner groups and the mining giant Adani reach a critical point."

"If traditional owners cannot come to an agreement with a mining company about a proposal, it goes before the national native title tribunal. Traditional owners can demand compensation or royalties during negotiations, but these cannot be awarded by the tribunal. McAvoy said the tribunal, which must apply the native title act, only rarely rejects applications for mining leases."

"What this means is if we object to a mine under the native title process, it's very likely to go ahead and the normal benefits we might be able to negotiate, which include royalties, which include substantial compensation, well we can't get those if we don't agree. Therefore the system, the native title system ... coerces Aboriginal people into an agreement. It's going to happen anyway. If we don't agree, the native title tribunal will let it go through, and we will lose our land and won't be compensated either. That's the position we're in."

"McAvoy said the Racial Discrimination Act was suspended in 1998 to pass amendments to native title laws that in turn allowed mining developments to proceed without consent from traditional owners."

(Smee, 2018b)

August:

Indigenous group takes anti-Adani fight to the United Nations claiming human rights violation

Published on the 3rd of August, 2018

(Adani and the UN)

"Traditional owners fighting Adani's proposed Carmichael mine in Queensland have urged the United Nations to urgently intervene by formally censuring Australia at a meeting in Geneva this month. United States-based lawyers acting for the Wangan and Jagalingou (W&J) Family Council have called on a UN Committee to publicly condemn Australian authorities for "violating" an international pact against racial discrimination by wiping out their native title rights."

"In a scathing complaint against the Queensland and federal governments and the National Native Title Tribunal, the mine opponents accuse Australia of "serious violations" of a UN convention and Adani of using the "coercive power" of native title laws stacked against Indigenous groups."

(Robertson, 2018)

Adani: Indigenous group loses bid to block Carmichael coal mine

Published on the 17th of August, 2018

(Mining, Indigenous Rights and Indigenous Representation)

"The federal court has ruled in favour of Indian mining company Adani over a native title group seeking to block its Carmichael coal mine in Queensland's Galilee Basin."

"Members of the Wangan and Jagalingou people have been fighting against the mining company, claiming they did not give permission for the \$16.5bn mine to go ahead."

"In the federal court in Brisbane on Friday, Justice John Reeves ruled in favour of Adani and ordered the Indigenous group to pay the mining company's costs."

"Wangan and Jagalingou representative Adrian Burragubba says it was a disappointing result."

"Our position has always been the same – that there has never been any free or informed consent with any agreement with Adani," Burragubba said outside the court on Friday.

"The Wangan and Jagalingou people are divided over the mine. Adani has struck a deal with some of the traditional owners, while others say they never agreed to it."

"Burragubba is the leader of that group and says they will take the matter to the high court."

(APP, 2018)



Wangan and Jagalingou traditional owners have lost their bid to block Adani’s Carmichael coal mine in Queensland’s Galilee Basin. Photograph: Darren England/EPA (as cited in APP, 2018)

October:

Land rights win for Nyiyaparli

Published on the 3rd of October, 2018

(Land Rights Victory)

“An Aboriginal community won a 20-year land rights battle last week when it was granted full native title over a big portion of the Pilbara.”

“The Nyiyaparli people are now recognised as the native title holders of about 40,000 sq km of land in the region, including the mining town of Newman, as well as indigenous communities Jigalong and Parnpajinya, a number of pastoral leases and mining operations.”

(Murphy, 2018)

Indigenous advancement funding redirected to cattlemen and fishing groups

Published on the 31st of October, 2018

(Corruption)

“Indigenous affairs minister Nigel Scullion has given almost half a million dollars’ worth of funds earmarked for alleviating Indigenous disadvantage to fishing and cattlemen’s groups in the Northern Territory. The grants will go towards legal fees for the groups to argue how they might be negatively impacted by land rights claims, he told a Senate estimates hearing last week.”

Mr. Scullion has been criticised for treating the Indigenous advancement strategy (IAS) as his private “slush fund”.

According to the government website the \$4.9bn IAS is designed to “improve the way the government does business with Aboriginal and Torres Strait Islander people, to ensure funding actually achieves outcomes”. However the minister “approved grants of \$150,000 to the NT seafood council, \$170,000 to the NT amateur fishermen’s association, and \$165,000 to the NT Cattlemen’s Association for ‘legal fees, effectively ... to put forward a case of detriment to the land commissioner.’”

“Under the NT Land Rights Act, those who consider a land claim would have a negative impact on their business or personal interests can argue a ‘detriment’ case about how their future access to income, land or water would suffer if a land claim is approved.”

(Allam, 2018)

December:

Native title sea rights claim to protect unique Groote Eylandt marine environment

Published on the 18th of December, 2018

(Water Rights)

“The Anindilyakwa Indigenous people of Groote Eylandt want to better protect their waters.”

“And early next year, they plan to lodge a native title claim over 17,000 square kilometres of ocean from Groote Eylandt to the mainland to help them do it.”

“After studying satellite imagery which showed apparent scarring on the seabed, the council became increasingly worried about damage by commercial fishing trawlers.”

“Traditional owners are also worried about what will happen when the Northern Territory Government’s moratorium on seabed mining expires in 2021.”

“For the past eight years, they have been fending off plans by a series of companies to mine 11 rich manganese tenements in the ocean off Groote Eylandt.”

(Bardon, 2018)



Rangers patrol the waters around Groote Eylandt (ABC News: Jane Bardon; as cited in Bardon)

“Native title needs total reform” – The group taking on Adani for the rights to their land

Published on the 28th of December, 2018

(Mining, Indigenous Rights and Indigenous Representation)

“Indian mining giant Adani filed an application with the Federal Court last week asking that a legal challenge to its proposed Carmichael coal mine be thrown out, unless the Wangan and Jagalingou Traditional Owners fronted up with \$160,000 in potential court fees within two weeks. On Tuesday, Federal Court Justice Alan Robertson said that Adani’s demand was “disproportionate and unpersuasive”. He ordered that the traditional owners pay \$50,000 in security costs by the end of January or their legal challenge could not go ahead. Adani’s attempt to have the Wangan and Jagalingou Traditional Owners’ case thrown out has caused the mining company further setbacks with its terminally delayed mine, as the case will now take place in May, when it was initially scheduled for next month.”

“The traditional owners are appealing an earlier ruling by the Federal Court. They assert that the Indigenous land use agreement (ILUA) that is essential for the Adani mine to go ahead is void. In August, Justice John Reeves found that this claim had ‘no merit’”.

“However, on Tuesday, Justice Robertson also upheld that the appeal will be going before the full

bench of the Federal Court, as there's an "arguable case of error" in the decision of the primary judge."

"Adani announced on 29 November that it's going ahead with a scaled-down and self-funded version of the Carmichael mine. However, with rising opposition to it, as well as many regulatory hurdles to adhere to, many are sceptical that construction on the mine will ever begin."

"The Federal Court ruled in February last year that all native title claimants must sign an ILUA or the agreement is invalid. Known as the McGlade decision, this finding jeopardised about 125 ILUAs that had already been established, as well as the yet to be registered Adani ILUA."

"So, the Turnbull government then passed legislation that amended the Native Title Act, making certain that only a majority of claimants need to sign off on an ILUA for it to be valid. The Adani ILUA was originally supported by seven out of twelve Wangan and Jagalingou native title claimants." (Gregoire, 2018)

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Papua New Guinea

January:

PNG group criticises govt for organising 'land grabs'

Published on the 24th of January, 2018

(Land Grabbing)

"ACT NOW!'s Eddie Tanago said government minister Justin Tkatchenko planned to allow commercial banks to take customary land as security for loans. Mr Tanago said the Minister had met with three major banks to discuss the idea. The Minister said it's necessary to 'free-up' the 80 percent of customary land that was 'idle' for investment.

"Customary land has, over the years, has been very vital to our health and well-being, especially for the rural majority of Papua New Guinea,... The government should not try to give away this land in a debt to these banks."

"Mr Tanago said the concern was that landowners could use their loans for short-term

consumption, fall short in repayments and then be evicted while the land is sold from underneath them. He also said the government had not canceled all illegal SABL leases, used to 'defraud communities of more than 5 million hectares of land' and needed to deal with that before opening up other land issues.

(RNZ, 2018)

February:

Loggers still operating on PNG lease despite court ruling

Published on the 23rd of February, 2018

(Land Grabbing)

"Papua New Guinea's government has been accused of allowing loggers to operate illegally without landowner approval. This comes as PNG prepares to host an APEC meeting this weekend to discuss tackling illegal logging and the trade in illegal timber."

"PNG's Supreme Court ruled in August 2016 that a Special Agriculture Business Lease in Turubu of East Sepik Province was invalid, finding that any logging in the area was illegal. But a policy advisor with environmental NGO Global Witness, Lela Stanley, said despite that ruling, the Malaysian logging company had continued clearing forest. 'Instead of shutting down that operation, PNG's National Forest Board actually granted a new permit to the same loggers that has allowed them to keep cutting down those trees... By November 2017, timber worth over a 180-million PNG kina had been exported from the area, without the consent of the people who actually own it'.

(Blades, 2018)



Logging piles on the Sepik River in Papua New Guinea. Photo: Global Witness

Alliance of Solwara Warriors to object exploration license

Published on the 25th of February, 2018

(FPIC)

"The Alliance of Solwara Warriors will submit their objections to Exploration License 1196 (EL 1196) to the Mineral Resources Authority (MRA) on February 26."

"EL 1196 is situated on traditional fishing and ceremonial water of West Coast Namatanai in New Ireland Province and Duke of York Islands in East Britain province."

In a statement regarding EL 1196, the Solwara Warriors declared that "[They] were not given the opportunity to exercise [their] rights as stated in the United Nations Declaration on the Rights of

Indigenous people on Free Prior Informed Consent.”

The Solwara are a maritime peoples whose well being and quality of life are inextricably linked to the health of the ocean and therefore recognise, through their traditional knowledge of tides and currents, that many of “[their] communities will face disastrous impacts if this experiment of seabed mining continues.”

“[They] were not consulted before licenses and leases were awarded by the National Government for seabed mining project in the country.”
(Alliance of Solwara Warriors, 2018)

April:

PNG court overturns loggers ban on custom landowners entering own land

Published on the 4th of April, 2018

(Land Grabbing and Oil Palm)

“A group of customary landowners in Papua New Guinea has regained access to their land following a significant legal victory against supporters of a Malaysian logging company.”

“Seven people from Pomio in East New Britain have been barred from entering their land for the past six years after a restraining order was issued against them in 2012.”

“The landowners include Paul Pavol Palusualrea and Nobert Pames who have been vocal against ‘land grabbing’ and widespread deforestation in the remote district.”

“The National Court in Kokopo set aside the restraining orders after finding that there was a lack of evidence.”

“The landowners were represented by lawyers from the Center for Environmental Law and Community Rights (CELCOR).”

“The Pomio District is the site of a controversial Special Agriculture Business Lease (SABL) where large tracts of rainforest have been logged and replaced by oil palm plantations.”

(Waide, 2018)

September:

West Papua independence petition is rebuffed at UN

Published on the 30th of September, 2018

(Independence)

“The UN’s decolonisation committee will not accept a petition signed by 1.8 million West Papuans calling for independence, saying West Papua’s cause is outside the committee’s mandate.”

“In New York on Tuesday, the exiled West Papuan leader Benny Wenda presented the petition – banned by the Indonesian government, but smuggled across Papua and reportedly endorsed by 70% of the contested province’s population – to the UN decolonisation committee, known as the C24 and responsible for monitoring the progress of former colonies towards independence.”

“The petition asked the UN to appoint a special representative to investigate human rights abuses in the province and to “put West Papua back on the decolonisation committee agenda and ensure their right to self-determination ... is respected by holding an internationally supervised vote”.”

(Doherty & Lamb, 2018)

November:

People of Papua New Guinea call on China to take urgent action on illegal wood imports

Published on the 12th of November, 2018

(Deforestation)

“*Monday 12th November* - Civil society groups in Papua New Guinea (PNG) have today delivered a collective letter to President Xi Jinping – calling on him to urgently review the current lack of regulation on illegal wood entering China.”

“In 2016, PNG provided 29% of China’s tropical log imports, making it the country’s single largest supplier. But despite being the world’s largest consumer and manufacturer of wood and wood products, China has no regulation to keep illegal timber from entering its borders.”

“And recent reports have shown evidence that large quantities of China’s wood imports come from illegal operations in PNG.”

“The call from the groups comes as all eyes focus on PNG ahead of the APEC Summit, which President Xi Jinping is also attending. Under China’s flagship Belt and Road initiative, it has already committed to billions of dollars in infrastructure and agricultural projects across PNG.”

"The letter – signed by a number of civil society groups from PNG including the Center for Environmental Law and Community Rights and ACT NOW – states that both the governments of PNG and China have failed to act while the country's globally significant forests are being destroyed."

"It praises China's vision of an 'ecological civilisation' – but urges that the country place the same level of attention on its ecological footprint overseas as it does at home, and asks it to critically ensure that materials it sources from abroad are legal and sustainable."

(Pardal & Iqbal, 2018)

December:

West Papua independence leader urges calm after killings

Published on the 6th of December, 2018

(Violence)

"The exiled leader of the West Papuan independence movement has called for calm after independence fighters attacked and killed up to 31 people in a remote West Papuan district on Sunday. On Thursday the Indonesian military said it had retrieved 16 of the bodies from the district of Nduga, which would be sent to the main town of Timika. None were identified."

"Benny Wenda, the chair of the United Liberation Movement for West Papua (ULMWP), said it was hard to know exactly what happened at Nduga, amid conflicting reports on the long-running tensions, and without free access for media or human rights groups."

"Independence movement the Papuan liberation army, TPNPB, under commander Egianus Kogeya, claimed responsibility but said those killed were all members of the Indonesian military (TNI)."

(Davidson, 2018)



A Papuan activist bearing the banned separatist 'Morning Star' flag rallies with others in East Java on Saturday.

Photograph: Trisnadi/AP (as cited in Davidson)

Corporate land grab exploits Papua New Guinea's indigenous people

Published on the 8th of December, 2018

(Land Grabbing)

"Private companies are illegally occupying land in Papua New Guinea for logging and palm oil plantations, according to a new report published by War on Want and *Act NOW!*, its partner in Papua New Guinea."

"The report, *The SABL land grab: Papua New Guinea's ongoing human rights scandal*, reveals the devastating impact of corporate land grabs on the indigenous population. Foreign companies are exploiting Special Agricultural Business Leases (SABL), without due process, to illegally lease land from indigenous customary landowners. The land and its inhabitants are then exploited for profit, the rich natural resources exported to countries like China, and the indigenous peoples forced to work on their own land for poverty wages."

(Ekklesia, 2018)

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Solomon Islands

October:

“Virtually all of the Solomon Islands’ timber is exported to mainland China, and indeed this small group of islands is the country’s second biggest source of tropical logs, after Papua New Guinea. The two countries supply half of China’s tropical log imports and we found widespread risks of illegality in both countries’ forest sectors.”

“China is taking serious steps to address environmental degradation and to reduce pollution and carbon emissions at home. But the Chinese government is overlooking an important aspect of its ecological footprint: the raw materials that it sources from overseas.”

“China is the destination for about two-thirds of all tropical logs globally, many of which come from countries like the Solomon Islands that are struggling to address governance and rule of law issues.”

“As the most important actor in the global timber trade, if China continues to buy its wood with ‘no questions asked,’ it risks undermining efforts by its trading partners to improve governance, prevent environmental degradation, and achieve the UN Sustainable Development Goals.”

“By not questioning the illegal activity Chinese businesses are taking part in, China enormously increases the commercial and reputational risks to its businesses and those they trade with.”
(Yin, 2018)

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Cameroon



Africa



January:

On the 11/5/2018 Mr. Musa Usman Ndamba, National Vice President of the Mbororo Social and Cultural Development Association (MBOSCUDA), was “sentenced to 6 months in prison and a fine of 500’000 FCFA (approximately 760 Euros) on charges of ‘defamation of character’, under section 305 (1) of the Criminal Code of Cameroon. Furthermore, he was condemned to pay an additional sum of 500’000 FCFA as civil award to Mr. Baba Ahmadou Danpullo, who acted as a plaintiff in the case.”

“The alleged defamatory statements contained in the affidavit on the basis of which Mr. Ndamba has been condemned, are not signed by him but by another individual named Mr. Musa Adamu.” The “sentencing of Mr. Ndamba comes after 60 hearings and seven years of continuous judicial harassment in violation to his right to a fair trial and aims at sanctioning his peaceful and legitimate human rights activities, in particular as MBOSCUDA’s National Vice President... [T]hese acts of harassment are not isolated, as the Observatory has reported several cases of judicial harassment against leaders of civil society organisations denouncing the government’s corruption and opposing land grabbing in Cameroon. Many of these acts are linked to cases of land acquisition by Mr. Baba Ahmadou Danpullo” (1).

Complaint abandoned, but systematic human rights violations continue for indigenous Baka communities in Cameroon

Published on the 30th of January, 2018

(Indigenous Rights and Conservation)

“For more than a decade physical violence by ecoguards, fear of “*dobidobi*” (WWF), and loss of access to their forest areas in conservation zones have been repeatedly reported by indigenous communities in Cameroon. The problems are ubiquitous. Such abuses are unacceptable regardless of any involvement in unlawful activities by Baka individuals. In any event, Baka subsistence hunting on their customary lands has often been rendered unlawful only because those lands have been absorbed into protected areas without their consent.”

“Baka are extorted or intimidated when going into the forest, including into those areas in which they are entitled to go. When they hunt they are regularly detained and beaten, whether or not they have acted within the law. Their (lawfully hunted) bushmeat is confiscated by ecoguards (or by Bantu neighbours who “borrow” their uniforms).”

“Collective punishment, entailing suspension of a whole community’s already limited access rights, has been proposed for Baka villages when any individual member of the community has been, or is suspected of being, involved with poaching. Recently, Baka in one remote area of Cameroon described how they were now “too scared to go into the forest”, with devastating effects on their livelihoods, transmission of traditional knowledge, and the survival of their culture. A “fortress conservation” mentality has created and enabled a raft of new forms of abuses against indigenous peoples.”

“While WWF staff are not to our knowledge directly involved in these abuses, their level of collaboration with those who are engaged in them is significant. For example: ecoguards use WWF vehicles for transport; in east Cameroon, WWF shares an office with MINFOF and national park management; and through its financial and technical support of these projects very probably contributes to the ecoguard budget – although it is difficult to be certain due to the opacity of WWF’s published accounts.”

“Moreover, in apparent breach of its own policy, WWF continues to support and promote the creation of conservation areas on indigenous peoples’ lands without their genuine free, prior and informed consent – entailing not only a denial of indigenous ownership but significant restrictions on their traditional land use and access.”

(Perram & Clarke, 2018)

March:

Legal activism key to securing land rights during new investment phase

Published on the 20th of March, 2018

(Land Rights)

"Located not far from the town of Kribi, on Cameroon's Atlantic coast, the village is already squeezed between two logging concessions. Now, a company proposing an agri-business plantation wants a significant amount of land. Some people see this as an opportunity, others are worried about where they will grow their crops. All have struggled to understand the full implications of the far-reaching changes their decision will bring."

"This scenario is a recurring situation along Cameroon's Atlantic coast. Urban expansion, logging concessions, mining exploration permits, rubber plantations, protected areas, a palm-oil boom and new infrastructure including a deep-sea port, roads and temporary housing for the construction workers have together compounded pressures on land."

"In the regional land registry, many applications for land titles are still pending, submitted by people determined to protect their land rights as the pressures intensify – even if that means ceding part of their land to speculators who could help them pay for the titling."

"As the village debate in Cameroon illustrates, big deals create both hope and fear. Supporters talk of jobs, revenues and access to markets but all too often, the deals violate the land rights of rural people – particularly those without the money, connections and information to protect their interests."

"Improving readiness and resilience at the local level can also tackle issues that recourse to an individual company cannot address. The growing pressures on land are often linked to a combination of multiple, often uncoordinated, investments in agriculture, mining, petroleum, forestry and infrastructure projects. In such geographic hotspots as Cameroon's Atlantic coast, systemic problems require systemic solutions."

(Cotula, 2018)

April:

Rubber plantation in Cameroon edges closer to UNESCO World Heritage Site

Published on the 6th of April, 2018

(Plantations, FPIC and Conservation)



Rubber is produced from the sap of the Pará rubber tree (*Hevea brasiliensis*).

Photo by Mongabay (as cited in Fritts)

“An industrial rubber plantation is currently developing land right on the edge of Cameroon’s Dja Faunal Reserve. And it’s getting closer, according to an analysis of satellite data released by Global Forest Watch. The data indicate the plantation, operated by China-owned Sud Cameroun Hévéa (Sudcam), is currently less than 1 kilometer (0.6 miles) away from intact primary forest habitat. Development is ongoing amid concerns about threats to endangered species within and outside the park, as well as alleged violations of community land rights and political affiliations with the Cameroonian government.”

“Rubber expansion also stands to affect the 9,500 people who live in villages on the reserve’s periphery. According to Greenpeace Africa, Sudcam did not obtain Free and Prior Informed Consent (FPIC) from these communities before acquiring the land. Under the U.N. Declaration on the Rights of Indigenous Peoples (UNDRIP), FPIC is a right that allows indigenous peoples to grant or refuse consent for a project that could affect them or their land. Cameroon was one of the countries that voted in favor of the declaration at a U.N. General Assembly session in 2007. In the case of Sudcam, however, affected residents have claimed that subsistence farmland has been taken away with little or no compensation, Greenpeace Africa forest campaigner Sylvie Djacobou told Mongabay.”

“The Baka also stress the fact that graves and sacred sites which are very important to them spiritually were also destroyed,” Djacobou said.
(Fritts, 2018)

December:

Citizenship - the situation of indigenous forest peoples in Cameroon

Published on the 10th of December, 2018

(Lack of Access to Citizenship Documents)

“Over 50 representatives from indigenous communities, Cameroonian civil society and the Government have come together in Yaoundé for this launch, which is part of a national dialogue on the rights of indigenous forest peoples and access to citizenship.”

“Documented citizenship – a key element of the human right to a nationality – is not only a right in itself, but a cornerstone to the enjoyment of civil, political, economic, social and cultural rights. In Cameroon for example, one or more key citizenship documents – such as a birth certificate, national identity card, or electoral card – are necessary to be able to enrol children in school, move freely around the country, vote, initiate legal procedures, apply for jobs, and perform many other essential life activities. However, for the indigenous communities of Cameroon’s forests, it has long been known that a significant number lack citizenship documents, and have therefore been disproportionately excluded from the enjoyment of other legal rights.”

“This study has sought to address that paucity, through the collection of information from approximately 40 indigenous forest communities – estimated at approximately 24% of the indigenous forest population”.

“approximately 69% of indigenous children under 5 do not have their births registered, compared to a national average of 31%, [while] approximately half of all adults (slightly more women than men) do not have valid documents attesting to their citizenship.”

(FPP, 2018)

Chinese Company’s Cameroon Rubber Plant Poses Risk to Indigenous People and Ecosystem, Activists Say

Published on the 16th of December, 2018

(Rubber and Land Rights)

“Activists say a company controlled by a Chinese-state owned conglomerate in Cameroon is threatening the biodiversity in the country and endangering indigenous people.”

“Since 2011, Sud-Cameroun Hevea (Sudcam) has replaced almost 25,000 acres—the size of Paris —of dense tropical rainforest with a monoculture rubber plantation. Sudcam’s expansion project has approached the Dja Faunal Reserve, a UNESCO World Heritage site, and has displaced locals from their land and resources.”

“Sudcam is controlled by Halcyon Agri through a string of Singaporean and Cameroonian subsidiaries, and Chinese state-owned Sinochem International Corporation Ltd. holds majority shares in Halcyon Agri.”

“The Chinese-initiated rubber project has also been mired in irregularities. Sudcam is accused of having acquired, cleared, and developed the land without free, prior, and informed consent; which requires that indigenous peoples are entitled to give or withhold consent to a project that may affect them or their land.”

"The local populations don't even know the limit of Sudcam's concession. One family was denied access to their fish pond which was within Subcam's concession. The aquaculture project, worth 50 million CFA Franc (about \$87,000) was the family's lone source of livelihood."

"The area now occupied by Sudcam originally harbored the indigenous Baka pygmies who lived in the forest. Near the Dja Faunal Reserve, it was their ancestral home until the company encroached into their property and displaced them."

(Atabong, 2018)

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Democratic Republic of Congo

On the **26/2/2018** human rights defender Rossy Tshimanga Mukendi was killed as police open fire on demonstrators in and outside Saint-Benoît Catholic Church in Kinshasa. "The brother of the defender, who was present at the scene, stated that Rossy Tshimanga Mukendi was shot in the chest at close range by the police, [he died in hospital]... The police claimed there were no casualties" ⁽¹⁾.

March:

Democratic Republic of Congo government must halt plans to open up the world's second largest rainforest to loggers - say international environmental charities

Published on the 8th of March, 2018

(Illegal Logging)

"Over 50 environmental, conservation and human rights organisations are calling on the international community urgently to intervene to help protect the vast rainforests of the Democratic Republic of Congo (DRC), following announcements by the country's Environment Ministry that they intend to lift a legal moratorium on the allocation of new areas of forest for large-scale logging."

"DRC's Environment Ministry stated last week that plans were underway for lifting the 16-year long moratorium on the allocation of new industrial logging concessions in the world's second largest tropical rainforest. Simultaneously, a revision of the country's Forest Code, understood to now be at an advanced stage, has been secretly underway without the involvement of key stakeholders including NGOs, and is likely to see weakening of the controls over future logging activities. Up to 75 million

hectares of pristine rainforest could be at risk, an area larger than the size of France. This is the latest in a series of threats by DRC's government to open its forests to large-scale logging."

"The organisations have told key donor governments and agencies such as Norway, UK, France, the US, Germany and the World Bank that their respective programmes aimed at protecting DRC's forests would be threatened by the lifting of the moratorium, which *"will have catastrophic environmental, social and climatic impacts"* and will likely promote corruption and conflict."

(Blackman, 2018)

Mai-Ndombe: Will the REDD+ Laboratory Benefit Indigenous Peoples and Local Communities? Published on the 14th of March, 2018 (REDD+ & Indigenous Rights)

Rights and Resources (RRI) published a study that "aims to assess the cumulative risks and impacts of all REDD+ initiatives in Mai-Ndombe on the rights and subsistence of local communities and Indigenous Peoples".

Key findings were as follows;

- There is a **fragile and incomplete governance** infrastructure,
- A **lack of coherence between the emerging structure and the drivers of deforestation, absence of concrete measures to secure communities' land rights and reduce the risks of associated conflicts**, with little or no attention being given to: (i) the land insecurity of local communities and Indigenous Peoples; (ii) land grabbing and price inflation; (iii) customary practices and sharecropping,
- **Limited integration of Indigenous Peoples, local communities, and women.** Marginalized populations in Mai-Ndombe are not included as one of the enabling pillars of REDD+.
- **Uncertainty regarding the beneficiaries and the achievement of co-development objectives.**

The potentially negative impacts of REDD+ are poorly understood and there is currently no provision allowing communities to access the proposed benefits.

(Gauthier, 2018)



**Tamanga Ekwayoli, a hunter in the Tumba–Lediima Reserve, Democratic Republic of Congo.
Photo by Ollivier Girard/CIFOR**

April:

Congo-Kinshasa: Mai-Ndombe Forest 'Savaged' As Landless Communities Struggle

Published on the 17th of April, 2018

(Illegal Logging)

"Thousands of logs loaded into makeshift boats at the port of Inongo at Lake Mai-Ndombe stand ready... Inongo is the provincial capital of the Mai-Ndombe Province, a 13-million-hectare area located some 650 km northeast of Kinshasa. The logs have been illegally cut from the Mai-Ndombe forest, an area of 10 million hectares, which has some trees measuring between 35 and 45 meters."

"We witness this kind of spectacle every day, whereby tons and tons of logs and timber find their way to the capital either via the Congo River or by road, where they will eventually be shipped overseas, or just sold to the black market," environment activist Prosper Ngobila told IPS.

"The forests constitute a vital platform providing livelihoods for some 73,000 indigenous individuals, mostly Batwa (Pygmies), who live here alongside the province's 1.8 million population, many of whom with no secure land rights."

"Recent studies also have revealed that the province – and indeed the forests – boasts significant reserves of diamond, oil, nickel, copper and coal, and vast quantities of uranium lying deep inside the Lake Mai-Ndombe."

"In an effort to save these precious forests, the World Bank in 2016 approved DRC's REDD+ programmes aimed at reducing greenhouse gas emissions and fight forest's deforestation and degradation, which it would fund to the tune of 90 million dollars annually."

(Silva, 2018)

May:

Opaque UK-owned company obtains controversial oil rights in UNESCO park in Democratic Republic of Congo

Published on the 29th of May, 2018

(Protected Sites)

"In February 2018 COMICO, a company owned via UK registered entities, won approval to explore for oil in a UNESCO protected World Heritage Site in Democratic Republic of Congo, raising fears that oil exploration could destabilise not just a fragile ecosystem but also a volatile political situation in Congo. Global Witness's research has uncovered the past involvement of a politically connected individual, a convicted fraudster and mysterious shell companies in the deal, the terms of which remain unpublished, in contravention of Congo's own oil law."

"Earlier this month, Global Witness revealed a new threat to two of Congo's UNESCO protected sites, Virunga and Salonga national parks. The Congolese government has ramped up its efforts to remove legal protections from areas of these parks and open them up to oil exploration. Our new briefing sheds light on COMICO, one of the companies that has been allocated an oil block which partially overlaps one of these UNESCO World Heritage sites, and potentially stands to gain from the government's attempts to allow oil exploration in the national park."

"One of the three oil blocks assigned to COMICO encroaches on Salonga National Park, the largest protected tropical rainforest in Africa and home to up to 40 percent of the world's Bonobo population and several rare species. COMICO's production sharing agreements (PSAs) were initially signed over 10 years ago, but the company was not able to begin exploration until Congo's President Joseph Kabila signed an ordinance in February. It is not clear why the PSAs have been revived now, nor who all the owners of COMICO actually are."

(Jones & Blakey, 2018)

June:

New investigation reveals systemic illegal logging by European company in the DRC

Published on the 26th of June, 2018

(Illegal Logging)

"New investigation reveals systemic illegal logging by major European company in the Democratic Republic of Congo, while Norway and France on brink of funding expansion of country's industrial logging sector"

"A two-year investigation by the NGO found that Norsudtimber, the biggest single owner of logging concessions in the DRC, has been operating illegally on 90% of its sites, an expanse of almost 40,000km², with almost 60% of the timber exported coming from endangered or vulnerable tree

species. Norsudtimber has issued a denial, included in the report, which suggests the DRC government is allowing them to continue logging in full knowledge of their legal breaches.”

“Despite this evidence, Norway and France still plan to fund an US\$18 million programme which includes funding for the expansion of industrial logging in DRC – in direct contradiction of their climate and forest protection goals. The programme will also provide support to companies like Norsudtimber and Cotrefor. Cotrefor was previously exposed as having links to terrorist sanctions-listed individuals.” (Pardal & Iqbal, 2018)

World Heritage Committee fails to consider indigenous peoples’ rights in the Democratic Republic of Congo

Published on the 27th of June, 2018

(Land Rights)

“The Kahuzi-Biega National Park in the Democratic Republic of Congo was established in 1971 at which point the indigenous Batwa communities living in the area designated as the new national park were evicted. They were pushed into dwellings in the border areas of the park and have in the subsequent years become impoverished and lost significant cultural and linguistic heritage bound up in their use of their traditional lands.”

“The site was then inscribed as a World Heritage Natural Site in 1981 at which time no mention was made by the World Heritage Committee of the indigenous communities associated with the site.”

“The African Commission on Human and Peoples Rights, which reviewed the situation of the Batwa in around Kahuzi-Biega in 2003 as part of a review of the status of Indigenous peoples in Africa, highlighted the consequences of the evictions on the Batwa:

‘Land should have been given to the Batwa, but this did not happen. Now the Batwa are forbidden to hunt in the park, and forbidden to collect park products. They have no food resources or medicinal plants, and the forest is no longer their place of worship. The Batwa have been culturally and psychologically shattered by the loss of their forests.’ (ACHPR, 2003).

(Tugendhat, 2018)



**Carrying water from a source near Yangambi, DRC. Photo by Axel Fassio/CIFOR
(as cited in Evans, 2018)**

August:

Rights in the DRC: Whose rights matter?

Published on the 7th of August, 2018

(Land Rights & Gender)

“As communities around the world seek to shake off the legacies of colonialism, land tenure is a critical, and controversial, issue. Informed by the Forest Principles that were put in place at the Rio Earth Summit in 1992, recent reforms across the globe have sought to return access, management and in some cases ownership rights to indigenous communities living in and around forests.”

“But when these rights are resurrected, women often miss out, says workshop leader and African Women’s Network for the Community Management of Forests (REFACOF) coordinator Cécile Ndjebet. Unequal gender relations within communities, countries and partnering organisations often mean women’s relationships with land are not taken into account in reform processes, which can compromise livelihoods and further entrench gender disparities.”

“The DRC is currently in the midst of national-level land reform processes, providing gender activists in the DRC a ripe opportunity to instigate transformation, says Lisenga. Accordingly, the workshop sought to take stock of indigenous women’s rights and levels of participation in the ongoing programs, activities and processes related to the reforms, as well as explore how to influence these to better mainstream gender issues.”

(Evans, 2018)

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Ethiopia

May:

Ethiopia revokes gold mining license of MIDROC Gold

Published on the 10th of May, 2018

(Gold Mining)

“Ethiopia’s Ministry of Mines, Petroleum and Natural Gas has suspended gold mining license of MIDROC Ethiopia’s Legadembi Gold Mine in Gugi Zone Oromia Regional State.”

“The decision followed a continuous resistance of the local community who claimed to be impacting negatively the lives of the people in the area. The communities have been saying that the chemicals used by the company to produce gold such as mercury have been making new born babies to be born with different kinds of deformities.”

“During the past few days demonstrations around five people have been killed while many injured, according to media reports. The Ministry is forced to revoke the license in order to thoroughly investigate the reported negative impacts of the investment on the people living in the area. It is said that independent investigation team involving different stakeholders will start investigation.”

(NBE, 2018)

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Gambia

On the **18/6/2018** journalist Pa Modou Bojang of Home Digital FM was brutally assaulted, manhandled and later arrested by the members of the Police Intervention Unit (PIU) at Faraba Banta, Kombo East, some 52 kilometers away from the capital, Banjul. The assault occurred as he was covering a story on sand mining by a private company in the village. Pa Modou was slapped on the face and repeatedly beaten by the PIU officials while being insulted because of his professional status ⁽¹⁾.

On the **18/6/2018** two protesters, Bakary Kujabi and Ismaila Bah, were shot dead when police opened fire on protesters at Faraba Banta, West Coast Region. At least four other civilians sustained injuries and ten PIU personnel are reported injured in clashes between PIU personnel and protesters. They community were protesting mining activities in the area ⁽²⁾.

June:

Clashes Over Sand Mining Kill 2 in Gambia

Published on the 18th of June, 2018

(Mining and Conflict)

“A long-standing dispute over sand mining spawned violent clashes Monday in Gambia, with two people killed and others — including police officers — critically injured.”

“The Julakay engineering and construction company is at the center of the dispute amid allegations of environmental exploitation in Faraba Banta village, about 50 kilometers from the capital, Banjul.”

“Villagers want the mining site relocated. In addition to the casualties, officials said vehicles at the site were vandalized, and the scene remained tense and chaotic after the clashes.”

“Interior Minister Ebrima Mballow points out that Julakay has a government license to engage in

sand mining at Faraba. He urged villagers to mount a legal challenge if there are problems.”

“Lamin Conteh, a native of Faraba who teaches accounting in the United States, told VOA that villagers are particularly concerned because mining in a neighboring village caused salt contamination in its rice fields.”

“This mining, to us, is an environmental disaster,’ he said.”
(B'mai, 2018)



A man uses a pick to break rocks and get sand in a sand mine in Haiti, March 21, 2018. Sand mining is a growing business worldwide, but it is blamed for a wide range of environmental issues. A dispute over sand mining in Gambia has left two people dead. (Photo by Reuters; as cited in B'mal, 2018)

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October:**Guinea: Bauxite Mining Boom Threatens Rights****Published on the 4th of October, 2018****(Bauxite Mining)**

“Guinea’s fast-growing bauxite mining industry is threatening the livelihoods of thousands of Guineans, Human Rights Watch said in a report released today. Mining has destroyed ancestral farmlands, damaged water sources and coated homes and trees in dust.”

“The 146-page report, “What Do We Get Out of It?,” focuses on two mining projects that were Guinea’s two largest bauxite producers in 2017: La Société Minière de Boké (SMB), a joint venture linked to the world’s largest aluminum producer, China Hongqiao Group, that has expanded extremely rapidly since it began in 2015; and la Compagnie des Bauxites de Guinée (CBG), a decades-old company co-owned by multinationals Alcoa and Rio Tinto. Guinea’s government, which has transformed Guinea into the world’s third-largest exporter, should take immediate steps to better regulate companies and protect communities.”

“Guinea has an abundance of natural resources, including the world’s largest bauxite reserves, but remains one of the world’s poorest countries. The demand for Guinean bauxite in global markets has increased in recent years as other countries, notably Indonesia and Malaysia, banned exports, in the latter case partly due to the industry’s environmental impact. Guinea is already the biggest exporter of bauxite to China, the world’s largest aluminum producer. And with several new mining projects preparing to begin exports, Guinea’s bauxite boom shows no sign of slowing down.”

“Human Rights Watch interviewed more than 300 people in 30 mining-affected villages in the Boké region, the center of the bauxite boom, and conducted dozens of interviews with government officials, mining companies, civil society groups, environmental scientists and public health experts.”

“Dozens of farmers described how mining companies take advantage of the government’s failure to protect rural land rights to exploit ancestral farmlands without compensation to address the long-term value of land to the community. Since the passage of a 2011 mining code, the government has failed to pass regulations, required by the code, establishing compensation standards for land acquisition that could better protect farmers’ rights.”

(HRW, 2018)



A woman in Lansanayah, a village 750 meters from a bauxite mine owned by La Société Minière de Boké consortium.

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(as cited in HRW, 2018)**

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July:

Golden Veroleum Liberia says “see you later” to the RSPO, or is it “goodbye”?

Published on the 30th of July, 2018

(RSPO)

“In response to the RSPO Complaints Panel’s damning verdict on GOLDEN VEROLEUM LIBERIA (GVL)... GVL has announced a decision to ‘voluntarily withdraw’ its RSPO membership.”

“This move seems to have had the blessing of its lead investor, the Singaporean-registered palm oil giant Golden Agri-Resources (GAR), arguably placing GAR itself in violation of the RSPO Code of Conduct. This should raise a red flag for GAR’s investors and customers, especially in light of a recent Friends of the Earth report citing GAR’s financial ties to prominent global firms such as *BlackRock*, *Vanguard*, *Rabobank*, *Citibank*, *Robeco*, *Northern Trust* and the UK’s *Silchester International Investors*, as well as GAR’s buyers, including *Nestlé*, *Procter & Gamble*, *Unilever*, *PZ Cussons* and *PepsiCo*.”

“GVL’s palm oil concession in Liberia has been troubled from the outset. Given GVL’s continued adherence to the ‘cheap land – cheap communities’ concession model, which externalises costs to the environment and to human rights, this is no surprise. Nor will this be a surprise to Liberian community and civil society actors who have grown tired of hearing GVL’s ‘market-leading’ rhetoric, while they report the company to the RSPO for taking community land without consent, despoiling grave sites, levelling tower-block high forests, and latterly, building their first processing mill on the Blogbo community’s sacred hill.”

(Lomax, 2018)

October:

Power to the People

Published on the 10th of October, 2018

(Community Forest)

“Liberia is seeing in a new age of progressive, community forestry that – if done right – has the potential to be an exemplary model for others to follow.”

Global Witness’ “new investigation ‘Power to the People’ reveals that this community forestry permitting system is being hijacked by rapacious logging companies and a complicit Forestry Development Authority.”

“Logging companies are using a number of tricks to undermine community forestry in Liberia, including:

- **Seizing control over community** forests before permits have even been awarded to communities.
- **Drawing communities into secret pacts** by working with local elites who haven’t been formally elected by the people to represent their interests.
- **Exploiting legal loopholes** to take advantage of weaker areas of regulation and maximise their profits.

“This is not the first time that the Liberian forest has been hijacked by large rapacious logging companies – the Private Use Permits scandal in 2012 saw the logging industry exploiting licenses designed for small operators, with millions of hectares of land handed over to illegal loggers.”

Global Witness’ “research also points to companies affiliated to the notorious Malaysian company, Samling Global, playing a leading role in prising control over Liberia’s rich and diverse forest ecosystems, away from communities, and for themselves.”

“It is perhaps no surprise that Samling-linked companies, which came in for some of the most severe criticism in the official investigation into Private Use Permits yet were never sanctioned, are coming back with a vengeance.”

“Global Witness is calling on the Liberian government to take immediate action to investigate and cancel any unlawful company-community agreements, and ensure that its own rules are followed when new community forests are approved.”

“We are also calling on donors including Norway, the European Union, and the UK to press Liberia to implement the promised independent investigation into the legality of each existing permit, and ensure that any illegally logged timber isn’t being traded for profit by these exploitative companies.”

(Young, 2018)



Medium-scale logging permits in community forests have the weakest regulations, allowing companies to cut even more timber.

(Credit: Global Witness, 2017; as cited in Young, 2018)

December:

Five Counties ‘Red Zones’ for Land Conflicts in Liberia Published on the 11th of December, 2018 (Land Disputes)

“The Liberia Land Authority (LLA) has said Liberia continues to experience huge land conflicts in Montserrado, Margibi, Nimba, Bong, and Grand Bassa counties as these are the “red zones” of land conflicts in the country. This assertion comes against the current backdrop of a spate of land-related conflicts which appear to be on the increase.”

“Counties in the southeast continue to report low land disputes, with some recording three to four in a year.”

(Worzi, 2018)

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January:

Forest is our ancestral land, Sengwer community say resisting eviction Published on the 4th of January, 2018 (Displacement, Conservation, Rights & Land Grabbing)

“Sengwer, an indigenous community living within Cherangany Hills, Embobut and Kabolet forests have protested ongoing evictions of locals from their ancestral land, to pave way for a European funded programme dubbed the Water Tower Project.” “Through their representatives, the community is calling on Parliament to launch an inquiry into the Ministry of Environment and Natural Resources for allegedly trampling on their rights to live peacefully.”

Yator Kiptum, a local, stated that Indigenous communities should be involved in order to conserve the forest.

“The government should respect the constitution. The need to come, we agree on how we shall continue to live in our ancestral land while protecting it,... We do not understand why the Kenya Forest Service has continued to evict our people while burning their houses and yet that is a communal land. They better kill us but we shall not vacate our land.”

“Locals have narrated their ordeal under the hands of Kenya Forests Service officers, where some have sustained gunshot wounds during forceful evictions and torching of their property, but even with that, they have vowed to fight for their rights.”

(Muraya, 2018)



Joseph Kilimo Chebet, father of five, inspects the remains of his homestead in Kenya. He says it was burned down by Kenya Forest Service officers.

(Photograph: Tony Karumba / GroundTruth/ICIJ; as cited in Watts, 2018)

On the **9/1/2018** Jomo Nyanguti, was shot and killed by Kenyan police officers during a protest regarding the controversial construction of the Bonyunyu Dam. Jomo reportedly confronted police officers who were guarding surveyors mapping the site. Police also arrested three people during the confrontation. Residents say the dam will displace thousands of people from their ancestral lands. Project planners, on the other hand, have claimed just two homesteads will be affected. Several local politicians have been warned to keep quiet about the project. Residents are demanding public participation in the planning process, and say that the project planners have not yet discussed compensation for lost lands and livelihoods. Local politicians have likewise demanded the project be shelved until proper consultations undertaken (1. & 2.).

On the **16/1/2018** Robert Kirotych (41) was shot and killed by EU-funded guards working for the Kenya Forestry Service (KFS). Another wounded man, David Kipkosgei Kiptilkesi was taken away by the guards and his condition unknown. Kirotych was shot while herding cattle in Kapkok Glade, in the Embobut Forest area of the Cherangany Hills in west Kenya when he was attacked by a group of around 40 guards working for KFS. "The guards are working for the EU-funded Water Towers Protection and Climate Change Mitigation and Adaptation (WaTER) project, a 31 million Euro programme which states its aim as being to help eradicate poverty through improving the productivity of ecosystem services in two of Kenya's five water towers". Many other Sengwar have been targeted

EU suspends Kenya water conservation funding after tribesman killed

Published on the 17th of January, 2018

(Displacement, Conservation, Rights & Land Grabbing)

"The European Union has shelved a 3.6 billion shilling (\$35 million) water conservation assistance scheme to Kenya after forest guards killed a member of a community indigenous to one of the forests involved in the project. The programme was helping Kenya plant trees, restore degraded land and protect water catchment areas in highland forests, which are major sources of water that flows into Lake Victoria and the Nile basin."

"Stefano Dejak, the EU ambassador to Kenya, said Tuesday's killing of the man, and the shooting of another, in Embobut forest in the west of the country, came after the bloc had told the government it would reconsider financial support if the use of force against innocent locals persisted."

"The Office of the United Nations High Commissioner for Human Rights reported on its website that three UN Special Rapporteurs had expressed concerns about the recent reports of evictions of Sengwer inhabitants, the EU said in a statement. It said the dead man was a member of the Sengwer, an indigenous group in the area. "The conservation work on the water towers was never expected to involve any evictions or use of violence," it said in a statement."

(Reuters, 2018)

April:

Kenya suspends land allocation as nine injured in attacks

Published on the 19th of April, 2018

(Land Disputes)

"Kenya suspended a land distribution programme on Thursday after nine people were shot or attacked with crude weapons in six days, with local officials facing investigation for their role. Land minister Farida Karoney said deteriorating security forced her, in consultation with the interior ministry, to stop the allocation of 44,000 acres (17,806 hectares) of land in Mwea about 100 km (62 miles) northeast of the capital Nairobi.

"Conflicts over land are common in Africa, especially where colonial governments evicted indigenous people, leaving newly independent states to resolve disputes between communities with ancestral ties and more recent occupants and buyers."

"Ownership of the land in Mwea has been in dispute for decades after people were forced off the land by the British. The issuance of title deeds since 2016, in a bid to resolve several claims that had been in court, has inflamed tensions."

"Four people were shot by the police on Wednesday after a group tried to attack a crowd at a land allocation exercise, interior ministry spokesman Mwenda Njoka said by phone. This followed an earlier attack on Friday, when a gang carrying machetes and sticks set upon five people driving to a land allocation event and burned their vehicle."

(Mwanza, 2018)

August:

Kenya: Indigenous peoples targeted as forced evictions continue despite government promises

Published on the 9th of August, 2018

(Land Disputes)

by the KFS. Three UN Special Rapporteurs - John H. Knox, Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment; Michel Forst, Special Rapporteur on the situation of human rights defenders; and Victoria Tauli-Corpuz, Special Rapporteur on the rights of indigenous peoples- wrote to the EU urging them to suspend funding to the WaTER Project. “We call on the Kenyan authorities to urgently halt the evictions of Sengwer community and undertake impartial investigations of these attacks. Furthermore, we urge the European Union to suspend funding for the project until measures have been taken to uphold international standards on indigenous peoples’ rights” (3. & 4.).

“The Government of Kenya must not break its promise to respect the rights of Indigenous forest peoples who are still being forcibly evicted from their homes, having their property destroyed and seeing their traditional way of life trampled upon, Amnesty International said on International Indigenous Peoples’ Day.”

“In April of this year President Kenyatta, responding to a question on evictions of Indigenous peoples from forests said, ‘Ours is not to interfere with traditional communities who have lived there. We have done a lot to allow people in those areas, who use those areas for traditional rights, to continue enjoying their practises’.”

“Rather than respecting the land rights of the Sengwer people of Embobut Forest, and the Ogiek of Mount Elgon and Mau and working with them as partners in conservation, the Government is forging ahead with an outdated fortress conservation model. Entrusting the forests to the Kenya Forest Service alone will not keep Kenya’s forests and water towers safe,’ said Irungu Houghton, Executive Director of Amnesty International Kenya.”

In April this year, a government-mandated Task Force found that the Kenya Forest Service had “overseen wanton destruction of our forests”, and “systematically executed plunder and pillaging of our water towers”.

“State violence against the Sengwer is ongoing. In July, Sengwer representatives reported that Kenya Forest Service guards demolished the houses of three families, stole Kshs 100,000 (\$1000 USD) and destroying household possessions. These houses were located outside the designated forest area. There is concern that the Sengwer are being targeted as a community who have objected to forced evictions in Embobut forest.”

“Last week, Government Special Forces units gathered outside Embobut forest to launch an operation to tackle cattle rustling, which has claimed four lives in recent weeks. Based on past experience, many Sengwer fear the operation could be a pretext to carry out further forced evictions of Sengwer living peacefully in the forest.”

(AI, 2018)

Police remove the body of a man who was shot dead in Bonyunyu, Nyamira County on January 9, 2017 as villagers protested the planned construction of a controversial dam. Photograph by MAGATI OBEBO | NATION MEDIA GROUP



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Malawi

April:

Malawi: Govt Should Keep Promises to Rural Residents, Protect Them From Mining Published on the 3rd of April, 2018 (Mining and Rural Populations)

“Information is key to protecting the health and the livelihoods of people in areas affected by economic development. And that is why a 10 percent cut in the Malawi Human Rights Commission's budget announced recently is such bad news. The commission plays a key role in the implementation of a new law that gives every citizen of Malawi the right to access information from the government.”

“Information about water quality and soil pollution is crucial for protecting the rights to health, water, food and a healthy environment. This is especially important for people who live in poor and rural areas and are exposed to increased risks, such as communities located near Malawi's mining areas.

“President Peter Mutharika signed the Access to Information Act more than a year ago, [however] people are still struggling to get access to information that they desperately need.”

“There have been several delays in the implementation of the new law. Now this cut in the 185,000,000 Malawian Kwacha (US\$255,000) 2017/2018 budget, just as the commission has taken on this new responsibility, will be a blow to the residents of rural mining regions.

“When we talked with the residents in Karonga, we also found that some families had been relocated by the companies without receiving adequate compensation for their houses, fields and land. The families – and in particular women – were not informed about the relocation process or about the compensation the government had required the companies to provide them.”

“Malawi's extractive industries are still in their infancy. The government and investors should respect rights and minimize the risks faced by communities and natural ecosystems, even as they push for economic development.”

(Rall, 2018)



Mining machinery left behind at Eland coal mine at Mwabulambo after closure in 2015. Locals said that before the mine was closed, they were not informed about the closure or how the company intended to mitigate risks stemming from the abandoned mining site.

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Morocco / Western Sahara

February:

Trade deals with Occupied Western Sahara illegal, rules EU Court of Justice

Published on the 28th of February, 2018

(Indigenous Rights, Trade and Military Rule)

“The Court of Justice of the European Union (CJEU) has ruled the EU-Morocco Fisheries Agreement illegal under international law, as it breaches the Saharawi people’s right to self-determination by including produce from Western Sahara, currently under military occupation by Morocco.”

“The ruling coincides with the 42nd anniversary of the proclamation of the Saharawi Arab Democratic Republic (SADR) and follows a statement issued on 10 January 2018 by the CJEU Advocate General Melchior Wathelet, who found the EU-Morocco Fisheries Agreement invalid.”

“The Advocate General said EU exploitation of Western Sahara fisheries “does not respect the right

of the people of Western Sahara to self-determination,” adding that no trade agreement between the EU and Morocco could legally apply to goods originating from the Western Sahara without the explicit consent of the Saharawi people. The ruling follows a campaign by the Western Sahara Campaign (UK) against the British government’s decision to uphold the deal, forcing it to refer the matter to the CJEU.”

“Hamza Hamouchene, War on Want’s Senior International Programmes Officer (North Africa and West Asia) said, “This judgement is very positive news for the Saharawi people and for anyone who stands in solidarity with people’s struggle for self-determination. For more than forty years, the Moroccan monarchy has continued its illegal occupation of Western Sahara while pillaging its natural resources from phosphates to tomatoes and fish stock.”

“Morocco has occupied three-quarters of Western Sahara, including the coastal strip, for over four decades (since 1975). More than 170,000 refugees live in camps in Tindouf, southern Algeria. In October 1975, the International Court of Justice rejected Morocco’s territorial claims over Western Sahara and recognised the Saharawi people’s right to self-determination.”
(Ekklesia, 2018)

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Ekklesia. (2018). Trade deals with Occupied Western Sahara illegal, rules EU Court of Justice. Retrieved from <http://www.ekkleisia.co.uk/node/25311>



Mozambique

On the **28/3/2018** Ericino de Salema, a prominent journalist and human rights lawyer, was abducted and assaulted. Three unidentified gunmen abducted Salema outside the headquarters of the National Union of Journalists (SNJ) in the capital, Maputo, beat him with their AK-47 assault rifles and left him unconscious along the Maputo Ring Road. This was “an apparent attempt to silence his critical commentary” (1.).

February:

Gemfields reveals and denies fresh human rights abuse claims in Mozambique

Published on the 13th of February, 2018

(Mining, Land Grabbing and Rig8hts Abuse)

“Pallinghurst Resources’s precious gemstones miner Gemfields is standing up to disturbing allegations of human rights abuses at the company’s Montepuez ruby mine in Mozambique, and disclosed it’s now target of a legal claim on behalf of 29 locals.

“The company, the world’s top coloured gems producer, accounting for roughly a third of the global supply of emeralds and rubies, revealed that human rights law firm Leigh Day had lodged a claim against the company and its Mozambican operating subsidiary, Montepuez Ruby Mining (MRM).”

“The allegations... come from individuals living in or around the mine in northern Mozambique, the world’s most lucrative ruby operation. [With claims ranging] from death and mistreatment of artisanal or unlicensed miners on the property to taking land without due process, often in collusion with security forces in the form of police or military.”

“The legal action seeks to hold Gemfields liable for alleged police actions against illegal miners, as it was the company who called officers on to Montepuez.”

“In the nine years since ruby deposits were first discovered in Montepuez, where the Gemfields concession is located and operated by its 75%-owned subsidiary MRM, locals say they have been forced off their land; armed robberies and violence have soared as speculators have flocked to the area; and a growing number of small-scale miners have been beaten and shot. Some say miners even have been buried alive.”

“Gemfields acknowledged that instances of violence had occurred on and off the MRM licence area, both before and after its arrival in Montepuez. It said those had often been between rival groups of artisanal miners and their handlers competing for control of territory, or involving security forces, typically in preserving the safety and wellbeing of employees, service providers and members of the local community.”

(Jasamine, 2018)



**Montepuez is an open-pit mine, considered the world's most lucrative ruby operation.
(Image courtesy of Gemfield; as cited in Jasamine, 2018)**

March:

Irresponsible Chinese mining operation threatens to wipe out coastal village in Mozambique Published on the 28th of March, 2018 (Mining)

“An irresponsible Chinese mining operation in Mozambique has put an entire coastal village of more than a thousand people at serious risk of being washed into the Indian Ocean, Amnesty International revealed today in a new report.”

“*Our lives mean nothing: the human cost of Chinese mining in Nagonha, Mozambique* exposes how the operations of mining company, Haiyu, likely contributed significantly to a flash flood in 2015 in the village of Nagonha, which destroyed 48 homes and left 270 people homeless. The Mozambican authorities' failure to regulate the industry in the wake of this disaster has also contributed to the risks to the village from the company's ongoing mining operations.”

“The devastating flooding in 2015 should have been the catalyst for the Mozambican authorities to address Haiyu's activities by implementing proper regulation... Their inaction has left the people of Nagonha at the mercy of a company that puts the pursuit of profit ahead of people's lives. Left unchecked, Haiyu's mining operations pose a grave danger of further catastrophic flooding that could wipe Nagonha off the map.” said Deprose Muchena, Amnesty International's Regional Director for Southern Africa.

“On top of the 48 houses destroyed by the flooding in 2015, local government authorities also recorded 173 more as partially destroyed. Local elders and authorities who had lived in Nagonha for more than 70 years told Amnesty International that they had no record of such floods occurring previously.”

(AI, 2018)

August:

NGO speaks out on mining human rights violations – Mozambique Published on the 31st of August, 2018 (Mining and Violence)

“The organisation 'Solidarity Mozambique', cited in a Voa Portugues report published online, has denounced human rights violation in Topuito, Larde district, Nampula province, where Irish mining

company Kenmare operates. According to the NGO, in July of this year, two people in the area were shot dead by alleged members of the armed forces, who the organisation says were guarding the mine at the time.”

“The executive director of ‘Solidarity Mozambique’, António Mutoa, asks how it is that mining company Kenmare is effectively garrisoned with government forces. The cause of the fatal incident remains unknown, the organisation says, but it has reported the case to the National Human Rights Commission and the Assembly of the Republic, and is now waiting for their intervention.”

“One of the victims, besides being shot, was found with signs of beating, his arms and legs tied.”
(CoM, 2018)

October:

Mozambique: Mining Companies Must Be Punished, Says Bar Association Published on the 25th of October, 2018 (Resettlement and Mining)

“The Mozambican Bar Association (OAM) has demanded that coal mining companies in the western province of Tete be held responsible for their failure to resettle people affected by their activities.”

“The companies in question are the Brazilian mining giant Vale, which operates an open-cast mine in Moatize district, and the Indian company Jindal, which is working in Marara district.”

“According to a statement published on Thursday, the OAM has already requested the Administrative Tribunal to order the Ministry of Land, Environment and Rural Development to collect fines from the two mining companies for their failure to comply with the approved resettlement plan. The fines would be enormous, at 10 percent of the total value of the Vale and Jindal undertakings.”

“Vale did resettle some of the communities affected by its Moatize mine, but that resettlement has always been vigorously contested as shoddy and unjust.”
(All Africa, 2018)



Haiyu Mozambique Mining Co. Lda heavy sands mining operation in Nagonha area, Angoche district, Nampula province, Mozambique © Amnesty International

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January:

Coal mining is causing Gombe women to suffer from miscarriages

Published on the 18th of January, 2018

(Mining & Miscarriages)

“On Saturday, January 13, 2018, Zachariah Ronah who is the leader of Miaganga in Gombe state spoke in Abuja during an event by an international organisation, Global Rights Nigeria, with the theme, ‘To Coal or Not To Coal: A Power Question’. He stated that Gombe residents had suffered health challenges including miscarriages as a result of coal mining.”

“In the reports, the women stated that they have been experiencing these health challenges which led to the death of their family members due to the polluted air, the source of water and their land.”

“Ronah also said that the women were now afraid to deliver their babies in the community and prefer to leave to go to other communities to deliver their babies before returning home. She said newborn babies are having health challenges transferred to them by their mothers during pregnancy.”

“The community head of Maiganga, Chief Kilanga Mela Dakachi, in his remarks accused the mining company operating the coal mine, Ashaka Cement Company, of not showing concern about the condition of the people. This is despite laying their complaints through writing and physical visits to the management.”

“According to him due to the pollution from the mining site they have not been cultivating their land anymore for the past eight years.”

(Hope, 2018)

May:

‘Lead poison leaves over 7,000 children, women in critical health condition’

Published on the 7th of May, 2018

(Mining and Well Being)

“About 7,000 people, mostly women and children, are adversely affected due to lead poison associated with mining activities in gold bearing zone of Nigeria.”

“The states are Zamfara, Kebbi, Niger, Kaduna, FCT and Osun states. Six thousand are receiving medicine in these communities, which is sponsored by Medecins Sans Frontiers (MSF).”

“In a related vein, Associate Prof. Samson R. Akinola of Osun State University said evidence showed that mining activities within the last five decades or so have impoverished the host-communities.”

“He stated that Nigeria is not utilising solid minerals for manufacturing and industrialisation, adding that gold and limestone mining and blasting iron ore result in displacement, dislocation and other attendant health consequences.”

(Essen, 2018)

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Republic of Congo

January:

Conservation giants implicated in public health crises among "Pygmies"

Published on the 8th of January, 2018

(Conservation, Displacement and Indigenous Rights)

"A Congolese organisation has recently raised concerns that conservation contributed to the deaths of several dozen children, mostly Bayaka "Pygmies," during an epidemic in 2016 in the Republic of Congo – the latest in a long line of related reports. The deaths have been attributed by a medical expert to malaria, pneumonia and dysentery, aggravated by severe malnutrition."

"Conservation-related malnutrition among Bayaka children in this region has been reported since 2005 at least, as the Bayaka are prevented from hunting and gathering on their lands by wildlife guards through violence and intimidation."

"These guards are funded and equipped by the Wildlife Conservation Society (WCS), one of the world's largest conservation organisations, and the logging company it has partnered with, CIB. Both organisations have failed to take effective action to prevent abuse."

"These guards have been accused of abusing Bayaka and stealing their food for over 13 years. One such attack that took place in Mbandza in early 2016 left one man hospitalized. In this way, the Bayaka are being illegally evicted from their ancestral homelands by threat of violence."

(SI, 2018)



A recent epidemic in the Republic of Congo is said to have been aggravated by the loss of indigenous peoples resources due to conservation and logging projects.

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Notes and References:

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Senegal

On the **6/4/2018** Mustapha Gueye went to investigate the sound of chainsaws near his house before being ambushed by loggers. The loggers broke both his legs, one of his arms, and then killed him with a blow to his skull (1.).

February:

Small gold mines in Senegal create high mercury contamination

Published on the 9th of February, 2018

(Mining and Mercury)

“A Duke University-led study has found dangerously high levels of mercury and its more toxic chemical cousin, methylmercury, in soils, sediments and rivers near artisanal gold mines in the West African nation of Senegal.”

“Nearly every sample we collected from in and around four mining villages contained mercury concentrations higher than regulatory standards set by the World Health Organisation and U.S. Environmental Protection Agency... In nearly all cases, the level of contamination was more than 10 times higher than these standards, with some cases up to 100 times higher... [Making these] some of the highest levels ever reported at artisanal and small-scale gold mining sites worldwide.”

“Mercury poisoning can cause a wide range of health impacts, including tremors, muscle weakness, vision and hearing impairments, and loss of coordination and balance. In severe cases, it can lead to birth defects or death.”

(Gerson et al., 2018: as cited in phys, 2018)



Senegalese gold miners process their ore to extract gold.
Credit:
Jacqueline Gerson, Duke University

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January:

Grand corruption in Sierra Leone – Faulty lines in flawed and costly mining agreements

Published on the 7th of January, 2018

(Corruption and Mining)

“The National Grand Coalition (NGC) Party has learnt with consternation, news reports that the Ernest Korma-led APC Government recently rushed three major mining agreements with little or no debate through Parliament.”

“The National Grand Coalition is of the view that these agreements were deliberately and clandestinely negotiated and signed by the APC Government to benefit a few highly placed individuals in cahoots with foreign nationals.”

“While the NGC Party understands and respects the role of Government in negotiating mining agreements and development programs involving national and, or international entities, it questions the motives of Government, when such an agreement is negotiated and signed in secrecy, and with very little or no consultation and involvement of the various chiefdoms and communities likely to be affected.”

The NGC considers the opposition Sierra Leone Peoples Party (SLPP) “to have aided and abetted [as well as] being complicit in the passing the following agreements” due to their failure in “exercis[ing] their constitutional mandate... by denouncing the process”.

- “A Large Scale Iron Ore License Agreement between the Government of Sierra Leone and a hitherto unknown firm called the SL Mining Limited.”

- “Contract Agreement between the Government of Sierra Leone and another unknown company, SierraMin Bauxite (SL) Limited, for Bauxite Mineral Prospecting and Mining in Port Loko District.”

(Thomas, 2018)

February:

Sierra Leone News: Another lawsuit for AML

Published on the 12th of February, 2018

(Relocation and Mining Waste)

“More than 2,500 villagers in nine villages in and around the mining communities in Tonkolili district have filed a lawsuit against African Minerals (SL) Limited (AML) and it’s two subsidiary companies including; Tonkolili Iron Ore (SL) Limited and African Railway and Port Services Limited at the Sierra Leone High Court. This is the second lawsuit against the British owned iron ore company and it’s subsidiary companies within a year after 142 claimants first sued them in the British court for mistreatment. The second lawsuit is based on 3 separate actions of iron ore and tailing sludge pollutions, violation of the country environmental laws, and stock piles of debris pollution.”

“According to the claimants lawyer, Sonkita Conteh, Director for NAMATI, their lawsuit is for the three companies [as] they are the license owners of the mine and that of the port”. The claim concerns the unlawful relocation of the communities of New Ferengbeya, Foria and Wondugu. “The entire relocation process by AML ended up disadvantaging the communities with no access to land to farm which affects their livelihood.”

It is also alleged that the “company allegedly polluted the swampland and water sources of those communities... [the] tailings of iron ore and ore sludge have been washed into the swampland of [the] communities.”

(Kabba, 2018)

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South Africa

On the **22/9/2018** Richard Spoor, a human rights attorney who represents members of the Xolobeni community, was arrested after a heated meeting with mineral resources minister Gwede Mantashe. “Spoor represents members of the Xolobeni community who are opposing an Australian-backed venture to mine ilmenite and other heavy minerals on community land south of the Wild Coast” ^(1.).

On the **6/12/2018** a petrol bomb was thrown onto Chris Koitsioe's home. The International Commission of Jurists considers the attack to be connected to Chris' activism. Chris is a community leader in Marievale community who consistently opposes eviction. For many years the 600 residents of the Marievale have made a disused military base their homes. Before they were violently evicted at gunpoint by the South African National Defense Force (SANDF), in November 2017, there were some who had lived there for two decades. Contrary to the provisions of South African legislation, the South African Constitution and international law and standards, they were forcibly evicted without a court order and by soldiers. Local leaders suspect existing and prospective mining in the area motivates their eviction ^(2.).

February:

**“There is something sick in the area”
Published on the 1st of February, 2018
(Mining & Disease)**

“Last year, the Benchmarks Foundation, a non-profit organisation based in Johannesburg, released a report titled “Waiting to inhale”. It came out of a three year long research project which looked at various communities in the Gauteng area and how their proximity to working and abandoned mines has very real consequences on their health. The communities looked at were Snake Park, Riverlea, Diepkloof, Meadowlands and Doornkop. The Danville area in Mafikeng was used as the control for the study. The main findings of the report were that acid mine drainage was a real threat to the communities.”

“Acid mine drainage (AMD) has been a major issue for the Johannesburg area and has been described as a “ticking time bomb” by Greenpeace. AMD is caused by the flow of polluted water from old mining areas and depending on the area, this water might contain high levels of salts, sulphate and other toxic heavy metals. This contaminated water pollutes soil and water as it spreads underground.”

“Additionally, the report found that the laws and regulations around rehabilitation and safety for people living around the mining dumps were not being implemented. The report found that mining waste was being deliberately placed near rivers and water sources and that the water sources in those areas were being contaminated. Lastly, the dust from the mining activities were a constant threat to the health of the communities.”

(Moosa, 2018)

March:

**Op-Ed: Ramaphosa's speech to the House of Traditional Leaders betrays SONA's promises on mining
Published on the 4th of March, 2018
(Indigenous Rights Reform)**

“Hidden among the detail of the 99-page bill that is justified as finally including the Khoi and San communities, the TKLB [Traditional and Khoi-San Leadership Bill] includes a crucial clause that would empower traditional leaders to sign agreements with investors in respect of communal land without obtaining the consent of those whose customary land rights are at issue.”

“The bill would provide a veneer of legality to the widespread, but unlawful practice of traditional leaders signing deals with mining houses in respect of communal land without prior consultation, or accountability in terms of the revenue generated. This practice has precipitated a wave of violent

protests across the platinum belt in North West Province and Limpopo, and in other former homeland areas where minerals such as iron, coal and titanium are concentrated.”

“Many of the traditional councils involved in dubious mining deals have no legal standing because they have failed to comply with legal provisions requiring them to include one third women and 40% elected members. The Department of Traditional Affairs cites this failure to transform as the reason for an amendment to the Traditional Leadership and Governance Framework Act (TLGFA) that is currently before the National Council of Provinces. Rather than address the failure to transform, the amendment removes the consequence of legal invalidity for non-compliant traditional councils.”

“The thrust of the bills before the NCOP – the TLGFA amendment and the new TKLB – is to deal with the fact that traditional leaders do not currently have the legal standing to contract with mining houses in relation to communal land. Only the Minister of Rural Development and Land Reform, nominal owner of the land on behalf of the communities who live on it, has this authority. And he or she is bound by the Interim Protection of Informal Land Rights Act to obtain the consent of those whose informal land rights (as defined in the IPILRA) would be affected. If they do not consent, their rights must be expropriated. “

“[T]he previous minister, Gugile Nkwinti, stepped back in contravention of his legal and fiduciary responsibilities and ceded his authority to traditional leaders. The TKLB, which President Ramaphosa now says must be fast-tracked, attempts to legalise this abrogation of state accountability to ordinary people by, for the first time, explicitly empowering traditional leaders to sign such deals.”

“A lot is at stake.”
(Claassens, 2018)

April:



**A cliff collapsed by Tormin mine in 2016. (GroundUp)
(as cited in Pather, 2018)**

EC community seeks landmark ruling to defend their land against mining upset

Published on the 23rd of April, 2018

(Displacement and Legal Action)

“The North Gauteng High Court in Pretoria was packed to capacity on Monday with members of an Eastern Cape community who are resisting a foreign company to mine on their land.”

“The community of Xolobeni village is demanding the court grant a ruling that the Department of Mineral Resources cannot issue mining rights without their consent.”

“The court is expected to hear arguments from lawyers within the next three days.”

“The outcome of the case could end in a landmark ruling giving rural communities powers to refuse

companies to extract minerals from their land.”

“In 2007 residents formed the Amadiba Crisis Committee to stop Australian mining conglomerate Mineral Resources Commodities to mine titanium.”

“They have argued that mining would result in the mass displacement of households and destruction of their way of life. The community depends on fishing and farming in order to survive.”
(Mahopo, 2018)

It's not just Xolobeni: What the Australian mining company did in the Western Cape

Published on the 24th of April, 2018

(Mining and FPIC)

“The Australian mining company seeking the right to mine in Xolobeni in the Eastern Cape, has been lashed for its treatment of a community in the Western Cape where it has been accused of breaching its legal obligations. In the small community of the Matzikama Local Municipality, along the West Coast and some 300km away from Cape Town, resentment still lingers against the Australian company, Mineral Commodities Resources (MCR).”

“The Xolobeni community is now in court in Pretoria to stop the mineral resources department from handing mining rights over to the company without their consent. It could be a landmark case that would force the government and mining companies to engage with affected communities before rights to mine are granted.”

According to Oxfam “In the West Coast, the mine had hired 40 labourers from Xolobeni “to try and influence the the community in Xolobeni to look favourably on the proposed mine”,

“These 40 workers from the Eastern Cape community told Oxfam that they had lived in fear on the West Coast mine, because the Matzikama Local Municipality people were competing for jobs.”

“‘Indigenous people have the right to have their say. We know here that this mining operation will be disruptive of the cultural lives,’ Advocate Tembeka Ngcukaitobi, also representing the community, said in court.”

(Pather, 2018)

It's not just Xolobeni: What the Australian mining company did in the Western Cape

Published on the 24th of April, 2018

(Mining and FPIC)

“The Department of Mineral Resources (DMR) failed to make a distinction between “legal deprivation and physical deprivation”, the Pretoria High Court heard on Tuesday.”

“Advocate Tembeka Ngcukaitobi, representing the Amadiba Crisis Committee (ACC), was arguing that the consent of a community is needed before the Department can grant mining rights to a company.”

“The ACC has long battled to prevent Transworld Energy and Mineral Resources (TEM) from getting rights to mine titanium in Xolobeni, a village in Umgungundlovu on the Wild Coast. TEM is a subsidiary of Australian mining company MRC.”

“DMR lawyer Vincent Maleka argued on Monday that the award of a mining right cannot qualify as deprivation because the community would not experience any harm or loss. He said Ngcukaitobi could not argue that the community would be deprived just because mining rights were awarded.”

““Consent may come into play at a later stage, once the mining right has been awarded and the implementation phase begins, but consent is not required to grant mining rights,’ Maleka had told the Court.”

“But Ngcukaitobi said the award of a mining right constituted legal deprivation because the rights of indigenous people to the land were taken away.”

(Postman, 2018a)

July:

'I thank God I am alive': standing firm against mineral extraction in South Africa

Published on the 21st of July, 2018

(Rights Defenders and Mining)

“Nonhle Mbuthuma is battling for her community’s right to say no to the exploitation of their territory in a hangover of the apartheid era”.

“She is battling for her community’s right to say no to the exploitation of their territory... [Something] South African judges have been considering... since 20 April, when Mbuthuma and her neighbours got their day in court against an Australian mining company that has pushed for access to lucrative titanium deposits discovered in the russet dunes where she used to play.”

The Australian mining company, 'Mineral Commodities', has pushed for access to lucrative titanium deposits discovered in the russet dunes near their community. The company had plans to turn the area into an opencast pit for the extraction of zircon, rutile and titanium.

Mbuthuma has been 'pitted' "against her tribal chief and the regional government. Several of her fellow campaigners have been killed after being warned not to oppose a project that would bring jobs and money to one of the poorest regions in South Africa."

"[Mbuthuma's] tribe's current chieftain has failed [to fight to keep the land and ensure the people are happy]... by accepting a directorship in the mining company and a new 4x4 in return for approving a deal he had no right to make. Tradition, [Mbuthuma] said, dictated that such big decisions could only be made by consensus at a meeting in the great hall of the tribe."

"Mbuthuma and others opposed to the mine formed the Amadiba crisis committee in 2007. In 2015, four of their members were assaulted in the wake of a visit by mining consultants. A year later, the leader of the group, Sikhosphi "Bazooka" Rhadebe – was shot dead after he organised a road block to forestall drilling operations."

"Mbuthuma feels threatened by the supporters of the mining project."
(Watts, 2018)



Pondoland: as well as a multitude of endemic species, visitors are attracted by whales off the coast and rugged inland landscape. Photograph: Thom Pierce / Guardian / Global Witness / UN Environment

August:

Tribal chiefs face reckoning over rights to South Africa's rural homelands

Published on the 7th of August, 2018

(Mining and Right over Land)

"A hardscrabble patch of South Africa disputed between black farmers and tribal leaders working with platinum mining interests is legal ground zero in a battle to loosen the chiefs' grip on communal lands."

“Land rights are a hot-button issue ahead of elections in 2019 as the African National Congress (ANC) moves forward with a constitutional amendment aimed at a more equitable distribution of land, including possibly expropriating land from whites without compensation.”

“That prospect, evoking the chaotic land grabs that wrecked the economy of neighboring Zimbabwe, has grabbed headlines and alarmed investors despite repeated pledges by President Cyril Ramaphosa that things will be different in South Africa.”

“A related issue is also sensitive for the ANC, however: the plight of poor blacks vulnerable to forced evictions in tribal lands because of a system of property rights that dates back to the colonial era, before apartheid.”

“The “Homelands” make up only 13 percent of the land but are home to a third of the population, 17 million blacks, mostly subsistence farmers working tiny plots. Tribal councils control these areas, often determining who gets to farm or where cattle is grazed but also access to resources like water and minerals.”

“Transferring that control to those who occupy or work the land would have major repercussions both for companies who have been negotiating mining rights with the tribal chiefs for decades and for politicians who count on the chiefs to deliver the local vote.”

(Stoddard, 2018)



A sign is seen on a window at a village outside a mine in Moruleng, a small mining community, in Rustenburg, Northwest province, South Africa June 27, 2018. REUTERS/Siphiwe Sibeko (as cited in Stoddard, 2018)

South Africa continues Eastern Cape mining ban amid growing tensions

Published on the 7th of August, 2018

(Mining and Land Rights)

“A further two-year moratorium on mining rights in the South African province of Eastern Cape has not eased tensions between Australian mining company Transworld Energy and Mineral Resources (TEM) and local residents, as concerns over the availability of information and personal safety of the operation prevail.”

“Mineral Resources Minister Gwede Mantashe last week extended the ban, which had been due to expire in December this year, following public opposition to and legal action against the proposed TEM Xolobeni titanium mine. The moratorium, which also prohibits authorities from awarding new mining licenses in the region, was put in place to encourage both sides to reach an agreement before mine work begins.”

“However, local residents have claimed that the moratorium operates in favour of TEM, as the company will have more time to prepare itself ahead of a backlash should the licence be granted. The Department of Mineral Resources is also facing a separate court challenge over its right to grant mining licences at Xolobeni, and critics have claimed that the moratorium has granted Mantashe and his department time to prepare an appeal in case the ruling goes against them.”

“The ban follows months of local unrest at the proposed mine. The Amadiba Crisis Committee (ACC), whose chair Sikhosphi ‘Bazooka’ Rhadebe was assassinated in 2016 following his opposition to a separate mining application made by Perth-based Mineral Commodities Limited, has launched legal action against TEM. Richard Spoor, who represented the ACC, argued that local residents were left ‘completely in the dark’ about potential impacts of the operation on them, and that should the company be granted permission to mine, residents would be displaced from their homes and agricultural land.”

(Casey, 2018)

October:

'Massive victory' for small community in mining rights case - LHR

Published on the 25th of October, 2018

(Mining)

“Having a mining right does not surpass the rights of those who currently occupy the land.”

“This finding was made by the Constitutional Court on Thursday as it set aside an eviction order obtained by Pilanesberg Platinum Mines and Itireleng Bakgatla Mineral Resources (IBMR) against 13 families living on the farm Wilgespruit in North West.”

“The Constitutional Court held that the holder of a mining right must exhaust all procedures contained in the Mineral and Petroleum Resources Development Act (MPRDA) before resorting to an interdict to restrain interference with its mining activities.”

“The Lesetlheng community is a constituent part of the Bakgatla-Ba-Kgafela community, and contended that mining activities should not occur on its farm without its consent.”

“The matter has its beginning in 2003 when the Traditional Council of the Bakgatla-Ba-Kgafela Community registered IBMR Pty Ltd for the purpose of obtaining a prospecting permit. IBMR was granted a prospecting permit a year later.”

(Mabuza, 2018)

November:

Wild Coast mine blocked by Pretoria court

Published on the 22nd of November, 2018

(Mining and FPIC)

“Government and companies must obtain “full and informed” consent from communities before granting mining rights, says judge”.

“In a landmark judgment on Thursday morning, the North Gauteng High Court ruled that the Department of Mineral Resources (DMR) has to obtain “full and informed” consent from communities under customary law before granting mining rights to companies.”

“Members of the Amadiba Crisis Committee (ACC) and lawyers from Richard Spoor Attorneys celebrated outside the courtroom after the judgment was handed down. ACC has been fighting against mining operations in Xolobeni, a village in Umgungundlovu on the Wild Coast.”

(Postman, 2018b)

December:

N2 Highway: communities were not consulted, court told

Published on the 5th of December, 2018

(FPIC)

“The State’s consultation process with communities affected by the construction of the N2 Highway through the Wild Coast was “procedurally unfair”, the North Gauteng High Court was told on Tuesday.”

“This argument was made by Advocate Geoff Budlender, representing Sinegugu Zukulu, a resident of Umgungundlovu in the Eastern Cape. The South African National Roads Agency (SANRAL) and the Department of Environmental Affairs are respondents in the case.”

“In October last year, the North Gauteng High Court granted Zukulu the right to object to the authorisation of the highway by the Department. Zukulu is currently the only applicant in the case after

the other four applicants, who represented other villages in the area, withdrew.”

“Zukulu is arguing that the road will pass through ancestral land, disrupting communities and gravesites, and that there had been no meaningful consultation with affected communities before the project was given the go ahead.”

“The Department of Environmental Affairs said that extensive consultation had taken place.”
(Postman, 2018c)

**South African indigenous community win environmental rights case over mining company
Published on the 7th of December, 2018
(FPIC and Mining)**



**Nonhle Mbuthuma - Xolobeni, South Africa - 25th February 2018
(as cited in UNE, 2018)**

"A court has ruled that companies must first seek permission from local communities if they plan to mine on their ancestral land. This represents a new achievement in land and mining rights for South Africa."

A historic victory for the community of Xolobeni as the principle of Free Prior and Informed Consent has been upheld for communities and indigenous peoples' in South Africa.

"Xolobeni is home to the Umgungundlovu community, and some 70 to 75 households comprising more than 600 people. The land they live on provides the community with food and grazing for their livestock, water, firewood, medicinal plants as well as their livelihoods be it agriculture or tourism. Xolobeni is not just home to the living; it is the final resting place of many of the community's ancestors. The land has deep spiritual, religious and cultural importance."

"Thus, when a large open-cast titanium mine was planned in the area, that would displace the community and degrade the land, the community formed the Amadiba Crisis Committee to coordinate the fight against the mine. Formed in 2007, for over a decade the community has fought off the often severe acts of intimidation, threats and even alleged murder levelled against them, to finally have their rights protected and respected in November 2018."

(UNE, 2018)

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Tanzania

On the **22/2/2018**, human rights defender Godfrey Luena was attacked and killed by unknown assailants outside his home in the Morogoro region, Tanzania. Godfrey Luena was a land rights defender in for his village, Namwawala, in the Kilombero District of Morogoro. He worked as a human rights monitor for the Legal and Human Rights Centre and as a monitor against the illegal appropriation of land in his community. The human rights defender had been subjected to multiple arrests, judicial harassment and intimidation due to his work defending land rights, work which he continued as a Namwawala Ward Councillor ⁽¹⁾.

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Uganda

Between the **8&9/9/2018**, unknown people broke into TLC's premises in Fort Portal through the ventilators and stole some properties including a hand watch, a t-shirt, and a hot plate cooker. No computer, camera, printer or other valuables were taken, which makes the hypothesis of theft less likely and suggests that the real intent of the break-in was intimidation. This was the third break-in on TLC's premises in a month. TLC's members have been involved in legal efforts to challenge a local company's acquisition of 20 crater lakes and the eviction of communities in Kabarole District. It is since this that members TLC have been experiencing threats and attacks ⁽¹⁾.

March:

Uganda: Buliisa Residents Demand Affirmative Action On Land and Property Ownership Published on the 6th of March, 2018 (Land Rights and Oil)

"Residents of the oil-rich Buliisa district have petitioned Government to implement for them an affirmative action programme intended to protect their land rights."

"During the different dialogues organized across seven sub-counties and one town council, with support from ActionAid Uganda, residents and their leaders decried the increased insecurity over land ownership ever since commercial oil reserves were discovered in the district.

"Many speculators claiming customary land have come to Buliisa district ever since oil was discovered, we need Government protection over our own land' Mr Blasio Mugasa, a former Bunyoro Kitara Kingdom deputy Prime Minister told the meeting at Buliisa town Council."

"Majority of Buliisa communities have held land communally since time immemorial. However, the oil discovery in the rural district has attracted wealthy individuals who are processing communal land titles into private freehold titles."

(Buliisa, 2018)

September:

Indigenous groups petition Kadaga over abuse of their rights Published on the 6th of March, 2018 (Land Rights)

"The coalition of Indigenous Minority groups petitioned Speaker Rebecca Kadaga calling an end to violation of their social, economic, political and psychological rights."

"The group comprising of Batwa, Malagoli, Banyabindi, Beneti and Bamba, decried the continued sidelining in Government programs, arguing that this has left their lives at risk."

"In their petition to Parliament, the indigenous Communities pointed out forced land eviction and grabbing, as well as denial to health care services, saying this has left the marginalised people, despite being citizens in Uganda."

"While presenting the petition on behalf of the group, Elisha Mugisha, Omukama Wabanyabindi cited the forceful eviction of the marginalized people by Government in guise of carrying out development projects in their areas has been cited as a big challenge hence this has left many lose their identity and disrupts their cultural socialisation."

(Leni, 2018)

November:

Uganda: 40 Percent of Karamoja Land Owned By Govt - Report Published on the 29th of November, 2018 (Land Rights)

"At least 40.8 percent of Karamoja land has been gazetted for conservation by government and locals restricted from using it optimally, a human rights report has revealed."

"The report on 'extractive industries, land rights and indigenous population/ communities rights' arises from a survey conducted between 2003 and April 2016 by African Commission on Human and People's Rights and the International Work Group for Indigenous Affairs."

"The report indicates that the would-be communally owned land by the people of Karamoja has continued to be under the control of government as conservation land."

"As with most pastoralist communities, the Karamojong traditionally managed their lands under communal tenure; however, such management was not homogenous and smaller parcels of land were nested and owned by families within larger communal area."

"The viability of this tenure system has, however, been slowly eroded over the last century leaving Karamojong legally landless."

"Many including the government have taken advantage of the Karamojong nomadism to deny them the right to their lands and in absence of documented ownership, these more powerful interests have appropriated whatever they have deemed necessary. By 1965, up to 95 percent of Karamoja was gazetted as conservation areas, upon realising that the Karamojong communities already occupied the large percentage of this land. In 2002, Parliament de-gazetted 53.8 percent of the total land area, thereby reducing conservation areas to 40.8 percent," the report reads in part."

"The land law vests land ownership in the hands of the citizens and not the State and it goes ahead to protect the human rights of the owners."

"Karamoja in the northeastern part of Uganda is host to more than 50 economic minerals including gold, silver, copper, iron, gemstones, limestone and marble."

(Wandera, 2018)

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Caribbean



Antigua & Barbuda

April:

Paradise lost? Barbuda land activists seek action from Commonwealth Published on the 16th of April, 2018 (Land Rights and Privatisation)

“Activists are urging Commonwealth leaders meeting in Britain this week to throw their weight behind a campaign to preserve a centuries-old communal land ownership system on the Caribbean island of Barbuda.”

“After Britain abolished slavery in its colonies in 1834, Barbudans developed a system of communal land ownership, now threatened by government plans to introduce private land ownership to boost development and tourism.”

“Barbudans in Britain are calling on the Commonwealth, a 53-country body of mostly former British colonies, to put pressure on Gaston Browne, prime minister of Antigua and Barbuda.”

“Many Barbudans fear a freehold system, as is operated in Antigua, would be a first step for increased foreign investment on the island, which receives no cruise ships and far fewer visitors than its tourism-dependent neighbour.”

“The bitter legal dispute gathered momentum in late December, when parliament passed an amendment to a decade-old law that enshrined communal land ownership. The amendment weakens the law’s provisions by allowing private land ownership and opening the door to foreign investment, activists said.”

(Suliman & Scruggs, 2018)

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South America



Argentina

On the **25/7/2018** lawyer and human rights defender Iván Bordón was detained in Tostado, Argentina, while he was legally representing a family during a police raid on their home. The police forces that carried out the raid prevented him from monitoring it, and when the defender complained, he was beaten by police officers and detained for 'resistance to authority'. As well as being a Human Rights Defender and Lawyer, Iván Bordón is also a member of the organisation Norte Amplio por los Derechos Humanos (Wide North for Human Rights). As a human rights defender he has advocated for small farmers who have suffered human rights violations from the loss of their land in northern Argentina ⁽¹⁾.

January:

Defiance of the Mapuche

Published on the 11th of January, 2018

(Land Rights and Privatisation)

"The Mapuche people of southern Argentina and Chile have long protested the loss of ancestral lands at the hands of the colonial-era settlers. The settlers followed Spanish conquistadors down the spine of South America in the 16th century, territory that nowadays is dominated by vast privately owned estates and huge timber plantations. Campaigners say the plantations have left the region environmentally depleted and the indigenous inhabitants mired in poverty."

"Increasingly forceful Mapuche activists, determined to establish their rights through direct action, have clashed with correspondingly belligerent security forces - the latter egged on, say protesters, by right-wing, pro-business governments in both countries. After occupations, demonstrations, security raids, a rash of arson attacks on timber estates, the alleged murder of activists by police, some fear that matters are beginning to spiral out of control."

"The Mapuche are attempting to reclaim their ancestral home, a desperate gambit that has brought them into increasingly bitter conflict with the authorities."

Filmmakers Glenn Ellis and Guido Bilbao followed Adolfo Pérez Esquivel, the 1980 Nobel Peace Prize laureate and a man who has been championing the Mapuche cause, in the wake of anniversary of "Argentina's 30,000 missing - people who were 'forcibly disappeared' by the dictatorship of the 1970s."

A fitting setting as Santiago Maldonado - a young man who last August became tragically caught up in the Mapuche conflict, "was last seen alive fleeing police during a raid at the Mapuche community of Pu-Lof, where villagers are locked in a land dispute with Italian clothing giant, Benetton". Benetton owns a vast estate in the area. "Maldonado had gone to support the community which had occupied a tiny fraction of the estate, much of which they regard as ancestral land, taken from them many generations ago by force."

According to Esquivel, "The government privileges big foreign companies over indigenous people. They are discriminated against, marginalised, pursued ... victimised."
(Ellis & Bilbao, 2018)

December:

Indigenous Argentine group sues energy multinationals

Published on the 17th of December, 2018

(Land Rights and Privatisation)

"A major group of indigenous people living in Argentine Patagonia are taking some of the world's biggest oil and gas multinationals to court for "environmental contamination," Greenpeace said on Monday."

"The Mapuche are suing American giant Exxon, French company Total and the Argentina-based Pan American Energy, which is part owned by BP."

“Two more Argentine oil and gas companies -- YPF SA and Pampa Energia -- are named in the lawsuit, along with the local Neuquen province authorities and Treater, a local company operating a treatment plant for fracking waste.”

"The Neuquen Mapuche Confederation accuses the oil and gas companies of harming the environment with "dangerous waste" due to "deficient treatment" close to the town of Anelo, some 1,200km (750 miles) south of the Argentine capital Buenos Aires.”

“Following an investigation, Greenpeace published a report in which it accused Total and British-Dutch group Shell -- which does not figure in the Mapuche lawsuit -- of dumping "highly toxic oily sludge waste.””

(Ellis & Bilbao, 2018)



This handout photo distributed by Greenpeace on December 17, 2018 shows an illegal waste dump, where toxic fracking waste chemicals are poured in Vaca Muerta, Neuquen province, Argentina GREENPEACE/AFP

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1. Front Line Defenders. (2018). Iván Bordón attacked and detained by police. Retrieved from <https://www.frontlinedefenders.org/en/case/ivan-bordon-attacked-and-detained-police>

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Bolivia

On the **25/7/2018** two policemen tried to detain human rights defender and lawyer Nelson La Madrid at a bus station in Cochabamba. He was about to travel from Cochabamba City to Lagunillas to be party to a litigation on the Rositas Hydroelectric Project case. The following day, a judge declared the indigenous communities' popular action against the Rositas Hydroelectric Project inadmissible. Human rights defender Nelson La Madrid is providing legal representation to Tatarenda Nuevo and Yumao indigenous communities in their case against Bolivia's Electric National Company (Empresa Nacional de Electricidad de Bolivia ENDE) to stop Rositas Hydroelectric Project. The human rights defender believes that pressure and intimidation by ENDE's legal team and the Attorney General's Office led two judges to step down from the case and the third to rule against the popular action, which would have ensured the protection the indigenous communities whose livelihoods will be seriously affected by Rositas Hydroelectric Project (1).

Notes and References:

1. Front Line Defenders. (2018). Nelson La Madrid continues to receive death threats. Retrieved from <https://www.frontlinedefenders.org/en/case/nelson-la-madrid-continues-receive-death-threats>



Brazil

2017:

In 2017 Brazil was the deadliest country on the planet for rights and environmental rights defenders, with 46 deaths reported by Global Witness and the Guardian (Ulmanu, Brown & Evans, 2018). Second only to the Philippines that registered 41 deaths (ibid).

Alleged Massacre of Uncontacted Tribe Linked to Gold Mining Published on the 8th of December, 2017 (Mining and Violence)



Authorities seized this illegal gold dredge on the Jutai River, near the boundary of the Javari Indigenous Land, during an expedition in 2002. Photograph by Scott Wallace

At the end of January Evaldo Florentino was killed, by two gunmen who had their faces covered, in Espirito Santo, Brazil. Evaldo was the son of one of the main leaders in the fight for the demarcation of the Quilombola territory. Evaldo suffered several threats by state authorities and was even accused of murder in 2016. Due to this persecution by the State, Evaldo and his family were included in a protection program for human rights defenders. The land struggles in the Quilombola territory are mainly due to conflicts with wood and forestry companies such as Aracruz Celulose (Fibria) Suzano and Disa, as well as landowners linked to the sugar and alcohol sector. Currently, there are more than 32 quilombola communities living under a strong climate of tension and persecution by the police, companies and judiciary ⁽¹⁾.

On the **10/1/2018** Valdemir Resplandes was executed in Anapu, Pará. He was stopped by two men while riding his motorbike, he was shot in the back and, once on the ground, in the head. According to witnesses the men left on foot, without taking anything. The region is the scene of agrarian conflicts between alleged landowners and settlers. "As many activists in Brazil, he fought for land and water, threatened by loggers, farmers and even by groups linked to private and state enterprises. His murder came after receiving several threats over a land dispute with a local businessman" ^(2 & 3).

On the **21/1/2018** Raimundo Saw Munduruku, an indigenous leader from Tapajós, was shot in the leg. He is one of the leaders of the indigenous people of the Amazon

"In a major crackdown on illegal gold prospecting that threatens isolated tribes in the far reaches of the Amazon rainforest, Brazilian army soldiers and indigenous affairs agents have destroyed mining platforms along a remote river where an alleged massacre of tribal people was reported two months ago." "Officials of the indigenous affairs agency, FUNAI, said that ten gold dredges were blown up on the Jandiatuba River during an expedition late last month, and more than 30 miners were detained and charged. Officials said the prospectors were released on their own recognizance, and the expedition proceeded upriver to look for any enduring signs of a possible clash between miners and indigenous inhabitants of the region." (Wallace, 2018)

February:

Land fight simmers over Brasília's Shrine of Shamans Published on the 6th of February, 2018 (Land Conflict)

"A plot in downtown Brasília - known as Santuário dos Pajés or Shrine of the Shamans - is at the center of a conflict between indigenous people hoping to preserve their traditional way of life and developers eager to build an upmarket neighborhood."

"This conflict centers on Brasilia's urban power base. Just minutes from the National Congress, the Shrine of the Shamans - with its unpaved roads, forest and small houses - sits surrounded by lavish high rises."

"Conflict began a decade ago when the local government claimed it owned the Brasilia plot, prompting indigenous groups to counterclaim, saying the Fulni-Ó Tapuya had lived and performed religious ceremonies there for decades."

"To further complicate matters, the federal government said it took ownership of the area in 2008 and a year later sold it on to building firms to create a green and sustainable neighborhood called Noroeste (Northwest)."

Shaman Santxiê Tapuya is considered the founder of the sacred land which now has 180 indigenous people living in the area."

"According to court documents, a receipt from 1980 shows Santxiê bought an area of about 4 hectares (9.8 acres), the size of almost six football pitches."

"Indigenous locals say pressure to displace them from the area has steadily increased over the years. Last year "about 10 men - some armed - and three tractors invaded the Santuário dos Pajés' area, knocking down trees in the hope of clearing the land sufficiently to pave an avenue down its middle."

(Mendes, 2018a)

Toxic Water Seeps From Norwegian Mining Site in Brazil's Amazon Published on the 23rd of February, 2018 (Mining and Toxic spillage)

"After almost a week of denials by both Hydro Alunorte and Para state officials, experts from Brazil's Health Ministry confirmed that basins carrying residue deposits from a Norwegian mining operation overflowed last weekend, dumping toxic waste into waterways and soil around the metropolitan area of Para's capital, Belem, located in the Amazon region."

"The document issued on Thursday by the Ministry's Evandro Chagas Institute notes that the population of at least three communities in this region of the Amazon are at risk and

known for challenging government and multinationals to block new mega power plants in Amazon rainforest... About 65% of the energy produced in Brazil comes from hydroelectric plants. Only two rivers in the Amazon have so far not had dams built on them, the Rio Negro and the Tapajós, but not for long if political plans go ahead (4.).

On the **25/1/2018** leader of the Bahian Brazilian Landless Workers' Movement, Márcio Matos (33), was shot in his home in front of his son (5.).

On the **29/1/2018** three houses were burnt down in an act of arson in the indigenous Anderé village of Alta Floresta do Oeste, Rio Branco. The Villages generator was also stolen, leaving them without electricity and water. Bullet holes were found in the villages water storage containers. The indigenous community believes loggers and lumbermen are to blame for this senseless act as the community has complained over their presence in their traditional lands. The area is inhabited by Aikanã, Arikapú, Aruá, Djeoromitxi, Kanoê, Makurap and Tupari peoples (6.).

On the **1/3/2018** Maria Salestiana Cardoso, Ludmilla Machado and Maria do Socorro Costa have been receiving death threats, allegedly related to them being part of the demonstration against pollution from mining by Norsk Hydro. Maria do Socorro, as leader of the Association of indigenous people of the Amazônia, has been visited by the military police in several occasions. She stated she

recommends that potable water be provided to the population of those communities, who in their majority use shallow artesian wells as their water supply."

"after days of vehemently denying any environmental contamination, on Thursday both Para's environmental agency and Hydro Alunorte released statements saying they were looking into the claims. Norway's Hydro is one of the largest aluminum producers in the world, with offices and operations in over forty countries and with more than 35,000 employees worldwide." (Alves, 2018)



Population in Belem, Para is concerned with the red mud flowing from the Hydro Alunorte compound, photo internet reproduction; (as cited in Alves, 2018)

March:

Their forefathers were enslaved. Now, 400 years later, their children will be landowners

Published on the 5th of March, 2018

(Land Rights and a Legislative Victory)

"It was a modest ceremony for such a significant victory: it is not every day that the descendants of enslaved people are given the title to their land. But there was no doubt of its importance at a time when the protection of Brazil's traditional rural communities is threatened by a conservative government in league with powerful agribusiness interests."

"This weekend, Simão Jatene, the governor of Pará state, signed a document giving land titles for more than 220,000 hectares of Amazon forest to an isolated community populated by descendants of enslaved people who escaped centuries ago." (Phillips, 2018)

Norway mining giant apologises for toxic leak

Published on the 20th of March, 2018

(Mining and Toxic spillage)

"Norwegian mining company Hydro Alunorte apologized to the population of Barcarena (a town outside Belém, capital of the northern state of Pará), and decided to expand the reassessment

lives in a constant state of panic. Company denied allegations (7.).

On the **12/3/2018** Community leader Paulo Sérgio Almeida Nascimento (47), was shot to death in rural Barcarena, outside Belém. Nascimento was a member of an association made up of the descendants of slaves and people of mixed indigenous descent. It was known for bringing environmental crimes to light. Nascimento and other members of the association had, for some time, been questioning the operations conducted by companies like Norwegian mining firm Hydro AluNorte, whose toxic waste polluted nearby rivers last month. Hydro AluNorte said it condemns any violent act and denied any link between its operations and the acts committed against the population, local communities, and their leaders (7.).

On the **17/3/2018** Wildianeí Souza Gomes and 10 other members of the Landless Workers Movement (MST),

of water treatment and effluent management systems throughout the area comprised by the refinery, after the mining giant was once again indicted for spillage of toxic waste into the Pará river.” “Early in February, the firm contracted Brazilian consultancy SGW Serviços to assess the water treatment model and verify whether the refinery’s effluent management system had been operated appropriately.” “The leak of toxic waste was reported by locals, who noticed color changes in streams and one river from February 16 to 18. Days later, the Evandro Chagas Institute, linked to the Health Ministry, released a preliminary report showing there had been a toxic spill, which posed a risk to the health of local population of at least three nearby communities.” (Rodrigues, 2018)

The three women of Barcarena: threatened, persecuted and intimidated

Published on the 22nd of March, 2018

(Threats and intimidation)

Maria Salestiana Cardoso, Ludmilla Machado and Maria do Socorro Costa are threatened with death in Barcarena, northeast of Pará. They are “poor women, black, [living on the] riverside.” They have been intimidated for their role in denouncing the contamination from the tailings spillage from local bauxite production, Hydro Alunorte. They have been intimidated, persecuted and are, consequently, frightened due to their position against Norsk Hydro bauxite mine/refinery. Against the wealth of the aluminium industry Barcarena lacks basic sanitation, clean water, and suffers severe environmental impacts and social inequality. (Barbosa, 2018)

Brazil ignored U.N. letters warning of land defender threats, record killings

Published on the 23rd of March, 2018

(Violence and Mining)



A grieving Akroá-Gamellas woman just after the April attack. Members of the indigenous group were assaulted by Brazilian farmers while trying to occupy their indigenous ancestral territory in Maranhão state. The hands and feet of some victims were cut off with machetes.

(Photo by Ruy Sposati / Cimi as cited in Gonzales, 2018)

living in the Helenira Resende campsite in Marabá, Pará, suffered what they claim was an aerial chemical attack. Mrs. Souza, speaking with representatives of the Brazilian Bar Association (OAB-PA), accused employees of Grupo Agro Santa Barbara, a neighbouring agribusiness, for deliberately spraying gas on the community with the use of a plane. Since then several members of the community began to experience symptoms of dizziness, vomiting and allergies. It is believed this attack is due to the ongoing land conflict between Grupo Agro Santa Barbara and the MST (8).

On the **15/4/2018** Nazildo dos Santos Brito – a leader of a Quilombo Afro-Brazilian community formed by runaway slaves – was killed in the State of Pará. He had been shot in the head and the stomach. None of his belongings had been taken, prompting police to believe he was the victim of an execution-style killing. Members of his community, the Quilombolas Remnant Residents and Farmers Association of Alto Acará, said Brito had requested judicial protection after receiving death threats over his opposition to palm oil plantation (9).

On the **20/5/2018** two graves, with crosses nailed to them - one for Osvailinda and the other for her husband Daniel Pereira - were found on their property. The Pereira family are alleging that they are receiving these death threats for not cooperating with the illegal extraction of trees of high commercial value. Osvailinda and Daniel Pereira have been threatened for more than six years by loggers and landowners in the

“Last November, the U.N. warned about the threats six peasants and their families received in Conceição do Mato Dentro, Minas Gerais, after they opened a lawsuit against the operations of Anglo American Iron Ore Brazil S.A. in that state. The company is a subsidiary of Anglo American, a global mining firm based in London.”

“One of them, Lúcio da Silva Pimenta, was reportedly threatened and expelled from his land several times without receiving compensation by representatives of Anglo American.”

“Anglo American of Brazil is currently waiting for licensing approval in order to begin the expansion of the Sapó iron mine, which is part of the Minas-Rio Project/System that connects the mine (located near the town of Conceição Mato Dentro), to the export terminal Port of Açú, in São João da Barra, Rio de Janeiro, via a 529 kilometer (328 mile) mineral duct.”

“On 12 March, the company halted iron ore production in Minas Gerais after the rupture of a mineral duct in the rural area of Santo Antônio do Gramma, which leaked 300 tons of mining material into a local stream, said Anglo American. The Secretary of State and Environment (SEMAD) of Minas Gerais said that the heaviest ore contamination occurred in the Santo Antônio River, while the Casca River was also affected.”

(Gonzales, 2018)

Cerrado: U.S. investment spurs land theft, deforestation in Brazil, say experts

Published on the 28th of March, 2018

(Historic Land Conflict)

“in the rural Brazilian town of Riachão das Neves.... stand seven other men who wish to prove their right to use farmland, a place they called home, stolen from them [20] years ago.”

“One-by-one, all of them were driven off the land where they once grew their food. After changing ownership for decades, today that property belongs to a Brazilian subsidiary of Harvard University’s endowment fund.”

“It appears that Harvard’s US\$37.1 billion endowment fund and its manager Harvard Management Company (HMC) has invested in the Brazilian agribusiness frontier — investments steeped in past accusations of forged land titles, illegal deforestation and violent expulsion of small-scale farmers from their homes.”

For more read...

(Prager & Milhorange, 2018)

April:

NGOs denounce Tapajós basin intimidation, violence, Brazil inaction

Published on the 4th of April, 2018

(Land and Water Rights, Consultation)

“Thirty-eight national and international civil society organisations (CSOs), including social movements and environmental NGOs, issued a strongly worded statement on 23 March demanding the Brazilian government uphold environmental laws, act on indigenous rights violations, and end escalating intimidation by the builders of hydroelectric dams on the Teles Pires River. Also condemned was the Temer administration’s failure to prosecute illegal loggers and gold miners threatening violence against Tapajós River riverine communities.”

“The Teles Pires River is one of two major Tapajós tributaries in



Left: A Mundurucu warrior prepares to occupy the São Manoel dam during a protest. Photo by Juliana Rosa Pesqueira. Right: A Mundurucu warrior. Photo by Mauricio Torres (as cited in Brandford & Torres, 2018)

region of Trairão, a municipality in the west of Pará ^(10.).

On the **31/7/2018** 23 displaced families stopped their 23 day protest against Norte Energia who holds the concession over the Belo Monte dam. Neither of these 23 families nor the 945 other families, who have lost their homes to Belo Monte, have been relocated by Norte Energia. After the protests Ibama, Norte Energia, Federal Government and Public Defender of the Union negotiated the reallocation of families. However Norte Energia, instead, has filed a lawsuit against the families who were protesting ^(11. & 12.).

On the **25/7/2018** a land conflict, related to agribusiness, resulted in the murder of two rural workers, a third man wounded and a dead policeman. There wasn't any bailiff or support sectors (ambulances, social assistance, etc) present. All happened without a judicial order, in the evening, and the cops arrived without formal announcements. The rural workers have been in this region (105 families) for the last

an extremely biodiverse region. The government shifted its ambitious Amazon basin dam-building effort to the Teles Pires in 2011, constructing four dams there (the São Manoel, Teles Pires, Sinop, and Colider dams). It intended to build a much larger one – the São Luiz do Tapajós – on the Tapajós River itself, but has been prevented so far by indigenous resistance, a funding shortage, and growing doubts among national officials about the viability of big hydroelectric dams.”

“In their statement, the more than three dozen organisations assert that since 2011 the Kayabi, Apiaka and Mundurucu indigenous groups, along with traditional riverine communities, have suffered serious social and environmental impacts from the Teles Pires dams, which were built in violation of Brazil’s laws.”

“The organisations focus especially on the case of the São Manoel dam. The Federal Public Ministry (MPF), Brazil’s independent public prosecutors, went to court seven times to block São Manoel illegalities, including failure to properly consult with indigenous groups, threats made to those groups, incomplete environmental impact studies, and failure to implement agreed to “conditions” made by the consortium in return for the dam’s authorisation.” (Brandford & Torres, 2018)

**Brazil averts "a massacre" by blocking eviction of Indians
Published on the 11th of April, 2018
(Land Rights Recognition)**

“Brazil’s highest court has averted a “massacre” by blocking the eviction of 5,000 indigenous people from disputed land, one of their leaders said, in a ruling that boosted ancestral claims.”

“Guarani-Kaiowa Indians occupied the land in the southwestern Mato Grosso do Sul state in 2016, amid rising violence and tensions following Indian affairs agency FUNAI’s pledge to return ancestral land - owned by farmers - to indigenous people.”

““We were expecting a new Caarapo massacre,” indigenous leader Kunumi Apyka’i Rory said, referring to a 2016 attack on indigenous activists by farmers in the same region.”

““It would be a bloodshed but because of Nhanderu [God] and our prayers we managed,” he said in a statement by Conselho Indigenista Missionario (Cimi), a monitoring group linked to the Catholic Church.” (Mendes, 2018b)

three years, having to deal with many violent events and situations of eviction ^(13.).

On the **11 or 12/8/2018** the body of Jorginho Guajajara, a cacique (leader) of the Guajajara people, was found dead near a river in the city of Arame, Maranhão state. "Members of the tribe say his death was the result of a fierce conflict provoked by the incursion of loggers into their land. Up to 80 Guajararas have been killed in the area since 2000" ^(14.).

On the **12/9/2018** an indigenous chieftain, Madalena Pitaguary, was shot in the traditional territory of her people, located in the municipality of Pacatuba. The indigenous woman was shot in the back of the neck while fighting a hooded man who ambushed her on a dirt road while she, another women and a child, walked from one village to another. The man fired the revolver, then fled. The leader had to undergo surgery. This is not an isolated act. The Pitaguary leaders have been victims of different strategies of violence, including lawsuits by mining companies that seek to access areas of the territory, beatings, attacks and threats. According to local civil society, these acts of violence are made possible by the lack of completion of the demarcation procedure of indigenous land, which Pitaguary have been fighting for for decades ^(15.).

On the **27/9/2018** Quilombola leader Haroldo Betcel, was allegedly killed by a local businessman and his son. This is according to residents of the area. Reports indicate that Haroldo had been in discussion with the landlord

Indigenous Brazilians rally to demand land rights protection Published on the 26th of April, 2018 (Indigenous Land Rights)



Brazil is home to roughly 900,000 indigenous people of more than 200 tribes (Eraldo Peres/AP; as cited in Cowie, 2018)

"Thousands of indigenous Brazilians from across the country have rallied in the capital, Brasilia, to call authorities to protect their land rights."

"Organisers of the annual "Free Land Camp" in Brasilia said more than 3,000 people reached the city this week to denounce what advocacy groups say is a continuing and unprecedented rollback of indigenous rights in the country."

"Indigenous people's right to their traditional lands is enshrined in Brazil's constitution. In practice, however, this right is rarely respected and their lands are often targeted by loggers, land grabbers and wildcat miners."

"Brazil's National Indigenous Foundation (FUNAI), which is tasked with guaranteeing the protection of indigenous rights, has also been the target of heavy cuts and a parliamentary commission inquiry led Brazil's agricultural caucus in Congress."

"This week, it was reported that FUNAI's president was changed after pressure by the agriculture caucus."
(Cowie, 2018)

A new Environmental Law Violates 223 Indigenous Territories in Brazil

**Published on the 30th of April, 2018
(Land Rights)**

Delaying the resolution for territorial demarcation in Brazil leaves 223 defenseless indigenous lands vulnerable to conflicts with landowners, displacement and environmental crimes.

According to a statement by the Brazilian Socio-environmental Institute (ISA), there are more than 9 million hectares, belonging to 46 indigenous lands, in a state of alert due to setbacks in the demarcation process. Compounding these setbacks there are 42 infrastructure projects and 193 cases of mining in these non-demarcated lands.

Of relevance is chapter 5 of Article 231 in the Federal Constitution which protects Brazil's indigenous peoples from projects that try to damage their territories with environmental exploitation.

The approval of licenses at the request of these businesses undermines Article 231, "directly threaten[ing] the process of demarcation of the 223 indigenous lands because they exclude

in regard to ongoing land conflicts in the region and the recurrent threats that were being made to the quilombolas ^(16.).

On the **10/10/2018** Erivelton Tenharim and Cleomar Tenharim were attacked by illegal loggers. Erivelton was shot and died while Cleomar was badly injured. Both are members of the Tenharim Indigenous People of Igarapé Preto who have been fighting against the actions of loggers in their indigenous territory ^(17.).

On the **13/10/2018** landless peasant leader, Aluisio Sampaio, known as Alenquer, was assassinated in his home in the town of Castelo de Sonhos. The town is located along the BR-163 highway that links Mato Grosso state, Brazil's main soy-producing region, to the north of the country. It is an area that has become increasingly violent as land grabbers take over, clear forest, and sell the land for high profits to cattle ranchers. His home also functioned as the headquarters for SINTRAFF (Sindicato de Trabalhadores e Trabalhadoras da Agricultura Familiar/ Trade Union for Workers in Family Agriculture) ^(18.).

On the **13/10/2018** David Gavião of the Rubiacea village in Maranhão was killed. The indigenous leader was killed with four shots. According to the leadership of the indigenous people Gavião, the death of David is directly related to the invasions of loggers from Amarante, a municipality with strong prejudice against indigenous peoples ^(19.).

In **October**, a judge in the state of

social participation and transparency in projects with a socio-environmental impact.”

“According to the natives, their ethnic groups already inhabited these territories, years before of the proclamation of the new Magna Carta.”

(Telesur, 2018)

July:

'They should be put in prison': battling Brazil's huge alumina plan

Published on the 21st of July, 2018

(Mining and Violence)

“In Brazil, Maria do Socoro Silva is leading Amazonian forest people against alleged land-grabbing, corruption and pollution”

“A warning voice on the telephone, a home intrusion, a punch in the face, a pistol barrel prodded against the ear.”

“The intimidation of Maria do Socorro Silva has come in many forms since she began defending her Amazonian home against the world's biggest alumina refinery and its local government backers.”

“As a leader of forest dwellers – indigenous, quilombo and riverine communities – Socorro ought to be terrified. Her home is in Pará, the deadliest state for land activists in Brazil, the most murderous country in the world. Two associates and friends have been killed since December.”

“For 10 years, she has been fighting on multiple fronts: against the Norwegian-owned Hydro Alunorte refinery in Barcarena, against the Albras bauxite mine that supplies it, against powerful land-grabbing politicians, against investors, against first-world consumers who use tin cans, foil, non-stick pans, beer kegs and aeroplane parts without a thought about the environmental and social costs.”

“‘Will we fight this? Yes. Will more die? Yes!’ she spits, her hands forming fists. ‘They kill the water, the air and the animals. They should be put in prison.’”

(Watts, 2018)



Maria Socorro, pictured here protesting the tailings leakage in Barcarena (Foto: Maycon Nunes/Diário do Pará: as cited in Barbosa, 2018).

Rondônia ordered the eviction of 35 families from Nova Conquista, located within the District of Jacinópolis, in the municipality of Nova Mamoré. They were pushed off the land by Fazenda Primavera, now claimed by the Agropecuária Rio Machado Industrial and Trade Limited company. On the **1/11/2018** an alleged owner of the land - who is involved in criminal justice proceedings for the 2010 murder of one of the community leaders - allegedly tried to run over one of the Comissão Pastoral da Terra CPT staff who was filming a house being demolished in the distance ⁽²⁰⁾.

On the **6/11/2018** Donecildo Agueiro, an indigenous Avá-Guarani leader was left paraplegic after he was shot at from a car. As the shots were fired from behind him he could not recognise the perpetrators. The attack occurred after the Avá-Guarani left a meeting with the Regional Technical Coordination of Funai. The meeting dealt with the licensing processes of two transmission lines that pass through Guáira, environmental studies for the project have already started. On the day after the attack, Federal Judge Candido Alfredo Leal Junior, of the Federal Regional Court of the 4th Region, granted an injunction to the Agricultural Federation of the State of Paraná (Faep) to suspend, for 90 days, the demarcation of lands of the Avá-Guarani Indians in the municipalities of Terra Roxa and Guáira, in the west of the state. It is believed that the attack on Donecildo was related to his participation in the meeting ⁽²¹⁾.

On the **8/12/2018** the Dom José

August:

In battles over land rights, activists are branded as criminals: U.N.

Published on the 27th of August, 2018

(Defenders)

"Governments and corporations are increasingly using legal persecution to portray indigenous activists as criminals and terrorists, putting them at heightened risk of violence, the United Nations said on Monday."

"Indigenous leaders and campaigners fighting to protect land from development are being stymied and silenced by rising militarisation, national security acts and anti-terrorism laws, according to a report submitted to the U.N. Human Rights Council."

"Globally, up to 2.5 billion people live on indigenous and community lands, which make up more than half of all land worldwide, but they legally own just 10 percent, according to rights groups. The U.N. report cited a "drastic increase" in violence against indigenous people actively opposing large-scale projects such as mining, infrastructure, hydroelectric dams and logging."

"It's a new war,... It's getting worse because many of the remaining resources in the world are found in indigenous territories," said Victoria Tauli-Corpuz, U.N. Special Rapporteur on the Rights of Indigenous Peoples".

(Mendes, 2018c)

September:

Uncontacted tribes at risk amid 'worrying' surge in Amazon deforestation

Published on the 18th of September, 2018

(Deforestation)

"Illegal loggers and militias cleared an area three times the size of Gibraltar in Brazil's Amazon this year, threatening an "uncontacted" indigenous tribe, activists said on Tuesday."

"Satellite imagery collected by Instituto Socioambiental (ISA), a Brazilian advocacy group, detected about 4,600 acres (1,863 hectares) of deforestation this year in the Ituna Itata indigenous land in northern Para state."

(Mendes, 2018d)

October:

International NGOs issue stark warning to Bolsonaro on climate change & human rights

Administration

Published on the 30th of October, 2018

(Bolsonaro and Defenders)

"The policies proposed by Brazil's new President, Jair Bolsonaro, threaten a human rights and environmental catastrophe with global implications."

"Brazil is already the deadliest country in the world in which to defend your land, with at least 57 people murdered last year, 25 of them in three massacres. Eighty percent of these died defending land in the Amazon rainforest."

"Against this backdrop Bolsonaro proposes to open up indigenous territories to mining and other economic activities; relax environmental legislation and protections, abolish the Ministry of the Environment, crack down on civil society and to relax laws

Maria Pires camp of the Landless Workers Movement (MST), was invaded by hooded men who brutally murdered two movement activists: José Bernardo da Silva, known as Orlando Bernardo, and Rodrigo Celestino (22.).

On the **15/12/2018** Gilson Maria Tampone, president of the New Alliance Farmers' Association was assassinated in Rurópolis, Pará. Tampone was considered a great leader, who had fought since 2008 for the regularisation of farmland with the National Institute of Colonisation and Agrarian Reform (Incra). The leader led an association where more than 600 families live precariously, awaiting INCRA's decision to regularise land tenure in those areas (23.).

related to gun ownership, especially in rural areas.”

"Together, these policies are a manifesto for violence and deforestation, and will hand the already powerful agribusiness lobby - the 'Ruralistas' - a carte blanche to expand land grabbing at the expense of Brazil's most vulnerable people. The Amazon rainforest and its most effective defenders – the people who live in it and depend on it – will face an onslaught comparable with the European and US colonisations of the past centuries – policies which are now matters of national shame.”

(Richards, 2018)

November:

Brazilian Indigenous: Process of Demarcation of 129 Areas Threatened by Bolsonaro Administration Published on the 1st of November, 2018 (Demarcation of Indigenous Territories)

“The prospect of Jair Bolsonaro putting an end to the demarcation of any new indigenous areas in Brazil would halt 129 processes that are currently ongoing. In addition to the threat posed to new demarcations, Bolsonaro's proposals also pose a risk to lands already recognized, which could be made available for infrastructure projects such as hydroelectric, roads and mining activities. Stated by Bolsonaro during his campaign for Brazil's presidency, his recent election represents a risk of these prospects concretizing in the next four years of his mandate. While the 129 ongoing processes of demarcation of indigenous lands account for 11.3 million of hectares and are home to around 120,000 indigenous people, the 436 previously recognized indigenous lands being made available for infrastructure process

would threaten the 117 million hectares they account for. According to the Socio Environmental Institute (ISA), at least 40 infrastructure projects such as the hydroelectric of Tapajós would cut through indigenous lands if concretized.”

“While Bolsonaro's plan of government has failed to mention indigenous peoples and the process of demarcation of lands, the recently elected president has several times made his position on the matter clear by criticizing what he has called the “industry of demarcation of indigenous lands” and by stating that, if elected, no land would be demarcated for indigenous reserves... In regards to the lands already demarcated, the law prohibits any projects that might have a direct impact on indigenous lands. Moreover, Article 231 of the Constitution states that indigenous people have original rights over the lands they occupy and that it is the Union's competency to demarcate them. To change this, amendments to the Constitution would be required.”

(UNPO, 2018)

December:

Belo Monte dam Xingu River Management Plan violates human rights: finding Published on the 10th of December, 2018 (Land Rights and Hydroelectricity)

“In 2011, the Belo Monte mega-dam broke ground amid fervent protests from local traditional riverine communities, multiple indigenous groups and environmental organisations. The dam, located in Brazil's Pará state on the Xingu River and now partially operational, when reaching full generating capacity, will become the third largest hydroelectric producer in the world.”

“Estimates of the number of people displaced by its construction range from 20,000 to 50,000, with charges placed against the Brazilian government and the Norte Energia construction consortium of ethnocide against indigenous people. Xingu River fisheries were also seriously damaged, while parties harmed by the dam's construction continue to litigate against Norte Energia's failure to provide promised reparations. Companies in the Norte Energia consortium include: Eletronorte, Neoergia, Cemig, Light, J Malucelli Energia, Vale, and Sinobras.”

“Dissent regarding the project's ongoing development continues today.”

“Local communities, together with legal assistance from international civil society organisations,

including the Interamerican Association for Environmental Defense (AIDA), the Brazilian Socio-Environmental Institute (ISA), and Justicia Global, filed final proceedings to a motion originally submitted in 2011 to the Inter-American Commission on Human Rights (IACHR) asking for the Belo Monte project to be officially labeled as a Violation of Human Rights.”

“In November, the Commission’s preliminary conclusions found repeated violations. Indigenous communities “suffer from frequent incidents of violence and lack of attention from public services, in addition to increased difficulties and obstacles surrounding claims to their lands,” said Commissioner Antonia Urrejola Noguera, the IACHR Rapporteur for Brazil.”

“IACHR will publish an official report with regards to the motion. Consequences could include formal condemnation of the project from the UN, with international pressure and scrutiny forced on the Brazilian government as a result.”

(Nathanson, 2018)



Left: The Belo Monte dam under construction. Belo Monte displaced indigenous and traditional settlements and did serious harm to the Xingu River fishery. Its construction was also cloaked in charges of government and construction company corruption. Photo courtesy of Lalo de Almeida/ Folhapress. Right: The Belo Monte mega-dam is one of the most controversial infrastructure projects in Brazilian history, and conflict there seems unlikely to abate soon. Photo by Pascal G622 licensed under the terms of the GNU Free Documentation License, Version 1.2. (as cited in Nathanson, 2018)

Indigenous leader urges EU to impose sanctions on Brazil

Published on the 18th of December, 2018

(Political Uncertainty, Land Grabbing and Insinuated Genocide)

“Brazil’s foremost indigenous leader has called on the EU to impose trade sanctions to prevent ecological disaster and a “social extermination” by her country’s far-right president-elect, who takes office on 1 January.”

“Jair Bolsonaro has terrified indigenous communities by promising to take every centimetre of their land, designate rights activists as “terrorists” and carve a motorway through the Amazon, which could deforest an area larger than Germany.”

“Sônia Guajajara, the leader of Articulação dos Povos Indígenas do Brasil (APBI) which represents more than 300 Brazilian indigenous groups, said: ‘We are afraid of a new genocide against the indigenous population and we are not going to wait for it to happen. We will resist. We will defend our territories, and our lives’.”

“Before his election, Bolsonaro, an admirer of Brazil’s military dictators, called for minorities to bow to the majority will or disappear. He once said: ‘It’s a shame that the Brazilian cavalry wasn’t as efficient as the Americans, who exterminated their Indians’.”

(Nelson, 2018)



The EU must ‘monitor and control’ Brazilian exports to address environmental destruction, Guajajara said. (Photograph: Felipe Werneck/AP; as cited in Nelson, 2018)

**Brazil expels loggers in rare operation to protect threatened tribe
Published on the 19th of December, 2018
(Rare victory)**

“Brazilian authorities have expelled a group of illegal loggers and ranchers from a remote area of the Amazon in a risky and rare operation to protect a threatened indigenous tribe.”

“The Kawahiva are nomadic hunter-gatherers who live in one of Brazil’s most lawless areas and have no contact with mainstream society. Campaigners say their survival is threatened by intruders seeking to profit from the forest’s vast resources.”

“On Tuesday Funai, the government agency that represents indigenous people’s interests, said it had evicted five “non-indigenous” people from the area in a joint operation with the environmental protection agency.”

(Mendes, 2018e)

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On the **10/7/2018** Karina Riquelme, a defence attorney, and part of the Center for Investigation and Defense (CID SUR), faced harassment by local police. Ms. Riquelme has assumed various causes from the Mapuche people, who, in the context of territorial conflicts, face various instances of persecution by the Public Ministry, government and private entities. Ms. Karina Riquelme was harassed by civilian police officers for her work and conducting hearings against the former General Director of Intelligence of the Police and other members of the institution. During the hearing, Ms. Riquelme was photographed by Police intelligence officials, who rebuked her at the moment she asked them why they were photographing her. The evening of that day Mrs. Riquelme was harassed in her own home while she was with her 6-year-old daughter. Two unknown subjects pointed a laser light directly at the window of her house for a prolonged period of time, Ms. Riquelme tried to use her cell phone but it was blocked ⁽¹⁾.

On the **1/10/2018** Alejandro Castro Castro was found dead, hanging. The artisanal fishermen union leader had just pulled off a mass mobilisation against acute chemical intoxication. The incident took place in Puchuncavi-Quintero, where several industries have been operating without public monitoring since 1964. It has been called a suicide by authorities, his girl friend contests this, saying "He was not in a state of mind for that. He was willing to keep up the fight and had many plans" ⁽²⁾.

On the **5/11/2018** Juana Calfunao, Chief of the Juan Paillelef



January:

Pope wades into indigenous conflict telling Chile's Mapuche to shun violence

Published on the 17th of January, 2018

(Rights Abuses)

"Pope Francis has denounced the use of violence to achieve political gains as he travelled to the heart of Chile's centuries-old conflict with the indigenous Mapuche people, where a spate of church burnings have been blamed on radical activists."

"Hours after another church and three helicopters were torched, Francis celebrated mass at a former military base that not only lies on contested Mapuche land but was also a former detention center used during Chile's military dictatorship."

"Violence begets violence, destruction increases fragmentation and separation. Violence eventually turns a most just cause into a lie," the Pope an exuberant crowd at Maquehue air base in Temuco.

"Before the pope's visit, the Araucania region that is the heartland of the Mapuche had been hit by repeated attacks by protesters who burned or bombed churches, logging trucks and schoolhouses. Prosecutor Enrique Vásquez told local media on Wednesday that investigators found a sign and pamphlets demanding the release of Mapuche prisoners at the scene of the burned church, while pro-Mapuche pamphlets were found at the scene of the burned helicopters."

(The Guardian, 2018)



Pope Francis greets Mapuche people during a mass at Maquehue airport, near Temuco, Chile, on Wednesday.

Photograph: Luca Zennaro/EPA

community and human rights activist, was violently and arbitrarily arrested at her home. She's been opposed to road construction in Mapuche territory, defending the territory against the construction of a motorway (Los Laureles - Lago Colico). This is not the first incident of this kind as she was arrested (3.).

On the **14/11/2018** Camilo Catrillanca (24), a Mapuche Indigenous man, was fatally shot in the back of the head by special antiterrorism forces known as the 'Jungle Commando'. He was driving his tractor home after work, when the incident took place, with the commands claiming he was a suspect in a car robbery incident. The witness, a 15-year-old-boy, said that Catrillanca turned his tractor around at the site of the commandos before being shot. He also said that the commando who shot Catrillanca, had a helmet with a camera, from which he commando removed the memory card with the incident recorded. After initially claiming this was not the case, the police officers admitted to having a camera and destroying the footage. After the incident the 15 year old boy was detained and subsequently beaten by the officers. Two high-ranking officers in Araucanía resigned and four officers directly involved in the killing were expelled from the police force. Days later, the regional governor, Luis Mayol, also resigned. Catrillanca was the father of a 6-year-old girl, and his wife is expecting another child. News over his death spark nation wide protests, road blocks and arson attacks denouncing the increased harassment by police forces on the countries indigenous populations (4.).

March:

“Operación Huracán”: testimonios y confesiones confirman que fue un montaje

(“Operation Hurricane”: testimonies and confessions confirm it was fabricated)

Published on the 13th of March, 2018

(Falsifying Evidence Against Indigenous Peoples)

47 days have passed since the prosecutor of Temuco, Luis Arroyo, denounced the existence of false evidence in the investigation of "Operation Hurricane", it was judicially recognised that the case was fabricated.

As a result of this hearing the general director of the Chilean Police (Carabineros), Bruno Villalobos and the director of Intelligence of that institution, General Gonzalo Blu, resigned. Alex Smith, and four members of the Laboratory of Criminalistics (Labocar), recognised the mechanism by which the evidence presented was falsified. Evidence approved by Blu and Villalobos. The investigation into the legitimacy and objectives of "Operation Hurricane" has come under fire, with it the methods used by the Carabineros to obtain information, illegal wiretaps, potential torture and the procuring of false testimonies. (Sepúlveda & González, 2018)

Chile's right-wing government to strengthen anti-terror law, target Indigenous Mapuche

Published on the 15th of March, 2018

(Targeting Indigenous Peoples)

"Chile's new president, Sebastian Piñera, of the right-wing party National Renewal (RN), has announced that he plans to "modernise" the country's *Anti-Terror Law*."

"This announcement builds on promises from his 2017 electoral campaign. Piñera said on multiple occasions that his new administration would seek to perfect the law, which dates back to the 1973-90 Augusto Pinochet dictatorship and allows authorities to detain suspects without bail."

"This law has been used to target activists, particularly the Mapuche, Chile's Indigenous population of about 1.5 million people. The likely revamping of this law has worrisome implications for the Mapuche. Amnesty International's 2017-18 report accused the Chilean government of abusing the *Anti-Terror Law* and using excessive police force against the Mapuche."

"Such events are not new — since Chile's return to democracy in 1990, successive governments regardless of party have drawn on the *Anti-Terror Law*, which was enacted in 1984, to target the Mapuche."

(Wadi, 2018a)

April:

Chile: A Return to 'Guardian Democracy'?

Published on the 17th of April, 2018

(Criminalisation of Indigenous Peoples)

"Sebastián Piñera, a conservative billionaire, assumed the presidency of Chile for the second time on March 11 after an election in which abstention was the biggest winner. In only a few weeks he and right-wing allies engineered changes to key reforms enacted by previous socialist president Michelle Bachelet (2014-2018), using technicalities and administrative channels

rather than engaging Congress, which includes a range of left and center-left forces.”

“These changes signified setbacks to progressive reforms made after years of democratic discussion and debate.”

“After taking office in March, Piñera traveled to Mapuche country, La Araucanía, to announce 11 policy changes to the existing Anti-Terrorist Law. Among the new measures were the use of clandestine agents and infiltrators and a hardening of penalties not only for ‘terrorism’ but also for ‘apology of terrorism,’ which could conceivably be used against solidarity activists or journalists. The president’s bill vaguely categorized ‘acts that destabilize the democratic institutional order’ as terrorist crimes. The former Mapuche governor of La Araucanía, who is now a Senator, Christian Democrat Francisco Huenchumilla, sharply criticized the bill, insisting that the problem was a political one, having to do with the usurpation of Mapuche lands. It would be hard to reach accords if the executive ‘arrived with a garrote,’ he commented. The former Minister of Social Development under Bachelet said that the new measures ‘criminalized and stigmatized the political demands of indigenous peoples, especially the Mapuche’ and called Piñera’s proposals ‘far outside international standards in terms of human rights.’ But the Anti-Terrorist law was applied under Bachelet’s government too, despite her apology to the Mapuche in 2017. In that year, eight Mapuche activists were arrested under the law with no official warrant or evidence, and held in ‘preventive detention’ for months, accused of ‘illicit terrorist association.’”

(Patrice McSherry, 2018)

The criminalisation of Indigenous leaders in Chile

Published on the 23rd of April, 2018

(Harassment of Defenders)

“Latin America continues to be the most violent region in the world for those exercising the right to defend human rights. In addition to the growing number of killings of human rights defenders, misuse of criminal justice systems and the media to criminalize and stigmatize their struggle is on the rise. Defenders of the environment and leaders of Indigenous Peoples defending the territory, environment and natural resources face a particularly grave situation because of their work.”

“Although violence against defenders is a constant in the region, little is known about what is actually happening in Chile, especially in relation to the historical context of criminalisation and stigmatisation of the Mapuche and their leaders. The experience of Francisca Linconao – a *machi*, or traditional Mapuche leader, from the Temuco area of southern Chile – is a clear indication of what is really happening on the ground.”

“On 4 January 2013, Werner Luchsinger and Vivianne Mackay, an elderly couple, died in a tragic incident. Their house was attacked and burned by unidentified individuals who entered their property. The Luchsinger-MacKay family owned lands which were the subject of a dispute and were claimed as Mapuche ancestral territory. As a result, the couple's deaths were automatically linked to this dispute.”

“Machi Francisca has been prosecuted three times in connection with these terrible killings. However, all the legal proceedings have been challenged not only because of the clear lack of due process and unjustified pre-trial detention, but also because of the lack of evidence to support the allegations.”

“Despite the acquittal, in 2016 Machi Francisca, along with 10 others, faced terrorism-related charges of arson resulting in the couple's deaths... The Machi was again acquitted at the end 2017 in a ruling which concluded that evidence presented by Prosecutor's Office was riddled with flaws... the Machi is again facing a second trial for the same incident and on the same charges, under Chile's controversial anti-terrorism laws.”

“The fact that she has been taken to court three times, and acquitted twice, in connection with the horrific killing of the Luchsinger-MacKay couple not only calls into question the discriminatory way in which the justice system is used against Indigenous leaders, but also violates the rights to truth, justice and reparation for victims of crime and their families.”

Is all this “a kind of reprisal for her struggle in defence of the territory and the environment, as she herself affirms?”

(Rosas, 2018)

May:

Chilean villagers claim British appetite for avocados is draining region dry

Published on the 17th of May, 2018

(Water Rights)

“UK demand for fruit increased by 27% last year alone, prompting accusations that growers are illegally diverting rivers and leaving locals without water”



**An avocado plantation in Petorca, Chile.
(Photograph: Alice Facchini; as cited in Laville & Facchini, 2018)**

“Demand for avocados in the UK has soared in recent years, and 67% of those avocados come from the Valparaiso region in Chile...Major UK supermarkets including Tesco, Morrisons, Waitrose, Aldi and Lidl source avocados from Chile’s largest avocado-producing province, Petorca, where water rights have been violated.”

“In Petorca, many avocado plantations install illegal pipes and wells in order to divert water from rivers to irrigate their crops. As a result, villagers say rivers have dried up and groundwater levels have fallen, causing a regional drought. Residents are now obliged to use often contaminated water delivered by truck.”

Veronica Vilches, an activist who is responsible for one of the Rural Potable Water systems, says: “People get sick because of the drought – we find ourselves having to choose between cooking and washing, going to the bathroom in holes in the ground or in plastic bags, while big agri-businesses earn more and more.”

Politicians and big business are involved in stealing water. “In 2011, Chile’s water authority, the Dirección General de Aguas, published an investigation conducted by satellite that showed at least 65 illegal underground channels bringing water from the rivers to the private plantations. Some of the big agribusinesses have been convicted for unauthorised water use and water misappropriation.” (Laville & Facchini, 2018)

June:

Chile criminalizes Mapuche defenders of land and water

Published on the 6th of June, 2018

(Corrupt Prosecution)

“Last May 5, a local court in Temuco, Southern Chile, sentenced Luis Tralcal Quidel, José Tralcal Coche and José Peralino Huinca on charges of terrorism for setting fire to a large-estate house in 2013. All three are community activists.. have been leading local struggles for the restitution of Mapuche territory. They consider themselves defenders of land and water and they fight for the preservation of the *Wallmapu* (the ancestral Mapuche territory) from extractivism, predatory economics and grasping ways of life. Like many of their *peñis* (brothers and sisters) before them, they have been persecuted, harassed and intimidated by the country’s powers that be: the central government and its local branches, the judiciary, the police, and the mainstream media.”

"Like many of the previous trials of Mapuche activists, this one has been irregular since its very beginning. The fact that the Mapuche conflict has intensified in the last few years has led the Chilean State to turn it into a show trial and present the Luchsinger-Mackay case (undeniably a terrible event) as an emblematic case of "Mapuche terrorism" - despite all the evidence against, it has applied the "Counter-Terrorist Act" to the defendants."

"The main evidence against the defendants is Peralino Huinca's first declaration of 2013, in which he testified against himself and ten other Mapuche defendants, without the presence of his attorney. He later retracted this declaration and claimed that he had signed it under torture and other unlawful forms of coercion such as being offered money and special protection, which he refused. There is no record in video or audio of the alleged confession, only a written document in a far more sophisticated language than Peralino's."

"Security operations carried out on the margins of the law are part of the Wallmapu's everyday life. A group of high-ranking *Carabineros* (Chile's uniformed police) are currently on trial on charges of illicit association in relation to the undercover Hurricane Operation, a massive hoax against Mapuche activists. Having found no evidence against the suspects, the Police Intelligence Unit (UIOE) developed a system to intercept text messages to and from the electronic devices of ten suspects, to be used as evidence – a procedure which was consented by a Judge of the Temuco Court."

"What is more, it was recently disclosed that two of the judges (out of three) in the bench trial were, and still are, applying for government jobs - which is a blatant conflict of interest, since the government is a main plaintiff in this case. The third judge (a woman), who had kept observance to due process, withdrew on medical grounds from the trial a few days before the verdict was made public for alleged workplace harassment. To this should be added that the main plaintiff's witnesses were some of the largest agro-business producers in the area."

(Lagos-Rojas, 2018)



**The destructive results of a forest fire started by Mapuche radical groups.
(Photograph: Rodrigo Abd/AP; as cited in Youkee, 2018)**

Chile: Authorities must protect Rodrigo Mundaca and other environmental defenders

Published on the 7th of June, 2018

(Water Defenders)

“The Chilean authorities must provide effective measures for the protection of the human rights defender Rodrigo Mundaca, Verónica Vilches and other members of the Defence Movement of Earth, Environmental Protection and Access to Water (MODATIMA), said Amnesty International”

“The authorities must do everything in their power to protect the courageous human rights defenders like Rodrigo Mundaca and Verónica Vilches, who have suffered numerous death threats as a result of their work... tirelessly standing up to the different actors that are damaging the environment and violating local communities’ right to access water.”

According to Rodrigo Mundaca, a MODATIMA member and spokesperson, “The response to the fight for the right to water that has unfolded in the Petorca province has been criminalisation, persecution, censorship and intimidation, while the human right to water is violated with total impunity, jeopardizing the lives of the communities”.

“Rodrigo first began to denounce abuses committed by local politicians and businesses that affected rural communities’ right to water in 2012.”

“Over the next three years, the Chilean authorities initiated four criminal cases against Rodrigo in relation to his public denouncements of the illegal extraction of water in Petorca. One of these cases resulted in a sentence of 61 days in prison for defamation, suspended under the condition that he would present himself monthly to Chilean police for a year and pay a fine.”

Verónica Vilches, another MODATIMA member, has also been threatened.

(AI, 2018)

Indigenous Chileans defend their land against loggers with radical tactics

Published on the 14th of June, 2018

(Land Conflicts)



A Mapuche gathering in Ercilla, Chile. The Mapuche are protesting the presence of agricultural firms on their land.

(Photograph: Rodrigo Abd/AP; as cited in Youkee, 2018)

"It is late autumn in southern Chile, and in the region of Araucanía, the leaves have turned copper and gold. But on the road to the mist-shrouded town of Lumaco, the hills are covered with rows of charred pines.

"We burned these forests as an act of legitimate resistance against the extractive industries that have oppressed the Mapuche people,... if we make their business unprofitable they move on, allowing us to recover our devastated lands and rebuild our world."

"This year has already turned out to have been a particularly combustible one in a decade of rising attacks by indigenous Mapuche activists against the Chilean state and big business. Over several few days in April, crops were burned, roads were blocked and 16 forestry vehicles were set ablaze outside of the regional capital, Temuco."

"According to statistics published by a local business association, there were 43 attacks in the region in 2017, mainly arson attacks against logging firms... [i]n the last 50 years, monoculture pine and eucalyptus plantations have replaced the biodiversity of the original forests."

Shaman Celestino Cordova, was convicted in a high profile case in February 2014 (the Luchsinger-Mackay case), for an arson attack on a farmhouse north of Temuco that resulted in the deaths of an elderly couple.

Nicolas Rojas Pedemonte, a professor at Alberto Hurtado University in Santiago and author of a new book on the Mapuche conflict, believes that this "case was an inflection point for the conflict,... It was the first fatal attack, it turned Chilean media against the Mapuche and was used by the state as a Trojan horse for a repressive response."

(Youkee, 2018)

'Jungle Command': Piñera creates special force to tackle 'terrorism' in southern Chile

Published on the 29th of June, 2018

(Militarisation of Indigenous Territories)

"Chile's President Sebastián Piñera on Thursday presented a team of armored vehicles, unmanned aerial systems and short-range thermal chambers while announcing the creation of a special Carabineros force to fight more effectively the rural violence in the area of the so-called Mapuche conflict."

"The specialized team is composed of 80 officials and received training in the United States and Colombia to face acts of terrorism."

"The announcement was made by the president in Temuco, 672 kilometers from Santiago de Chile, where he headed the Business Meeting of La Araucanía, (Enela), aimed at promoting business activity, investment and productive development in the region, the poorest of Chile."

President Piñera stated that the special force will be endowed with "the best and most modern, most innovative, in terms of technology, with armored vehicles to protect them better, because a protected police is a more effective police."

"However, this plan has provoked a harsh rejection in La Araucanía. The president of the Association of Municipalities with Mapuche Mayor, Juan Carlos Reinao, is one of the biggest critics and pointed out that the area is treated as if it were at war."

"The President, it seems, got confused about the country. His announcement to militarize the region, as if it were a territory at war, seems an aberration and historical error," he argued.

(The Santiago Times, 2018a)

November:

Protesters interrupt UN rights chief speech

Published on the 14th of November, 2018

(Protest)

"Protesters briefly interrupted a speech by new UN rights chief Michelle Bachelet Wednesday, accusing her of complicity in persecution of the indigenous Mapuche community in her native Chile. Two demonstrators, one wearing traditional dress, ran onto the stage as Bachelet addressed a large crowd at the University of Geneva, waving a banner calling for "Human Rights for Mapuche" and accusing her of 'assassinating' them."

"The UN High Commissioner for Human Rights, who had come to speak about the "dark aspect" of the digital era and the threats new technologies pose to freedoms and rights around the world, insisted the protesters' claims were 'not true'."

"The Chilean state has long been accused of discrimination against the Mapuche people, who centuries ago controlled vast areas of Chile but have since been marginalised."

"Last year when she was still Chile's president, Bachelet apologised on behalf of the nation to the Mapuche for the "horrors" of post-colonial abuse they suffered. Mapuche land rights campaigners have also been jailed under a terrorism law dating to Chile's 1973-1990 dictatorship."
(France 24, 2018)

Rodrigo Mundaca: "En Chile la violación a los Derechos Humanos Ambientales se encuentra institucionalizada"

(Rodrigo Mundaca: "You find that, in Chile, Human Environmental Rights abuse is institutionalised")

Published on the 18th of November, 2018

(Legislative Violence and Ecocide)

Rodrigo Mundaca, winner of the International Human Rights Award Nuremberg 2018 in Germany and spokesperson for the Movement for the Defense of Water, Earth Protection and Respect for the Environment (MODATIMA), spoke about the environmental problems and social struggles he faces in Latin America, in Chile and in the Maipú.

Rodrigo criticised the Chilean forestry model, citing how it depletes the land and depletes the water table, damaging the soil that surrounds communities. He then conceptualises Ecocide, a force by which the destruction of environment goes hand in hand with the deteriorating quality of life for the peoples connected to this land.

"[T]he bases of inequality in Chile, have to do with the appropriation of common natural assets". This concept is reflected in the mechanisms by which Andrés Luksic built his fortunes by appropriating the subsoil, land, water and minerals. This appropriation is also epitomised in the actions of Roberto Angelini and Eliodoro Matte and how they took advantage of Forest Law decree 701, a law promulgated during dictatorship, to alienate Mapuche settlements during and after the Dictatorship.

The 1981 Water Code separates water ownership and ownership of the land, passing the right of water to individuals, thus denying the role of State as regulator of commons.

These are a few examples how the appropriation of resources have become institutionalised and legitimised in Chile.

According to the latest report of the National Institute of Human Rights, there are 116 socio-environmental conflicts in Chile, mainly for water and land. An emblematic case is that of Quintero-Puchuncaví, where there are more than 19 polluting companies. affecting the livelihood of peoples. The first Bachelet government carries the responsibility has for approving the latest coal-fired thermoelectric plant and converting 'green' areas to ones of industrial development. This responsibility has now carried towards the government of Piñera for ignoring the people's demands of closing these industrial areas and reinstate their 'green' label, and instead, responding with repression.

(Puelles, 2018)

Piñera vows justice after Chile admits police covered-up Mapuche youth's murder

Published on the 25th of November, 2018

(Police Violence)

"President Sebastian Pinera has assured that justice would be served following a controversial police raid that last week ended in the shooting death of an indigenous Mapuche man in the restive Araucania region of south-central Chile."

"The billionaire businessman, during his visit Friday, told reporters that the unresolved shooting would not stall a previously announced \$24 billion (18.7 billion pounds) plan to bring an end to a long-running conflict between the Mapuche and the Chilean state."

"In a press conference, the president showed his support for Chile's police and stressed the special operations groups known as the Jungle Command will remain in Mapuche territory. The region's Mapuche indigenous residents accuse the state and private companies of taking their ancestral land, draining its natural resources and using undue violence against them. Their communities are among the poorest in Chile."

"Camilo Catrillanca, a 24-year-old father and husband, was killed by members of the special operations group, commonly known as Jungle Command, which has been criticized for targeting Indigenous people. Camilo was driving his tractor along with a 15-year-old boy when Carabineros shot against them despite the lack of threat to life. Police officers said they came under fire to justify shooting at the two Mapuches but they were also found responsible for destroying the video recording of the incident."

(The Santiago Times, 2018b)

December:

Chile's Israel sanctions push can also help its indigenous peoples fight oppression

Published on the 7th of December, 2018

(Mapuche Struggle)

"In Latin America, Chile - believed to be home to the largest community of Palestinians outside the Arab world, has the potential to lead the region in supporting the Palestinian struggle. Following the news from Santiago that parliament passed a resolution requiring President Sebastian Pinera to review all agreements with Israel and to boycott settlement products, it is time to evaluate the dynamics of such a decision."

"The resolution also calls for the government to educate or inform individuals travelling to Israel about the colonial and military occupation contexts, according to the President of the inter-parliamentary Chile-Palestine group, Sergio Gahona. Members of parliament are aware that the Chilean government - through its military and economic ties with Israel - helps the colonial state to maintain its military occupation of Palestinian lands."

"Since 1949, the state has aligned itself with Israel by recognising the colonial state, and establishing diplomatic relations in 1950. Israel also supported the late Chilean dictator Augusto Pinochet and supplied weapons to the military - a trend which has continued through the democratic transition until today."

"Chile has some similarities with Palestine in terms of indigenous rights from a community perspective. Regarding a political framework, however, Chile and Israel both refuse to recognise the indigenous populations' right to land. Chile's commitment to safeguarding Palestinian rights raises several questions, not least due to the Chilean government's own systematic oppression of the Mapuche population and the criminalisation of indigenous resistance for land reclamation."

"Herein lies the Chilean government's reliance upon Israel for the latest military and surveillance equipment, which is mostly used as a tool of repression to target Mapuche communities."

"The Araucania region, which is at the heart of the struggle for indigenous land reclamation, is monitored by Israeli drones manufactured by Elbit and BlueBird Aero Systems, while the military's incursions in Mapuche communities is similar to that of Israel's military raids."

"Chile may well implement all aspects of the resolution but, like other countries, it will not overstep any contentious limit, or adopt measures that would see it relinquish its targeting of the Mapuche population."

(Wadi, 2018b)

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Colombia

There were more assassinations, and attempts on life, on social and environmental leaders in 2018 than reported in this CALG bulletin. It is troubling that the sheer number of social leaders killed in Colombia made us have to omit those assassinations that did not directly involve land issues. If one is searching for more information beyond the scope of this bulletin please look into the references below.

2017:

170 Social Leaders Killed in Colombia in 2017: Report Published on the 7th of January, 2018 (Killing of Social Leaders)

"An estimated 170 Colombian social leaders were killed in 2017, up from 117 in 2016, according to the Institute of Studies for Peace Development, Indepaz, a Colombian non-governmental organisation."

"The rise in homicides is over two main conflicts: (access to) land and (natural) resources. This latter refers to the rentiership in illegal mining and cultivation of illicit crops,' said Indepaz director Camilo Gonzalez Posso."

"The report indicated that the murders are highly localized to four regional departments: Nariño (28), Antioquia (23), Valle (14) and Choco (12). There were 32 assassinations alone in the community of San Jose de Apartado Cauca located in Antioquia."

"Posso added that the community leader killings in Cauca, Nariño and Choco are related to land conflicts, while those in Bajo Cauca are related to illegal mining."
(Telesur, 2018a)

On the **29/12/2017** five paramilitaries of the “Autodefensas Gaitanistas de Colombia” (AGC) a.k.a. “Clan del Golfo” attempted an assassination on Germán Graciano Posso, the legal representative of the Peace Community of San Jose de Apartadó. The community, along with international observers, got wind of this and ran to where they were, which is what is believe to have saved them. The community thinks paramilitaries' threats are escalating because of political tensions, but also to clear land for business projects, most notably palm oil plantations ^(1.).

On the **17/1/2018** Community Leader, Victor Morato was assassinated in Yondó (Antioquia). Mr. Morato, was known for defending the rights of his community. Unidentified men killed him in front of his home ^(2.).

On the **22/1/2018** José Olmedo Obando, a leader in the Nueva Esperanza Community Council, was shot 7 times and killed by hitmen in the Sucumbíos municipality of Nariño ^(2.).

On the **25/1/2018** Humberto Manuel Escobar Mercado, Prisciliano Manuel Mercado García, and Manuel Eusebio Osorio Escobar were shot and killed for trying to reclaim their land. The three brothers' land was illegally occupied by William Martínez who used force to kick them off of the property in 2016. Using a police warrant, the brothers went to trace the boundaries of their property when three men belonging to Martínez's private security shot and killed them. This incident is part of a larger pattern of violence against land claimants as they try to

January:

January Update: Communities in Colombia Face Ongoing Security Incidents

Published on the 31st of January, 2018

(Rights Abuses)

Indigenous Communities Report Persistent Violence (Cauca)

“The Chab Wala Kiwe, Nasa indigenous communities of northern Cauca, reported a series of violent incidents that took place in their territories from January 6 to 18. These include: the excessive use of force on the part of the Colombian military on January 6 and 16; acts of intimidation by illegal armed groups on various days (January 12, 16, and 17) and circulation of death threats by the AGC paramilitary group on January 15. Most importantly, they denounced the murder of German Andres Ruiz Mera, a family member of the community's representative by unidentified men.”

Over 70 Indigenous Families in Immediate Danger in Municipality of Caceres (Antioquia)

“On January 19, the Indigenous Organisation of Antioquia expressed concern for over 70 Senú families that are at risk of imminent displacement. Armed confrontations between illegal armed groups in Caceres municipality are placing these civilians in harm's way.”

DANE Fails to Properly Implement 2018 Census in Indigenous Territories

“On January 28, National Indigenous Organisation of Colombia (ONIC) denounced the failure of DANE, the Colombia's statistics agency, to carry-out the 2018 census in indigenous territories. They warn that DANE failed to work with the ONIC to develop a culturally sensitive and situationally aware approach to determine the number and geographic location of indigenous people in Colombia. The DANE's failure to do this puts indigenous people at risk, since this could mean effective exclusion of national policies that are sensitive to the needs of Colombia's indigenous communities.”

(Sánchez-Garzoli & Bernal, 2018a)

February:

February Update: Security Situation for Colombian Social Leaders Remains Dire

Published on the 9th of February, 2018

(Rights Abuses)

Indigenous Community reports threats by illegal armed groups (Santander)

“[O]n January 20, the Bokshí indigenous community was attacked by the ELN. Combatants fired at three members of the community as they travelled down the Oro River near the Colombia-Venezuela border. One person, Leonardo Castú was seriously injured.”

Assassination Plot against Land Claimants in Curvaradó (Chocó)

“[O]n January 27, Rosario Anaya received information about a violent plot to stop her from returning to her land. In December, she was forcibly displaced when 30 armed men occupied her property and threatened her son's life. On January 28, James Ruíz, a land claimant in Playa Roja, received a call informing him that armed men would kill him and the other 29 leaders in his community for being ‘government snitches,’ and warned him that he'd never get his land back.”

return to lands that legally belong to them (3).

On the **26/1/2018** members of the Colombian military gunned down Eleazar Tequia Vitucay while he was traveling on the road linking Quibdó with Medellín. Vitucay, of the Embera Katio peoples, was a ten-year veteran of the indigenous guard responsible for providing security in an indigenous reserve in the department of Chocó (4).

On the **27/1/2018**, “Afro-Colombian leader Temistocles Machado was gunned down in Colombia’s largest Pacific port city, Buenaventura. Mr. Machado, a leader of social group the Black Communities Process (*Proceso de Comunidades Negras*, PCN) was instrumental in defending the rights of persons displaced due to atrocities committed in the Naya, Raposo and Yurumanguí river communities during the 1990s and 2000s. Machado was killed in the Isla de la Paz neighborhood in Buenaventura, a community made up principally of displaced families now facing tremendous pressure to abandon their areas of resettlement due to infrastructure and development projects linked to the port” (4).

On the **27/1/2018** María Cecilia Lozano, victims’ rights advocate, survived an attempt on her life in Villavicencio. While María was heading home, two persons on a motorcycle approached her. One of the riders attacked her, beating her to the ground and striking her with his knife. María is a survivor of the Mampirán massacre, a Coordinator of the Network of Displaced Women from Meta (ASOMUDEM), and a social leader working on land restitution (3).

142 Awa Indigenous Families Displaced (Nariño)

“On November 11, an unknown armed group killed one person and kidnapped seven more in the Inda Guacaray indigenous reservation. This attack caused the displacement of 85 families, totaling 261 people. On December 26, armed men fired guns to scare away the remaining 57 families; a total of 190 people were displaced as a result. On February 4, a member of this community was killed in the Inda Guacaray reservation. On February 7, the community denounced the presence of all armed groups on their territory and demanded that they respect their lives and autonomy.”

Study Shows Mining Companies Violate Human Rights (Antioquia)

“A Popular Training Institute Press Agency (IPC) study supported by USAID concluded that mining companies in Segovia and Ituango routinely violate human rights. Between May and July 2017, IPC interviewed farmers, miners, business-owners, public officials, and community leaders to determine the degree to which mining companies in the region respect the rights to their workers and the communities they operate in. It found that companies like Gran Colombia Gold and Hidroituango create environmental harm and engage in forced displacements, threats against communities, and the erosion of cultural traditions.

Social Leaders under Threat (Cesar)

“AGC paramilitaries are circulating death threat pamphlets in Valledupar. These are targeting 18 members of social organisations and the communities they represent in la Nevada, los Milagros, Don Alberto and las Torres neighborhoods of Valledupar city. The security situation in Cesar Department has deteriorated rapidly since the FARC peace accord was signed. This pamphlet comes two weeks after 32 social organisations gathered and denounced the negative impacts of mining in this region and the need for authorities to step up actions to protect human rights defenders. These persons are under threat for calling for the implementation of the rural land reform portion of the peace accord. It is believed that paramilitaries are sending a message against those who plan to advocate for rural farmers’ and indigenous peoples’ land rights in Cesar.” (Sánchez-Garzoli & Bernal, 2018b)

Second February Update: Action Required to Guarantee Rights in Colombia

Published on the 28th of February, 2018

(Rights Abuses)

Assassination Attempt against Indigenous Leader (Cauca)

“On February 18, two unidentified assailants intercepted and shot Ricardo Gembuel as he rode his motorcycle on the Calí-Popayán road in El Cofre. He survived the attempt on his life and is recovering from his injury.”

Murder Attempt on Community Leader (Caquetá)

“On February 9, two hitmen shot Pedro Guzman four times in his home leaving him gravely injured and recovering.

Indigenous Leader Survives Murder Attempt (Cauca)

“On February 19, an unidentified person left an explosive device outside of Enrique Fernández’s home. The device did not detonate, and Enrique and his family made it out safely. Enrique is a survivor of the Naya massacre and the spokesperson of its victims.”

Death Threats against Afro-Colombian Community Councils (Cauca)

On the **30/1/2018** “Nixon Mutis was found shot dead in the Cantagallo Municipality in the south of Bolívar. Nixon was a member of CREDHOS and municipal facilitator of the agreement on the substitution of illicit crops” (3.).

On the **30/1/2018** “the Titan Force Squad of the Colombian military bombed the Wounaan Indian Reservation of Chagpien Tordó in the municipality of Litoral de San Juan. While the military was carrying out an operation against the ELN, various community members were injured. Fearing further violence, the nearby communities of Santa Marta Pangala and Estrella Pangala became internally displaced to avoid becoming injured by confrontations between the military and illegal armed groups” (3.).

On the **2/2/2018** Yolanda Maturana was murdered by unidentified men who shot at her house several times. The victim was known in the departments of Risaralda (centro) and Chocó (noroeste) for her work denouncing illegal mining and the contamination of rivers (5.).

On the **7/2/2018** Dagoberto Pretel, an Afro-Colombian displaced leader, received a phone death threat while participating in a community meeting. The perpetrator threatened to kill Dagoberto or anyone else who tried returning to claim their lands.(3.).

On the **7/2/2018** Sandra Yaneth Luna’s body was found dead with three gunshot wounds in the Campo Dos Township in Tibú. Sandra was a community leader and president of her Community Action Board in Tutumito Carboner.

“On February 17, the Black Eagles, a paramilitary organisation operating in 20 departments of Colombia, distributed a flyer threatening to kill members of Cococauca.”

ELN Displaces 19 Embera Katio Families (Chocó)

“On February 15, ninety-four members of the Embera Katio indigenous community in the Bagadó municipality were displaced. According to the Orewa Association in Chocó, illegal armed actors forced these people off their land through intimidations and threats.”

1,484 People Displaced in Cáceres (Antioquia)

“On February 23, the Norwegian Refugee Council (NRC) expressed concern over increased internal displacement in Colombia. So far in 2018, violence has displaced 3,000 people. NRC reports that in Cáceres, they are working with 1,484 people that have been displaced by violence.”

(Sánchez-Garzoli & Bernal, 2018c)

March:

Colombia's Cerro Matoso mine must pay damages to local communities, court rules

Published on the 17th of March, 2018

(Rights Abuses)

“Colombia’s Cerro Matoso nickel mine, owned by Australian miner South32, must pay damages to indigenous and Afro-Colombian communities affected by its operations in Cordoba province, Colombia’s constitutional court said on Friday.”

“The court ruled in a lawsuit brought by community leaders that there were waste emissions that seriously affected neighboring communities and that community members had been diagnosed with lung and heart problems, including lung cancer. It also said that some residents had high levels of nickel in their blood and urine.”

“The company’s licensing for the mine does not reflect constitutional standards for environmental protection and Cerro Matoso must re-apply, the court added in a summary of its ruling.” (Cobb & Acosta, 2018)

March Update: Colombian Civil Society Continues to Be Attacked and Harassed

Published on the 30th of March, 2018

(Rights Abuses)

“Militarisation of Morales Municipality Threatens Citizen Security (Bolívar)

“On March 7, troops from the 58th Jungle Battalion of the Colombian military settled near the a town in the Morales Municipality, in Bolívar department. The next day, on March 8, a confrontation between the military and the ELN endangered the lives of the community. According to residents, combat reached La Capilla, a neighborhood 5 minutes away from the Micoahumado city center... soldiers invaded the home of a local resident for shelter. There, they inquired about Pablo de Jesús Santiago, a community leader and the prosecutor of the Agro-Mining Federation of Sur de Bolívar. This is concerning given the documented links between military forces and paramilitaries in attacks against community leaders.”

(Sánchez-Garzoli & Bernal, 2018d)

She had been missing since September 2017 when a group of armed men violently kidnapped her from her home ^(3.).

On the **18/2/2018** Faiver Ceron Gomez, president of Esmeralda community action board in the Mercaderes area of south Cauca, was attacked by unknown assailants who shot him several times. Since 2016, communities have been organising in order to prevent illegal mining which has destroyed the local Sambingo river ^(6.).

On the **20/2/2018** took place a “massacre of four Wayuu people by an unidentified armed group. According to their sources, twelve armed men entered the Castilletes Reservation and proceeded to shoot and kill Luz Mila Jarariyu, Enrique Jarariyu, Wilmer Wilson Fernandez, and Johan Enrique Fernandez. The youngest victim, Wilmer, was 14 years old. The attack resulted in the displacement of 30 others” ^(7.).

On the **11/3/2018**, “armed men assassinated Tomás Barreto on his plot of land. Tomás was a member of the Afro-Colombian Community Council of San José de Uré and the nephew of a local councilman” ^(8.).

On the **10/4/2018** “Colombian radio station Contagio Radio reported the assassination of Yobany Velasco Ariza in San José del Guaviare. Likewise, Wilson Arnulfo Quetama, a member of the Association of Victims in Palmar Chocó, was murdered in Chocó, according to Contagio Radio. Velasco Ariza’s case was particularly concerning, as he had been an active community leader working with

April:

Boletín Trimestral Sistema de Información Sobre Agresiones Contra Defensores de Derechos Humanos en Colombia - Agresiones contra Defensores(as) de Derechos Humanos en Colombia Enero-Marzo 2018

(Trimester Report Jan. - Mar. 2018 on crimes against defenders)

Published April, 2018

(Crimes against Defenders)

There were 132 individual aggressions against defenders in this period. Of these 74% were against men while 26% against women. 66 of the aggressions were threats and 46 of them were murders. Compared to the first three months of 2017, there was a 130% increase in killings of human rights defenders.

36% of these aggressions were at the hands of paramilitary groups while a staggering 55% of the perpetrators were unknown/unidentified.

(Somos Defensores, 2018a)

Colombia: Rights Groups Decry Killings of Two Social Leaders, Demand Justice

Published on the 2nd of April, 2018

(Killings and the Peace Accord)

“The latest surge in violence has also been triggered by bad management of the peace process between the government and the former insurgent Revolutionary Armed Forces of Colombia (FARC), leaving the provinces where the former guerrilla group was demobilized vulnerable to brutal paramilitary gangs and other armed criminal organisations who are taking advantage of the power vacuum.

“The increasing killings [of social leaders] are a response to two conflicts: the territorial and the resources ones, most of them using armed hitmen in regions where the FARC used to regulate social relations by imposing their authority,” said Camilo Gonzalez, director of the Institute for Development and Peace Studies (Indepaz).

(Telesur, 2018b)

Colombia: The rise in attacks against human rights defenders is the main challenge in implementing the Peace Agreement

Published on the 9th of April, 2018

(Government Failure to Protect)

“Since the signing of the Peace Agreement in November 2016, there has been an increase in threats against and killings of human rights activists in Colombia, including people in social leadership positions.”

“The limited measures taken by the Colombian state have so far failed to mitigate the risks facing those who defend the rights of victims of the internal armed conflict, human rights linked to land, and collective rights.”

“This disheartening situation is largely the result of the power vacuums left following the demobilisation of the FARC guerrilla movement and the lack of action by the state to increase its presence in historically neglected territories which were weakened by the armed conflict.”

“[T]he state needs to strengthen its prevention policy, beyond simply creating legislation that has no impact in the short term.”

“[T]he response from the highest levels of government to these

Colombia's Territorial Renewal Agency (Agencia de Renovación, ART) on post-conflict projects" (11).

On the **20/4/2018** Jiménez Estrada, president of the Community Action Board of the village Cacahual, was killed in the village of San Vicente del Congo in the municipality of Turbo. He was the 20th displaced person killed as a result of claiming land restitution (9).

On the **27/4/2018** María del Carmen Moreno went missing only to be found on the **2/5/2018** decomposing in a river near her farm. María del Carmen was a rights and environmental defender in the municipality of Arauquita, Arauca. She was president of the Junta de Acción Comunal (JAC) and opposed the expansion of petroleum into the region (10).

On the **2/5/2018** environmental defender Hugo Albeiro George Pérez (47), a member of the Association of Victims Affected by Megaprojects (*Víctimas y Afectados por Megaproyectos*, ASVAM) in the municipality of Ituango who led a campaign to halt the construction of the controversial Hidroituango dam project, was killed. This same day Hugo's nephew, Domar Edigio Zapata (23) was also assassinated in the context of an anti dam protest (12. & 13).

On the **8/5/2018** unidentified assailants killed Luis Alberto Torres Montoya and his brother Duvían Andrés Correa Sánchez while they were working in the fields in an area known as El Pescadero. Luis was an active community leader and a member of the Association of Artisanal Miners and Fishermen of Puerto Valdivia. Both him and Hugo

widespread killings and threats has been to deny that the victims are being targeted due to their leadership positions and work defending human rights, thus failing to curb the patterns of violence that have intensified since the Peace Agreement was signed."
(AI, 2018)

Death threats won't stop Colombian anti-mining activist Published on the 27th of April (Threats on Life and Mining)

"Colombian environmental activist Francia Marquez has faced death threats and been forced from her home in her battle against the mines that she says are polluting rivers and ruining land."

"But she has no intention of giving up the work that this week earned her a prestigious Goldman Environmental Prize, known as the 'Green Nobel', which honours grassroots activism."

"Marquez says illegal mining is a scourge for Afro-Colombian communities whose ancestral lands are rich in gold reserves as it pollutes rivers with toxic mercury and cuts down forests."

"Marquez's activism has focused on La Toma, a mountainous region where Afro-Colombians - a population originally brought as slaves from Africa - have lived for centuries."

"The law student and single mother's biggest battle came in 2014, when illegal gold miners cleared forests and diverted the natural flow of a river that the local community depended on for fish and freshwater."

(Moloney, 2018a)

April Update: Shameful Attacks and Harassment against Colombian Civil Society Continues Published on the 2nd of May, 2018 (Rights Abuses)

Human Rights Organisations Denounce Arbitrary Detentions in Southwest Colombia

"In a sweep of mass arrests on April 20-22, Colombian authorities arbitrarily detained dozens of elected community leaders and rights defenders in the departments of Valle del Cauca, Cauca, and Nariño. Among the charges levelled against those arrested, the detained are accused of having membership in, or being associated with, the National Liberation Army (*Ejército de Liberación Nacional*, ELN)...Two of the leaders arrested are Sara Quiñonez and her mother Tulia Maris Valencia, members of the Black Communities' Process (*Proceso de Comunidades Negras*, PCN), a long-time WOLA partner. Both leaders are falsely accused of narcotics trafficking and working with the ELN. Quiñonez currently has protective measures from the Inter-American Commission on Human Rights (IACHR) due to death threats against her and the entire leadership of the Community Council of Alto Mira and Frontera located in Tumaco on the Colombian border with Ecuador...This community has suffered at the hands of all armed groups in Colombia, from paramilitaries and guerrillas to narcotics traffickers and the military, due to their refusal to cave into illegal armed groups' demands. This community has received alternative development assistance from USAID and has also won a legal suit against an oil palm company that had illegally usurped their lands. WOLA believes that the charges levelled against these two leaders are likely to be politically motivated."

Sinoa Indigenous Communities Alert Authorities of High Risk of Harm (Putumayo)

Albeiro George Pérez, were part of the Antioquia Ríos Vivos Movement that has publicly opposed the construction of the Hidroituango hydroelectric dam due to the environmental damage that it has caused in the area. They had both sought compensation for local families whose land and farming activities have been adversely impacted by the project ^(12.).

On the **17/5/2018** indigenous leader Pablo Emilio Moreno was shot 18 times by three hooded men in the Chachajo Awá community of Nariño, in front of his children and relatives ^(14.).

On the **26/5/2018** indigenous leaders Pablo Dagua and Adriana Montero Parra were disappeared in the Delfina neighbourhood of Buenaventura. Their bodies were found the next day with evidence of torture ^(14.).

On the **28/5/2018** Amilkar Yagari, former indigenous governor and member of the indigenous guard of the Embera Chami people, was found dead in the El Dovia municipality ^(14.).

On the **2/6/2018** Carlos Jimmy Prado Gallardo, national delegate to the government programme for consulting communities prior to development projects for Black, Afro-Colombian, Raizal and Palenquero communities, was killed on his way home in Nariño after a government consultation programme meeting ^(15.). **Within 24 hours** of Gallardo's assassination two other defenders were shot dead in the department of Córdoba: Orlando Negre, former president of the community assembly of Camu, and Julio Cesar Montalvo, an

"On April 25, the Association of Indigenous Councils of the Siona People (*Asociación de Cabildos Indígenas del Pueblo Siona*, ACIPS), the Siona Buenavista Reservation (*Resguardo Siona Buenavista*), and the Siona Piñuña Blanco Reservation (*Resguardo Siona Piñuña Blanco*) issued an early warning alert, notifying officials of the presence of armed illegal groups that threaten the safety of their community."

ONIC Warns of Humanitarian Crisis for the Awá people in Tumaco (Nariño)

"On April 24... illegal armed groups were carrying out concerning combat operations near the Awá indigenous reservations of Piedra Sellada, Quejuambi Feliciano, Inda Sabaleta, Hojal la Turbia, and Chinguirito Mira... [T]he presence of these armed groups, combats, and patrols in Awá ancestral territories has increased concerns regarding the potential forced displacement of these communities."

(Sánchez-Garzoli & Bernal, 2018e)

May:

Colombia lawmakers ask Americas rights body to protect hundreds of at-risk activists

Published on the 3rd of May, 2018

(Defenders)

"Colombian lawmakers asked the Americas' top human rights commission to call on their government to protect 445 at-risk activists on Wednesday, as murders rise despite a peace accord."

"Three lawmakers filed the petition before the Washington-based Inter-American Commission on Human Rights (IACHR), which can require governments to protect activists in the firing line, for example, with bodyguards and bullet-proof vests."

(Moloney, 2018b)

May Update: Attacks against Colombian Social Leaders Continue

Published on the 27th of June, 2018

(Rights Abuses)

Naya River Community under Attack (Valle del Cauca)

"[F]ighting between illegal armed groups on May 23 displaced 300 Afro-Colombian civilians from various Naya River communities."

Paramilitary Incursion of Embera Community in Lower Baudó (Chocó)

"Traditional Indigenous Authorities Embera Dobida, Katío, Chami, and Dule of the Department of Chocó... denounced the presence of paramilitary groups in their reservation.... [A]n estimated 100 armed men arrived to their territory on May 14. Since their arrival, these men forcibly recruited four minors and displaced 656 indigenous persons."

Humanitarian Crisis Affecting Indigenous in Jiguamiandó (Chocó)

"On May 24, Justicia y Paz alerted numerous high level officials of the Colombian government of the displacement and humanitarian crisis facing indigenous communities in Jiguamiandó. On March 30, indigenous Jose Emilio Bailarin was kidnapped and tortured. Fighting between the ELN guerillas, the AGC paramilitaries have displaced over 400 indigenous persons. Communities are confined and in need of humanitarian assistance. The illegal armed groups are forcibly recruiting youth and intimidating indigenous leaders. Justicia y Paz asks what the armed forces are doing to protect these communities from harm."

indigenous human rights defender^(14.).

On the **19/6/2018** Arnulfo Catimay Blanca, a Saliba indigenous leader, was murdered by a member of the Colombian National Police ^(16.).

On the **25/6/2018** Adrián Pérez, son of Emiliano Pérez the leader of the Community of La Nevera Curvaradó Collective Territory, was approached and abducted by 4 neo paramilitaries. He attempted to escape however the neo paramilitaries assassinated him in the presence of several farmers. Since 1996, the Pérez family was stripped by the palm company Urapalma by paramilitary operations protected by the counter-insurgent model of the 17th brigade, deforesting, desertifying and sowing oil palm. Some time later, in 1997, they were dispossessed of their lands in La Madre Unión, where banana was planted, extensive cattle ranching was started and a kitchen for the processing of cocaine was also assembled very close ^(17.).

On the **25/6/2018** members of the Community of Sáchica, Boyacá, were attacked by workers of the Geofizyka Torún company. The community opposes the company for its seismic exploration for oil & gas that take place within their lands ^(18.).

On the **25/6/2018** José Gustavo Parra Gutiérrez and Sebastián Parra Gutiérrez, both Nasa Embera Chamí indigenous guards in La Delfina reservation in Buenaventura municipality, were kidnapped, hung to a tree, and lynched ^(16.).

On the **28/6/2018** Julio César

(Sánchez-Garzoli & Bernal, 2018f)

June:

Colombia Elects Pro-Market President Who Attacked Peace Deal

Published on the 18th of June, 2018

(Politics)

“Ivan Duque, a 41-year-old lawyer and former senator who wants to modify parts of a peace process with Marxist guerrillas and cut corporate taxes, will be Colombia’s next president following a decisive election victory on Sunday.”

“Duque, who spent half his adult life in Washington, is the protege of former President Alvaro Uribe, a polarizing security hard-liner. Whether he’ll be able to emerge from Uribe’s shadow to promote his technocratic plans to boost the ‘creative economy’ and overhaul the tax agency may depend on the severity of a series of crises hitting the country.”

“These include a flood of hungry Venezuelan refugees, record cocaine production which is straining the country’s relationship with U.S. President Donald Trump, and the threat of further downgrades in Colombia’s credit rating.”

(Bristow, 2018)

May Update: Attacks against Colombian Social Leaders Continue

Published on the 27th of June, 2018

(Rights Abuses)

Attacks against the Indigenous Nasa Embera Chamí in La Delfina Reservation (Valle del Cauca)

“On June 8, [there were] reported attacks against the Nasa Embera Chamí indigenous community in Buenaventura municipality... [A]t least 250 people face severe obstacles to meeting their basic needs. Their freedom of movement is also severely restricted by armed groups... armed men entered the reservation and attempted to murder indigenous leader Gonzalo Hilamo Mesa.”

Threats against Cxhab Wala Kiwe Indigenous Authorities (Cauca)

“[T]ension exists between the FARC dissident faction [“Dagoberto Ramos”] and the [Cxhab Wala Kiwe] authorities because the Cxhab Wala Kiwe leadership controls indigenous territories that span 20 municipalities... [areas] of particular interest to this dissident organisation.

(Sánchez-Garzoli & Bernal, 2018f)

June Update: Deadliest Month of the Year for Human Rights Defenders in Colombia

Published on the 27th of June, 2018

(Rights Abuses)

Terror and Threats in Ancestral Bari Territory (Norte de Santander)

“On June 20... indigenous communities face confinement and possible displacement due to combat between the National National Liberation Army (*Ejército de Liberación Nacional*, ELN) and Popular Liberation Army (*Ejército Popular de Liberación*, EPL). Fighting over control of illicit crops and drug routes in the [ancestral] Bari territory have dramatically increased in recent months.”

Communities in the Middle Atrato Region Face Increasing

Sucerquia Ortíz (33), a social leader and farmer, was assassinated as he tended his corn field. He was active in his community of El Líbano, Ituango, and supported the rights of farmers and fishers in the area in the face of the dam mega project ⁽¹⁹⁾.

On the **3/7/2018** human rights activist Luis Barrios Machado was murdered while watching the Colombia-England World Cup game. *El Colombiano* reports that Mr. Barrios was shot by two men who entered his house in Villa Paraiso de Palmar de Varela. On the same day Leonedis Aleiser Sierra Ortiz (25) was murdered in Tarazá, Antioquia. He was a member of the San Augustin Bajo Community Action Board ⁽²⁰⁾.

On the **4/7/2018** Ana María Cortés was murdered in a cafeteria in Cáceres, Antioquia. That same day, Margarita Estupiñán was murdered in front of her house in Tumaco, Nariño. According to *El Colombiano*, Mrs. Cáceres and Mrs. Estupiñán were regional leaders for Gustavo Petro's *Colombia Humana* Campaign in the 2018 presidential elections ⁽²⁰⁾.

On the **17/7/2018** Robert Emiro Jaraba Arroyo, a land restitution and union leader in Cerro Matoso, Latin America's biggest open air nickel mine. Robert was shot and assassinated by two men on a motorcycle ⁽²¹⁾.

On the **17/7/2018** the Truaquero family was displaced in Curvaradó. They were forced to flee after a member of the AGC involved in the murder a member of this family was arrested. The AGC vows that they will kill another member of the

Violence by ELN (Chocó)

"On June 22, several organisations (Indigenous, rural farmers and religious) located in the middle Atrato River region of Chocó... fear that thousands of families will become displaced due to the ELN's practice of forced recruitment, sexual violence, robberies, and selective killings."

Embera Persons Stuck in Nuquí (Chocó)

On June 25, ONIC and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) reported that 1,548 Embera indigenous peoples were "confined" in their territory. The AGC is engaging in violent activities and restricting the indigenous' freedom of movement. The situation is likely to lead to the mass displacement of six indigenous communities. Currently, civilians have little to no access to food or humanitarian assistance.

(Sánchez-Garzoli & Bernal, 2018g)

August:

Colombia adopts Human Rights Policy for the mining and energy sector

Published on the 2nd of August, 2018

(Mining and Human Rights)

"The Minister of Mines and Energy, Germán Arce Zapata, signed the resolution that marks the Human Rights Policy of the Mining and Energy Sector and emphasized that with the adoption of this instrument, Colombia is the first country in the world with a sectoral policy that Commit to respect Human Rights in a strategic and sustained manner."

"In addition to being the first, it also makes us more inclusive, since the policy contemplates the development of specific actions for groups of special constitutional protection, which guarantees the inclusion of the differential and gender approach in the conceived actions. Gender in such a 'masculine' sector is a clear message of equity,' Minister Arce said, presenting the content of the initiative at an event in the Alexandria Room of the Presidency of the Republic."

(BNamericas, 2018)

August Update: At Least 75 Activists Killed in Colombia So Far This Year

Published on the 21st of August, 2018

(Rights Abuses)

Human Rights Groups Call for Action in Southwest Colombia (Valle del Cauca)

"On August 11, the Association for Social Research and Action (Asociación para la Investigación y Acción Social, NOMADESC), the Intercultural University of the People (La Universidad Intercultural de los Pueblos), the Black Communities Process (Proceso de Comunidades Negras, PCN), the Movement of Victims of State-Sponsored Crimes (Movimiento de Víctimas de Crímenes de Estado, MOVICE), the National Union of Workers and University Employees of Colombia (Sindicato Nacional de Trabajadores y Empleados Universitarios de Colombia, SINTRAUNICOL), and the Congress of the People (Congreso de los Pueblos) sent a letter to President Iván Duque calling on him to address the human rights crisis occurring in the Southwest of Colombia."

"According to rights groups, 123 social leaders have been assassinated between January 1, 2018 and July 5, 2018. The

Truaquero family in response ⁽²⁰⁾.

On the **19/7/2018** “Edwin Paya Quebrada, Coordinator of the Indigenous Guard to the Regional Indigenous Council of Huila (*Consejo Regional Indígena del Huila*, CRIHU) suffered his fourth assassination attempt of the year” ⁽²⁰⁾.

On the **27/7/2018** the Black Eagles paramilitary group declared via written statements all indigenous leaders, organisations and indigenous governors to be military targets ⁽²⁰⁾.

On the **6/8/2018** Víctor Chechegamo Tocobio’s (68), the Major Jaibana (or shaman leader), was murdered in Dai Umada Mía indigenous settlement located in El Dovio municipality ⁽²⁴⁾.

On the **10/8/2018** indigenous leader and authority over the ancestral territory of the Guadualito, Emiliano Tróchez Camayo, was assassinated by suspected paramilitaries over land conflict ⁽²²⁾.

On the **18/8/2018** hired gunmen took the life of Luis Alberto Rivas Gomez in Turbo. Luis worked with the Afro-Colombian traditional authorities (ANAFRO) and the Black Communities Process (PCN), two groups that form part of the Afro-Colombian Peace Council (CONPA) and the Ethnic Commission ⁽²³⁾.

On the **19/8/2018** Nasa indigenous leader Holmes Alberto Niscue, who was accompanying the Awá indigenous community’s struggle in the Awá of Gran Rosario Indigenous Reservation in Tumaco, was shot in the head 3 times in

statement highlights that 40% of the criminal acts against social leaders in the last 30 months have occurred in Southwestern Colombia.”
(Sánchez-Garzoli, 2018a)

Killings, Threats Against Colombia Human Rights Leaders Continue

Published on the 18th of September, 2018

(Rights Abuses)

Wayuu Nation Association Leaders Receive Death Threats (la Guajira)

“On August 3, more than 15 indigenous leaders from the Uribia and Manaure towns were threatened with a letter from the Black Eagles. The threat warns the leaders to leave the area within the next 48 hours or face death.”

Six Indigenous Families Threatened with Forced Displacements (Guaviare)

“On August 22, OPIAC reported that six families of the Nükak Wayari Muno indigenous community received death threats warning them of the consequences of not abandoning their land.”

Death Threats Lodged Against Entire Nasa Community (Casanare)

“On August 23, the Nasa Kiwe Fxiw community in Yopal received a collective death threat... they got a letter giving the community 30 days to abandon the city. According to this threat, if the town wasn’t abandoned within 30 days community leader Wilmer Aranda would ‘have a mouth full of flies’.”

Oil Company Blocked from Drilling on Indigenous Reservation (Putumayo)

“On August 24, the newspaper *El Espectador* reported that a Putumayo judge moved to block English oil company, Amerisur Resources, from drilling in a region of Putumayo that encompasses land controlled by the Siona people. Additionally, the National Land Agency also ordered that a fence be installed around the Buenavista Reservation to make it clear that it belongs to the Siona community. A big win for the Siona but its leaders remain vigilant as they know that Amerisur plans to retaliate sooner rather than later.”

(Sánchez-Garzoli, 2018b)

September:

Boletín Trimestral Sistema de Información Sobre Agresiones Contra Defensores de Derechos Humanos en Colombia - Agresiones contra Defensores(as) de Derechos Humanos en Colombia Julio - Septiembre 2018

(Trimester Report July. - September. 2018 on crimes against defenders)

Published in November, 2018

(Crimes against Defenders)

There were 128 individual aggressions against defenders during this trimester. These were divided amongst the months as follows July (45), August (51) and September (32). Of these 74% were against men while 26% against women, the same figure from the previous bulletin. 87 of the aggressions were threats and 32 were murders. Compared to the first three months of 2017, there was a 77.7% increase in killings of human rights defenders.

59.3% of these aggressions were at the hands of paramilitary groups while a staggering 34.4% of the perpetrators were unknown/unidentified. This is a reversal from the figures at the

front of his home and 300 metres from the local police station ^(23.).

On the **23/8/2018**, an armed group shot and killed Libaney Andrade Epe, a community member, on the Honduras Reservation. The community suspected that the “Carlos Patiño” front of the FARC-EP front was responsible ^(24.).

On the **23/8/2018**, Fredy Julian Conda Dagua of the Nasa community was killed in a clash with Colombian armed forces. The forces concerned included the Colombian military, Mobile Anti-Disturbance Squadron (Escuadrón Móvil Antidisturbios, ESMAD), and police. Land disputes between the Nasa and inhabitants of those lands prompted landowners to call the Colombian armed forces so they can dislodge the indigenous who are reclaiming their ancestral lands ^(24.).

On the **same day**, the Wiwa de Tezhumke peoples were terrorized by men dressed in military clothing firing machine guns in their community. These men were reported as wearing military uniforms and carrying large weapons. The Wiwa Yugumaiun Bunkunarrua Tayrona Organisation asked the Colombian armed forces if there was military activity in the region, to which the response was ‘no’, and that an investigation would follow in the coming days. There was no follow up and a few days later the community reports that members of the army allegedly entered the reservation in a white van that had their emblems covered with black tape. The men who were wearing camouflage asked community members about the whereabouts of high profile

beginning of the year. Most aggressions have taken place in the south western part of the country and Antioquia. (Somos Defensores, 2018b)

Killings, Threats Against Colombia Human Rights Leaders Continue

Published on the 18th of September, 2018

(Rights Abuses)

Afro-Colombian Community Likely to be Stripped of Land (Chocó)

“On September 3, Miguel Hoyos was informed that his family will be stripped of the 40 hectares of land that belong to them and the Quebrada Montería community. Miguel Hoyos is losing his ancestral land.”

Protesting Embera People Attacked by Special Forces (Bogotá)

“On September 5, a Colombian Special Forces unit allegedly attacked and harassed displaced Embera people protesting for better living conditions. As the Embera people wait for return plans to be put in place, many are living in transitory housing in Bogotá.”

Military Detains and Tortures Farmers in Catatumbo (Norte de Santander)

“On September 8, the non-governmental NGO Minga reported that members of the Colombian military detained farmers in Convención municipality. During this detention the farmers allege that they were threatened and tortured. One farmer almost suffocated when soldiers placed a plastic bag over his head... The farmers claim that the soldiers stated that “under the current Uribe mandate” they could do whatever they wanted.” (Sánchez-Garzoli, 2018b)

October:

October Update: Colombia Must Act as Assassinations Continue

Published on the 23rd of October, 2018

(Rights Abuses)

Two Human Rights Leaders Kidnapped in Eastern Colombia (Arauca, Casanare)

“Contagio Radio reports the kidnapping of two social leaders, Hermes José Burgos and Alix Miriam Aguilar, on September 30 and October 1 in Eastern Colombia.”

Intimidation of Displaced Human Rights Leaders (Putumayo)

“[T]wo men were seen loitering at the residence of human rights leaders Hugo Miramar and Jani Silva, directors of ADISPA... The two men were seen at the residence the following day and fled by vehicle after they were approached by the security force.”

Black Eagles Threaten Human Rights Defenders (Cundinamarca)

“On October 3, the Black Eagles issued a death threat containing a list of prominent human rights defenders and social leaders. Among those listed are Marco Romero of the Consultancy for Human Rights and Displacement (CODHES), ... Jose Humberto Torres and Claudia Lopez. Jose Humberto, human rights lawyer, recently published a piece about the Special Jurisdiction for Peace (JEP). Claudia Lopez [is] a former Senator and VP Candidate now social leader”.

U ‘t Wala Vxic Indigenous Authority Threatened by FARC (Cauca)

individuals within the community. These incidents prompted the displacement of 75 families from the reservation ^(24.).

On the **25/8/2018** indigenous leader Florelia Canas was murdered. It is not known who is behind this assassination ^(24.).

On the **29/8/2018** Ernesto Tocobia Guaurabe of the Embera Chami community became the second indigenous murdered in Garrapatas, El Dovio municipality ^(24.).

On the **22/9/2018**, two relatives of members of the Movimiento Ríos Vivos Antioquia were assassinated, one in the municipality of Briceño and the other in the municipality of Valdivia ^(25.).

On the **27/9/2018**, a group of four males attempted to assassinate indigenous human rights defender Matilde Leonor López Arpushana in Riohacha, La Guajira ^(26.).

On the **1/10/2018** there was an assassination attempt on Wayuú indigenous leaders Ramón Vieco Ariza and José Silva Duarte when they were approached by a group of armed men. In the same month and in the same area, Black Eagles circulated a death threat pamphlet targeting 50 human rights organisations and all organisations directly involved with the Wayuú indigenous population. The pamphlets describe human rights defenders as “impeding the progress of the country” and threaten to “cleanse the department of these scumbags” ^(26.).

On the **6/10/2018** three Inga indigenous youths, Armando

The “U’t Wala Vxíc indigenous authority Guillermo Zambrano was threatened on September 26 by the FARC via a pamphlet ordering him to flee the territory in 24 hours or be declared a military target.”
(Sánchez-Garzoli, 2018c)

November:

November Update: Six Massacred in Cauca as Killings Continue in Colombia

Published on the 28th of November, 2018

(Rights Abuses)

Attack on Kankuamo Community (Cesar)

“On October 18... the Atanquez Kankuamo community was attacked while the men were engaged in a traditional ceremony... these attacks threaten their “right to life, territory, autonomy, self-determination, and self-government.”

Indigenous Authority Reports Illegal Armed Group Increase (Amazonas)

“The National Organisation of the Indigenous Peoples of the Colombian Amazon (Organización Nacional de los Pueblos Indígenas de la Amazonía Colombiana, OPIAC) reports that in September there was an increased presence of armed actors in Mirití and Puerto Alegría municipalities, Amazonas... due to drug trafficking.”

Illegal Armed Group Occupying Embera Katío Territory (Córdoba)

“On November 3, *Verdad Abierta* reported that the AGC and a group known as “Los Caparrapos” had encroached into Embera Katío territory in San José de Uré. These illegal actors are impeding the indigenous from fishing.”

Paramilitary Presence and Threats Surrounding Indigenous Reserve (Chocó)

“[A]rmed combat between the Gaitanista Self-Defense Forces of Colombia AGC and the ELN has taken place in Carmen del Darien municipality since October 19... the AGC and ELN are threatening to bomb the indigenous communities of the Unión Chogorodó Río Domingodó reserve on October 22. These communities are surrounded by illegal armed groups and unable to move out of the area due to restrictions imposed upon them.”

Resource Extractions Endanger Indigenous Communities (Amazonas)

“The Human Rights Commission of Indigenous Peoples finds that the increased and “uncontrolled” exploitation of resources in Caño Pupuña over recent years by outsiders in the Predio Putumayo reserve is endangering the lives of the indigenous peoples living in this area. Community members are scared to denounce the situation because they fear for their lives. Beyond the security concerns, the pollution generated by these extractions puts at risk the health and food security of the community.”

(Sánchez-Garzoli, 2018d)

Casi un centenar de desplazamientos en Colombia en 2018 (Almost a hundred displacements took place in Colombia during 2018)

Published on the 20th of November, 2018

(Displacements)

The Colombian ombudsman, on this day, declared that it has registered 89 events of displacement in the year 2018 which affected 9,000 families across the country.

Mutumbajoy Muchavisoy, Jaime Alirio Becerra Chindoy and Elkin Farid Sigindioy Chindoy, all assistants to the Governor of Cabildo, were assassinated. They were found a few kms from where they were last seen with multiple bullet wounds (26.).

On the **8/10/2018** Ottos Valenzuela, a member of the Association of Sustainable Integral Development of the Amazonic Pearl (La Asociación de Desarrollo Integral Sostenible de La Perla Amazónica, ADISPA), was assassinated in La Perla Amazónica. He participated in a meeting which highlighted the National Government's breaches of the agreement for the termination of the armed conflict in the territories (26.).

On the **13/10/2018** community leader Dioselí Noriega was ambushed and shot to death while taking his children home from a birthday party in Convención Norte de Santander (27.).

On the **15/10/2018** activist and mother of three, Celmira Chilhueso Hilamo, was murdered in the Huellas Caloto indigenous reserve (27.).

On the **22/11/2018** it was reported, that 10 persons were murdered in the Afro-Colombian city of Buenaventura. Also that violence against human rights defenders there is increasing. One of the victims was dismembered and pictures of his body parts circulated on social media. Community leaders claim that over 20 persons were killed in just the past two months (28.).

On the **23/11/2018** three

This is an increase compared to previous years. (Prensa Latina, 2018)

December:

December Update: At Least 120 Activists Killed in Colombia So Far This Year

Published on the 18th of December, 2018

(Rights Abuses)

Armed Actors Threaten Land Claimants (Antioquia)

"On November 27... a group of armed men threatened rural farmers José de la Cruz Castro Hernández, Santiago Calle Medina, Camilo Arteaga Castro, and Oscar Blanquicet Berrio. The men demanded that José, Santiago, Camilo, and Oscar immediately leave the land they occupy. If they do not do so, they will set their houses on fire. All municipalities in the Urabá-Antioqueño region are on high alert due to the vulnerability of peasant land claimants. IPC is concerned that the institutions in the region are not guaranteeing their safety." (Sánchez-Garzoli, 2018d)

In 2018 assassinations against leaders and social leaders didn't stop

Published on the 21st December, 2018

(Assassinations of Leaders)

More than 350 leaders and social leaders have been killed since the signing of the peace accord in Colombia. Leaders from indigenous and afro-descendant communities have suffered the most. Closing 2018, 168 homicides were reported against leaders and social leaders. Of these, 54 were from minority groups, with afro-descendants suffering 20 and indigenous communities suffering 34.

The forms of leadership that were targeted were as follows; 20 who fought for the defence of ethnic rights; 11 members of the JAC; 9 who dedicated themselves to the defence of their territories; 3 who were worked on the substitution of illicit crops; 3 who were charged with defending the rights of ethnic populations; 3 who pertained to the communication and educative sectors and 2 who worked towards the defence of the environment.

These deaths are divided amongst the departments as follows:

-Cauca: 19 leaders assassinated (16 of which were Indigenous or afro-descendants)

-Valle del Cauca: 7 leaders assassinated (6 afro-descendants, 1 indigenous)

-Putumayo: 7 indigenous leaders assassinated

-Antioquia: 5 leaders assassinated (2 were afro-descendants, 3 indigenous)

-Nariño: 5 leaders assassinated (3 indigenous, 2 afro-descendants)

-Chocó: 3 leaders assassinated (2 afro-descendants, 1 indigenous)

-Córdoba: 3 leaders assassinated (2 afro-descendants, 1 indigenous)

-Meta: 1 Indigenous leader was assassinated

-Risaralda: 1 afro-descendant leader assassinated

-Caldas: 1 indigenous leader assassinated

-Vichada: 1 indigenous leader assassinated

-Cundinamarca: 1 afro-descendant leader assassinated

(CODHES, 2018)

members of an Embera Chamí family were massacred San Lorenzo. These were their indigenous leader Serafín Díaz, his wife Gabriela Tapasco, and their son Cesar Augusto Díaz Tapasco ^(28.).

On the **23/11/2018** Enrique Cabezas, leader of the collective of Afro-descendent territory in Curvaradó (Chocó department, western Colombia), received several threats in response to his work defending the ancestral territory and the right of the communities to not to be involved in the armed conflict ^(29.).

On the **29/11/2018** José Antonio Navas was shot dead in his home in Tibú (Santander). Navas was a member of the Peasant Association of El Catatumbo (Ascamcat) in the municipality of Tibú and, of, the Veredal committee of El Líbano ^(30.).

On the **4/12/2018** a member of the Indigenous reserve, 'Nuestra Señora Candelaria de La Montaña' of Riosucio Caldas, was assassinated ^(31.).

On the **6/12/2018**, within 24 hours, 3 Awá indigenous peoples were assassinated in Nariño. Those killed were Héctor Ramiro Garcia, founder of the Camawari Organisation (Organización Camawari) and one of the oldest indigenous resistance leaders in the department, along with his son Braulio Arturo Garcíá (28). A few days prior, Braulio was elected as governor of the El Palmar reserve for the year of 2019. 24 Awá have been killed in 2018 ^(32.).

On the **7/12/2018** indigenous target of the Black eagles, Edwin Gregorio Dagua Ipia (28), was murdered ^(32.).

On the **18/12/2018** the paramilitary group Black Eagles (Águilas Negras) released pamphlets in Northern Cauca targeting several indigenous community leaders. The pamphlet also placed prices for the killings of indigenous governors, captains, guards, and bailiffs ^(33.).

On the **20/12/2018** Luis Tarazona Salamanca, peasant leader and key community representative in negotiations with mining companies, was killed in Tibú ^(34.).

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On the **5/1/2018** the indigenous human rights defender, Patricia Gualinga was attacked by an unidentified individual who threw rocks at her house, breaking several of the windows of her apartment. Patricia Gualinga is an indigenous rights defender and foreign relations leader of the Pueblo Kichwa de Sarayaku (Kichwa People of Sarayaku), an indigenous community based in the Ecuadorian Amazon. The Kichwa People of Sarayaku have defended their lands and livelihood from human rights violations caused by the illegal appropriation of community land without free, prior and informed consent for extractive projects ⁽¹⁾.

On the **23/2/2018** the National Court of Justice confirmed a



Ecuador

March:

Ecuador: Indigenous Women Protest Lack of 'Consultation,' Environmental Damage Caused by Mineral, Oil Extraction in Amazon

Published on the 14th of March, 2018

(Extractive Industries & Indigenous Rights)

“As Ecuador’s National Assembly approved a law for the development of the Amazon region on Tuesday, dozens of Indigenous Amazonian women camp outside the presidential palace demanding a hearing with president Lenin Moreno.”

“The law is supposed to establish a long list of benefits for the region, the most impoverished in the country, and its inhabitants. Among them the allocation of four percent of the price of every barrel of oil extracted from the region to a regional development fund managed by local governments to improve and expand social services.”

“Another measure included in the law is reparation for people suffering catastrophic illnesses due to environmental contamination, which consists of an exemption in the payments of taxes, fees for public services, and debt forgiveness.”

““However, women of the Indigenous Amazonian communities and nationalities arrived in Quito, Ecuador’s capital, to demand an end

sentence of eight months in prison for “public services obstruction”. The human rights defender had initially been sentenced to twelve years in prison in August 2013 for terrorism, however, following an appeal, the Court modified his sentence to eight months for “public services obstruction”, a charge which had previously not been filed against him. The rights defender was released from prison on the **3/10/2018** after receiving a presidential pardon ^(2.).

On the **1/4/2018** the president of the Sapara nation, Nema Grefa Ushigua, reported receiving threats. She says the government has not provided her with protection measures such as security cameras or police protection. “I’m not scared,” she said in a press conference: “As a Sapara woman, I will keep fighting for my territory.” Sapara territory - 380,000 hectares of forest under the official tenure of the Sapara Nation, is threatened by oil exploration ^(3.).

On the **9/5/2018**, indigenous peoples’ rights defenders Yaku (Carlos) Pérez Guartambel, Mario Gonzalo, Fárez Ramon, Víctor Hernández Siavichay and Manuel Gayllas were kidnapped and held for seven hours, during which time they were threatened and Yaku Pérez Guartambel was beaten. The human rights defenders believe the kidnappers work for Ecuagoldmining South América S.A, part of Chinese mining company Junefield Group S.A, which is mining in Molleturo del Cantón Cuenca, Ecuador. After the people of Molleturo del Cantón Cuenca called for their safe return,

of mining activities and oil extraction in their region.” (Telesur, 2018)



Indigenous women and nationalities have resisted extractive industries for decades.

(Photo: EFE; as cited in Telesur, 2018)

From Ecuador's Amazon to president's palace, indigenous women demand end to drilling

Published on the 23rd of March, 2018

(Extractive Industries & Indigenous Rights)

“Indigenous women from Ecuador’s Amazon rainforest have called on the country’s president to end oil and mining projects on their ancestral lands, as the nation pushes to open up more of its rainforest to drillers.”

“Their meeting with Lenin Moreno at the presidential palace in the capital Quito late Thursday comes after the Andean nation launched a new bidding round this month for foreign companies to develop oil and gas reserves.”

“Ecuador, one of the smallest producers in the Organisation of the Petroleum Exporting Countries (OPEC), hopes to attract some \$800 million in investment to boost production that the government says is vital to improve its sluggish economy.”

“But women from Amazon indigenous groups say oil exploration damages their livelihoods, the environment and water sources on ancestral lands, and comes amid growing deforestation in unspoiled areas of the biodiverse region.”

“Oil has not brought development for the Waorani - it has only left us with oil spills and sickness.”

(Moloney, 2018)

Ecuador: Judicial Harassment of Amazonian Defenders

Published on the 26th of March, 2018

(Persecuting Indigenous Leaders)

“The government of former President Rafael Correa abused the criminal justice system to target indigenous leaders and environmentalists who protested mining and oil exploration in the Amazon, Human Rights Watch said in a report released today. The groups are operating more freely under President Lenín Moreno, but the abusive prosecutions set in motion by his predecessor remain unaddressed.”

“The 30-page report, “Amazonians on Trial: Judicial Harassment of Indigenous Leaders and Environmentalists in Ecuador,” shows that prosecutors in three prominent cases failed to produce sufficient evidence to support serious charges or justify the years-

the defenders were released on the condition that they never again set foot in Molleturo Municipality. The defenders “were travelling by car to the Río Blanco community in Molleturo del Cantón Cuenca Municipality when [the] group of men... kidnapped them. The men slashed the tires of the car and accused Yaku Pérez Guartambel of an arson attack on the mining camp located in Río Blanco” (4).

long continuation of a criminal investigation. On March 28, 2018, a trial court in Morona Santiago will rule on the case of a Shuar indigenous leader, Agustín Wachapá, for allegedly inciting violence through a Facebook post. On March 16, a court ordered the arrest of Pepe Acacho, another Shuar indigenous leader, to serve a prison sentence over a charge he never had an opportunity to defend himself at trial.”

“President Correa lashed out on national TV against indigenous leaders and environmentalists who opposed extractive industry projects in the Amazon, while his Interior Ministry sought to jail their leaders and shut down their organisations,’ said Daniel Wilkinson, Americas managing director at Human Rights Watch. ‘President Moreno has ended the bullying, and the environmental groups are operating more freely, but the abusive prosecutions need to stop.’”

(HRW, 2018)



Indigenous people arrive in Quito after marching for 10 days to protest new mining and water law initiatives, as well as a constitutional reform project that would have allowed for indefinite reelection of the president. © 2015 José Jácome/EFE

On the **13/5/2018** “Salomé Aranda, the Kichwa leader of the Moretecocha community, awoke at dawn to the sound of unidentified assailants throwing rocks at her home. The authorities have not revealed whether the attack on Aranda, who has protested oil drilling in the Villano river basin, is being investigated” (3.).

On the **29/6/2018** “due to discontent with several agreements signed between Elvis Nantip, the president of the Interprovincial Federation of Shuar Centers (FICSH) and the Chinese mining company EXSA, a delegation of leaders of various associations and Shuar centers went to the headquarters of the Federation to ask for an explanation of their dialogues and actions, after which they were attacked by other Shuar citizens close to President Elvis Nantip who defended the mining company... According to some members of the community, EXSA has displaced several members of the community and attempted to criminalize their leaders” (5.).

April:

Ecuador Grants Open-Pit Mining Permits in One of the World’s Most Biodiverse Areas Published on the 1st of April, 2018 (Mining Land Grabs)

“Mindó is a small village in the lush, tropical cloud forest that descends from the Andes to the coast just outside of Quito, Ecuador. The cloud forest is home to an abundance of wildlife, such as brightly colored lizards, wild cats, spectacled bear, and over 600 species of birds. Mindó was recently named one of the top 10 places to birdwatch in the world by National Geographic, and those who live there are known for their conservationist stances and fights against oil corporations. The area is so rich in biodiversity that it has won the Audubon Christmas bird count competition seven times with the highest number of species.”

“Last week, Mindó residents were among the thousands who took to the streets all across Ecuador in a march to the presidential palace in Quito, to demand an end to mining. Mining has existed since pre-Incan times in the metal-rich landscapes of these tropical forests, but until the 1980s, the projects were small-scale and much lower impact. Over the past year, however, the government has been distancing itself from its conservationist stance and has opened huge portions of land to corporations interested in running large-scale open-pit mining projects.”

“In the past few months, these corporate land grabs have intensified. In November 2017, local governments across northwestern Ecuador received letters from the mining corporations informing them that thousands of acres of forest had been signed away in more than 40 contracts with the central government. The Ministry of Mining had not consulted with communities and Indigenous nations before signing these contracts. This constitutes a violation of the Ecuadorian constitution passed in 2008 on several counts. Sumak Kawsay, a tenet of the constitution (meaning “life at its fullest” in Quechua), guarantees the right to live in peace and free of contamination. It grants the environment the same rights as a citizen, including the rights to be respected in its entirety through its vital cycles, as well as the right to restoration. This tenet of the constitution also promises to involve and consult all local populations about

activities that have an impact on their environment.”

“Caminantes, a national grassroots group that campaigns against mining, highlighted that 15 percent of Ecuador’s territory has been granted a mining permit. That amounts to 5 million acres, almost the size of the state of New Jersey.”

(Moon, 2018)

‘Our territory is our life’: one struggle against mining in Ecuador Published on the 9th of April, 2018 (Mining and Resistance)

“Three A’I Cofan men were staring down at a pit of rocks, dead foliage and filthy water where two goldpanners were working. Beyond was a sluice and hoses running down to the rushing, green waters of the River Aguatico. To the right, there was mud, more rocks, more equipment, a makeshift tent and camp. Behind, to the left, a Hyundai excavator and a track running downriver.”

“No more than two weeks before, no track had existed and all this had been primary forest. Now that was gone. Only an area about 110 x 50 metres, you might say, but this is how gold rushes start.”

“The new mining site is in a concession awarded to one Celso Amable Ureno Quezada in January 2018, according to the Ministry of Mines, in Sucumbíos province in a stunning part of the Ecuadorian Amazon.”

(Hill, 2018)



Left: “Members of Sinangoe’s *guardia indigena* established last year to protect their territory from miners and others.” Right: “The mining site recently discovered by the A’I Cofan upriver from Sinangoe.”

(Photographs: Nicolas Mainville/Amazon Frontlines”; as cited in Hill, 2018)

August:

In Ecuador, a pipeline cuts a trail of misery through indigenous land

Published on the 9th of August, 2018

(Oil and Indigenous Rights)

“One morning in November 2015, one of the elders, or *taitas*, of the Siona indigenous community in San José de Wisuyá, in Ecuador’s Sucumbíos province, heard strange noises in the rainforest near his home. When he went to see what was happening, he found a team of workers using machinery to clear the forest to create an access road. “It was all knocked down near his house. They didn’t leave anything,” says one of the leaders of the community, located by the Putumayo River, which separates Ecuador and Colombia in the Amazon.”

“The workers gave no explanation, but the discovery of their work was the beginning of a series of complaints from the Siona community against the oil companies Amerisur Resources and PetroAmazonas. Amerisur is a British company that operates in Colombia, and PetroAmazonas is a state-owned Ecuadorian company that searches for and extracts oil. Members of the Siona community say the companies’ work has caused environmental damage that has also led to spiritual harm. More than two years after the Siona community complained about this invasion of their territory, neither the Ministry of Environment, the state ombudsman, nor the local ombudsman (*defensor del pueblo*), have resolved their case.”

(Cabrera & Engel, 2018)

Ecuador: International coalition calls on President Moreno to protect ‘Nature’s Guardians’ after attacks

Published on the 9th of August, 2018

(Protecting Defenders)

“Today, 9 August 2018, on the International Day of the World’s Indigenous Peoples, an international coalition has launched a campaign and sent an open letter to President Lenin Moreno, proposing three concrete actions for Ecuador to protect “Nature’s Guardians”: those who dedicate their lives to protecting human rights and the environment, many of whom are Indigenous leaders.”

“This coalition is made up of the environmental and human rights organisations Acción Ecológica, Amazon Watch, Amnesty International, the Ecumenical Commission for Human Rights and Fundación Pachamama. They propose to the president that Ecuador signs the Escazú Agreement, a regional treaty that strengthens environmental rights, and implements a national policy of protection and a protocol for the investigation of crimes against human rights defenders.”

“On this day when the entire world commemorates the rights of Indigenous Peoples and their great contributions to nature and society, we five sister organisations join forces to begin to build a dream: that every person in Ecuador who decides to dedicate his or her life to protect the environment can do so free from attacks and threats,” said Cecilia Chérrez, Leila Salazar-López, Erika Guevara Rosas,



(Photograph by Santiago Coronado/Amazon Watch: as cited in AI. 2018)

Belén Páez and Elsie Monge, representatives of the organisations that make up the coalition, in a joint statement.

“Since the Moreno administration took office, despite some advances in dialogue with civil society and Indigenous organisations, Indigenous people who defend human rights related to land, territory or the environment – and, in the case of Ecuador, the rights of nature, which are recognized in the country’s 2008 Constitution – have been attacked, as they face the potential consequences of extractive industry projects in their communities’ territories.”

(AI, 2018)

September:

Systematic Pursuit of NY Lawyer Steven Donziger Fails Basic Principles of Due Process - Global Witness to Monitor

Published on the 26th of September, 2018

(Targeting Lawyers)

“On 3 August, Global Witness wrote to the Attorney Grievance Committee of the New York Bar’s First Division, expressing serious concerns about the removal of New York attorney Steven Donziger’s law licence. Donziger was classified as an “immediate threat to the Public Interest,” a designation used to summarily remove his licence at a July 10 court hearing. Nearly two months has passed and we have yet to receive any response to the serious points raised in our letter to the Grievance Committee, including a request to attend future hearings. An “after-the-fact” hearing is now scheduled to take place today (26 September) at the offices of the Grievance Committee in Manhattan.”

“Global Witness is concerned about the credibility and legitimacy of a process which can remove the law licence of a legal professional on the basis of a highly questionable and derogatory designation, such as that meted out to Donziger, without any formal hearing to allow for his defence to be taken into account, or for Donziger to provide evidence in his defence. Global Witness has since written to John R Horan, a New York Attorney, who has recently been appointed to oversee the next steps. As with the Grievance Committee, we have yet to receive any response from Mr Horan.”

“Key to the Grievance Committee’s assertion of Mr Donziger as a “threat,” is the claim that he did not challenge the 2014 decision of Judge Lewis Kaplan, in a civil RICO case mounted by Chevron - *Chevron Corp. v Donziger* - in which Donziger was found to have engaged in, inter alia, coercion, fraud and bribery in connection with a multi-billion-dollar judgement obtained in Ecuador against Chevron. Donziger challenges the entire basis of the Kaplan decision, and new evidence that has not been heard in a US court strongly supports his position.”

“In addition to allegations of bias, and concerns about the manner in which Judge Kaplan conducted the civil RICO case expressed by Mr Donziger’s counsel, a key witness whose testimony was central to the Kaplan findings has admitted under oath that he lied repeatedly in his testimony. The witness in question, the (by his own admission) corrupt former Ecuadorian Judge Alberto Guerra, has been paid substantially more than a million dollars by Chevron, and has received other benefits from the company, including a house, a car, and the provision of help with the immigration of his family from Ecuador.”

(GW, 2018)

October:

An unprecedented legal victory for indigenous rights in Ecuador

Published on the 29th of October, 2018

(Victory)

“On October 22nd 2018, the Kofan people of Sinangoe in the Ecuadorian Amazon won a landmark legal battle to protect the headwaters of the Aguarico River, one of Ecuador’s largest and most important rivers, and nullify 52 mining concessions that had been granted by the government in violation of the Kofan’s right to consent, freeing up more than 32, 000 hectares of primary rainforest from the devastating environmental and cultural impact of gold mining. This precedent-setting decision will inspire indigenous nations across the Amazon and land defenders worldwide for years to come.”

“In a historic ruling, the Provincial Court accepted evidence of environmental impacts provided by the community of Sinangoe and the provincial ombudsman, charged the government with not having consulted the Kofan, denounced the mining operations for having violated indigenous rights to water, food and a healthy environment, and cancelled all mining activity in more than 52 concessions at the foothills of the Andes. The ruling, which cites the precautionary principle and uses Ecuador’s new law on the rights of nature, also forces authorities to set in place restoration measures in an area that had been already heavily impacted by the mining operations.”

(Mainville, 2018)

November:

An unprecedented legal victory for indigenous rights in Ecuador

Published on the 30th of November, 2018

(Rights Abuse in Favour of Oil)

“Excluding indigenous Ecuadorians from the country’s development plans has made their rights “invisible”, a U.N. expert said, citing a government push to approve oil and mining projects to extract resources from their territories.”

“Victoria Tauli-Corpuz, the U.N. Special Rapporteur on the Rights of Indigenous Peoples, made the comments on Thursday at the end of an 11-day fact-finding mission in the country.”

“It was the first visit to Ecuador by the U.N. indigenous rights watchdog since 2009, and came on the 10th anniversary of the constitution - which gives indigenous people collective rights, and was one of the first to give legal rights to nature.”

“But since then there have been “serious violations of the constitutional provisions”, she told the Thomson Reuters Foundation, with the government awarding concessions for energy projects on indigenous land without consulting local people.”

“At a press conference in Quito, she said she was “seriously concerned” about threats to indigenous communities posed by the possibility of new oil-drilling in Yasuni national park and new oil concessions in Sucumbios province, both of which are in the Amazon.”

“Ecuador, one of the smallest producers in the Organisation of the Petroleum Exporting Countries (OPEC), signed contracts worth \$1.6 billion in October to increase oil production and cut production tariffs at oil sites in the northeastern Amazon.”

“The government wants to double mining’s contribution to the economy by 2021.”

“The constitution gives the government the right to develop energy projects regardless of whose land they are on, but requires that communities are consulted first.”

“The president’s office, the Ministry of Foreign Affairs, and Petroamazonas, a division of the state-owned oil company Petroecuador, did not reply to requests for comment.”

“Since 2008, an estimated 1.8 million acres (728,000 hectares) of Ecuador’s protected forests have been made available for mining exploration, according to the Rainforest Information Center, an environmental non-profit based in Australia.”

(Magdaleno, 2018)

December:

Indigenous peoples denounce ongoing land rights violations in Ecuador

Published on the 17th of December, 2018

(Victory)

“Indigenous people in Ecuador say their territorial rights are being systematically violated, according to a top United Nations official. Victoria Tauli-Corpuz, the U.N.’s special rapporteur on the rights of indigenous peoples, is urging the Ecuadorian government to form a “truly plurinational and

multicultural society” in accordance with its constitution and international law.”

“Indigenous leaders cite a lack of progress toward addressing key problems impeding their fundamental rights, according to Tauli-Corpuz. That includes a lack of free and informed prior consent before implementing resource extraction projects. The leaders are also concerned about the activation of several mining and oil concessions.”

“While Tauli-Corpuz has praised the current Ecuadorian government for advancing constructive dialogues with indigenous people over territorial rights, she criticized it for maintaining a status quo established by predecessors that failed to recognize, respect or protect the fundamental rights of indigenous communities.”

(Volckhausen, 2018)



**Indigenous women march in Puyo, Ecuador on March 8, 2018.
(Photo by Kimberley Brown/Mongabay; as cited in Volckhausen, 2018)**

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Guyana

September:

Wapichan Environmental Monitoring Report

Published in September, 2018

(Community Monitoring and Mining)

"The South Rupununi District Council (SRDC) established its Monitoring Programme at a meeting in Shorinab (Shulinab) on 7th July 2013, following up on a recommendation arising out of the Wapichan Territorial Management Plan. This Plan was developed over several years, following numerous village and District-level meetings during which we arrived at consensus on its various aspects, goals and planned actions, namely, the sustainable use, management and development of Wapichan lands and resources."

"The Monitoring Programme was established with the purpose of safeguarding and protecting our lands, territories, and resources, including through collaborative arrangements with the Government, where appropriate and agreed."

"We are pleased now to present the Wapichan Environmental Monitoring Report to Your Excellency. This report provides some background information on the Monitoring Programme; provides a case study that details the work of the Programme in relation to the mining at Marudi Mountain; and presents our recommendations and requests."

"This report presents an overview of the South Rupununi District Council (SRDC) Monitoring Programme and provides a case study of one particular site that the Monitoring Programme has been targeting – Marudi Mountain."

"The report begins with background information regarding the Monitoring Programme and how it

operates. It continues by providing a summary of the data that the monitors have collected to date, before continuing into a detailed discussion of the findings from the Monitoring Programme as related to Marudi Mountain. The report shows how the data collected by the SRDC Monitoring Programme has been corroborated by other sources and how it can be used to help address violations of the law and of our rights as indigenous peoples.”
(South Rupununi District Council, 2018)

October:

Twenty years on, Akawaio and Arecuna peoples still fighting for land rights in Upper Mazaruni Published on the 17th of October, 2018 (Community Monitoring and Mining)

“October 2018 marks 20 years since the Indigenous peoples of the Upper Mazaruni filed a court action against the government of Guyana, seeking legal recognition to their traditional and ancestral lands.”

“In 1967 the Government of Guyana instituted an Amerindian Lands Commission; tasked with mapping and suggesting titles to be issued to Indigenous communities. In 1991, title was granted individually to each community, though they requested holding collective title to their traditional territory. The Villages of Paruima, Waramadong, Kamarang (Warawatta), Kako, Jawalla and Phillipai in the Upper Mazaruni have long sought legal title over the area defined by the 1959 Amerindian District as one Akawaio/Arecuna district.”

“Dissatisfied with the Government’s disrespect for their rights and for their wishes, the Arecuna and Akawaio people brought a landmark case to court to fight for their rights as indigenous peoples of Guyana. However, the case has not seen a definitive ruling some two decades later.”

“In 2008, when they appeared in court again; the issue was adjourned. When they met in 2012 and the community brought forth an anthropologist to provide expert evidence on their claims to their ancestral lands, the government’s defence team disqualified her as a witness and caused the matter to be adjourned once again. Fast forward to 2017, the government filed a submission in defence of their claim.”

“This is now 2018, exactly twenty years later, and the communities are still awaiting a decision from the High Court. It seems as if the government has not prioritized these issues and it begs us to question if the stalling of this issue trivializes indigenous peoples’ rights, especially as it relates to their lands.”

“The government has been issuing mining concessions on these lands throughout this twenty-year legal battle. They continue to issue mining rights to outside miners over this traditional Akawaio and Arecuna territory without their free, prior and informed consent (FPIC), even though this legal dispute is ongoing”

(Glasgow, 2018)

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Paraguay

April:

Americas: Activists in Peru and Paraguay criminalized for defending the environment Published on the 26th of April, 2018 (Criminalisation of Defenders)

“The majority of the threats and attacks that Amnesty International has documented against human rights defenders in the Americas in recent years have been directed against communities or

organisations dedicated to defending rights related to land, territory and the environment.”

“The report reveals how authorities in Paraguay subject community leaders to smear campaigns, forced evictions and unfounded judicial processes, to block them from carrying out their peaceful human rights work and to dissuade others from speaking against injustices.”

“The report highlights emblematic cases, including that of Raúl Marín, a Paraguayan human rights lawyer who faces frequent harassment and stigmatisation because of his work. Police arrested Raúl on 13 January 2016, while he was providing legal assistance to people forcefully evicted from the urban community of San Lorenzo. He was arbitrarily detained for a month and has since spent more than two years under house arrest for alleged ‘obstruction of justice’.”

“Raúl, who also faces two charges for “trespassing” from 2015, has denounced several obstructions of his right to an adequate defence, including being denied access to his case file for months. Having examined the case against Raúl, Amnesty International did not find any evidence that supports the charges against him.”

(AI, 2018)

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Peru

January:

Peru Suspends Constitutional Rights in Troubled Mining Areas

Published on the 11th of January, 2018

(Rights)

“Peru's government has declared a state of emergency, suspending de facto basic constitutional rights in order to officially “guarantee public order” and address social conflicts prompted by mining exploitation, with the support of the armed forces.”

“The measures were implemented by the Council of Ministers on Thursday following a request by the national police. “Peru's National Police will maintain public order with the support of the Armed Forces,” reads the official statement.”

“The territory affected by the new measures includes 482,2 kilometers of roads in the southern regions of Apurimac, Cuzco and Arequipa, officials declared.”

“In reality, however, the perimeter corresponds to the territories affected by mining exploitation, according to the NGO Observatorio de Conflictos Mineros en el Perú.”

‘What is supposed to be a state of emergency in these provinces has been converted (since last August) into the habit of curtailing fundamental rights of the local populations,’ warned spokesman Jose de Echave, noting that the move was ‘unexplainable’ because protests have been going on for months in these territories.”

“In Peru, the state of emergency suspends all constitutional rights related to individual freedom and security, including the freedom to meet and circulate, as well as the inviolability of the home.”

(Telesur, 2018)

Scientists study mercury poisoning in Peruvian forest on pope’s itinerary

Published on the 12th of January, 2018

(Mercury)

“Deep in largest tropical forest left on the planet, a Wake Forest-sponsored research center called the Center for Amazonian Scientific Innovation (CINCA) has formed a partnership with several Peruvian ministries and universities to study mercury pollution in the soils and waterways, mercury poisoning of the indigenous peoples, and post-mining reforestation methods.”

“Decades of artisanal gold mining, which uses mercury and water to pull gold flakes from the soil, has left parts of Madre de Dios devastated. Roughly 250,000 acres of the terrain has been deforested

On the **30/12/2017** José Napoleón Tarrillo Astonitas (50) was attacked and killed by four men in his home. His wife, Flor Vallejos, told police he was bound by his hands and feet, beaten with a stick and strangled with an electric cable. Tarrillo, known as Napo, opposed land traffickers who had taken over parts of the Chaparrí Ecological Reserve and were clearing land and sowing crops (1.).

Between the **22/2/2018** and the **26/2/2018** an escalation of threats against the environmental defenders of the Chaparrí Ecological Reserve, was registered. Timber and illegal mining are the main commodities in the region (2. & 3.).

On the **19/4/2018** Olivia Arévalo Lomas, a woman human rights defender and spiritual leader of the Shipibo-Konibo indigenous peoples, was supposedly killed by a Canadian just a few feet from her home in the community of 'Victoria Gracia', in Coronel Portillo Province, Ucayalí, Peru. The defender was shot in the chest and died instantly. Her body was left on the street in full view of her local community (4.).

On the **7/7/2018** Carlos Hoyos Soria and his brother, Benjamín Hoyos Soria, went to inspect the boundaries of their community and discovered a new kilometre long clearing in their land. While returning to their community, they were intercepted by three unknown assailants who proceeded to open fire on them. Carlos Hoyos Soria and his brother managed to escape (5.).

to support gold mining.”

“Seventy percent of the people have levels of mercury in their blood above the EPA allowed limits. The last uncontacted peoples in the region haven’t even seen the mining, and they may have elevated levels of mercury in their blood because of migratory fish.”

(Neal, 2018)

The Forest Avengers

**Published on the 17th of January, 2018
(Deforestation)**



Asháninka men float on logged trees down the Putaya River, near the hamlet of Saweto, Peru.

(Photograph by Martin Mejia, AP; as cited in Drake, 2018)

“Our new analysis reveals that illegal logging in Peru’s forests is still widespread and systematic, contributing towards the degradation of the Amazon.”

“And yet, despite the rampant levels of illegal logging, the Peruvian government has been making alarming moves to weaken its forest watchdog - the Organismo de Supervisión de los Recursos Forestales y de Fauna Silvestre (OSINFOR) - even though it has been the only state agency effectively tackling the problem.”

“Global Witness is issuing an urgent call on the Peruvian government and international donors to step up their efforts to conserve the globally important forest from rampant crime, by protecting and expanding the powers of this vital agency.”

“Peru’s tropical forest is the fourth-biggest in the world, extending for 68 million hectares. It is one of the most biodiverse regions on the planet and could play a crucial role in combating climate change.”

But destructive and often illegal logging practices taking place in the country are causing enormous damage to this forest.”

“Global Witness’ report also reveals how some of Peru’s biggest sawmills are consistently processing high rates of illegal timber to go out to consumer markets; and that logging companies are finding increasingly creative and devious ways to destroy the Amazon for profit.”

“Peru’s forest watchdog OSINFOR has helped curb these abuses over the past decade.”

“But now OSINFOR itself is in danger – with its independence weakened and subordinated to the Ministry of Environment, and the all the good work it does severely under threat.”
(GW, 2018a)

“We Are Ready to Kill”: Threats Against Santa Clara de Uchunya Intensify Following Court Order Against Palm Oil Company
Published on the 26th of January, 2018
(Threats and Palm Oil)

“Leaders from the Shipibo community of Santa Clara de Uchunya, Peru, have reported a spike in violent threats and intimidation in the weeks following a court injunction against the palm oil company responsible for appropriating and deforesting more than 7,000 hectares of their ancestral territory.”

“Carlos Hoyos Soria, chief of Santa Clara de Uchunya, reported two separate incidents which occurred during January. On the night of 5 January 2018, two armed and hooded persons arrived at the home of a community elder, whose house lies on the periphery of the village closest to the expanding plantations. They went on to question his daughter-in-law, who was alone at the house, asking whether she was a community member. Concerned for her safety, she denied this. They then showed her a shotgun and told her they were looking for the community leaders and any community members, because ‘we are ready to kill’.”

“Subsequently, on the night of 20 January, several hooded figures made an attempted attack against the same household. Hoyos summed up the reality facing families in Santa Clara de Uchunya as ‘death threats, direct gunshots at point-blank range and constant harassment’.”

“These incidents come only weeks after land invaders, believed to be associated with the palm oil operations, fired gunshots at a community delegation gathering evidence of the destruction of community forests. As a result, a representative of local indigenous organisation FECONAU, Edinson Mahua, narrowly escaped serious injury.”

(Younger, 2018a)

February:

How Peru excludes indigenous voices in its quest to develop the Amazon
Published on the 8th of February, 2018
(Flawed Legislations)

“The Peruvian government has a clear development agenda for its Amazon rainforest regions. Oil extraction is already happening on a large scale. That will be supported by significant investment in new gas pipelines, proposed hydroelectric dams and other large transport projects.”

“But what do people who actually live in the region make of all this? In my research, I have shown that Peru’s development plans are deliberately restricting the ability of local citizens to provide consent for these projects.”

“This is no accident. Most people living in Peru’s Amazon regions are indigenous, a group of people who remain excluded and discriminated against. According to one former president, indigenous people are an obstacle to development, ‘artificial communities that own 200,000 hectares on paper but only farm 10,000 hectares while the rest is idle property’.”

“On paper at least, Peruvians have an open political environment in which to make their voices heard... While citizens have rights, the country’s weak state institutions mean that it can fail to uphold or implement them. More troublingly, a closer look at Peru’s freedom of voice surrounding development projects finds a far more restrictive political environment for citizens.”

“Its broad terrorism law has been criticised due to the way it has been applied to non-terrorist acts like protests against development projects or over indigenous issues. Other laws have built on this. For example, a 2008 decree removed a requirement for the government to declare a state of emergency before deploying the army. Equally, in September 2010, a new law permitted the armed forces to be used against protesters and regulated the use of lethal force against ‘hostile groups’.”

(Gonzalez, 2018)

Oil spills expose indigenous communities to toxic metals
Published on the 9th of February, 2018
(Oil and Toxic Compounds)

“Scientists have identified elevated levels of harmful metals in indigenous people living near oil spills.”

“The findings -- published this week in the journal Environmental Health -- are only the latest to highlight the significant environmental hazards faced by already vulnerable communities.”

"[T]wo [Kukama] communities were impacted by a pair of large oil spills resulting from ruptures in the North Peruvian pipeline."

A "research [team] collected and tested blood and urine samples from 130 indigenous people. They found mercury levels were 50 percent greater than the threshold value considered to be safe. Children had even greater levels of mercury exposure."

"Researchers found 17 percent of the population tested above the threshold for cadmium, a heavy metal linked with kidney damage and renal failure, as well as lung, prostate and kidney cancers."

"Scientists also found that 19 percent of the children under the age of 10 had elevated lead levels -- levels large enough to be cause for concern."

(Hays, 2018)

Indigenous villagers in Peru losing patience with coca land seizures

Published on the 21st of February, 2018

(Land Grabbing and Coca)

"Late last year, after spending several days slashing a trail through dense jungle, village chief Julio Gonzalez reached a clearing that should not have existed."

"Before him, a vast stretch of his land, once rich in wild game and plant medicines, had been levelled and parcelled out into coca farms. Twenty armed men warned him to leave. He did."

"It's an invasion. They go in, take the land and start growing coca leaf,' said Gonzalez at his home in Sinchi Roca, an indigenous village in Peru's inland Ucayali region."

As cultivation of coca leaf – the raw material for cocaine – surges in Peru, waves of migrant farmers from the Andes are settling on indigenous land in the Amazon to grow the illicit crop, according to the United Nations Office on Drugs and Crime and regional land authorities."

"U.N. data shows the amount of land exploited for coca production across Peru has risen nearly 10 percent to 43,900 hectares (108,480 acres) since 2015. Of that total, an estimated 2,700 hectares of indigenous land in the Amazon is being used to grow coca."

"That number is rising as land traffickers, as they are known, and farmers continue to clear primary forest deeper inside territory that is customarily held by tribes."

(Giardino, 2018a)



Kakataibo women stand with ancestral weapons in Sinchi Roca, Peru on November 9, 2017.

(THOMSON REUTERS FOUNDATION/Neil Giardino; as cited in Giardino, 2018a)

March:

Isolated Tribes and Forests Threatened by New Amazon Road Published on the 23rd of March, 2018 (Indigenous Rights and Development)

“A new road could soon slice through a large portion of the otherwise impenetrable rainforests blanketing Peru’s eastern border. Long a contentious proposition, the road was publicly declared “a national priority” and “in the national interest” by the country’s congress in January.”

“Perhaps ironically, the measure passed almost immediately after Pope Francis visited the Peruvian Amazon and spoke strongly against the dangers of development, telling indigenous leaders that they have ‘never been so threatened in their territories as they are now’.”

“Now, environmental and local activists are marshaling support to defeat the proposed project before any trees are cleared or pavement laid. Opponents worry the road will bring unregulated development to protected areas, threaten the lives of indigenous groups living in voluntary isolation, trample the rights of native communities, and invite drug and timber traffickers to the area.”

“In the road’s way are not only four national parks, but five areas set aside for indigenous groups living in voluntary isolation—most commonly referred to as “uncontacted tribes”—and numerous native communities sprinkled throughout the vast Amazonian basin that are struggling to obtain rights to their lands.”

(Drake, 2018)



**A road cuts through an area deforested by illegal gold mining in the Madre de Dios province of Peru. A plan to build another major road in the area is dividing the country.
(Photograph by Rodrigo Abd, AP; as cited in Drake, 2018)**

April:

Swiss Mining Corporations in Flagrant Violation of Human Rights – Swiss Government Complicit

Published on the 9th of April, 2018

(Violence and Mining)

“Violent attacks have been carried out by the copper mining giant Glencore’s security forces and Glencore-contracted national police on defenseless women and even children, on the poorest of the poor segment of Peru’s population. Glencore, is a Swiss registered Anglo-Swiss mining corporation, exploiting mineral resources in developing countries around the globe, where they pay almost no taxes, as their profit center is in Switzerland, in Baar, Canton Zug, one of the Cantons, that has the lowest tax rates in Switzerland.”

“In addition, none of the socio-environmental standards, to protect the environment and the local communities, are generally applied in developing countries. In the specific case of Peru, local laws are totally ignored. In fact, never mind Peruvian laws, they are like non-existent for the corporate world; they are simply bought. Never mind Glencore’s own “Due Diligence” rules, they are not respected in a country so corrupt, where laws, judges, lawyers, police, politicians – and even medical facilities are bought.”

“The mine is surrounded by some 6 mountain communities of an average of 1,200 people. None of them have running water or electricity... The community that was attacked has a well and [is] close-by small river which the mine wants for refining purposes and for diversion to other mining communities where water had already been stolen. There was not even an attempt of negotiating compensations. A local leader, advised about the violence, reached the community towards the end of the assault and took video testimonies of the beaten women.”

(Koenig, 2018)

Peru’s judicial loopholes allow illegal mining to flourish

Published on the 16th of April, 2018

(Legislative Loopholes and Mining)

“On Sunday, the Ministry of the Interior reported through a public communique that it destroyed nine motors, 10 rafts and other objects related to illegal mining in the Madre de Dios region. They also found six motorbikes that were used by illegal miners and taken to the Vehicle Protection Unit to carry out investigations. However, even if they link the motorbikes to the owners, it is extremely unlikely that they will be punished by law.”

“So far this year, there has been no sentence against an illegal miner. At the beginning of March, Madre de Dios news source reported that illegal miner Rony Franco Silvano, who was caught in the act, would be sentenced to six months of preventative prison. Illegal mining can invite a sentence of up to eight years, but many analysts believe that even this six-month sentence is unlikely to be carried out”

A “significant factor as to why much illegal mining activity goes unpunished, as authorities can be threatened or bribed to turn a blind eye... the current legal system isn’t working.”

(Jenner, 2018)

Canadian accused of killing Peruvian medicine woman lynched in Amazon

Published on the 22nd of April, 2018

(Assassination of Indigenous Leader)

“A Canadian man was lynched in the Peruvian Amazon after residents of a remote village accused him of killing an 81-year-old medicine woman a day earlier, a spokesman for the attorney general’s office said on Sunday.”

“Olivia Arevalo, a traditional healer of the Shipibo-Conibo tribe, was shot twice and died on Thursday near her home in the Amazonian region of Ucayali, said Ricardo Palma Jimenez, the head of a group of prosecutors in Ucayali. “

“Some villagers had blamed Arevalo’s murder on Sebastian Paul Woodroffe, a 41-year-old Canadian citizen who lived in the region and who was believed to have been one of her clients, said Jimenez.”

“Police found Woodroffe’s body buried about 1 km (0.6 mile) from Arevalo’s home on Saturday, after a cellphone video recording of the Friday lynching was shared on social media, said Jimenez.”

(Taj, 2018)

**Gun used to kill shaman was purchased by Canadian man lynched in Peru: authorities
Published on 28th of April, 2018
(Assassination of Indigenous Leader)**

“Peruvian authorities say the gun used to kill an Indigenous shaman and cultural activist matches the weapon purchased a few weeks earlier by a Canadian man who was lynched in a remote village in the Amazon rainforest.”

(Kalvapalle, 2018)

May:

**Peruvian farmers to appeal U.S. court decision in land dispute with American miner
Published on the 6th of May, 2018
(Land Rights and Mining)**

“With the support of EarthRights International, the Peruvian Chaupe Family announced this week that they intend to appeal a recent decision by a federal court in Delaware that ruled that their case against Newmont Mining Corporation (NYSE:NEM) should be heard in Peru – not Delaware, where the company incorporated almost 100 years ago. In a press release, EarthRights said that the Chauptes will fight before the Third Circuit to try to hold Newmont accountable in Delaware. In their view, the court made its decision ‘despite voicing concerns about evidence presented by the family showing the company’s significant and improper influence over Peruvian courts, and despite recognizing that the conduct of U.S. companies overseas raises substantial moral issues’.”

(Leotaud, 2018)



Máxima Acuña was at the forefront of the opposition against Newmont Mining’s Conga project since it was first proposed in 2010. For her work she received the prestigious Goldman Environmental Prize in 2016. (Image courtesy of The Goldman Environmental Prize.; as cited in Leotaud, 2018)

The Land Invaders

Published on the 8th of May, 2018

(Land Grabbing)

"In their rush for land in Peru, investors and local officials are grabbing land from poor villagers and contributing to deforestation in the Amazon. Two communities are defending their land rights with the help of Oxfam's determined local partners."

"Palm oil and other agribusiness plantations are expanding in Peru, and are a major cause of deforestation in Amazonian areas. Oxfam's research shows that new medium- and large-scale plantations are now covering 80,000 hectares (about 196,000 acres) mainly in San Martin, Ucayali, and Loreto provinces. Many of these new plantations overlap with indigenous community land claims. More than 1,300 indigenous communities currently have title to 12.4 million hectares of land in the Amazon in Peru, but are claiming 20 million more, according to estimates from indigenous federations."

"Oxfam is helping local communities defend their rights to own and manage their ancestral territories, invoking national and international laws overlooked by some corrupt local officials. But these agribusiness land grabs are hurting people far beyond the Amazon: the massive deforestation is a leading contributor to greenhouse gas emissions, which are a driver of the climate change that is affecting the entire planet."

(Hufstader, 2018)

Peru: Authorities are criminalizing human rights defenders by overturning judgement of acquittal

Published on the 10th of May, 2018

(Targeting Defenders)

"On 8 May, the First Criminal Appeals Chamber of the Ica High Court of Justice overturned the first instance judgement of acquittal and ordered the initiation once again of the trial against the environmental defenders Oscar Mollohuanca Cruz, Herbert Huamán and Sergio Huamaní for the crimes of endangering public safety, obstructing public services and causing civil unrest."

"The Public Prosecutor's charges against the three human rights defenders are based solely on their role as community leaders, thus automatically considering them the organizers of the protests and responsible for all criminal activity or damage caused."

(AI, 2018)

Are corrupt politicians behind Peru's palm oil plantations?

Published on the 31st of May, 2018

(Palm Oil and Land Grabbing)

"The Peruvian rainforest isn't what it used to be. Land that just a couple of years ago was covered in the thick foliage of the Amazon jungle has been given over to oil palms. Row upon row, as far as the eye can see... The indigenous plants are gone, and with them, the animals for whom they provided food and habitat."

"The fruit of palms provides oil used in a vast range of products — from cosmetics to biofuel, potato chips and sandwich spread — all over the world."

"The situation is particularly drastic in the Ucayali region. Some 13,000 hectares have been cleared for monocultures — largely oil palm and cocoa — in recent years. That's more than anywhere else in the country. Locals living in the heart of the Amazon jungle talk in terms of a massive sell-off that has violently disrupted their once-peaceful lives."

"Investigating how this massive shift in land use came about, Proética, the Peruvian arm of the anti corruption NGO Transparency International, repeatedly came across the name of Dennis Melka, a Czech-US investor."

"They connect Melka, who made a fortune with palm oil in Malaysia, to a network of 25 companies in which he plays many different roles. The so-called "Melka Group" is complex. According to Proética, the firms in it change their names, are shut down and split up as part of a strategy to get a hold of as much land as possible."

(Döhne, 2018)

July:

Wampis hold state oil company to account over pollution in Peruvian Amazon

Published on the 10th of July, 2018

(Indigenous Resistance to Oil)

“Two Wampis indigenous communities in northeast Peru are seeing the environmental damage on their lands remedied following years of oil contamination in their territory.”

“The indigenous communities Fernando Rosas and Arutam are continuing to fight for compensation following long standing health concerns and issues over safe water on lands crossed by the NorPeruano oil pipeline, operated by the state oil company, Petroperú.”

“Villagers from the two Wampis communities, whose traditional lands are in the river Morona watershed in the Loreto region of the Peruvian Amazon, have suffered the impacts of oil spills from a nearby pump station for decades. Their ongoing complaints to Petroperú, the state oil company, have been continuously dismissed.”

“José Peña Cachique, a leader from Fernando Rosas, explained to the Peruvian press that it was only more recently, in April 2017, that the government was forced to take them seriously when his community, with the support of the Autonomous Territorial Government of the Wampis Nation (GTANW), Forest Peoples Programme (FPP) and the Legal Defense Institute (IDL) were able to test soil and water samples. The analysis provided incontrovertible evidence of severe water contamination from the NorPeruano oil pipeline.”

“The incriminating results of this analysis were not enough, and the community was forced to file a formal complaint to the oil regulator, the Agency for Environmental Assessment and Enforcement (OEFA). Since then, both OEFA and Petroperú have visited the affected communities to take additional samples.”

(Younger, 2018b)

August:

Indigenous peoples in Peruvian amazon denounce oil company's efforts to circumvent FPIC Published on the 8th of August, 2018 (Indigenous Rights and Oil Exploration)

“On the 8th August 2018 the Autonomous Territorial Government of the Wampis nation in Peru, in representation of its communities on the Morona river, issued a statement rejecting the efforts of Chilean energy company Geopark to misrepresent the position of the Wampis people in regards to the exploitation of resources from Oil block 64. The company attempted to override the democratic structures established by the Wampis on behalf of the entire nation, through the formation of a delegation from only two communities and facilitation of high level meetings with government authorities.”

(FPP, 2018a)

September:



Land invaders turned their attention to Chaparrí six years ago when plans to build a reservoir raised the possibility of agricultural expansion in the protected area.

(Photograph: Dante Piaggio D/El Comercio/Newscom/Alamy; as cited in Rexhi & Weaver, 2018)

Peruvian villagers face murder and intimidation from land traffickers

Published on the 2nd of September, 2018

(Land Grabbing and Defenders)

"The Ronderos – self-governing peasant patrols – are resuming their nightly rounds five months after the brutal killing of their lieutenant governor, Napoléon Tarrillo Astonitas."

"Land invaders turned their attention to Chaparrí six years ago when plans to build La Montería reservoir dangled the promise of water resources in a desert-like environment – raising the possibility of agricultural expansion in the protected area."

"To date, 28 individuals opposing the plans have been threatened, and last year 10 cases of suspicious forest fires were reported in Chaparrí. According to the head of Peru's supreme court, Duberlí Rodríguez, more than 1,000 hectares of the area have been affected by land grabbers – deforested, burned and illegally cultivated."

"The location of La Montería reservoir has been a controversial matter, since it is within the borders of the protected area, going against a resolution made by the environment ministry in 2011."

(Rexhi & Weaver, 2018)

October:

Peru's natives say Amazon Waterway Project threatens food sources

Published on the 23rd of October, 2018

(Water Rights)



**Low visibility and shallow waters often delay the Eduardo II and other ships
(Neil Giardino/Al Jazeera; as cited in Giardino, 2018b)**

"National authorities have championed the Amazon Waterway Project as a silver bullet to the Amazon's chronic underdevelopment. But indigenous groups, fearing threats to food security, safety, and the vitality of their rivers, have met the project with deep scepticism."

The waterway is part of a larger transnational infrastructure strategy to link Peru's Pacific port of Callao, north of the capital, Lima, to the Atlantic Ocean in Brazil through an integrated network of highways, river ways, and telecommunications systems."

"With an investment of over \$95m, the Amazon Waterway will ensure 56-metre wide and 1.8-metre deep shipping lanes for cargo vessels along Peru's Amazon, Ucayali, Huallaga, and Marañon Rivers. Linking the major Amazonian port cities of Iquitos, Pucallpa and Yurimaguas, the project will span territory home to 424 native communities belonging to 14 ethnicities."

"Set to commence in 2020, the project will require the dredging of sand and logs along roughly

2,500km of the river to create deeper and faster-moving channels for cargo ships transporting everything from automobiles to food supplies. The waterway is expected to be operational by 2022.”

“But FECONAU says villagers fear the removal of large tree trunks and rocks - where fish gather and lay eggs - will reduce variety and quantity of their main food source. They also worry a faster current will capsize their canoes and increase flooding of riverbanks, where tribes plant seasonal crops like cassava.”

(Giardino, 2018b)

Indigenous peoples declare state of environmental emergency in the Peruvian Amazon

Published on the 30th of October, 2018

(Indigenous Rights and Land Grabbing)

“Communities in the Bajo Huallaga area of the Peruvian Amazon declared an “environmental and territorial emergency” on 16 September this year following serious and ongoing impacts on their natural resources, territories and inhabitants caused by land grabs and deforestation of their lands by loggers and palm oil companies.”

“The decision to declare a state of emergency was taken at an emergency general assembly of the 14 base communities of the Federation of Kichwa Indigenous Peoples of Bajo Huallaga, San Martin (FEPIKBHSAM). The assembly took place in Puerto Mercedes (Papaplaya district of the San Martin province), home to one of the indigenous communities hardest-hit by the clearance and burning of the forest. The community holds the palm oil company, Palmas de Huallaga, responsible for destroying and clearing their forests for oil palm cultivation, and their operations are alleged to have spread into the neighbouring region of Loreto.”

“It is not only oil palm expansion driving deforestation and violating territorial rights across Bajo Huallaga. In another area of the territory, Santa Rosillo de Yanayaku (Huimbayoc), illegal loggers are harming community forests, causing rights violations and destroying the community’s hopes for sustainable development, while the community of Anak Kurutuyaku report that unknown persons are illegally cultivating coca for drug production within their lands.”

(FPP, 2018b)

December:

Tráfico de tierras en Ucayali: funcionarios detenidos por pertenecer a mafia

(Land Trafficking in Ucayali: officials arrested for belonging to mafia)

Published on the 13th of December, 2018

(Land Grabbing)

In Ucayali everyone talks about land trafficking. It is a theme present in conversations, especially when talking about the rate of deforestation. Ucayali has one of the highest deforestation rates in the Peruvian Amazon, according the Andean Amazon Monitoring Project (MAAP). Those implicit in this irregular appropriation of large areas of forest are the State, the businessmen, and, the land traffickers, often forming corrupt networks amongst themselves.

An operation by the Anti-Corruption Police and the Third Criminal Prosecutor's Office of Coronel Portillo de Ucayali lead them to the Regional Directorate of Agriculture (DRAU) where they detained its coordinator, Isaac Huamán Pérez. Christopher Hernández Larrañaga, director of Legal Physical Sanitation of Agrarian Property (Disafilpa), is according to the Prosecutor's Office.

They were denounced for “unlawfully titling properties belonging to native communities and the State and granting them to family members, workers of the regional agriculture directorate and governors of the Department of Ucayali.”

(Praeli, 2018)

Alerta: El Gobierno Peruano retrocede en la lucha contra la Tala Ilegal

(Alert: The Peruvian Government takes a step backwards in the fight against illegal logging)

Published on the 17th of December, 2018

(Deforestation)

On Wednesday the Council of Ministers approved a Supreme Decree that cuts the Forestry and Wildlife Resources Oversight Agency’s, (Osinfor), independence. This was expressed by withdrawing Osinfor from functioning under the Presidential Council of Ministers (PCM) and relocating it under the Ministry of Environment (MINAM).

While Osinfor continues to identify the extraction and trade of illegal timber in Peru, and disseminate key information that forces other authorities to recognise the serious situation of illegality in the Peruvian forestry sector, this loss of independence severely impedes the ability of Osinfor to

carry out their mandate.

It should be noted that moving the project under the jurisdiction of MINAM was done so without having first consulted with - or even informing - Osinfor. In the same light, the approval of this change occurred in open opposition to the official and public position of Osinfor.

This change severely weakens the already gravely impacted institutional independence of Osinfor, and will damage its ability to carry out its mandate investigating the trade in illegal timber products. (GW, 2018b)

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Venezuela

“Under the leadership of President Hugo Chávez and President Nicolás Maduro, the accumulation of power in the executive branch and erosion of human rights guarantees have enabled the government to intimidate, censor, and punish its critics. Severe shortages of medicines, medical supplies, and food have intensified since 2014, and weak government responses have undermined Venezuelans’ rights to health and food. Security forces have arbitrarily detained and tortured protesters, and raids in low-income communities have led to widespread allegations of abuse. Other persistent concerns include poor prison conditions and impunity for human rights abuses.”
(HRW, 2018)

On the **8/12/2018** there was an armed incursion into the territory of the Pemón Indigenous people in Venezuela. 1 indigenous leader was killed, 4 indigenous Pemons were injured, 3 alleged members of the General Directorate of Military Counterintelligence were detained by the community and 2 workers of Corpoelec - the electric company of the Venezuelan State - were apprehended. Allegedly, the attack was due to prevent the expected success of the indigenous cause in the regional elections ⁽¹⁾.

January:

Amazon Venezuela’s Mining Arc boom sweeps up Indigenous people and cultures Published on the 15th of January, 2018 (Mining and Indigenous Peoples)

“Groups of miners, carrying pickaxes and gold pans, meet along the chaotic roads to catch rides by any mode of transport possible, headed to the illegal gold mines that lie outside the village.”

“Some of these artisanal miners, maneuvering around honking cars and children hawking contraband fuel, come in desperation from Venezuela’s urban centers. But among the dirt-poor miners in their ragged clothes and muddy boots, many indigenous faces also stand out.”

“The nation’s failed petro-economy, disastrous governmental policies and a nonexistent job market have brought them all to Las Claritas and its surrounding mines to eke out a hardscrabble living and to feed their hungry families.”

“This remote settlement has been transformed by the sudden rush to extract and process minerals. New arrivals find not a quiet rainforest locale, but a criminal underworld with numerous brothels, gang-controlled mines and an ongoing malaria epidemic.”

“Opportunities are few here, and risk to life and limb are many.”

“The Arco Minero sprawls in an east-to-west crescent across 112,000 square kilometers (43,243 square miles) mostly in Bolívar state, south of the Orinoco River and in the Venezuelan Amazon.”

“Four sections of Bolívar are included in Maduro’s decreed mining zone, all of which overlap with legally protected environmental preserves and indigenous territories. Large-scale mining here could threaten Canaima National Park, a UNESCO World Heritage Site; Imataca Forest Reserve, La Paragua and El Caura reserves, Cerro Guanay Natural Monument and the Caroní River watershed.”

“There are 198 indigenous communities in Bolívar state. And their people, mostly small scale farmers, have been drawn to give up their traditional ways of life to enter the Mining Arc – largely prompted by Venezuela’s astonishing inflation rate (likely to exceed 2,700 percent for 2017), as well as by the rapidly escalating local cost of living which came along with the mining bonanza. Men, of course, work the gold, coltan and diamond claims, but indigenous women also toil in the mines and around them, preparing and selling food, cleaning accommodations and working as prostitutes.”

(Ebus, 2018)

June:

Why global environmentalists are silent on Venezuela's mining crisis

Published on the 25th of June, 2018

(Ideological complicity)

"Venezuela is on a path towards environmental devastation."

"In 2016, President Nicolás Maduro opened a large swath of Venezuela to national and foreign mining companies. He was following in the footsteps of his predecessor Hugo Chávez, who first announced plans for the Orinoco Mining Belt, or the *Arco Minero del Orinoco*."

"Chávez was the "father" of the idea, but Maduro implemented it to offset the decline of oil revenue at the national petroleum corporation PDVSA due to alleged corruption and mismanagement."

"The vast area, some 112,000 square kilometres, covers 12 percent of the Venezuelan territory. It crosses rich tropical forests, including the Sierra de Imataca in the east and the centrally located El Caura, as well as the Orinoco and Caroní river basins."

"These are all fragile ecosystems, containing the sources of water and plant life that provide the mechanisms that regulate the environment and the generation of hydro-energy. They could be seriously affected by such an extensive mining project that includes legally protected environmental preserves and Indigenous communities."

"Both international corporations and the Venezuelan military — responsible by law to protect the area — are to blame for this environmental devastation, according to experts in the area."

"Top environmental groups, including Greenpeace and the World Wildlife Fund (WWF), have been silent."

(Nahon-Serfaty, 2018)

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Central America



Belize

February:

C.C.J. Puts Pressure on Gov't to Honor Consent Order

Published on the 19th of February, 2018

(Consent and Communal Rights)

“The Mayas of southern Belize continue their fight with the Government of Belize, represented by the Toledo Maya Land Rights Commission to enforce the historic consent order made on April twenty-second, 2015, to develop a mechanism to recognize the already agreed communal land rights of the indigenous Maya people. But they continue to quarrel over two basic points: how to move forward from the consultation process, and how to resolve disputes that threaten the sovereignty of the Maya’s acknowledged territory. The Commission, Government and Maya Leaders Alliance/Toledo Alcaldes Association were back before the Caribbean Court of Justice, which laid extra pressure on Belmopan to step to the plate.”

(Humes, 2018)

May:

Maya Leaders continue to push to have government honor the Consent Order handed down by the CCJ

Published on the 9th of May, 2018

(Indigenous Rights Recognition)

“The Maya leaders of Maya communities in Southern Belize continue their fight towards the guaranteeing of land titles to the Maya people. Monica Magnusson, the attorney representing the 39 communities in the case at the Caribbean Court of Justice, presented a statement at the 17th Session of the United Nations Permanent Forum on Indigenous Issues, UNPFII. The session was held from April 16 to 27 in New York under the theme “Indigenous peoples’ collective rights to lands, territories and resources”. In her statement, Magnusson asked for solidarity from world diplomats and that the rule of law be upheld. In 2015, the Caribbean Court of Justice reaffirmed the customary land right of the 39 Q’eqchi and Mopan Maya Indigenous communities of southern Belize. However, little progress has been achieved in the implementation of Consent Order of April 2015 and the matter is currently before the CCJ. In her statement, Magnusson says that the leaders have exhausted all domestic and international legal mechanisms to obligate the Belize government to respect the Maya’s collective rights to lands, but the state continues to quote, “allow third parties to adversely affect the value, use, and enjoyment of our lands. This includes issuing of concessions for oil exploration, logging, and the demolishing and desecration of our sacred sites, and undermining the authority of our traditionally elected leaders who defend our lands,” end of quote. Magnusson continued by asking what other resources do the indigenous leaders have when the government quote, “can choose to freely disregard the rule of law issued by their own Supreme Court, to disregard recommendations from the Inter-American Commission, to disregard the ruling of its highest appellate court, the Caribbean Court of Justice, to disregard two cycles of UPR Recommendations from their peers?,” end of quote. A news article published on “Cultural Survival”, stated that in November this year, Belize will be reviewed under a human rights compliance mechanism called the Universal Periodic Review, in which it is expected to be held accountable for its failure to abide by domestic and international laws. It adds that “Cultural Survival” and the Maya Leaders Alliance have submitted a stakeholder’s report to the Universal Periodic Review outlining violations to Indigenous Rights experienced by the Maya People of Southern Belize in this case.”

(Ical, 2018)

August:

Toledo Maya Land Rights Commission clarifies allegations of ‘non-consultations’ Published on the 1st of August, 2018 (Indigenous Land Rights and Consent)

“The Toledo Maya Land Rights Commission was established by the Government of Belize to facilitate the implementation of the Consent Order of the Caribbean Court of Justice (CCJ) in *Maya Leaders Alliance v. the Attorney General of Belize*, [2015] CCJ 15 (AJ) which seeks to protect the rights of the Maya people arising from customary land tenure.”

“Today, the Toledo Maya Land Rights Commission issued a release informing that the Commission recognizes the importance of a work plan to guide the implementation of the order.”

“Therefore, the commission has contracted the services of an expert consultant with extensive experience in dealing with indigenous peoples’ issues at both regional and international levels, inclusive of the drafting of the UN Declaration on the Rights of Indigenous Peoples, of which Belize is a signatory.”

“[T]he Commission clarifies that it has not shied away from meeting with any one group, and the final work plan reflects input from prominent indigenous groups.”

“The Commission recognizes that a work plan is a dynamic document which can be adjusted to meet the various needs which may arise as the process unfolds.”

(Breaking Belize News, 2018)

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Guatemala

January:

Lawmaker in Bid to Revoke 90 Mining Licenses in Guatemala Published on the 12th of January, 2018 (Mining Law and Rights)

“Guatemalan lawmaker Leocadio Juracan has launched a bid with the Supreme Justice Court (CSJ) to revoke 90 mining exploitation and exploration licenses granted on Indigenous lands without consulting Indigenous communities.”

“The former leader of the Highlands Farmers Committee (CCDA), along with the Guatemalan Indigenous and Farmer Unionist Movement (MSICG), argues the licenses were granted without any consultation involving local Indigenous groups, a clear violation of the International Labour Organisation's (ILO) 169 Convention on Indigenous and Tribal Peoples.”

“The Energy and Mines Ministry has been granting these mining exploitation and exploration licenses through the Mining General Administration since 2005. Of the 90 licenses that the appeal is trying to revoke, 42 are related to exploitation and 48 to exploration.”

(Telesur, 2018a)

February:

Tahoe burnishes CSR profile in undertaking to develop indigenous peoples policy Published on the 14th of February, 2018 (Mine and Indigenous Rights)

On the **9/1/2018** Ronal David Barillas Díaz, member of the organisation that works with the rights of the Xinka Community affected by the sugar cane industry, was assassinated ^(1.).

Since the assassination of their colleague Ever Donaldo Benito Benito and Romeo Lima Espinoza, coordinator and vice-coordinator of the same organisation that defends the rights of Xinka Community affected by the sugar cane industry, have been harassed and followed ^(1.).

On the **17/1/2018** Maria Magdalena Cuc Choc was arbitrarily detained by the National Civil Police without warrant. She was detained after serving as a Q'eqchi-Spanish translator for the community of Rubel Pekin at a judicial hearing. After being taken to Puerto Barrios Peace Court, she was notified that on 25 January 2017 (one year prior) the prosecutors office released an arrest warrant against her. She was charged with aggravated trespassing, threats and illegal detention. This request was in relation to a complaint submitted by "LISBAL" company to the Prosecutor's Office, against the Maya-Q'eqchi' people of Chabil' Ch'och' indigenous community. Maria has worked to document and denounce environmental and land rights violations caused by several Canadian mining companies such as Skye Resources, HMI Nickel Inc. and Hudbay Minerals. María has worked particularly closely with communities whose rights have been violated by killings, gang rapes and illegal evictions ^(2.).

On the **29/3/2018** "a group of hitmen killed Crisanto Garcia Ohajaca, the uncle of the

"Embattled Canadian miner Tahoe Resources has given itself until the end of the year to formalise a comprehensive new indigenous peoples policy as it deals with community protests in Guatemala, that have shuttered operations at its flagship Escobal silver mine for months."

"The policy is aimed at formalising and further enhancing the company's approach to engaging with indigenous people across its operations, after its Guatemala operations became ensnared in legal action by a non-governmental organisation against the government, which has resulted in the temporary suspension of the mining licence, until formal engagements have been completed."

"On July 5, the Supreme Court of Justice temporarily suspended work at the Escobal mine, owing to discrimination and the lack of prior consultation of indigenous Xinka communities, whose ancestral territory is affected by the project. The country's Constitutional Court confirmed the suspension in late August, before overturning it earlier this month. However, the ongoing roadblock prevents Tahoe from restarting the mine, which it said would take about a week."

(Lazenby, 2018)

Guatemala: Mayan Community Battles Illegal Miners Published on the 27th of February, 2018 (Mining and Indigenous Rights)



Lake Izabal.

(Picture by Simone Janack; as cited in Telesur, 2018b)

"The Mayan Q'eqchi communities of El Estor, Izabal, have filed an appeal against the Energy and Mining Ministry (MEM) of Guatemala, after they illegally granted a mining license in their territory, causing significant environmental problems."

"The community argues they weren't consulted about the mine, which is required according to the International Labour Organisation's Convention 169 regarding Indigenous and tribal peoples. The convention establishes that 'the peoples concerned shall be consulted whenever consideration is being given to their capacity to alienate their lands or otherwise transmit their rights outside their own community'."

"The Fenix mining project is carried out by the Guatemalan Nickel Company of Izabal CGN Pronico. It restarted operations in 2014

COMUNDICH Executive Board vice-president, Eugenio Ohajaca. The leader of the Ch'orti' de Morola community, which COMUNDICH is currently assisting, received a death threat two days after Crisanto Garcia Ohajaca's murder. In the past few weeks, threats and attacks against those associated with the indigenous rights organisation, Coordinadora de Asociaciones y Comunidades para el Desarrollo Integral del Pueblo Ch'orti' COMUNDICH, have increased. COMUNDICH is an indigenous rights organisation that currently supports forty-eight Mayan Ch'orti' communities in eastern Guatemala" (3.).

On the **31/3/2018** Héctor Manuel Choc Cuz (18), the nephew of prominent land rights activists, was beaten to death. It is suspected the assailants mistook his identity for his cousin, José Ich. Witnesses overheard an assailant say, "It's not Ich, let's go,". The victim's cousin, José Ich, is a key witness in two cases dealing with his father's 2009 murder, allegedly by private security guards of the Fenix nickel mine in El Estor, Guatemala. The mine has been plagued for decades by longstanding land disputes with local indigenous communities and other controversies, along with other high-profile incidents. These include the 2009 killing of Ich Chamán, the 2009 shooting and paralyzing of German Chub Choc, and the 2007 gang rape of 11 Maya Q'eqchi'n women in the community of Lote Ocho — all allegedly at the hands of Fenix security personnel. Ich's mother (Héctor's aunt), Angélica Choc, is a prominent human rights and environmental activist who has fought for years against the Fenix mine. In April,

when the nickel company was bought by the Swiss Solway Investment Group, after it was abandoned in 1982, along with other projects."

"One of the organisations promoting the lawsuit is the Artisanal Fishermen's Guild (GPA) of El Estor, which has been struggling to stop the mine since it restarted operations. They claim the mine's chemicals are polluting the lake, which recently has shown a brown and dirty looking color. They have asked the government to take action, but have only received negative feedback and repression instead."

(Telesur, 2018b)

April:

Indigenous Xinka march in Guatemala to banish Canadian mine

Published on the 17th of April, 2018

(Mining and Indigenous Rights)



More than 2,000 Indigenous Xinka people march through the streets of Guatemala City on April 9, 2018, to demand an end to Tahoe Resources' Escobal mine. Photo courtesy of the Centro de Acción Legal Ambiental y Social de Guatemala (CALAS; as cited in McSheffrey, 2018)

"The project has been on hold since last summer over Indigenous consultation concerns, and just last month, hit a new snag as Guatemala's Constitutional Court prolonged that suspension further with demands for new information and evidence. It's a decision that sent more than 2,000 Indigenous Xinka people marching through the streets of Guatemala City last week, demanding permanent closure of the mine. The court has "requested new anthropological studies on communities around the Escobal mine that shed light on their current Indigenous populations." It also requested "a third-party review of the environmental impact study and Indigenous consultation process undertaken by Guatemala's government in advance of April 2013." "[A]ccording to Kelvin Jiménez, attorney for the Xinka Parliament, the court's resolution also offends. No court has the right to doubt the self-identification of a people, he said in his own statement responding to the decision. It is not up to the Constitutional Court to decide if we, the Xinka people, exist or not. This is not a disputed fact...We exist and we have the right to free, prior and informed consent."

(McSheffrey, 2018)

2017 a judge acquitted the mine's former security chief, former military lieutenant colonel Mynor Padilla, of murder and, instead, ordered criminal investigations of Choc and other accusers, including her children, for alleged obstruction of justice and falsifying information. An appeals court overturned the ruling in September 2017 and ordered a retrial (4.).

On the **9/5/2018** human rights defender Luis Arturo Marroquín was killed when leaving a local bookshop in San Luís Jilotepeque. Two hooded men had followed him from Jalapa to San Luís Jilotepeque. From a black Toyota Hilux truck, the perpetrators shot the defender in the back several times. Luis Arturo Marroquín was the political coordinator for Eastern Guatemala at the Farmers' Development Committee (Comité de Desarrollo Campesino – CODECA) and was also part of the National Directorate of this organisation. CODECA is a human rights organisation of indigenous farmers dedicated to promoting land rights and rural development for indigenous families in Guatemala through social participation, effective advocacy on public policies, and participation in inclusive programs to reduce the vulnerability of indigenous communities in the country. CODECA and its members have also been targeted by racist and discriminatory social media comments, with even President Jimmy Morales having repeatedly stigmatized the work of CODECA (5.).

On the **13/5/2018** Mateo Chamán Pauu was found dead at his property by a gunshot to his back.

May:

Guatemala must break cycle of discrimination

Published on the 12th of May, 2018

(Indigenous Rights)

"Guatemala must break cycle of discrimination against indigenous peoples, says UN expert"

"UN Special Rapporteur on the rights of indigenous peoples, Victoria Tauli-Corpuz, has expressed concerns over the discrimination and marginalisation of indigenous peoples in Guatemala, referring to extreme poverty, malnutrition, forced evictions and criminal prosecutions."

"At the end of a 10-day visit to the country, the UN human rights expert urged the Government to reconstruct its relationship with indigenous peoples. She also called on the Government to ensure accountability and reparations with respect to Guatemala's civil war from 1960 to 1996."

"The number of people living in poverty in Guatemala has increased 22 percent in the last 10 years, she said. Around 40 percent of indigenous peoples live in extreme poverty and more than half of all indigenous children are malnourished."

(Scoop, 2018)

September:

Alarm as Guatemala bans head of UN anti-corruption body from country

Published on the 5th of September, 2018

(Corruption)



Protesters demonstrate in Guatemala City on Tuesday against President Jimmy Morales after he banned the chief of the UN's anti-corruption commission from entering the country.

(Photograph: Johan Ordonez/AFP/Getty Images; as cited in Cuffe, 2018)

"Human rights officials and activists have warned that the rule of law in Guatemala is under threat after a UN-backed special prosecutor was banned from re-entering the country – the latest in a series of clashes between the government and an international anti-corruption commission."

"Anti-corruption activists fear that the pioneering anti-corruption work of the UN-backed International Commission Against Impunity in Guatemala, Cicig, is now at risk."

The community leader was allegedly receiving threats by workers of the farm owned by Mr. German Diego Soria with whom he had a land dispute. Chamán was one of the leaders of the Comité Campesino del Altiplano - CCDA. According to CIVICUS Monitor, the CCDA has claimed that the murders are related to defending land and environmental rights in the northern part of the country ^(6.).

On the **17/5/2018** Luis Armando Maldonado, member of the Social Pastoral of the Earth, was assassinated in Quetzaltenango. The event occurred in Huehuetenango, where he had participated in the formation of the Manos Campesinas organisation. Many indigenous defenders in the region are opposing construction of three controversial hydroelectric projects, Pojom I, Pojom II, and San Andres ^(7.).

On the **1/6/2018** Ramon Choc Sacrab, an Indigenous Q'echi' leader of Ixloq San Pedrito, died from injuries caused by two unidentified men brutally attacking him the day before. Ramon Choc was a regional leader of the Campesino Committee of the Highlands (Comité Campesino del Altiplano, CCDA). Earlier that day, he had participated in a march for justice for three human rights defenders who were murdered in Guatemala in May. Amnesty International on investigating found inconsistencies between witness accounts and those of the police ^(8.).

On the **3/6/2018** Florencio Nájera and Alejandro Hernández García were intercepted while returning home after a meeting, attacked and repeatedly assaulted with machetes by unknown persons. They died as a result of their injuries. They were both members of the peasant movement (CODECA) which has been a strong opponent of energy companies in the region, such as Energuate, from the company Actis Energy ^(9.).

On the **7/6/2018** Francisco Munguia, a Xinka and vice president of CODECA, was stabbed to death as he returned home after work ^(10.).

On the **4/7/2018** "Twelve communities of San Juan Sacatepequez installed a blockade to prevent the construction of a regional ring road and stop a cement plant. A group of armed people wearing balaclavas attacked and threatened the indigenous Kaqchikel community in Santa Fe Ocaña in San Juan Sacatepequez. The attack is believed to be related to the construction of a cement plant in their territory, which the community opposes. About 70 people reportedly opened indiscriminate fire on the peaceful blockade, injuring 17 persons including women and men. The attack is believed to have been carried out because the blockade prevented five construction trucks of Cementos Progreso from reaching their destination... Local authorities said the attackers were allegedly identified as part of the Cruz Blanca village, which has close relations with the cement company, according to Waqinb' Kej, a Mayan national coordinator of indigenous struggles" ^(11.).

On the **14/7/2018**, "*La Resistencia Pacífica de la Microregión de Ixquisis* (the Peaceful Resistance of Ixquisis Microregion) and members of the community they represent have conducted a series of protests opposing the violation of their human rights allegedly caused by the activities of the hydroelectric company *Energía y Renovación SA* formerly known as PDH S.A., and requesting the closure of a military garrison and a police station at the company's facilities in Ixquisis. Police officers based at the company's facilities have reportedly threatened members of the community and used force against protesters. The organisation and community have since been subjected to smear campaigns on social media, repression and threats from the national police force and private security" ^(12.).

On the **28/7/2018** the body of indigenous leader and woman human rights defender Juana Raymundo was found on the road near Nebaj and Acambalam Village, Guatemala. According to the Farmers' Development Committee (Comité de Desarrollo Campesino – CODECA), her body showed signs of torture ^(13.).

On the **30/7/2018** Rogelio Cac a Maya Q'eqchi and community authority on part of the Environment Commission of the Pansamalá community in Alta Verapaz, who opposes the Renace 4 hydroelectric plant was arbitrarily detained. On that day he went to the police to ratify a complaint and denounce the Renace hydroelectric company for land dispossession. Upon leaving the station there were agents waiting for him, they arrested him on the spot due to having been denounced by an employee of Renace ^(14.).

On the **14/8/2018**, “human rights defenders and members of the Farmer’s Committee of the Highlands (Comité Campesino del Altiplano – CCDA) Edwin Choc and Martín Chub were arbitrarily detained in Cobán, after a meeting with government authorities that was part of the so-called Permanent Dialogue between authorities, campesino and indigenous communities. Edwin Choc and Martín Chub are local leaders in Alta Verapaz and members of the CCDA, an organisation that promotes the development of rural and indigenous communities to increase their standard of living through programmes aimed at creating equality and at increasing participation in social, economic, cultural, and political processes. CCDA has advocated against the land grabbing efforts of landowners on indigenous territories and demanded better policies in favour of rural development” ^(15.).

On the **24/8/2018** Rolanda de Jesus Garcia Hernandez, a Telesur correspondent who was filming the consequences of alleged illegal logging by a hydroelectric company, was threatened by men with machetes. Garcia and another Telesur correspondent, Santiago Boton, were summoned by the Q'eqchi' community authorities of Sacta, on Cahabon's riverside. Employees of the Oxec Hydroelectric detained the journalist Rolanda de Jesus Garcia, along with community members of Sacta in the Cahabon municipality, Alta Verapaz. After attempting to take the camera equipment and threatening to rape, kill her and then throw her body into the river, the men finally released Garcia when she promised never to return. The incident has been reported to police. The Oxec Hydroelectric has denied any responsibility for the incident or having knowledge of Garcia's journalistic work ^(16.).

On the **16/12/2018** Domingo Pedro Esteban and Nery Pedro Esteban were found dead. They were considered opposition leaders against the construction of a hydroelectric plant in the area, being constructed by Energía y Renovación S.A ^(17.).

“Cicig’s success in bringing down corrupt officials, judges and lawyers has soared during the five-year tenure of the head commissioner, Iván Velásquez.”

“But on Tuesday, the government announced that Velásquez, currently in the US, would not be allowed back into the country, alleging that he was a threat to order and public security.”

“Morales, a former TV comedian, has been accused of illicit campaign financing during his 2015 run for president and is currently facing proceedings in congress that could strip him of his immunity from prosecution, though previous attempts to do so have failed.”

“Last year, Morales declared Velásquez persona non grata, but a successful constitutional court challenge filed by the ombudsman Rodas reversed the measure.”

(Cuffe, 2018)

November:

Activistas y académicos repudian “difamación” a líder indígena guatemalteco (Activists and academics condemned the defamation of Guatemalan Indigenous leader)

Published on the 10th of November, 2018

(Smear Campaigns)

A group of academics, activists and rights defenders condemn attacks and smear campaigns against the coordinador of the Ancestral Plurinational Maya Q’anjob’al Government, Rigoberto Juárez. It was claimed he had ordered an attack against the machinery of the hydroelectric project in Ixquis, San Mateo Ixtatán, Huehuetenango. There were other accusations in the smear campaign by El Periodico news outlet.

El Periodico is spreading false information that benefits the interest of private companies. Energía y Renovación released a statement on its social media, accusing Front line defenders and community groups of damages.

(el Pais, 2018)

**Guatemala: condenan a 7 años de prisión a líder maya por defensa de naturaleza
(Guatemala: Mayan leader has been sentenced to 7 years in prison for defending the environment)**

Published on the 17th of November, 2018

(Indigenous Rights)

Maya-Q'eqchi' leader Bernardo Caal Xol was sentenced to 7 years imprisonment for his part in the resistance movement against hydroelectric plants on the river Río Cahabón in Alta Verapaz.

The social leader has been accused of the crimes of aggravated robbery and intention to instigate crimes against two hydroelectric plants.

The defense argues that it is a baseless criminalisation case. The crime of Caal has been to denounce the illegalities in the granting of environmental licenses and concessions without the Q'eqchi' communities of Cahabón being previously, duly informed and consulted by the State of Guatemala, before approving the hydroelectric projects OXEC and RENACE.

The latter, with the participation of the Spanish company Grupo Cobra-ACS. It should be remembered that just in August, Rolanda García Hernández, a TeleSUR reporter, was detained and threatened with rape in the community of Seacté, Santa María Cahabón, Alta Verapaz, allegedly by workers or close associates of the Oxec hydroelectric plant.

(Desinformémonos, 2018)

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Honduras

May:

Gold miner in Honduras must stop exhuming bodies from cemetery - lawyer

Published on the 12th of May, 2018

(Mining and Sacred Sites)

“A Honduran judge has temporarily blocked a Canadian-listed miner from exhuming dozens of human remains at a more than 200-year-old cemetery in the Central American country to make way for a gold mine, a lawyer for the local citizens said on Friday.”

“Since 2016, Minerales de Occidente (MINOSA), the Honduran subsidiary of Aura Minerals, has angered the citizens of the town of Azacualpa by removing over 350 corpses from a cemetery to make space for its San Andres open-pit gold mine, granted under a concession by the Honduran government.”

“Miners operating in Central America have long been accused of environmental damage, corruption and even violence against local communities. Mining firms, however, say they bring jobs and development to poor, rural areas.”

“Victor Fernandez, a lawyer for plaintiffs in the town, told Reuters on Friday that a judge had - for the time being - weighed in favor of the local villagers. The town is located about 122 km (76 miles)

northwest of the Honduran capital of Tegucigalpa.”
(Reuters, 2018)

November:

Berta Cáceres case: a warning for those who would kill activists Published on the 30th of November, 2018 (Assassination of Defenders)

“The sentencing on Thursday of seven men accused of murdering the Honduran environmentalist Berta Cáceres is only partial justice, but it should inspire anyone committed to ending the slaughter of land and nature defenders around the globe.”

“A court in Tegucigalpa handed down guilty verdicts on all but one of the eight accused, including two employees of the hydro-electric dam company that the indigenous Lenca woman had been campaigning against before her assassination on 2 March 2016.”

“The Goldman environmental prize winner was shot in her home by armed intruders along with Gustavo Castro, a Mexican environmentalist, who survived by pretending to be dead.”

“The judge ruled the murder was carried out by a gang of hitmen on the orders of executives of the Agua Zarca dam company Desa, who were frustrated at costly delays caused by the protests.”

“Two Desa managers were sentenced: Sergio Ramón Rodríguez, communities and environment manager; and Douglas Geovanny Bustillo, the company’s former security chief.”
(Watts, 2018)



**Demonstrators outside court during the murder trial of activist Berta Cáceres in Honduras.
(Photograph: Jorge Cabrera/Reuters; as cited in Watts, 2018)**

On the **15/2/2018** territorial defender María Paula Láinez Rodríguez was imprisoned for the alleged offences of the homicide of 11 persons, aggravated robbery and arson. The events leading to the issuance of the arrest warrant date back to a confrontation between campesinos and landowners in the context of a land conflict in the community of Guadalupe Carney that took place in 2008 ^(1.).

On the **20/2/2018** Luis Fernando Ayala (16), was found dead with signs of having been tortured. He was an environmental activist who opposed to the work hydroelectric and mining companies are doing in the province of Santa Barbara, Honduras ^(2.).

On the **22/2/2018** Aquelina Mejía, a member of Movement for Dignity and Justice (MADJ) was arrested by members of the National Police and the Police Investigations Division (DPI) after they broke into her home, conducted a search, and alleged that they found two molotov cocktails or “homemade fireworks”. MADJ has been advocating for environmental and land rights of indigenous communities in the context of mega-projects and industrial mining ^(3.).

On the **21/3/2018** German Chirinos Guitierrez, an environmental defender and coordinator of the Movimiento Ambientalista Social del Sur, was kidnapped from his offices by a car and six unidentified men. The kidnappers were allegedly threatening to kill him, but got scared due to noise nearby. He has declared the death threats are allegedly consequence of his opposition to mining companies in the region ^(4.).

On the **23/3/2018** Nelson Edilberto Martínez Meléndez was shot 6 times, while shepherding, by unidentified men. His assistant heard the shots and found him dead. Nelson Meléndez was an activist known for defending access to water for his community. Mines operate in the area ^(5.).

On the **10/4/2018** “human rights lawyer Carlos Hernández was killed by unidentified assailants at his office in Tela municipality, Atlántida, Honduras. Carlos Hernández had been legally defending the Mayor of Arizona, who is charged with unlawfully occupying property belonging to the government and to the Generación Eléctrica (INGELSA), which is responsible for the construction of the Río Jimalito hydroelectric project. Because of the damaging impact on the socio-economic rights of communities living in the surrounding environment and the lack of previous, free and informed consent from the communities, Mayor Arnoldo Chacón is opposing the project alongside the communities of Tela municipality” ^(6.).

On the **11/4/2018** two National Police agents arrived at the home of one of the sons of defender Lilian López, Coordinator of the Civic Council of Indigenous Peoples’ Organisations of Honduras (COPINH) and member of the National Network of Women Human Rights Defenders in Honduras, with the stated intention of searching the house for arms. Their IDs were covered and presented no court order authorising such a search. When COPINH members contacted the San José Police Department to request information concerning the incident, they were told that no search had been registered in the area at the time the events occurred ^(7.).

On the **24/4/2018** Ramon Matute, Jose María Pineda and Ángela Murillo, members of the Movimiento Amplio por la Dignidad y la Justicia, and indigenous members and leaders of the Tolupán people, have been receiving increasing threats and are being excluded by their own community due to their opposition on logging in their ancestral territories ^(8.).

On the **10/5/2018** defender Yenis Zulay Rodriguez and her companion Carlos Omar Espinoza

attended a hearing in the Civil Court of Trujillo, Colón, after being accused by the Agropalma Company of the alleged offence of land usurpation. The charges were allegedly presented as a retaliation for their work against the private company and the fight for their land rights ^(9.).

On the **7/9/2018** Rigoberto Bonilla Hernandez was seriously wounded after allegedly being attacked by a group of guards hired by the iron ore mining company Inversiones Los Pinares, in the community of Guapinol in Colon. He was part of the resistance camp where community members were protesting peacefully for several days in defence of water and life in the region against mining. The mining company Inversiones Los Pinares, has allegedly destroyed two rivers in the sector of Guapinol, as reported by residents and human rights defenders participating in the protest ^(10.).

On the **13/9/2018** an arrest warrant has existed for eighteen members of the Municipal Defense Committee of Public Communal Assets in Tocoa, Colón, who are participating in the Encampment for Life in Defense of the Right to Water, including defenders Miriam Janeth Mejía Cruz and Lourdes Elizabeth Gómez Rodas. The camp was set up last August to protest against the action of the Los Pinares Mining Investment Company, which is causing serious environmental damage to the San Pedro and Guapinol rivers ^(11.).

On the **29/9/2018** a fire broke out at the residence of Margoth Escobar, when she was not at home. The defender first thought the cause had been an electrical dead short, but the preliminary information made available by the Fire Department indicated that the house was intentionally set on fire. Margoth Escobar is a well-known environmental and indigenous rights defender who has worked since the 1970s in the promotion of the rights of indigenous peoples ^(12.).

On the **27/10/2018** a military police contingent of 1,500 troops bearing high-calibre weapons violently and wrongfully evacuated the Guapinol Encampment. For 87 days, dozens of defenders of water and common property have resisted the actions of Los Pinares Mining Investment Company, which are hazardous to the biodiversity and to the right to water of the communities in the San Pedro, Guapinol, Tocoa and Abisinia sectors. These registered actions include attacks against social communicators and camera operators who are covering the activity. The attacks continued the following day, Sunday, October 28th, in the La Ceibita community, where security guards and employees of Los Pinares Investments attacked townspeople who oppose the mining company ^(13.).

On the **13/11/2018** “woman human rights defender Juana Esquivel, director of Fundación San Alonso Rodriguez, in Tocoa, Colón, Honduras, is currently being targeted in a smear campaign against her and the human rights organisation. The harassment is related to their support to activists of the Guapinol camp, who have suffered eviction attempts, police aggression and criminalisation due to their peaceful demonstrations against environmental damages caused by the activities of the mining company Empresa Minera Inversiones Los Pinares” ^(14.).

On the **30/11/2018** Jeremías Martínez Cruz, a defender of territory, water and life of his community Guapinol who has weak health, was arrested in his home without being shown an arrest warrant. Jeremiah is being accused of the crimes of usurpation and damages to the mining company Inversiones Los Pinares, among other charges. The judge allegedly issued 18 other arrest warrants against the defenders and environmentalists who have been defending water and life in the community of Guapinol ^(15.).

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On the **16/1/2018** the body of Guadalupe Campanur was found in the municipality of Cherán, Michocán, Mexico. She was strangled to death by two unidentified killers. Guadalupe Campanur was an environmental activist who fought for the defence of forests against illegal logging. In 2011, she and other leaders of Cherán started a campaign against crime groups that had been operating in the area destroying the municipality's natural resources with the aid of corrupt local officials and ended up expelling the government from the municipality ^(1.).

On the **12/2/2018** Abraham Ramírez Vásquez, indigenous leader from Santiago Xanica and both a member and cofounder of CODEDI (Comité de Defensa de los pueblos Indígenas, suffered an assassination attempt. CODEDI is an organisation that works to defend the rights of indigenous peoples against displacement, a particular focus is given to mining and hydroelectric companies. In more the 20 years, CODEDI has worked with more than 50 communities in the southern highlands, central valleys and the coast of Oaxaca ^(2.).

On the **12/2/2018** three social activists belonging to CODEDI were killed, after a group of representatives of this organisation had come to the capital to hold a meeting with Governor to discuss the political situation in Oaxaca. The three defenders killed were identified as Alejandro Antonio Diaz Cruz, Ignacio Basilio Ventura Martinez and Luis Angel Martinez. For more than 20 years, CODEDI has been defending the rights to the autonomy and territory of



Mexico

2017:

Más de 325.000 víctimas de desplazamiento forzado por la violencia en México

(There are more than 325,000 victims of forced displacement due to violence in México)

Published on the 2nd of May, 2018

(Forced Displacement)

In México, more than 20,000 people were victims of forced displacement in 25 separate massive events in 2017. This brings the total of internally displaced persons to more than 325,000.

According to a report released by the Mexican Commission for the Defence and Promotion of Human Rights (Comisión Mexicana de Defensa y Promoción de los Derechos Humanos - CMDPDH), from the 20,390 persons displaced in 2017, 12,323 were Indigenous, 60,44% of the total figure.

- 11,232 were displaced due to violence from organised armed groups.

- 928 were forced to leave their homes due to political violence, social conflicts and territorial disputes.

- 230 were displaced due to the extractive mining industry.

The most common forms of violence registered during displacement episodes were: the use of arms or presences of armed persons; threats and intimidation; arson, destruction of or attacking homes, fields, shops or vehicles with firearms.

The two most notable cases of this form of violence occurred in the municipalities of Chalchihuitán and Chenalhó, Chiapas, which saw more than 5,000 Tzotziles indigenous peoples displaced, and, in San Juan Juquila, Oaxaca, were some 1,000 Mixe indigenous were displaced in the impoverished south of the country.

(Sputnik News, 2018)

January:

Mexico's Standing Rock? Sempra, TransCanada Face Indigenous Pipeline Resistance South of Border

Published on the 2nd of January, 2018

(FPIC)

“Since Mexico privatized its oil and gas resources in 2013, border-crossing pipelines including those owned by Sempra Energy and TransCanada have come under intense scrutiny and legal challenges, particularly from Indigenous peoples.”

“Opening up the spigot for U.S. companies to sell oil and gas into Mexico was a top priority for the Obama State Department under Hillary Clinton.”

“Mexico is now facing its own Standing Rock-like moment as the Yaqui Tribe challenges Sempra Energy's Agua Prieta pipeline between Arizona and the Mexican state of Sonora. The Yaquis in the village of Loma de Bacum claim that the Mexican government has failed to consult with them adequately, as required by Mexican law.”

(Horn, 2018)

indigenous peoples against dispossession, especially against the interests of mining and hydroelectric companies ^(3.).

On the **4/3/2018** members of the San José Tipceh community, denounced the death threats, insults and confrontation they face, due to their opposition to a solar mega project. The company Sun Power, along with the government, wants to install 1,227,200 solar panels that would see 762 hectares of mayan territory destroyed ^(4.).

On the **29/3/2018** the community of San Dionisio del Mar was having their community assembly when supporters of the municipal authorities allegedly opened fire with rifles against the community. Five community members were seriously injured. According to the community, the attack is a consequence of the community opposition against the Mareña Renovables wind park project in the Isthmus of Tehuantepec ^(5.).

On the **12/4/2018** Carlos González and Cristián Chavez, both whom are members of the National Indigenous Council (Congreso Nacional Indígena), were on their way to Huajimic, Nayarit, as part of the Commission of the Agricultural Tribunal of Tepic, to execute the decision of the Tribunal granting land rights to the Wixárika community. When approaching the site, they were intercepted by more than 20 vans and several armed men which allegedly told them they were going to be burned with gas, hung or decapitated if they continue to work with the communities. They also cut their tires with a knife. According to the report those men allegedly represented land owners

Displaced Indigenous People Face Massacre in Mexico: NGOs

Published on the 5th of January, 2018

(Displacement)

“More than 5,000 people from Chalchihuitan in Mexico driven from their homes late last year by fear of paramilitary violence are returning home, where NGOs warn they face a ‘clear risk of massacre’. The conflict centres on a territorial dispute between the neighboring tzotzil communities of Chalchihuitan and Chenalho. The legal issue started in 1975, when the now-vanished Land Reform Ministry mistakenly gave both communities rights over 350 hectares. In a letter written to NGOs and civil society groups, the community announced its return to Chalchihuitan on January 2 and blamed the government for not taking appropriate safety measures. People have lost their crops, animals, homes and possessions, they said, and felt compelled to return to address the situation.”

(Telesur, 2018a)



Displaced people from Chalchihuitan, Chiapas, who have been forced from their homes and land by paramilitary groups.

(Photo: Twitter @CdhFrayba; as cited in Telesur, 2018a)

Court orders halt to Juchitán wind farm

Published on the 11th of January, 2018

(FPIC)

The Supreme Court ruled yesterday that a wind farm project in Oaxaca must be halted because the process to approve it violated the rights of the local indigenous community.

Judges from Mexico’s highest court unanimously decided to grant an *amparo*, or injunction, to members of the Zapotec community in Juchitán on the grounds that they hadn’t been consulted or given their permission or authorisation for the project to go ahead on their land.

A district court in Salinas Cruz, Oaxaca previously ruled against a similar injunction request in June 2016.

The plaintiffs also argued that the project being built by Energía Eólica del Sur could cause significant environmental damage that would directly affect the local community.

(Mosso, 2018)

and ranchers ^(6.).

On the **14/5/2018** Manuel Gaspar Rodriguez was found dead in a motel in Cuetzalan. Manuel, a indigenous person and member of the Movimiento Indígena Obrero, Campesino, Urbano y Popular (MIOCUP), had been receiving death threats due to his work against hydroelectric projects in the area ^(7.).

On the **30/5/2018** Adrián Tilihuit was found dead. Adrián supported the indigenous people of San Juan Tahiti in their opposition of hydroelectric company Gaya S.A. who plan to begin the construction of new hydroelectric plants on the Apulco river. He was shot in the head near his car ^(8.).

On the **18/7/2018** Abraham Hernández González, the regional coordinator of the Committee for the Defence of the Rights of Indigenous People (Codedi), was murdered. According to reports, the activist was taken from his home and forced to board a van by a group of armed individuals, dressed in military clothing and with their faces concealed by hoods. The van was guarded by motorcycles ^(9.).

On the **22/7/2018** Rolando Crispín Lopez, known opponent of the installation of wind farms in the Isthmus of Tehuantepec, was killed. The group said that he's been defending the territory against the entry of Marena Renovables since 2012 ^(10.).

On the **23/7/2018** Baldo Santana Alonso was arrested for an unknown crime. Baldo belongs to a community of 170 people who were forcibly displaced twice from the communities of La Laguna and Hacienda de Dolores, in the municipality of Coyuca de Catalán, in April 2011 and November 2012. Harassment has been common ^(11.).

On the **23/8/2018** Sergio Rivera Hernández, member of the Movimiento Agrario Indígena Zapatista and an environmental leader who was part of the resistance to the Coyalapa-Atlzalá hydroelectric project, was disappeared. He has received several threats for denouncing the destruction carried out by the mining company Autlán, in complicity with the bad governments and organised crime groups ^(12.).

On the **30/8/2018** A group of 130 security officers from Chihuahua, Mexico, broke up a sit-in protesting a Canadian mine, shooting into the air and arresting two of their leaders. Canada's Coeur Mexicana mining company had reached a deal with the people of Guazapares, a small town in the Tarahumara highlands in northern Mexico, to use their territory and extract silver. But since the company failed to comply with the agreement, the community has been campaigning against it for three years. The August 20th sit-in lasted for 10 days until security forces, under the command of right-wing Governor Javier Corral, showed up – without identification or arrest warrants. In a video uploaded to social media, the officers can be heard saying they are not arresting the two leaders, Jose Luis Lozano Mosqueda and Ismael Vargas Gonzalez, but rather taking them to the Public Ministry to reach a deal. Instead, the two were taken to the state capital and detained without charge for a week. A local judge then ordered the men's release, after which it was revealed they had been tortured ^(13.).

On the **8/9/2018** Margarito Díaz González, an indigenous leader who was opposing development on the territory of Wixarika people, was shot in the face as he answered the door to his home ^(14.).

On the **24/10/2018** the body of Julián Carrillo, a member of the Alianza Sierra Madre organisation, was found with multiple bullet wounds in the mountains of Chihuahua state. He was killed a few weeks after his community of Coloradas de la Virgen registered opposition to a mining concession that they say was located in their territory without their permission^(15.).

On the **25/10/2018**, land rights defender Noel Castillo Aguilar was killed in the community of Barra de la

Cruz in the municipality of Santiago Astata, Oaxaca. Noel Castillo Aguilar is the fifth member of the organisation CODEDI to be killed in 2018 ⁽¹⁶⁾.

March:

Cyanide Spill in Mexico Traced Back to Canadian Mining Company

Published on the 24th of March, 2018

(Environmental Destruction and Mining)

“Two hundred liters of cyanide solution are polluting the waters of Mexico's Piaxtla River in San Dimas, Durango, where the Canadian Primero Mining Corporation has been drilling for gold and silver reserves.”

“The toxic spill was caused "by an oversight in the closing of the valve of a pipe that carried remnants of cyanide solution, which remained without fuel in sloping terrain, causing the solution to drain into the Piaxtla River," said the Federal Office of Environmental Protection (Profepa).”

“On discovering the disaster on March 11, mining company directors alerted the authorities. Federal environmental experts determined a concentrated amount of roughly 100 to 180 mg of cyanide had spilled into the water source and traveled some 250 meters downstream, seeping into the Piaxtla riverbed.”

“The Environmental Prosecutor said the incident will be evaluated in an inspection report and, if applicable, a corresponding administrative action will be exercised. “

““The damage to the ecosystem has to be evaluated, and if there were filtrations to the subsoil – also of the water table – from which communities are supplied. They are not just little fish,’ said Sandra Guido, executive director of the United Conservation and Voice for the Water (Conselva and Voces Unidas por el Agua).”

“Communities are worried about mining: most of the region's rivers originate from the Durango and Chihuahua states, where accidents frequently occur. Biased legislation and poor enforcement are among the main causes of such environmental disasters.”

(Telesur, 2018b)



**"The damage to the ecosystem has to be evaluated," said environmental activist Sandra Guido.
(Photo: NoALaMina.org; as cited in Telesur, 2018b)**

October:

Waste overflows at Canadian mine in Mexico, threatening dozens of communities

Published on the 16th of October, 2018

(Tailings Spill and Environmental Damage)

"Heavy rains caused the overflow of a tailings dam operated by Canadian company Fortuna Silver Mines in the southern Mexican state of Oaxaca on Sunday, October 7, contaminating the Coyote Creek and threatening the primary source of water for farming communities in the Central Valleys region."

"Authorities of the Indigenous Zapotec town of Magdalena Ocotlán informed that on the morning of October 8, residents observed a stream of white water in the tributary of the Coyote Creek that passes through their community, located 5 kilometers downriver from the "San José" gold and silver mine in the neighboring community of San José del Progreso. Local officials insist that the source of contamination is a tailings dam where the Vancouver-based precious metals producer stores waste from its underground mine, in commercial production since 2011. The affected creek passes no more than ten meters from the primary drinking water well in Magdalena Ocotlán, and ultimately flows into the Atoyac River, the most significant tributary in Oaxaca City."

(Oaxaca, 2018)



Residents of Magdalena Ocotlán take samples of water contaminated by the Canadian-owned "San José" mine. (Photo: Authorities of Magdalena Ocotlán; as cited in Oaxaca, 2018)

November:

La caravana de tzotziles que nadie le importa

(The caravan of tzotziles that know ones cares about)

Published on the 22nd of November, 2018

(Displacement event)

Thousands of tzotziles and tzeltales indigenous peoples have been displaced from their communities in Los Altos, Chiapas, in recent days due to the presence of armed groups.

The most recent of which took place in the community of Chavajeval, in the municipality of San Juan del Bosque, where some 2 thousand people left their homes in search of refuge in San Cristóbal de las Casas.

(la Silla Rota, 2018)

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Nicaragua

On the **13/7/2018**, Edén Pastora, a longstanding member of Nicaragua's ruling party who now holds the position of Director of Dredging the San Juan River, made a series of threats against Francisca Ramírez related to her role as government critic. He made these threats in an interview on the Live Magazine program of Channel 4, a nationwide open television channel that is the property of the Ortega-Murillo presidential family. In the interview, Edén Pastora said: "The Ramírez girl has been trying to get herself jailed and killed, first by causing trouble over the Canal and now this." It is important to note that just a few days before last week's attack against several members of the Catholic Church, Edén Pastora had made accusations against them, which makes his threats against Francisca Ramírez all the more disconcerting. It is also important to remember that the defender has been granted precautionary measures by the IACHR and that in recent years, due to her struggle against the imposition of the Interoceanic Canal, she has been a frequent target of different types of aggression, including criminalisation, judicial prosecution and physical attacks ^(1.).

April:

**Suben a 42 los muertos en las protestas de Nicaragua y hay desplazamiento forzado
(The death toll rises to 42 in protests throughout Nicaragua and there is displacement)**

Published on the 28th of April, 2018

(Protests and Rioting)



**Nicaraguan Farmers marching to Managua declaring: "Daniel out!"
(Photograph by EFE; as cited in the Interest, 2018)**

The number of deaths associated to riots against the government of Daniel Ortega has risen to 42 according to the official numbers given by the Centro Nicaragüense de Derechos Humanos (CENIDH).

Other organisations state that the number of deaths could be as high as 63, the results presented

by CENIDH are more conservative given the verification process takes several extra steps to guarantee the death has taken place. Those steps include comparing the dead as not counted twice, verification with the body and having the family identify the body.
(te Interesa, 2018)

June:

"Situación gravísima" en Nicaragua en ciudad indígena que se declaró "territorio libre del dictador"

("Dire situation", in Nicaragua, for indigenous community who declared themselves "a territory free from the dictator")

Published on the 21st of June, 2018

(Violence against Indigenous peoples)

The self proclaimed combined forces of the government of Daniel Ortega, on this day, began an armed offensive on the indigenous neighborhood of Monimbó, in Masaya, the city that was declared itself "a territory free from the dictator" on June 18.

The president of the Nicaraguan Association Pro Human Rights (ANPDH), Álvaro Leiva, insisted "It is a very serious situation, we must call on President Ortega to stop this,"

Attacks by the combined forces, between police, "parapolicias", "paramilitaries" and shock groups, are taking place in Monimbó from all sides, including the popular market, where hundreds of people are locked up.

(Luna, 2018)

August:

Is the Nicaraguan mega-canal failure good news for indigenous communities?

Published on the 27th of August, 2018

(Indigenous Rights and Corruption)

"Nicaragua has been saturating the news lately following an outburst of violence and repression as a consequence of increasing social unrest in one of the poorest and most corrupt countries in the region."

"However, beyond the violent reaction to a protest that turned violent itself, the issue of the mega-canal project is very telling of how the country's ruler, Daniel Ortega, and his government, deal with public affairs, and particularly with the indigenous communities directly affected by their policies."

"The Grand Nicaraguan Canal project hit the headlines in 2013 after mysterious Chinese telecoms billionaire Wang Jing brokered a deal with the Sandinista government for \$50 billion (US) to create a waterway connecting the Pacific and Atlantic for ships too large to pass through Panama."

"The Nicaraguan "dream" project was, according to president Daniel Ortega, to lift the country out of poverty and set the nation on the road to development, a promise that struck a chord in the second poorest nation of the Americas after Haiti."

"But when it appeared the project had come to a standstill early this year, many had already begun to perceive it as less of a dream and more of a nightmare."

"The Canal Law 840 posed a threat to Nicaragua's most vulnerable groups from its inception. It specified that any property or land in the area needed to construct the project would be expropriated by the authorities, affecting up to 100,000 rural and indigenous families without their prior consultation, threatening their wellbeing and survival."

"Then there is the issue of government repression and corruption. Questions arose over how the project could have been used to legitimise a leader who has systematically and violently repressed civilians since the beginning of his mandate, but most strikingly since an outbreak of protests in April that have resulted in the deaths of around 300."

(Goldberg, 2018)

September:

Indígenas miskitos de Nicaragua denuncian abusos y violencia ante Corte IDH

(Nicaragua's miskito Indigenous peoples denounce abuses and violence to the IHR court)

Published on the 27th of September, 2018

(Indigenous Rights)

Miskito indigenous peoples have denounced to the latin American court of human rights (Corte IDH) abuses and violence, suffered by them, at the hands of land invaders. The declare that the

government has not provided sufficient protection.

Representatives of the miskito community described a string of murders, disappearances, sexual violence and forced displacement in their communities, two years after the Court ordered Nicaragua to guarantee the protection of the North Caribbean communities.

(El Nuevo Diario, 2018)



The conflict between Miskitos and settlers
(Photography by Gilberto Artola/END; as cited in El Nuevo Diario, 2018)

October:

Nicaragua: Indígenas de Monimbó denuncian al gobierno de Ortega
(Nicaragua: Indigenous from Monimbó denounce Ortega's Government)

Published on the 11th of October, 2018

(Persecution)

A group of youths from the indigenous village of Monimbó, in Masaya, Nicaragua, have denounced the government of president Daniel Ortega. According to them, they are persecuted by the state for demanding the resignation of the president, who has been running the country for eleven consecutive years.

(Infobae, 2018)

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Panama

October:

IACHR demands answers from Panama over stalled land titles

Published on the 11th of October, 2018

(Land Rights)

“They have destroyed our indigenous crops and the government has done nothing to stop it,” said Elivardo Membache, an Emberá Cacique who is fighting to protect his ancestral lands from illegal settlers.”

“Every day, communities are being invaded... They fence off lands and begin farming and ranching. This affects more than 3000 indigenous families, their personal safety, their territorial integrity and their cultural unity...”

“On Friday, October 5, the Inter-American Commission on Human Rights (IACHR) held a public hearing on the theme of collective land titling in Panama. It was attended by civil society organisations representing the Emberá, Wounaan, Guna, Buglé, Ngäbe, Naso and Bri Bri Indigenous Peoples.

“After hearing powerful testimonies from the indigenous petitioners, the commission pressed the Panamanian State on the efficacy of its collective titling procedures, as well as its apparent reluctance to include Indigenous Peoples in the stewardship of nationally designated protected areas.”

“Membache, the Cacique General of the Congreso General de Tierras Colectivas Emberá y Wounaan of Panama (General Congress of Emberá and Wounaan Collective lands of Panama) – an organisation representing traditional Emberá and Wounaan lands outside of Panama’s Comarcas (semi-autonomous indigenous territories) – told the commission that his people have been campaigning for collective titles for a generation.”

“He said that delays in the titling process had resulted in the ‘invasion’ of settlers on their lands, which include ecologically sensitive areas of primary rainforests in the frontier zone of Darién in eastern Panama. Maps compiled by the New York-based environmental NGO Rainforest Foundation revealed the shocking extent of deforestation in parts of the region from 2001 to 2016.”

“The titling process is currently stalled because, according to Panama’s Ministry of Environment, Emberá and Wounaan traditional lands fall within protected areas such as the Darién National Park. Membache called the situation ‘absurd.’”

“Membache also suggested that the State was fueling land grabs by encouraging indigenous inhabitants to obtain individual titles to their lands – an approach that undermines communal ownership and opens the region to private acquisition.”

(Arghiris, 2018)

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Canada



North America



On the **1/12/2018** Coastal GasLink, a subsidiary of Calgary-based energy company TransCanada, has taken leaders of the Unist'ot'en community to court. The notice of civil claim filed by Coastal GasLink to the Supreme Court of British Columbia named Freda Huson (spokesperson for her clan, the Unist'ot'en House) and Dini' ze' Smogelgem (Hereditary Chief of the Laksamshu Clan), also known as Warner Naziel, as defendants. The company is trying to build a natural gas pipeline in this region, but it says it is being obstructed by a camp set up by Unist'ot'en clan members and other members of the Wet'suwet'en First Nation to protect their traditional territories (1.).

January:

Canada: Implementing UNDRIP In Canada: Challenges With Bill C-262

Published on the 9th of January, 2018

(Ambiguous Legislation on Indigenous Rights)

“On December 5, 2017, Member of Parliament Romeo Saganash proposed that Bill C-262 be read a second time and referred to a committee. Bill C-262, An Act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), is a private members bill, now supported by the Liberal government and the NDP, promoting the full adoption of UNDRIP into Canadian law.”

“Bill C-262 is a reaction to the growing chorus of support for the implementation of UNDRIP within Canada. Though the mechanics of Bill C-262 are simple in design, that simplicity is problematic. UNDRIP is a blunt instrument, developed in an international setting, that is not reflective of Canada's world-leading legal protections for Indigenous rights; Canada is the only nation with an established system for limiting unilateral state action against Indigenous peoples.”

“The preamble to Bill C-262 sets out the overall intention and objectives of the Bill. While the preamble refers repeatedly to UNDRIP, only one reference is made to section 35 of the *Constitution Act, 1982* (s. 35), which is the constitutional source of Canada's protection of Aboriginal and treaty rights. No explanation is provided in the Bill on how the adoption of UNDRIP in the Canadian context will co-exist, modify, or alter existing Canadian law.”

“Subsection 2(1) of Bill C-262 states that the proposed Act does not “diminish or *extinguish* existing aboriginal or treaty rights” under s. 35. The phrasing is peculiar given that it appears to under-represent the substantial protections granted through s. 35 to Aboriginal and treaty rights in Canada, under which the Crown no longer has the ability to unilaterally extinguish Aboriginal and treaty rights.”

“Section 3 of Bill C-262 states that UNDRIP is affirmed as an “international human rights instrument with application in Canadian law.” This statement is followed by section 4 which obliges Canada to “take all measures necessary” to ensure its laws are consistent with UNDRIP. The standard of “all measures necessary” is broad and lacks the flexibility to abrogate or derogate from UNDRIP where direct application is impractical, illogical, or otherwise incompatible with Canada's constitutionally protected Indigenous rights regime.”

“Section 5 requires that Canada must implement an action plan to achieve the “objectives” of UNDRIP. A search through UNDRIP reveals no description of “objectives.” Instead, UNDRIP provides 24 preambular statements and 46 articles, most of which are broadly phrased and none of which are referred to as “objectives” or “principles” (the word used in the preamble to Bill C-262).” (Isaac & Hoekstra, 2018)

Mi'kmaq, PEI property rights dispute heads to court

Published on the 14th of January, 2018

(Land Rights)

“A long-simmering property rights dispute between Mi'kmaq people on Prince Edward Island and the provincial government that has landmark potential will be aired in a PEI court this week.”

“The Mi'kmaq Confederacy of PEI, which represents Abegweit and Lennox Island First Nations, the two Mi'kmaq bands on PEI, has applied for judicial review of the province's sale of a 325-acre golf course and resort property known as Mill River to a private buyer.”

“The Mi'kmaq assert their traditional territory once encompassed all of PEI and state in their filings that they ‘have never been conquered or surrendered their interests or rights with respect to these lands and water.’ The Mill River land, they say, has both cultural and historical significance to Mi'kmaq people and, as such, provincial officials had a legal obligation known as ‘duty to consult’ with the First Nations before agreeing to sell off the property. Its sale will further whittle the amount of already limited Crown land – and thus land for which Indigenous people can receive accommodations – on PEI.”
(Leeder, 2018)

**First Nations File Civil Action Against Site C, Citing Treaty 8 Infringement
Published on the 16th of January, 2018
(Land Rights vs Energy)**

“The West Moberly and Prophet River First Nations filed a civil suit in the Supreme Court of British Columbia Tuesday claiming the Site C dam, along with two other hydroelectric projects on the Peace River, unjustifiably infringe on their constitutionally protected rights under Treaty 8.”

“The two nations, whose traditional territory will be flooded by the Site C reservoir, have also requested an injunction on Site C construction work be reviewed by the courts this spring.”

“The \$10.7 billion Site C dam, initially approved by the BC Liberal government in 2014, was given a final go ahead by the B.C. NDP government in December after it was sent for an expedited review by the B.C. Utilities Commission.”

“In its review the commission noted the question regarding Site C’s infringement of Indigenous rights remained unresolved and represented a risk to the Crown should the project go ahead.”

“Under Treaty 8, Canada promised to preserve the rights of First Nations to hunt, trap, fish and continue their way of life on their territory.”
(Linnitt, 2018)

February:

**Supreme Court rules band in B.C. can claim compensation for land theft during 1860s gold rush
Published on the 2nd of February, 2018
(Indigenous Legal Victory)**

“In a major victory for Indigenous peoples, the Supreme Court of Canada has ruled that a band in British Columbia can claim financial compensation for the theft of its lands during gold-rush times in 1860.”

“The court took an expansive view of Canada's obligations to Indigenous peoples under a process set up in 2008 to settle historical disputes. The court said Canada can be held legally responsible for pre-Confederation wrongs.”
(Fine, 2018)

**Northern Ontario First Nation awaits ruling over contested mining exploration permit
Published on the 12th of February, 2018
(Land Rights and Mining)**

Eabametoong asking court to overturn Landore Resources Canada's gold exploration permit”

“A northern Ontario First Nation now waits for a court ruling over a contested mining exploration permit in its territory after hearings in Toronto wrapped up last week.”

“Lawyers representing Eabametoong First Nation were in Ontario divisional court on Feb. 7 and 8. The First Nation wants the panel of judges to overturn a permit issued in its territory by the province to Landore Resources Canada in 2016. Eabametoong has argued the province failed in its duty to consult.”

“Landore was eyeing potential gold deposits in an area with two lakes about 40 kilometres from Eabametoong First Nation where several families had camps, traplines and burial sites.”

“The First Nation is alleging that a planned second community meeting in Eabametoong with company officials never happened, despite an agreement to hold one. Instead of a meeting, ‘Ontario wrote a letter to the nation saying ‘you have 10 days to give us your final comments in writing and we intend to make a decision’.”

(Ensing, 2018)

**Draft plan released for Alberta area important to Indigenous people and energy sector
Published on the 16th of February, 2018
(Indigenous land Rights and Development)**

“The Alberta government has released a draft plan for managing a contentious area that holds oil sands resources and is also culturally significant to Indigenous people.”

“The plan for Moose Lake, which affects about 1,000 square kilometres north of Fort McMurray, was developed by the government, the Fort McKay First Nation and industry, Alvaro Pinto of the band’s sustainability department said Friday.”

“The Fort McKay First Nation has long complained that oil sands development on its traditional lands were preventing members from exercising their treaty rights. Moose Lake, the band has argued, is one of the few places left where people can go to hunt, fish, berry-pick and gather medicinal plants.”

“The draft plan, covering an area of Crown land with a 10-kilometre radius around the band’s Moose Lake reserves, promises improved air-quality management and monitoring. Water allocations are to protect Fort McKay’s drinking water.”

“[T]he band still has some concerns about what development will be allowed within the protected zone. Although much of the land has been leased for energy development, there are no active oil sands operations on it.”

(Weber, 2018)



**An aerial view of Fort McKay, Alta, Monday, Sept. 19, 2011. The Alberta government has released a draft plan for managing a contentious area that holds both oil sands resources and culturally significant Indigenous lands. The plan for Moose Lake, north of Fort McMurray and heavily used by the Fort McKay First Nation, will now go through a period of public consultation.
(Photograph by The Canadian Press/Jeff McIntosh; as cited by Weber, 2018)**

March:

**Pipeline protest arrests near 200 in Burnaby
Published on the 24th of March, 2018
(Protest)**

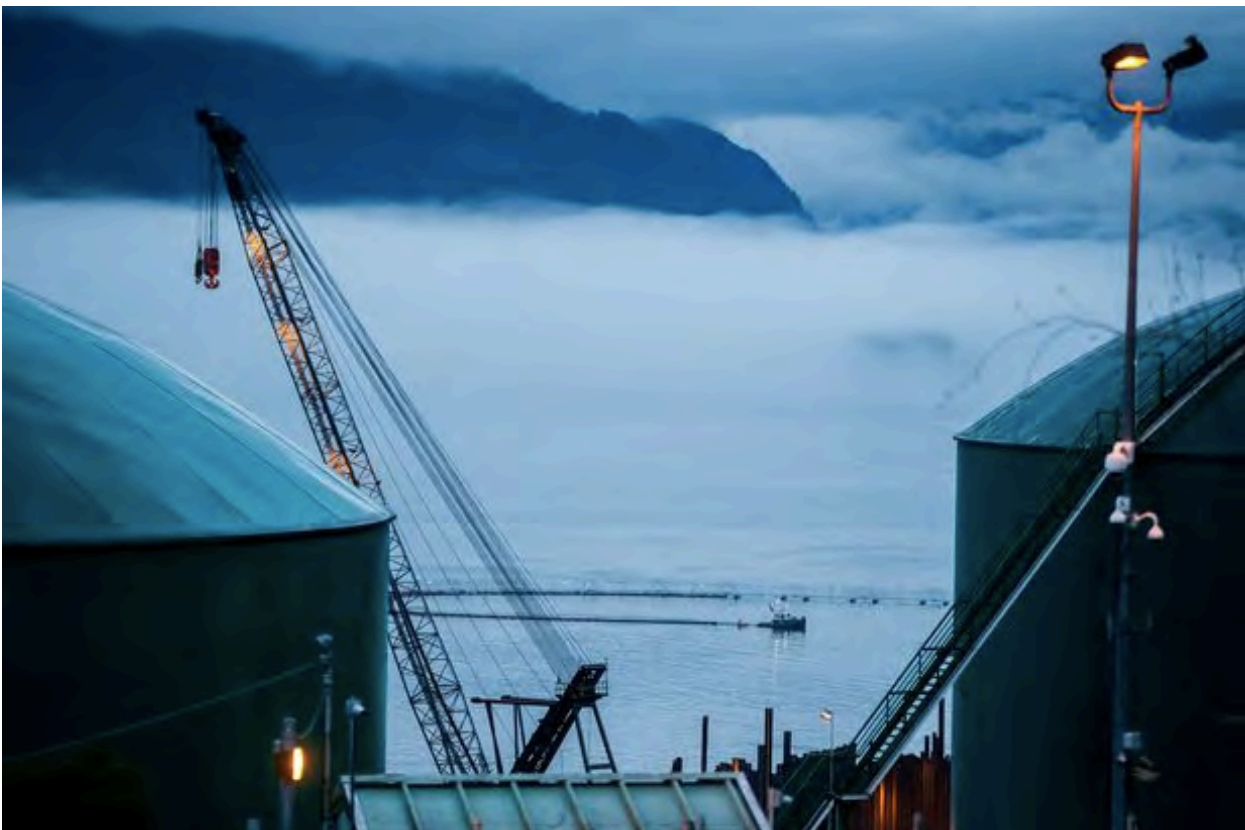
“Some 60 people were arrested today after protesting outside the Trans Mountain terminal in Burnaby, bumping the total number of related arrests this week to nearly 200.”

“Demonstrators were arrested Saturday for violating an injunction order that prohibits blocking the entrance to the tank farm and coming within five metres of the Kinder Morgan property line. Some 200 others rallied near the entrance protesting Trans Mountain’s \$7.4-billion pipeline expansion, singing and carrying banners, many taking shelter from the rain and snow under tents erected by organizers of the protest.”

“The expansion will add approximately 980 kilometres of new pipelines, 12 pump stations, 19 tanks to storage terminals, and three berths at the Westridge Marine Terminal.”
(Boothby, 2018)

April:

Trans Mountain, Trudeau and First Nations: A guide to the political saga so far
Published on the 18th of April, 2018
(Pipeline)



Feb. 8, 2018: A boat pulls a boom at the Kinder Morgan Westridge Marine Terminal in Burnaby, B.C., at the terminus for the Trans Mountain pipeline from Alberta.
(Photograph by Darryl Dyck/The Globe and Mail; as cited in Dyck, 2018)

“The Trans Mountain pipeline system has carried Alberta’s oil to the B.C. coast since 1953, and can currently carry about 300,000 barrels of oil per day. The pipeline was owned by the Texas-based company Kinder Morgan, which has been trying since 2012 to build a new pipeline along the existing one, boosting its capacity to 890,000 barrels a day. The \$7.4-billion expansion project would thread about 1,000 kilometres of new pipe from Edmonton to Burnaby, B.C.”

Wasn’t it approved?

“The federal government gave Kinder Morgan the go-ahead for its pipeline expansion in 2016, while at the same time scuttling another planned Alberta-to-B.C. pipeline, Enbridge’s Northern Gateway. Then, amid opposition to the project from First Nations and environmental groups, the Federal Court of Appeal quashed that approval in August, saying Ottawa would need to do more consultations with Indigenous people.”

Why did Kinder Morgan stop building it?

“Hoping to force the province’s hand, Kinder Morgan announced on April 8 that it would suspend all ‘non-essential’ spending on the project unless it can reach an agreement with the B.C. government by May 31... On May 15, Finance Minister Bill Morneau offered to indemnify Kinder Morgan against losses due to B.C.’s political action, but Mr. Kean [Kinder Morgan CEO] said in a statement that his company was ‘not yet in alignment’ with government and the May 31 deadline was still in effect.”

Who is in charge of it now?

“On May 29, two days before Kinder Morgan’s deadline, Mr. Morneau announced that Ottawa would buy the project and bring it to completion under a Crown corporation.”

Whose against?

“While some Indigenous nations have signed agreements supporting Trans Mountain, many more are immovably opposed, arguing that the pipeline endangers their environmental rights and traditional lands.”

(Dyck, 2018)

May:

Facing jail time, journalist Justin Brake says the courts being used to protect corporate projects

Published on the 3rd of May, 2018

(Freedom of Press and Corruption)

“An award-winning journalist in Canada facing jail time for doing his job is warning that the courts are being used to protect corporate projects at the expense of press freedom.”

“Justin Brake is being criminally charged with disobeying a court order and mischief, after he covered a 2016 occupation by Innu and Inuit land protectors of a construction site for Muskrat Falls, a controversial \$12-billion hydroelectric project in Newfoundland and Labrador.”

“The charges stem from the fact that he followed the land protectors into the site, live streaming and writing web stories, despite an injunction sought by the project’s proponent, Crown corporation Nalcor Energy, to block disruption of activity.”

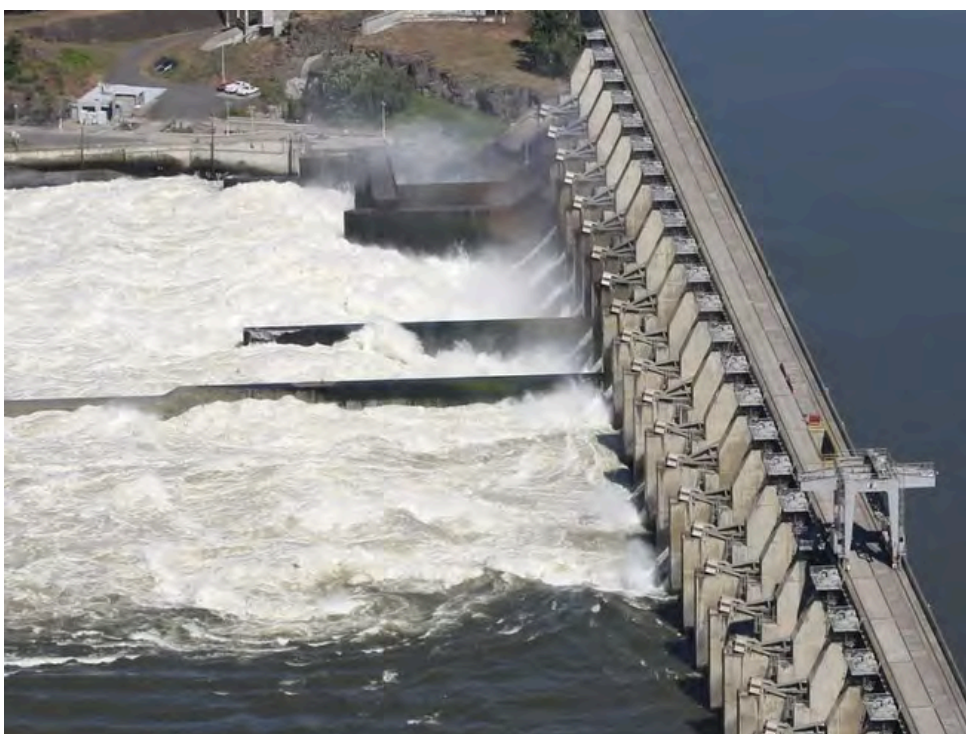
(Meyer, 2018)

June:

Opinion: Indigenous Nations must be included in the re-negotiation of the Columbia River Treaty

Published on the 21st of June, 2018

(Water Rights and Energy)



The Dalles Dam on the Columbia River in Oregon. (Photograph by Rick Bowmer / AP; as cited in Teneese, Christian & Phillip, 2018)

“Negotiations for a new Columbia River Treaty were launched last month between Canada and the United States. Just prior to the launch of negotiations, Canada told the Indigenous nations of Interior B.C. that although the province and B.C. Hydro, the operator of the dams, have been invited to join Canada in the negotiations, our nations, the rights and title holders of the lands, are not even welcome in the room.”

“The Columbia River Treaty is the largest water storage agreement in Canadian history, designed to enhance flows for new hydroelectric dams and provide flood control, but it largely ignored the massive environmental and socio-economic impacts. Canada did not consult Indigenous people or local residents. Thousands of acres of prime fertile valley bottoms and mature forests were lost. Our First Nations’ villages and sacred sites, burial grounds and critical fishing and hunting grounds were permanently flooded. These lands we had collectively cared for and managed for thousands of years were gone, permanently flooded or seasonally exposed by the erosion of the reservoir draw-down. Our precious salmon runs were blocked by dams, and further impacted by lost habitat.”
(Teneese, Christian & Phillip, 2018)

B.C. First Nations forced to shelve clean energy projects as Site C dam overloads grid

Published on the 25th of June, 2018

(Indigenous Green Energy vs Site C Dam)

“Dozens of First Nations communities with plans for clean energy projects have been stonewalled by the B.C. government’s decision to continue construction of the Site C dam, says Judith Sayers, president of the Nuu-chah-nulth Tribal Council.”

“The NDP came to power with a plan called PowerBC, a comprehensive blueprint for energy projects that would have created jobs all over the province, including in First Nations communities.”

“But BC Hydro has shut down the program that supported development of new renewable energy projects, forcing First Nations like the T’Sou-ke and Tla-o-qui-aht on Vancouver Island to put their detailed plans for wind and run of river projects on hold because BC Hydro won’t buy the electricity.”

“The vast majority of B.C.’s First Nations are eager to engage in clean energy, said Sayers, a member of the First Nations Clean Energy Group and adjunct professor with the Peter Gustavson School of Business at the University of Victoria.”

(Cox, 2018a)

July:

Indigenous group moves into B.C. park in effort to block Trans Mountain pipeline expansion

Published on the 11th of July, 2018

(Indigenous Rights and Oil)

“An Indigenous group calling itself the Tiny House Warriors has moved into the North Thompson River Provincial Park near Clearwater, B.C., in an effort to block the Trans Mountain pipeline expansion.”

“Group spokeswoman Kanahus Manuel says they are reclaiming an ancestral village their people were forced from many years ago, while at the same trying to prevent the expansion of the pipeline through their traditional territory.”

“Manuel says they have moved into the site and will be building tiny houses on the land in an action that has the approval of the hereditary chiefs of the Secwepemc First Nation.”

“She says Indigenous land defenders within the group will resist the construction of the pipeline through their territory.”

(The Globe and Mail, 2018)

August:

Assembly of First Nations to participate in B.C. Trans Mountain court challenge

Published on the 3rd of August, 2018

(Indigenous Rights, Oil and Participation)

“The federal body representing the chiefs of over 633 First Nations has been given the right to participate in the proceedings of the B.C. government’s court challenge against the Trans Mountain expansion project.”

“In June, the Assembly of First Nations was granted intervenor status in the government’s case, called the Proposed Amendments to the Environmental Act, before the B.C. Court of Appeal. The case is asking the court to rule whether the province has the authority to regulate companies moving bitumen through the province. The province would also like to know if they can place

restrictions on companies like Kinder Morgan that would be transporting bitumen through the province.”

“If B.C. is granted the right to regulate bitumen, it would give the province a veto over the pipeline expansion project. On July 22, the federal government officially took over the \$4.5 billion dollar pipeline expansion project on the grounds that expanding the pipeline “is in Canada’s best interest”.”

“National chief Perry Bellegarde said the case has important implications for the AFN, and therefore the assembly needs to be involved in the decision-making.”
(Desmarais, 2018a)

October:

**Heiltsuk sue Canada on behalf of their nation, 'the coast and all Canadians'
Published on the 10th of October, 2018
(Compensation for environmental Damage)**



**Grand chief Stewart Phillip acknowledges elected chief councilor Marilyn Slett for all of the hard work she has committed to her Nation's legal action at a press conference on Oct. 10, 2018.
(Photograph by Michael Ruffolo; as cited in Gilpin, 2018)**

“It was a calm and peaceful night off the coast of northern British Columbia when disaster struck two years ago. The second mate of the U.S-owned tugboat Nathan E. Stewart was alone on the bridge and fell asleep.”

“Moments later, the tug and associated barge ran aground in the Gale Pass of traditional Heiltsuk territory, spilling 110,000 litres of diesel fuel, lubricants, heavy oils and pollutants into the water, contaminating an important Heiltsuk food harvesting, village and cultural site.”

“We're here to stand up and fulfill our responsibility as the Indigenous place-based people of this coast. To say this has to stop and we have to do better,’ said Heiltsuk hereditary chief Frank Brown during Wednesday's legal action announcement.”

“After two years of dealing with the disaster, establishing solutions, conducting their own research, investigative report and assessment of the event, the nation is taking the matter to the B.C. Supreme Court, filing a claim against the federal and provincial governments, as well as the Kirby Corporation, which operated the ship.”

“The lawsuit alleges that government agencies and the operator were too slow to respond to the emergency, failing to address the impacts on the health and safety of the Heiltsuk people and their way of life.”

(Gilpin, 2018)

Mikisew Cree First Nation v. Canada (Governor General in Council)
Published on the 11th of October, 2018
(Court Order)

“In April 2012, two pieces of omnibus legislation with significant effects on Canada’s environmental protection regime were introduced into Parliament. The Mikisew Cree First Nation was not consulted on either of these omnibus bills at any stage in their development or prior to the granting of royal assent. The Mikisew brought an application for judicial review in Federal Court, arguing that the Crown had a duty to consult them on the development of the legislation, since it had the potential to adversely affect their treaty rights to hunt, trap, and fish under Treaty No. 8. The reviewing judge granted a declaration to the effect that the duty to consult was triggered and that the Mikisew were entitled to notice of the relevant provisions of the bills, as well as an opportunity to make submissions. On appeal, a majority of the Federal Court of Appeal concluded that the reviewing judge erred by conducting a judicial review of legislative action contrary to the *Federal Courts Act*. The majority held that when ministers develop policy, they act in a legislative capacity and their actions are immune from judicial review. It deemed the reviewing judge’s decision to be inconsistent with the principles of parliamentary sovereignty, the separation of powers, and parliamentary privilege. The Mikisew appealed.”

“Held: The appeal should be dismissed.”

(Mikisew Cree First Nation v. Canada (Governor General in Council), 2018 SCC 40)

Court rules against First Nations bid to stop Site C dam construction
Published on the 25th of October, 2018
(Indigenous Rights and Site C Dam)

“The Supreme Court of British Columbia has rejected the injunction of northeastern B.C. First Nations groups that want to cancel the \$10-million Site C dam project.”

“The West Moberly First Nations and Prophet River First Nation argue Site C, a massive hydroelectric dam project along the Peace River in northeast British Columbia, would cause irreparable harm to their lands and way of life. The project also violates their rights, they argue, as defined by Treaty 8 and reinforced by section 35 of the Constitution, which provides constitutional protection to the Indigenous and treaty rights of Indigenous peoples in Canada.”

(Desmarais, 2018b)



The Site C dam location is seen along the Peace River in Fort St. John, B.C., in April 2017.
(The Canadian Press/Jonathan Hayward; as cited in Desmarais, 2018)

Proposed diamond mine opposed by Sask. First Nations

Published on the 26th of October, 2018

(Indigenous Rights and Mining)

“Several Saskatchewan First Nations are opposed to the construction of a diamond mine unless their concerns are addressed.”

“The Saskatchewan government gave environmental approval on Thursday to Star Diamond Corp. to proceed with the next step in its Star-Orion South Diamond Mine project east of Prince Albert.”

“The province said the company must make accommodations to address the potential impacts of the project on Indigenous treaty rights.”

“James Smith Cree Nation Chief Wally Burns said the mine, as proposed, will adversely affect his community.”

“Burns said the mine will be on irreplaceable sacred land.”

“Robert Head, chief of the Peter Chapman First Nation, said the government failed to address their concerns over the impact the mine will have on their treaty land.”

(Giles, 2018)

‘Be prepared to be surprised’: What’s next for the Site C dam?

Published on the 30th of October, 2018

(Indigenous Rights and Site C Dam)

“Treaty 8 First Nations are bracing themselves for the impending destruction of traditional hunting grounds and other areas of special cultural significance following last week’s denial of an injunction application to stop work on the Site C dam on B.C.’s Peace River.”

“BC Hydro has said 13 areas of cultural importance for the Dunne-Za nations — including prime moose habitat, a rare old-growth white spruce and trembling aspen forest and two wetlands called Sucker Lake and Trappers Lake — will be clear cut and bulldozed as early as the beginning of November.”

(Cox, 2018b)

December:

Supreme Court ruling on Indigenous consultation reveals true face of the Canadian state

Published on the 3rd of December, 2018

(Indigenous Rights and FPIC)

“Cree NDP MP Romeo Saganash recently made headlines for his declaration in Parliament that Prime Minister Justin Trudeau “doesn’t give a fuck” about the rights of Indigenous people. His declamation came in response to Trudeau’s commitment to build the Trans Mountain pipeline “no matter what”, as well as government statements that it, “will not be able to accommodate all Indigenous concerns.”

“On Oct. 11, the Supreme Court of Canada made a compelling case that Saganash’s comment accurately describes not only Trudeau, but the official legal position of the Canadian government. In a 7-2 decision, the Supreme Court ruled that federal lawmakers do not have a duty to consult with Indigenous people before introducing legislation that could affect their constitutionally protected treaty rights. The ruling came as a defeat for the Mikisew Cree First Nation in Alberta, which had originally challenged two pieces of omnibus legislation introduced by the federal Conservative government in 2012. These bills allowed oil companies and others to build near waterways without the requirement of government approval, thereby threatening the environment and the Mikisew’s rights to hunt, trap and fish on the land. The Mikisew were not consulted on either law, and brought an application for judicial review to the Federal Court, arguing that the Crown had a duty to consult them in bringing forward legislation that affected their treaty rights.”

“With this ruling, the Supreme Court has torn off the benevolent mask of reconciliation worn by the Canadian government in recent years.”

(Gardner, 2018)

Canadian Court gives Coastal Gaslink permission to violate Indigenous rights

Published on the 17th of December, 2018

(PipeLines and Indigenous Rights)

“For over 6 years now, environmental defenders representing the Unist’ot’en, an official faction of the Wet’suwet’en Nation, have been standing guard over their traditional territory from invasion by TransCanada’s Coastal Gaslink pipeline.”

“On December 14, 2018, a British Columbia Supreme Court Justice levied a temporary injunction,

ordering an end to the blockade — bypassing the required consent of tribal leaders.”

“Prior to this, a gated blockade had prevented pipeline workers from trespassing onto First Nation lands through the Morice River bridge — located on a forest road.”

“The injunction, which demands environmental defenders vacate their stronghold of resistance to the planned 670 kilometer pipeline, is set to start on Monday, December 17th, allowing pipeline workers free passage until May 2019. In a show of quasi-generosity, Coastal Gaslink has stated that the camp connected to the blockade may remain in place... as long as they discontinue any obstruction of pre-construction traffic through the gated area.”

The “enforcement of the project remains dubious given that the territory has never changed hands via treaty, nor have land rights ever been conceded in any manner. In effect, the right of the Unist’ot’en People to determine the fate of their ancestral land remains intact.”

“This also makes the injunction a clear violation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) which requires ‘free, prior and informed consent’ (FPIC) when it comes to development, investment or extraction initiatives on Indigenous territories.”

(Parker, 2018)

B.C. salmon farm agreement a milestone for Indigenous rights

Published on the 27th of Decemeber, 2018

(Victory)

B.C Premier John “Horgan unveiled an agreement with three Indigenous communities to shut down up to 17 net-pen salmon farms in their traditional territory off B.C.’s coast.”

“Horgan and other politicians frequently say the UN declaration is not a veto over development, but the province’s retreat from the Broughton Archipelago amount to much the same thing. Ten of the long-standing provincial tenures between Kingcome and Knight Inlets off the north end of Vancouver Island are to be gone by 2023, and the other seven can continue only if the Kwikwasut’inuxw Haxwa’mis, ‘Namgis and Mamalilikulla First Nations give their consent.”

(Fletcher, 2018)

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United States of America

On the **28/7/2018** Ellen Gerhart, a private property owner on the Mariner East pipeline route and retired schoolteacher, has challenged Energy Transfer Partners - ETP's use of her family's property, including filing a federal lawsuit in 2017 against Sunoco and others over violating her constitutional rights. Gerhart was arrested, jailed, tried, and sentenced this summer after facing a number of civil and criminal allegations by the company. Gerhart was released from prison in September 2018 after serving two months and attended ETP's special unit holders' meeting in Dallas last week to protest how the company has treated her and other people along its pipeline project routes across the country ⁽¹⁾.

January:

Reduction of monuments a land grab by the powerful

Published on the 3rd of January, 2018

(National Parks and Indigenous Peoples)

"Last month, President Donald Trump's administration issued a directive to reduce the size of Bears Ears National Monument in Utah by 85 percent. These lands encompass indigenous territories of the Navajo, Hopi, Ute and Pueblo people, who believe they are sacred areas that should be protected for their use and for the use of future generations. Additionally, Trump has called for reducing the Grand Staircase-Escalante National Monument, created in 1996 by President Bill Clinton, by approximately half."

"In Nevada, Trump administration officials have suggested removing the national monument designation from Gold Butte National Monument, which was created at the same time as Bears Ears. The Gold Butte National Monument, located two-and-a-half hours northeast of Las Vegas, houses ancient petroglyphs, canyons and desert wildlife including bighorn sheep and desert tortoises. Additionally, Gold Butte National Monument includes lands sacred to the Moapa Paiute Tribe of

Nevada.”

“The Trump administration’s slashing of national monument acreage represents the largest decrease in public land since the creation of the Antiquities Act of 1906, which gave presidents the authority to protect federal lands and waters. Trump’s proclamations transform these important national preserves into mere echoes of their original size and majesty. Bears Ears has shrunk from 1.35 million acres to 201,397 acres and Grand Staircase-Escalante has been reduced from nearly 1.9 million acres to 997,490 acres.”

“The Energy Fuels Resource, a Colorado-based uranium producer and waste processor, pushed for U.S. Department of the Interior officials such as Secretary of the Interior Ryan Zinke to “trim Bears Ears National Monument in ways to protect its assets just outside the monument’s periphery, which included the country’s last operating uranium mill,” according to an article in the Salt Lake Tribune by Brian Maffly. The Energy Fuels Resource went so far as to email Interior officials which parts of the monument it wanted removed.”

(Moreno, 2018)

March:

**Oil Was Central in Decision to Shrink Bears Ears Monument, Emails Show
Published on the 2nd of March, 2018
(National Parks ad Oil)**



**Comb Wash, a valley in Bears Ears National Monument near Blanding, Utah.
(Photograph Credit Andrew Cullen/Reuters; as cited in Lipton & Friedman, 2018)**

“Since taking office, Mr. Trump has been focused on expanding oil, gas and coal development and sweeping away Obama-era environmental initiatives that the administration contends hurt America’s energy industry. The debate over shrinking national monuments sparked a fierce political battle, now being fought in the courts, over how much land needs federal protection.”

“Most of the deliberations took place behind closed doors. The internal Interior Department emails — more than 25,000 pages in total — were obtained by The New York Times after it sued the agency in federal court with the assistance of the Media Freedom and Information Access Clinic at Yale University Law School. The lawsuit cited the agency’s failure to respond to an open records request in

August asking for internal records related to the deliberations.”

“The bulk of the documents made public by the Interior Department — about 20,000 pages of them — detail the yearslong effort during the Obama administration to create new monuments, including input from environmental groups, Indian tribes, state officials and members of Congress. President Barack Obama created or expanded 29 national monuments during his tenure, representing a total of about 553 million acres, more than any of his predecessors.”

“The remaining pages, a total of approximately 4,500 files, relate to the Trump administration’s reconsideration of these actions by Mr. Obama and other presidents.”
(Lipton & Friedman, 2018)

Tribal group reports crosses vandalized at Arizona prayer site
Published on the 27th of March, 2018
(Mining and Indigenous Rights)

“A group protesting a proposed copper mine outside of Phoenix says its prayer site was vandalized when two crosses were removed, two others damaged and ceremonial eagle feathers were left on the ground.”

“Arizona’s Tonto National Forest is investigating last weekend’s vandalism at the Oak Flat Campground in the town of Superior, about an hour east of Phoenix. The campground is adjacent to property where Resolution Copper Mining plans to burrow a mine shaft 1.3 miles into the high desert landscape. It could be the deepest such mine in the U.S.”

“The group, known as Apache Stronghold, said the copper mine is an assault on their spiritual and cultural practice and believes the vandalism is linked to its protest.”
(Fonseca, 2018)

April:

Trump Administration Prepares for Lease Sale in Arctic National Wildlife Refuge
Published on the 19th of April, 2018
(Land Rights and Oil)

“The Trump administration has announced the beginning of a planning process to allow for exploration and leasing in the Arctic National Wildlife Refuge, barreling forward with plans for destructive oil and gas drilling and disregarding the serious biological, cultural and climate impacts fossil fuel extraction will have in the rapidly-warming Arctic. Tomorrow’s scheduled notice in the Federal Register will begin a 60-day public comment period.”

“The Department of the Interior has announced a Notice of Intent to initiate scoping for an Environmental Impact Statement on the proposed lease sale that would target the biologically rich coastal plain, an area of the Refuge the Indigenous Gwich’in people, who have subsisted off the land for millennia, consider sacred. Drilling would also imperil wildlife and harm our climate. Scientists have warned that to avoid the worst impacts of climate change, we must keep Arctic fossil fuel reserves in the ground.”

“A broad coalition of environmental organisations reaffirmed its commitment to stand with the Gwich’in to defend the Arctic Refuge and the wildlife, wilderness, recreational and cultural values it was established to protect.”
(Earthjustice, 2018)



A cross is left vandalized at a prayer site at the Oak Flat Campground in Superior, Arizona.

(Vansler Nosie Sr. via AP; as cited in Fonseca, 2018)

June:

Firm Prepares To Mine Land Previously Protected As A National Monument Published on the 21st of June, 2018 (Protected Land and Mining)

“A Canadian mining firm says it will move forward with plans to mine minerals from land that was previously part of the Grand Staircase-Escalante National Monument in Utah.”

“Glacier Lake Resources Inc., a Vancouver-based copper and silver mining firm, says it has acquired the Colt Mesa deposit, an approximately 200-acre parcel of land located about 35 miles southeast of Boulder, Utah. Because it was nationally protected, the area was previously off limits to development and mining.”

(van Sant, 2018)

August:

Water Protectors Charged With Felonies Under Louisiana’s Anti-Protest Law Published on the 17th of August, 2018 (Water Rights and Oil)

“Over the weekend, local police arrested a journalist and three Water Protectors protesting the Bayou Bridge Pipeline on private property in Louisiana’s rural St. Martin Parish, according to a press release from the L’eau Est La Vie Camp. Activists say the Water Protectors had permission to be on the property, where they had constructed a “sky-pod” blockade to prevent any further destruction of the land by pipeline construction. Police disregarded the landowners’ wishes on Saturday and arrested the Water Protectors, charging them with felony trespassing charges under Louisiana’s anti-protest law. Despite pressure from the company, the landowners have refused to sign a contract allowing pipeline construction on their property, but Bayou Bridge LLC began clearing ancient cypress trees and building the pipeline anyway”.

(Ludwig, 2018)



Water protectors continue to oppose construction of the Bayou Bridge Pipeline in Louisiana’s Atchafalaya Basin despite a new state law that criminalizes civil disobedience at pipeline construction sites.

(Photograph by Mike Ludwig / Truthout; as cited in Ludwig, 2018)

October:

Energy Transfer Partners' Security Team Sinks Water Protectors' Boats Published on the 17th of October, 2018 (Water Rights and Private Security)

"Monday morning, an Energy Transfer Partners security team sank two boats carrying approximately 15 water protectors and members of the media at a Bayou Bridge Pipeline construction site."

"A press release from the L'eau Est La Vie Camp of water protectors about the incident stated that the security boat "passed by at an aggressive speed" and "intentionally" caused a large wake that "swamped and eventually sunk the boats" carrying media and water protectors."

"ETP hired the mercenary company TigerSwan to attack water protectors at Standing Rock. ETP's henchmen there used water cannons, mace, attack dogs, rubber bullets and concussion grenades, and held water protectors in dog kennel cages."

"ETP's actions in the Atchafalaya River Basin, as well as inaction by state officials in Louisiana, continue to be criticized by water protectors and their supporters, who cite illegal operations, and harsh and sometimes life-threatening actions being taken by ETP to protect its commercial interests." (Jamail, 2018)

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Middle East



Israel / Palestine

Israel and Palestine have a long standing conflict regarding territory, land grabbing and human rights abuses, the scope of which is beyond this bulletin. Some events have been selected for inclusion, others have been intentionally and unintentionally overlooked. The crisis undergoing the region warrants mention in a land grabbing bulletin, however discussing said conflict in the theme of this bulletin does not do justice to the complexity of this issue.

“Israel maintains entrenched discriminatory systems that treat Palestinians unequally. Its 50-year occupation of the West Bank and Gaza involves systematic rights abuses, including collective punishment, routine use of excessive lethal force, and prolonged administrative detention without charge or trial for hundreds. It builds and supports illegal settlements in the occupied West Bank, expropriating Palestinian land and imposing burdens on Palestinians but not on settlers, restricting their access to basic services and making it nearly impossible for them to build in much of the West Bank without risking demolition. Israel’s decade-long closure of Gaza, supported by Egypt, severely restricts the movement of people and goods, with devastating humanitarian impact. The Palestinian Authority in the West Bank and Hamas in Gaza both sharply restrict dissent, arbitrarily arresting critics and abusing those in their custody.”

(HRW, 2018)

February:

Thousands of Beduins to be forced to move in advance of mining operation

Published on the 6th of February, 2018

(Mining and Land Rights)

“More than 10,000 Beduin citizens living on and near land slated to become a phosphate mine in the Negev will be compelled to relocate, with most of them being concentrated in a new town nearby, the senior government policy-maker for Beduin affairs has told *The Jerusalem Post*.”

“[T]he Health Ministry...says mining at Sde Barir would pose a ‘health danger’ to nearby communities.”

Deputy Health Minister Ya’acov Litzman on Tuesday told the Knesset Economics Committee that mining at Sde Barir “will harm people and kill people. It is my job to sound the alarm and prevent this.”

“In the vicinity of al-Poraa, a village that planners thought had been earmarked for recognition a decade ago, some 8,000 Beduin are to be moved into homes that will be constructed on one-tenth of the area they currently inhabit. In addition, according to Maayan, 2,000-3,000 Beduin will be relocated to the nearby town of Kuseifa and elsewhere. He said that these people will have to move from the al-Poraa area to other places where they have land and that housing lots will be developed for them.”

(Lynfield, 2018)

Israeli navy kills Palestinian after boat breaches sailing limit, military says

Published on the 25th of February, 2018

(Water Rights)

“A Palestinian from the Gaza Strip died on Sunday after the Israeli navy fired on the boat he and two others were sailing in, a military spokeswoman said.”

“The navy opened fire after the boat ignored warnings and strayed from a permitted fishing area in the northern Gaza Strip towards Israel, the spokeswoman said. One of the men in the boat was seriously wounded and later died.”

“But the Gaza fishermen’s union said the boat was targeted as it was making its way back to Gaza, and Nizar Ayyash, the secretary of the Gaza fishermen’s syndicate, said in a statement that the men did not violate the maritime limit.”

“The union and his family named the dead man as 18-year-old Ismail Saleh Abu Reyala. Fishermen called an immediate two-day strike.”

“Israel maintains a naval blockade on the Gaza Strip, which is dominated by Hamas Islamists. It

patrols the waters to stop arms from being smuggled into the enclave and to stop militants trying to attack or infiltrate its territory from the sea.”
(Reuters, 2018)



A man inspects a boat in which a Palestinian was killed at the seaport of Gaza city February 26, 2018. REUTERS/Mohammed Salem

Notes and References:

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Reuters. (2018). Israeli navy kills Palestinian after boat breaches sailing limit,... Retrieved from <https://www.reuters.com/article/us-israel-palestinians-violence/israeli-navy-kills-palestinian-after-boat-breaches-sailing-limit-military-says-idUSKCN1G90SS>

Europe, Turkey & Russia



Germany

April:

**Ancient Forest Home of Squatter Communities Is Doomed by Coal
Published on the 13th of April, 2018
(Coal)**



**Mining continues over the remaining forest.
(Photograph by Henning Kaiser, dpa, AP; as cited in Donahue, 2018)**

The Hambach forest is "the last remnant of a sylvan ecosystem that has occupied this part of the Rhine River plain between Aachen and Cologne since the end of the last ice age."

"Since 1978, the German energy company RWE has owned and managed the land on which Hambach sits. Each year, the company strips away a bit more of the edge of the forest to expand its open-pit lignite mine, from which it extracts an average of 49.6 million tons of brown coal each year. Only 10 percent of the forest's original footprint remains."

"Composed primarily of oaks and hornbeams, the forest is the only one like it in this part of Europe... Because people have taken timber from Hambach for fuel and building materials, at least

since Roman times, it cannot be considered an *Urwald*, a primordial forest, similar to Poland's old-growth Białowieża Forest. Yet it is still a rare forest type: according to a 2013 survey, oak-hornbeam forests like Hambach cover only 82,900 acres, or 4.1 percent of the 2 million acres of protected forest in Germany. In total, 28 million acres of Germany are forested."

"In 1978, when RWE acquired Hambach, the forest covered 13,590 acres (roughly the size of Manhattan). Today, roughly 10 percent of that stand remains. Though it's possible to quantify the degree to which Hambach shrinks each year as the lignite mine expands, there's another, less tangible loss: the ecological data from such an old and uncommon ecosystem."

"One feature of Hambach, which locals and advocates fondly refer to as "Hambi," is its population of semi-permanent squatters. During logging season, October through April, these protesters lodge themselves in elaborate treehouses they've wedged into some of the tallest trees that remain, 80 feet in the air."

"Through the actions of these and other advocates to "Save Hambach," a German court issued a stay in December of 2017 that forbade any further logging by RWE. But on April 1, the stay expired and German courts granted RWE the permit it requested to resume logging in the fall of 2018. Unless a new stay is issued, RWE will resume cutting trees in October."

(Donahue, 2018)

August:

Hambach: the battle between a forest and a coal mine threatens Germany's environmental image

Published on the 30th of August, 2018

(Resistance to Coal)

"Hambach forest [has] a community of some 150 people living in tree houses and walking around barefoot. But appearances are deceptive. These are protesters who have set themselves the tough task of protecting the forest from being sacrificed to a giant opencast mine to extract lignite or brown coal".

"The energy company RWE plans to expand the nearby Hambach mine, already Europe's biggest open pit coal mine. That means chopping down the forest, which has become symbolic of the battle between fossil fuel concerns and environmentalists."

"After a long fight, RWE won permission to start clearing from the start of October. That would mean evicting the activists living there - and clashes with the police have already begun."

"The activists want not only to save the forest, but also to send a message to the world. It's time to phase-out coal mining".

"Hambach forest is the last bastion in a long battle against the nearby mine... Clearing it for coal mining would mean a significant increase in CO2 emissions, incompatible with Germany's plans to halt climate change."

"A few months ago, the German government set up a panel of experts — known as the coal commission — to draw up a plan by the end of the year for a withdrawal from burning coal. Five out of the 31 members are firmly opposed to cutting down Hambach forest. Along with church, civic and environmental organisations, they have launched a "lignite moratorium," calling for the clearing of the forest and nearby villages to be halted until the commission takes a decision on the coal industry's future."

"But RWE says they have already waited too long and the period of grace has come to an end. RWE has extraction rights for the Hambach mine up to 2040 and plans to make use of them."

(Ruiz, 2018)

September:

Police clear protesters from Hambach Forest

Published on the 5th of September, 2018

(Resistance to Coal)

"Several hundred German police officers moved into Hambach Forest in western Germany on Wednesday to expel dozens of protesters."

"According to police, RWE officials also began removing forest logs and other obstacles from the ground, which were meant to keep police and workers from accessing certain areas."

"Police officials said the operation had been mostly peaceful, although officers had reported two small skirmishes with protesters. No arrests were made."

(DW, 2018a)

German police arrest Hambach Forest activists

Published on the 16th of September, 2018

(Resistance to Coal)

“German police on Saturday arrested 30 environmentalists protesting plans to destroy Hambach Forest in the state of North Rhine-Westphalia.”

“An Aachen police spokesperson said dozens of people were ordered to leave the area as an operation to clear out protesters entered its fourth day on Sunday.”

(DW, 2018b)

Hambach Forest: Journalist dies after fall from treehouse bridge

Published on the 19th of September, 2018

(Resistance to Coal)

“Police have spent days evicting activists from the forest but said no actions were taking place when the man fell to his death.”

“Police in the city of Aachen report that a man who fell from a bridge suspended between two tree houses in the occupied Hambach Forest on Wednesday has died from his injuries. It is believed the man in question was a journalist. He is said to have sustained serious injuries after falling some 14 meters (45 feet) and died after being flown out of the area by helicopter.”

(DW, 2018c)

Hambach Forest evictions resume following journalist death

Published on the 24th of September, 2018

(Resistance to Coal)

“German police on Monday continued evicting environmental demonstrators from the disputed Hambach Forest between the cities of Cologne and Aachen.”

“The Interior Ministry for North Rhine-Westphalia said that activists had put up new barriers over the weekend that needed to be cleared. The state government also urged all protesters holed up in tree houses to evacuate the site immediately.”

“The protests over the centuries-old forest have come to symbolize Germany's uneasy transition away from fossil fuels. Protesters have been arguing that Germany should stop extracting fossil fuels and commit to its clean energy goals.”

(DW, 2018d)



German police on Monday continued evicting environmental demonstrators from the disputed Hambach Forest between the cities of Cologne and Aachen.

(Photograph by PA/DPA/C.Gateau; as cited in DW, 2018d)

October:

Hambach Forest clearance halted by German court

Published on the 5th of October, 2018

(Coal)

“A German court on Friday temporarily blocked mining company RWE from razing further sections of an ancient forest near Cologne in what environmental campaigners have hailed as rare good news.”

“The forest, which is owned by RWE, has shrunk to less than 10% of its original size since the company began razing sections of it four decades ago, according to estimates by RWE and environmental activists.”

(Smith-Spark, 2018)

Germany: Thousands hold anti-coal protest in Hambach Forest

Published on the 6th of October, 2018

(Coal)

“Some 50,000 people gathered in the Hambach Forest near the western German city of Aachen on Saturday to call for the woodland's preservation and for lignite to be finally abandoned as a source of energy in the country.”

“The peaceful protest took place a day after a court in Aachen revoked a ban on the demonstration imposed by police over security concerns.”

“But the hundreds of police who were on duty since the early morning hours had little to do, the demonstration was entirely peaceful, and attendees spoke of a "festival" or picnic atmosphere.”

“Participants in the long-running demonstrations against the plans to raze the forest to build a coal mine had their spirits lifted after a court ordered that the clearance of the forest be suspended. The suspension remains in place while a lawsuit calling for the area to be conserved as a special bat habitat is being decided.”

(DW, 2018e)

Berlin startup offers €1m to save ancient Hambach forest from coal mining

Published on the 9th of October, 2018

(Protecting Ancient Woodland)



Protesters against the destruction of the forest with the current open cast mine in the background. (Photograph: Wolfgang Rattay/Reuters; as cited in Connolly, 2018)

“A non-profit Berlin tech startup has offered to buy the remaining 200 hectares of an ancient German forest to save it from being destroyed for coal surface mining.”

“Ecosia, a search engine which donates the majority of its advertising revenue to conservation initiatives and funded the planting of almost 40m trees across the world, has approached the energy firm RWE with an offer of €1m (£877,000) to secure the final stretch of the 12,000-year-old Hambach forest in the western state of North Rhine-Westphalia.”

“Ecosia’s offer was unsolicited. RWE had not sought a buyer for the land, which is believed to have been bought in the 1970s for the equivalent of about €500,000 in today’s money.”
(Connolly, 2018)

Notes and References:

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Macedonia

January:

Gold Mining Threatens Communities in Macedonia's Agricultural Heartland Published on the 16th of January, 2018 (Mining)

“Copper Investments JSC (COPIN), a Ukrainian-owned mining company, has partnered with Sardich MC in Macedonia with plans to mine for gold and copper in Macedonia's most fertile agricultural heartland. Just one kilometer from the nearest inhabited village and four kilometers from the nearest town, citizens worry that the mining will wipe out entire livelihoods and poses severe environmental risks to the health and well-being of communities in south-eastern Macedonia.”

“In a single day in 2012, COPIN (through Sardich MC) secured three mining concession signatures out of a total of 86 signed by the former Macedonian government, under the right-wing political party VMRO-DPMNE. This party ruled from August 2006 to May 2017 and credible allegations of massive corruption played a major part in its downfall from power.”

“All 86 mining concessions are located in south-eastern Macedonia, a bastion of fertile lands with inhabited cities and villages where the local population lives off agriculture and serves as the majority provider of fruits and vegetables in the country.”

“So far, locals have voted ‘yes’ or ‘no’ to the mines in six referendums, organized in regions

affected by the mining operations.”

“An overwhelming majority voted against the mines while other areas had low voter turn out or could not reach the necessary consensus vote. The small town of Gevgelija saw the first successful referendum with over 13,000 people who voted against the mine while only 154 showed support for it.” (Nikolovska, 2018)

Notes and References:

Nikolovska, E. (2018). Gold Mining Threatens Communities in Macedonia’s Agricultural Heartland · Global Voices. Retrieved from <https://globalvoices.org/2018/01/16/gold-mining-threatens-communities-in-macedonias-agricultural-heartland/>



Norway

March:

Indigenous Residents Barred From Regulating Land Use in Norway Published on the 30th of March, 2018 (Self-Determination)

“Norway’s highest court has ruled a governmental agency, not residents, has the sole authority to regulate fishing, hunting and natural-resource use in the region of Finnmark, according to a report Friday by the Library of Congress’ global legal monitor.”

“The dispute stems from the Norwegian government’s creation of the Finnmark Estate Agency in 2006. The government also transferred ownership of public land to the agency, land which the Sami people have inhabited for thousands of years.”

“At present, the agency owns 95 percent of the land in the Finnmark region. Six people sit on the agency’s board: three chosen by the Norwegian Sami Parliament and three by the Finnmark City Council. All board members must be residents of the region.”

“[R]esidents argued that because their rights stem from the thousands of years they’ve lived on the land, they should be solely responsible for managing its use – particularly the control of hunting, trapping and fishing.”

“While a Norwegian land tribunal agreed with the residents, the Norwegian Supreme Court unanimously ruled that just because the residents have immemorial use rights doesn’t mean they’re entitled to regulate how the land is used.”

“In its March 9 ruling, the high court said the Finnmark Estate Agency must continue to consult with the Sami people regarding their immemorial rights, but nothing in the International Labor Organisation Convention Concerning Indigenous and Tribal Peoples confers the right to self-determination or self-regulation in the way the residents proposed.”

(Dotinga, 2018)

Notes and References:

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Poland

March:

Poland clamps down on environmental defenders ahead of UN climate talks

Published on the 23rd of March, 2018

(Right to Protest)

"There are still eight months to go until the international community meets for the UN climate talks in Poland's Katowice, but the host is already causing controversy."

"Poland has passed a bill specifically for the UN summit which, according to environmental groups, will exclude members of civil society from the Paris Agreement process and endanger activists who have been threatened in their home countries."

"Poland's President Andrzej Duda signed the bill at the end of January, but it has gone widely unnoticed by the international community so far. It bans all spontaneous gatherings in the southern coal-mining city of Katowice between November 26 and December 16, spanning the entire period of the annual world climate change conference."

"It also submits registered conference participants to government surveillance. It allows authorities and police to obtain, collect and use personal data of attendees without their consent or judicial oversight."

(Wecker, 2018)

Notes and References:

Wecker, K. (2018). Poland clamps down on environmental defenders ahead of UN climate talks | DW | 23.03.2018. Retrieved from <https://www.dw.com/en/poland-clamps-down-on-environmental-defenders-ahead-of-un-climate-talks/a-43101293>



Sweden

February:

Beowulf maintains Kallak mine and reindeer herding can co-exist

Published on the 1st of February, 2018

(Mining and Land Rights)

"The UK-based mineral exploration and development company seeking to build a magnetite iron-ore mine on the ancestral lands of the indigenous Sami people in northern Sweden has been dealt a blow, after the County Administrative Board (CAB) for Norrbotten recommended against an exploitation licence for the Kallak North project.

"In a statement on Thursday, Beowulf Mining outlines the CAB arguments supporting its position. The CAB reportedly feels that the estimated 14-year production life of Kallak, as included in the original application, is too short to justify government investment in infrastructure, the mine does not support a socioeconomic case and it is not deemed a reasonable use of natural resources."

"Thus, given the 14-year production life, the CAB believes reindeer herding will be the best use of land. The CAB also states that the risks are unclear of the impact that a mine will have on the World Heritage status of Lapponia."

Beowulf is in disagreement with the CAB.
(Webb, 2018)

Notes and References:

Webb, M. (2018). Beowulf maintains Kallak mine and reindeer herding can co-exist. Retrieved from http://www.miningweekly.com/article/beowulf-maintains-kallak-mine-and-reindeer-herding-can-co-exist-2018-02-01/rep_id:3650



July:

'We have become guardians': Turkey's accidental forest protectors

Published on the 21st of July, 2018

(Water Defenders and Energy)

"Birhan Erkutlu and Tuğba Günel moved into the forests of Antalya to get away from it all. They wanted a natural, peaceful life free of capitalism, consumer culture, social media, the internet, even electricity. Fate had other plans."

"Fourteen years on, the two artists are now figureheads of a campaign to protect rivers and trees from a cascade of hydropower plants. Their tweets and Facebook posts attract hundreds of thousands of followers. They use drones to expose wrongdoing. And they have overcome threats, warning shots and a hostile political culture to lobby successfully for the creation of a new protected area."

"Most effectively, they have taken to social media to mobilise public opinion, posting photos of the destruction... A backlash followed. Some in the local community turned against them for opposing a company that had brought jobs and tax revenue. Their visitors were threatened. Lawsuits were filed. Police called them in repeatedly for questioning. Shots were fired outside their home."

(Watts, 2018)

September:

Tepebaşı - Alpu Coal Powered Plant and Closed Pit Coal Mine, Turkey

Published on the 27th of September, 2018

(Coal and Communities)

"Eskişehir Alpu Coal Powered and coal mining Project is located 25 km away from Eskişehir city centre on a fertile agricultural land. The 1100 MW power plant is planned to be built on 893-hectare plot composed of agricultural and forest areas. The plant will get the coal (lignite) from the nearby coal reserves on over 9000 hectare agricultural land. The ash depots are planned on last available meerschaum (lületaşı) reserves which is a stone specific to Eskişehir listed as cultural heritage. The plant will burn 7,8 million tonnes of lignite with a low calorific value of 2100 kcal/kg. Agriculture is the main economic activity of the region. The site is the first site where planned and irrigated agriculture has started in Turkey. Besides it is one of the exceptional agricultural sites in Mid-Anatolia where irrigated agriculture is feasible."

"The coal project will grab the land and water of people and will cause air pollution."

(EJAtlas, 2018)

Notes and References:

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Watts, J. (2018). 'We have become guardians': Turkey's accidental forest protectors. Retrieved from <https://www.theguardian.com/environment/2018/jul/21/we-have-become-guardians-turkeys-accidental-forest-protectors>



United Kingdom

September:

Blackpool activists jailed for anti-fracking protest

Published on the 23rd of September, 2018

(Fracking, Consent and Land Rights)

"Three environmental activists are believed to be the first people to receive jail sentences for an anti-fracking protest in the UK."

"Simon Roscoe Blevins, 26, and Richard Roberts, 36, were given 16 months in prison and Richard Loizou, 31, got 15 months on Wednesday after being convicted of causing a public nuisance by a jury at Preston crown court in August. Another defendant, Julian Brock, 47, was given a 12-month suspended sentence after pleading guilty to the same offence."

"The four men were charged after taking part in a four-day direct action protest that blocked a convoy of trucks carrying drilling equipment from entering the Preston New Road fracking site near Blackpool."

"The site near Preston New Road has been a focal point for protests since the government overturned a decision by Lancashire county council and gave the energy firm Cuadrilla consent to extract shale gas at two wells on the site in October 2016. More than 300 protesters have been arrested since Cuadrilla began constructing a fracking pad at the site in January 2017."

(Perraudin, 2018)

October:



A worker at the Cuadrilla fracking site in Preston New Road, Blackpool.

(Photograph: Danny Lawson/PA; as cited in Vaughan, 2018a)

Fracking protesters walk free after court quashes 'excessive' sentences

Published on the 17th of October, 2018

(Right to Protest)

"Three protesters jailed for blocking access to a fracking site have walked free after the court of appeal quashed their sentences, calling them 'manifestly excessive'."

“Simon Blevins, 26, Richard Roberts, 36, and Rich Loizou, 31, were sent to prison last month after being convicted of causing a public nuisance with a protest outside the Preston New Road site near Blackpool, Lancashire. Blevins and Roberts were sentenced to 16 months and Loizou to 15 months.”

“But on Wednesday afternoon the court of appeal ruled their sentences were inappropriate and they should be freed immediately. Soon after, the trio walked free from Preston prison, where they were greeted with hugs and cheers from dozens of supporters.”

(Gayle, Bowcott & Perraudin, 2018)

Strongest tremor yet halts fracking at Cuadrilla site near Blackpool

Published on the 29th of October, 2018

(Fracking)

“Fracking has stopped again at a shale gas well near Blackpool after the area was struck by the most powerful earthquake since operations began.”

“A total of 27 minor earthquakes have occurred near energy company Cuadrilla’s site since fracking started a fortnight ago.”

“The 1.1-magnitude tremor on Monday morning was the biggest so far and the second to have breached the regulatory threshold which forces operators to stop fracking.”

“Anything greater than a 0.5-magnitude quake requires companies to stop injecting the water used to fracture shale rock and release the gas within.”

(Vaughan, 2018a)

December:

Fracking paused in Blackpool after biggest tremor to date

Published on the 11th of December, 2018

(Fracking)

“Residents of Blackpool have reported feeling the tremors of an earthquake from nearby fracking operations that started two months ago.”

“The minor earthquake was not only the biggest yet but was on a par with one in 2011 that led to a moratorium on fracking.”

“The 1.5-magnitude quake occurred at about 11.20am on Tuesday, shortly after the shale gas company Cuadrilla resumed fracking after a month-long break.”

(Vaughan, 2018b)

Notes and References:

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Vaughan, A. (2018a). Strongest tremor yet halts fracking at Cuadrilla site near Blackpool. Retrieved from <https://www.theguardian.com/environment/2018/oct/29/strongest-tremor-yet-halts-fracking-at-cuadrilla-site-near-blackpool>

Vaughan, A. (2018b). Fracking paused in Blackpool after biggest tremor to date. Retrieved from <https://www.theguardian.com/environment/2018/dec/11/fracking-blackpool-tremor-cuadrilla>



Ukraine

On the **5/6/2018** environmental activist, Mykola Bychko, was found dead under suspicious circumstances in a village in Kharkiv region. Villagers found Bychko hanged in the woods near the village of Eskha. The local police initially started a suicide investigation but have yet to investigate the possibility that he was killed in connection with his activism. At the time, Bychko was documenting the pollution of a local river, allegedly caused by a nearby waste treatment plant ⁽¹⁾.

October:

Ukraine: Address Attacks against Activists and Human Rights Defenders Published on the 3rd of October, 2018 (Defenders)

“More than 50 attacks on activists and human rights defenders in Ukraine have been recorded by local human rights organisations in just the last nine months, Amnesty International, Human Rights Watch, Freedom House, and Frontline Defenders said today. Those under attack include people working to defend the rights of lesbian, gay, bisexual, and transgender (LGBT) people, protect the environment, and campaign against corruption.”
(HRW, 2018)

Notes and References:

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Human Rights Watch (HRW). (2018). Ukraine: Address Attacks against Activists and Human Rights Defenders. Retrieved from <https://www.hrw.org/news/2018/10/03/ukraine-address-attacks-against-activists-and-human-rights-defenders>



Russia

“Today, Russia is more repressive than it has ever been in the post-Soviet era. The state has tightened control over free expression, assembly, and speech, aiming to silence independent critics, including online. The authorities crack down on critical media, viciously harass political activists and peaceful protesters, engage in smear campaigns against independent groups, increasingly use their power to ban foreign organisations as “undesirable,” and penalize Russian nationals and organisations for supposed involvement with them. Chechen authorities are waging their war on human rights defenders, resorting to such tactics as fabrication of criminal cases, attacks on property and threats of retaliation against family members. With Moscow’s tacit blessing, local security officials forcibly disappear and torture those deemed undesirable, including gay or bi-sexual men, suspected jihadists, presumed drug users and critics of the government.”
(HRW, 2018)

On the **30/1/2018**, three unidentified men physically attacked environmental rights lawyer, Valentin Karelin, in the vicinity of “Krylatskoe” metro station in Moscow. He was attacked from behind, pushed to the ground and severely kicked in the head until a passerby intervened and attempted to pull the assailants off the defender. Valentin Karelin is a founder of the environmental rights movement "Save the Krylatskoye Hills!" and as a human rights lawyer, defends the interests of local residents of the Krylatskoye district, Moscow, in cases involving environmental rights violations. Valentin Karelin provides legal assistance to municipal deputies and local environmental rights defenders, who are fighting for the preservation of the local park against illegal actions committed by a tenant company in the planning of environmentally harmful construction projects on the protected nature reserve, "Krylatskoye Hills" (1.).

April:

Siberian Indigenous Activists Flee Russia Fearing For Safety

Published on the 19th of April, 2018

(Indigenous Rights)

“Two prominent activists for the rights of Siberia's indigenous peoples, Vladislav and Yana Tannagashev, have had to leave Russia fearing for their safety, the Memorial human rights center says.”

“Memorial representative Stefania Kulayeva told RFE/RL on April 18 that the couple from the Kemerovo region and their children are currently in an EU country.”

“The Tannagashevs are known for their campaign to shut down coal-mining operations in regions inhabited by the Turkic-speaking Shor people, one of Siberia's oldest indigenous groups, which currently numbers some 13,000 people.”

“The two activists say that coal mining damages the local environment.”

“According to Kulayeva, the Tannagashev family had been under constant government surveillance and their telephones had been bugged.”

(Siberia Desk, 2018)

August:

Dead Russian Reporters Researched Mercenaries, Mining in CAR

Published on the 1st of August, 2018

(Mining and Journalism)

“Three Russian journalists were investigating Russian military contractors and mining industries in Central African Republic when they were killed there, their editor said Wednesday.”

“The reporters were ambushed and killed outside the town of Sibut late Monday, according to local and Russian officials. CAR officials said the three were kidnapped by about 10 men wearing turbans

and speaking Arabic, but have yet to give further details.”

“Exiled Russian opposition figure Mikhail Khodorkovsky said on Facebook Wednesday that the journalists were collaborating with his investigative media project on a story entitled ‘Russian Mercenaries’.”

“Andrei Konyakhin, the chief editor of Khodorkovsky's Investigations Management Center, said the reporters were trying to shed light on a private Russian security company operating in CAR as well as on Russia's interests in diamond, gold and uranium mining there.”

(Danilova, 2018)



Flowers are placed by portraits of slain journalists Alexander Rastorguyev, Kirill Radchenko and Orkhan Dzhemal, at the Russian journalists Union building in Moscow, Russia, Wednesday, Aug. 1, 2018. Russian journalists who were killed in the Central African Republic had been working on an investigation into Russian private military contractors and the mining industries there, their editor said Wednesday.

(AP Photo/Pavel Golovkin; as cited in Danilova, 2018)

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