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# A HIDDEN CRISIS?

Increase in killings as tensions rise over land and forests

Global Witness Briefing, 19 June 2012

# SUMMARY

This briefing highlights the human cost of the intensifying competition for land and forests, as the world gathers for critical environment and development talks in Rio.

For the past 17 years Global Witness has worked with and seen communities, NGO workers, individuals and journalists intimidated, beaten up and sometimes killed over disputes about how land and forest are used and managed. So we attempted to get a sense of the scale of this problem globally. We counted the numbers of people killed over the past decade (years 2002–2011 inclusive) defending their human rights or the human rights of others related to the environment, specifically land and forests. These rights include enjoyment of a healthy environment, according to UN General Assembly Resolution A/RES/45/94 (14 Dec 1990); as well as the rights of indigenous peoples to their land and its resources, including forests; the right to life, livelihood and freedom of expression. This snapshot survey was carried out through desk research and consultation with human rights and environmental groups.

Across the world, our research found 711 individuals reported killed in the past decade – an average of more than one killing per week. Of these, 106 people were killed in 2011 – nearly twice the death toll in 2009. It includes those killed in targeted attacks and violent clashes as a result of protests, investigating or taking grievances against mining operations, logging operations, intensive agriculture including ranching, tree plantations, hydropower dams, urban development and poaching.

Because information on such killings is fragmented and scarce, the number of deaths is very likely to be higher than we have been able to identify. This report also does not include the hundreds of thousands of victims of intimidation and violence linked to disputes over access to land and forest or killings from land and forest claims associated with oil and gas extraction. Clearly, these areas would be ripe for further analysis.

The briefing shows:

- There is an alarming lack of systematic information on killings in many countries, and no specialised monitoring at the international level. These figures are therefore likely to be a gross underestimate of the number and extent of killings;
- The countries with the highest reports of killings are Brazil, Peru, Colombia, and the Philippines. In these and other countries (eg. Cambodia, DRC and Indonesia) there are continuing concerns about domestic and foreign private sector involvement in these killings;
- A culture of impunity, especially strong in many countries including those above, contributes to low levels of convictions.

Global Witness believes that these trends are symptomatic of the increasingly fierce competition for resources, and the brutality and injustice that come with it. Land and forests are used for a range of purposes including intensive agriculture, mining, plantations, logging operations, urban expansion or hydropower projects.

The pressure on these finite assets has already taken its toll – only 20% of the world's original forest remains intact<sup>1</sup> and 25% of land has become increasingly degraded in the past 20 years.<sup>2</sup> Yet global demand for land and forest (for food, fuel, fibre and other resources) is predicted to increase<sup>3</sup> – pushing the frontiers of investment further into areas with inadequate governance, tenure rights and rule of law<sup>4</sup>.

As this competition intensifies, it is local rural populations and activists who find themselves in the firing line. From Cambodia to Peru, we are seeing more instances of rural communities facing extreme intimidation, violence, forced evictions and killings.

Deals are often agreed in secret between government officials, elites and the private sector,

while local communities who directly live off the land or forest, and often actually own it, are afforded no rights or meaningful say in the matter. Very often, these communities stand to gain little or nothing from the investment.

Governments are responsible for land and forest governance. Yet this briefing shows that many people around the world, especially poor rural communities, are routinely denied their rights and often killed when they voice concerns about their land and livelihoods.

At the Rio Summit, governments must urgently focus on managing global consumption which drives the exploitation of land and forests, and establish systems which enable us to use the planet's natural wealth sustainably and fairly. Otherwise, as this brief survey indicates, the number of killings will continue to rise.

The last part of the briefing outlines the immediate steps which governments must take to investigate the killings and protect the rights of rural communities.

## SCOPE AND METHODOLOGY

In this survey we focused on people who were killed defending their human rights or the **human rights of others related to the environment, specifically land and forests**. This definition draws upon international and regional human rights instruments including the International Covenant on Civil and Political Rights,<sup>5</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>6</sup> and the UN Declaration on the Rights of Indigenous Peoples,<sup>7</sup> and on the definition of actions of human rights defenders outlined in the Report of the Special Rapporteur on the situation of human rights defenders (December 2011).<sup>8</sup> The definition includes the enjoyment of a healthy environment according to UN General Assembly Resolution A/RES/45/94 14 Dec 1990; as well as the rights of indigenous peoples to their land and its resources, including forests; the right to life, livelihood and freedom of expression.

The survey did not include;

- People killed in *cross-border* conflicts which are fuelled in part by competition for natural resources.
- People killed in conflicts over gas and oil which can also include claims over land and forest. Further research into this area would be extremely valuable, but would involve a wider exercise beyond the scope of this preliminary research. This may be undertaken in future.

We scoured websites, databases, academic studies, and consulted with NGOs, journalists, academics, and UN bodies who work in this area searching for specific links to land or forest activism. Where possible, reports of killings were cross-referenced with other sources. The integrity of sources was also assessed for reliability where possible, often by consulting informed third parties. All those consulted are listed at the end of this briefing.

Some of the countries in our research, including West Papua, have ongoing internal armed conflicts. We focused on cases where evidence suggests the victim was targeted because of vocalising a grievance related to land or forests. This includes bystanders killed in cross fire during disputes, or because they witnessed an assassination.

In the cases of Peru and Colombia, large numbers of killings have been well documented by the Government Human Rights Ombudsman (Defensor del Pueblo)<sup>9</sup>. The narrative explanation in these reports indicated that the majority of conflicts are related to land disputes, but details are not provided on a case by case basis, so those relating to land disputes could not be verified. However the numbers are substantial and significant, and we have included individual cases from these countries where known. Where only aggregate figures are available, we have estimated that 75% of the total are related to land/forest disputes.

# FINDINGS

Our survey indicated that;

- There is a lack of systematic information on killings in many countries and no specialised monitoring at the international level
- The countries with highest reports of killings are Brazil, Peru, Colombia, and the Philippines. In these and other countries (eg Cambodia, DRC, Indonesia) there are continuing concerns about domestic and foreign private sector involvement in the killings
- There appears to be a very low number of convictions and credible investigations, which contributes to a culture of impunity that suppresses activism and emboldens further abuse.

## Lack of systematic information

There is a lack of systematic monitoring of people killed while defending human rights related to the environment, specifically land and forests – at a country and international level. Data is patchy, and skewed to areas and countries where civil society reporting is or has been more active. In addition, threats of intimidation or violence can act as a deterrent to speaking out or monitoring situations effectively, again leading to large gaps in data.

For various reasons general searches on the internet and online sources may miss out cases, including sources of pre-internet cases. Various sources quote and aggregate the number of cases per country. However, further enquiry highlights that it is not always easy to discover the constitution of this overall figure, and especially which individuals are included in a list. Furthermore when we sifted through cases to determine whether killings included links to disputes involving land and forests, we often found that these were buried in broader human rights violations, anti-corruption grievances and long standing conflicts.

We found large regional differences in the number of killings reported, with higher figures for Latin America and parts of Asia. This could be based on real differences which we discuss in the next section.

However one contributing factor could be that social movements and awareness of rights are stronger in Latin America and parts of Asia (Bangladesh, Philippines), in comparison to some parts of Asia and Africa. For example, killings in Brazil are more likely to be reported publicly, and picked up by desk research, because the Catholic Land Commission compiles a comprehensive annual report on land conflicts.

There seems to be significant under-reporting in Burma, Central Asian countries, China and West Papua, all of which restrict or prohibit human rights monitoring.

There was also little information on deaths in Africa where we found fewer, regionally focused networks and databases dedicated to human rights and environments topics. A further contributory factor to low level of reporting in Africa could be due to limited resources and capacity of civil society organisations, especially in rural areas, compared with other regions such as Latin America and Asia.

Given increasing internet and social media penetration over the past 10 years, it is likely that the actual proportion of deaths reported is probably rising. But it is not possible to know to what extent this is the case.

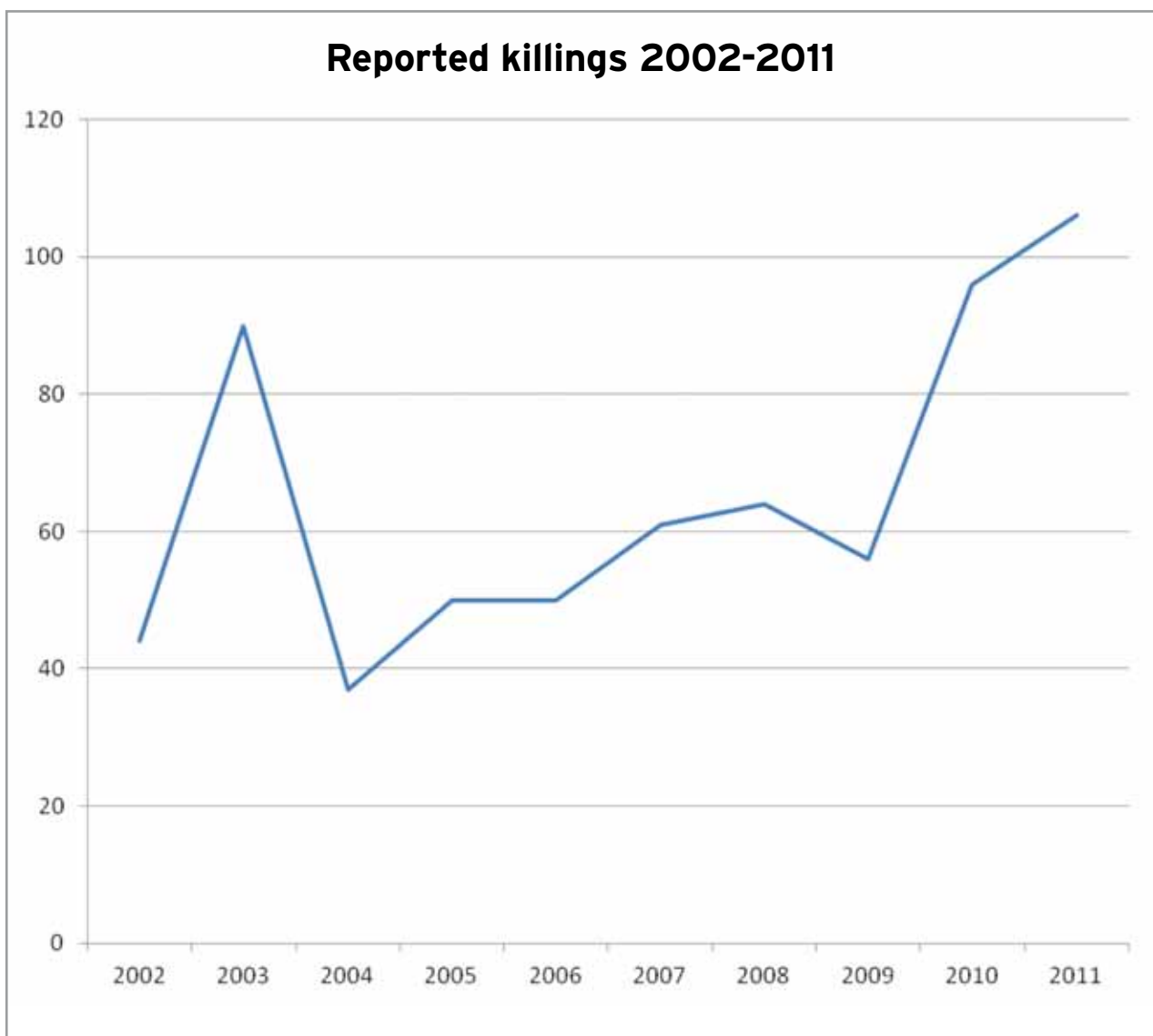
## Killings increasing, and higher reports from Latin America and Asia

Killings took a variety of forms – including clashes between communities and state security forces, disappearances followed by confirmed deaths, deaths in custody, or one-off or multiple targeted assassinations.

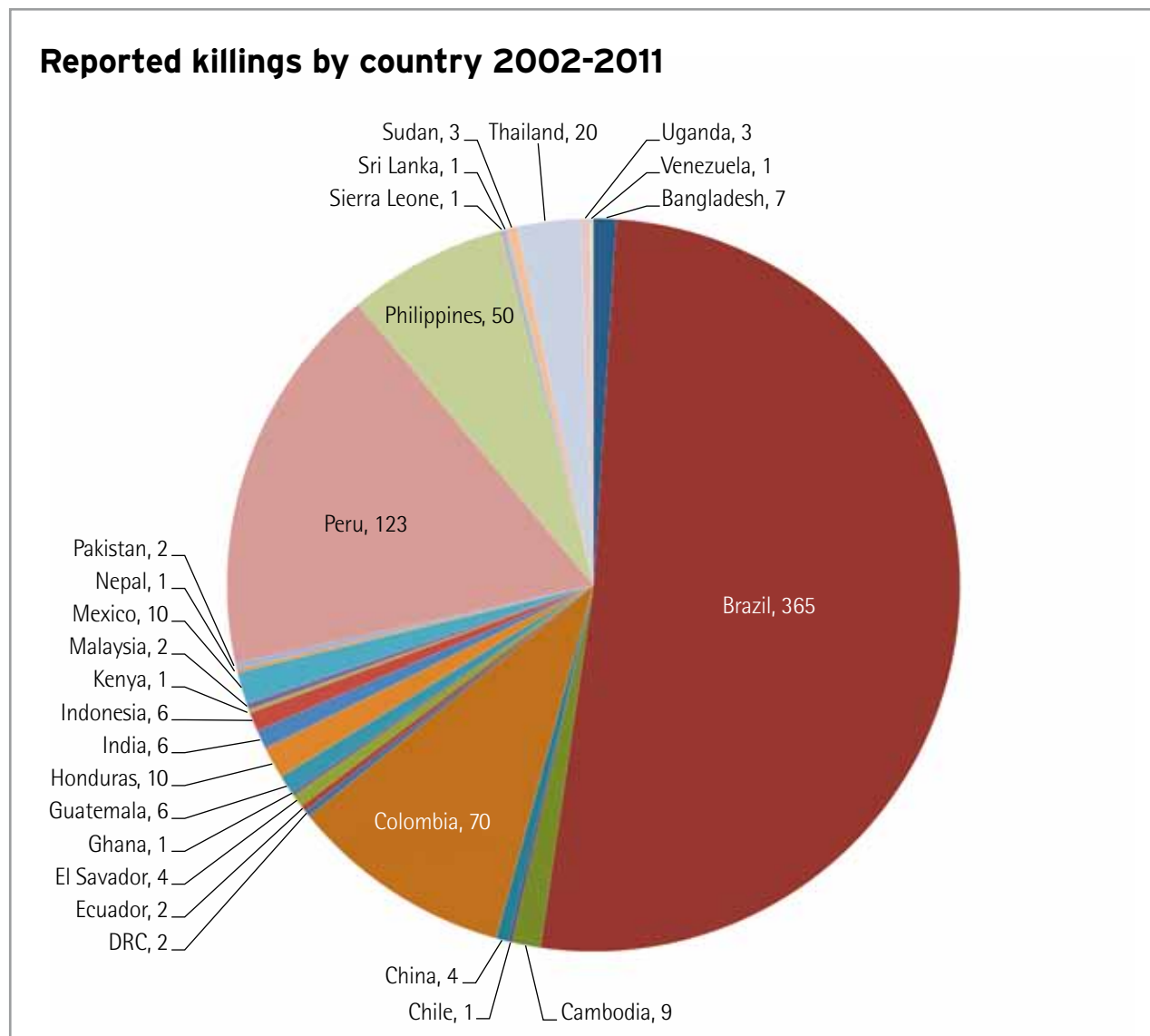
Our survey identified 711 people who have been killed since the beginning of 2002 (an average of more than one killing per week), of whom 106 were killed in 2011. We have 57 cases which could not be

allocated to specific years but which are confirmed to have occurred in the period we looked at. Of these, 37 killings took place in the Philippines<sup>10</sup>, and 20 killings took place in Thailand<sup>11</sup>.

So far, 2011 represents the highest number of known cases of any year, closely followed by 2010. This rise may be partly due to better technologies allowing for better information sharing and collation. However, a rise in killings would corroborate our own sense, and that of others<sup>12</sup>, that violent disputes over land and forests between communities, activists, land owners, companies and authorities are occurring more frequently.



Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	Unallocated	Grand total
Year	44	90	37	50	50	61	64	56	96	106	57	711



The spike in 2003 is attributed to 73 deaths in Brazil, where the Catholic Land Commission reported a rise in land disputes.<sup>13</sup>

Most commonly, those killed were protesting or making grievances against mining operations, agribusiness, logging operations, tree plantations, hydropower dams, urban development and poaching. These grievances include:

- loss of livelihoods due to forced eviction from homes and land holdings, sometimes at gun point<sup>14</sup>, to make way for any of the above developments;
- zero or insufficient compensation for land requisitioned;
- loss of forests and/or loss of food sources, timber and other resources normally used by

local inhabitants as a result of infrastructure (for example roads);<sup>15</sup>

- illegal logging and poaching;
- deterioration in quality and quantity of natural water sources, for example due to mining;
- zero or insufficient employment opportunities which may accompany new development;
- pollution, including high levels of dust from roads or ranching.

At a continental level, the highest number of reported killings occurred in Latin America and Asia.

Professor Bill Kovarik of Radford University, who has undertaken research on this topic, commented:

“There is no question that we are seeing a statistically significant rise in the number of environmentally-related murders being reported in the local Asian and Latin American media. It’s difficult to know whether that is because there are more murders or whether it has now become more difficult for these things to be ignored. That can only be discovered with further research. But we are, in any case, obliged to consider these human rights violations as part of an emerging and now visible pattern.”<sup>16</sup>

Similarly, the report of the Special Rapporteur on Human Rights Defenders in December 2011 notes that: [Para 71] “Defenders working on land and environmental issues in connection with extractive industries and construction and development projects in the Americas... face the highest risk of death as result of their human rights activities”.<sup>17</sup>

In terms of specific countries, our survey found that the majority of reported killings occurred in Brazil, Peru, Colombia and the Philippines<sup>18</sup>. These high figures can be attributed to a combination of factors including:

- land ownership concentrated in the hands of a few, with strong business and government connections
- substantial developments (including agribusiness, mining, hydropower) on contested land and forested areas
- large populations of relatively poor and disenfranchised citizens, dependent on land or forests for their livelihoods
- social movements and awareness of rights are strong in these countries leading to a greater likelihood of killings being reported.

In Brazil, the host country for the Rio summit, the Catholic Land Commission compiles a comprehensive annual report on land conflicts, which over the decade reveals the highest numbers of reported killings – 365 killed, more than half the global total. In May 2012 the Catholic Land Commission reported that murders connected to land disputes fell from 34 in 2010 to 29 in 2011, despite an increase in

conflicts.<sup>19</sup> Reasons for the significantly high number will include the scale of investments in this large, populous country, the conflicts arising from efforts to develop Brazil’s land and forests, and the fact that the country has some of the most unequal patterns of land ownership in the world<sup>20</sup> with powerful landowners clashing with farmers and others for control of lucrative farming and logging.

At the global level, it is well known that the main driver of demand for land is agribusiness, and global demand is increasing exponentially, with the World Bank reporting a fourfold increase in global large-scale farmland investments between 2001 and 2009.<sup>21</sup> Africa has received the majority of such investment (62% of projects covering a total of 56.2m ha) followed by 17.1m ha in Asia and 7m ha in Latin America.

Our survey did not find high levels of killings in Africa. As noted above, this could be a data collection issue – due to lower levels of rights awareness and reporting activity in rural areas of the continent. It is also likely to be due to factors such as high levels of state ownership of land and forest. For example in Africa the area of forest administered by government is 98% of the total, whereas it is 66% in Asia, and 33% in Latin America<sup>22</sup>. It is likely that the predominance of state ownership of land and forests in Africa contributes to disempowering poor, rural populations who are then less likely to pursue grievances.

There are major differences in rural population densities, livelihoods, land ownership patterns, and in the character and scale of forest/land acquisitions and developments between and within the three continents. Further research, beyond the scope of this briefing, is needed to make more definitive causal links between these factors and the numbers of conflicts and killings.

Given predictions of increased global demand for land, especially in “frontier markets”<sup>23</sup> and other countries rich in natural resources, where governance, tenure rights and rule of law is often weaker<sup>24</sup>, we are likely to see a continued increase in abuse and killings. Indeed, this year alone (not included in this survey) in the Philippines, the

Kalikasan People's Network for Environment recently christened the month prior to Rio "Bloody May", saying more environmentalists were killed in the Philippines this month (four in total) than in any other they had monitored.<sup>25</sup>

## Involvement of state and non-state actors

Reports of killings carried out by men in uniforms, acting on behalf of private sector interests and/or governments, featured more commonly in Brazil, Cambodia, Colombia<sup>26</sup>, Indonesia<sup>27</sup>, Peru<sup>28</sup> and the Philippines<sup>29</sup>. It is not possible to put a definitive figure on how many cases involve such actors, because eye witness accounts and monitoring organisations do not (sometimes due to fear of further attack)<sup>30</sup> go into this level of detail.

State authorities may use excessive force during clashes with those defending their property and natural heritage. In other cases, deaths resulted from actions taken against protestors or activists by private security companies, police or military officials hired unofficially as guards to protect commercial assets in countries with weak governance. There are also reports of irregular military forces such as paramilitaries attacking communities to secure access to forest or land resources.

In Brazil the cases we looked at included reports of involvement of private interests (land owners, ranchers and loggers) in the killings rather than state authorities. In Cambodia, nine of 11 cases (eleven is the total which includes 2 killings in 2012) indicated strong evidence that the killings were perpetrated with company or government involvement<sup>31</sup>.

### CHUT WUTTY - Cambodia

On Thursday 26th April 2012, Chut Wutty, Director of Cambodian environmental watchdog Natural Resource Protection Group (NPRG), was shot and killed by members of the Cambodian Military Police<sup>32</sup> while carrying out field research into illegal logging and land seizures.

A subsequent government inquiry – which was opened and closed within three days – failed to address the details of his death, and prohibited further inquiry into the issue Wutty was investigating: the systematic stripping and selling-off of Cambodia's natural resources.

Wutty was one of the few remaining Cambodian activists



willing to speak out against the escalation of illegal logging and land grabbing in Cambodia, which is impoverishing ordinary people and destroying the country's rich natural heritage.

Corruption and violence in Cambodia's forest sector has been well documented over many years, but government

and international donors have collectively failed to tackle the problem, leaving activists from forest-dependent communities and local civil society groups like Wutty's standing up for basic human rights, the environment, and the rule of law on their own.

Global Witness and other groups have consistently called on Cambodia's international donors to use their influence to pressurise the government to open up its notoriously murky natural resource sector and hold the most powerful and violent illegal loggers and land grabbers to account.



## FREDERIC MOLOMA TUKA – Democratic Republic of Congo

Before sunrise on 2nd May 2011, approximately 60 navy and national police clashed with local people from the Yalisika community of Equateur province in DRC, following conflicts involving the logging company Siforco.<sup>33</sup>

This joint force unleashed a wave of violence against the community that led to several women, including minors, being raped, many people beaten, the property of many villagers destroyed, 16 arrests and the death of one man, 70 year old Frederic Moloma Tuka. The company denied intending or facilitating any violence against the people of Yalisika.<sup>34</sup>

After being severely beaten, Mr. Moloma Tuka was left in front of his house, unable to



stand because of his injuries. After the security forces left the village, he was taken to the medical post in Magbokpale, but could not receive treatment because the nurse had also been beaten and arrested. He died on the night of 2nd May.

The villagers had been protesting against delays in the delivery of social obligations which Siforco was supposed

to be providing as part of the agreement under which it is allowed to log in the forest.

Siforco stated that whilst they "asked the administrative authorities [...] to help resolve the conflict",<sup>35</sup> "this decision [to confront local people from the Yalisika community] was taken autonomously by the local authorities without informing [Siforco] and without [their] consent"<sup>36</sup>

These agreements have been signed between logging companies and local communities, but in many cases the benefits promised have been meagre or substandard or have failed to materialise, while the loggers have been able to push deeper into the forest.

In Cambodia in 2010, the government began a program of "corporate sponsorship" of national army units, essentially allowing prominent businessmen to buy sections of the army to defend the business interests they have acquired behind closed doors at the expense of the local population. The country has a long history of land-grabbing and forced evictions, with the most recent episode resulting in the shooting of a young teenage girl by military police in May 2012<sup>37</sup>.

Many killings by state forces in Indonesia's contested province of West Papua have not been included in the survey because they involve the province's movement for independence which is beyond the scope of this research. However, it is clear that many fatal clashes in West Papua are due to civil discontent at land seizures for logging, mining and agri-business (see overleaf). Four killings

in West Papua are counted in our survey because reports stated that those killed were involved with claims on land or forest.

This collusion of powerful vested interests and increasing competition to secure the use of land and forests underlies the culture of impunity and lawlessness by which forest and land are governed in some countries.

### Institutionalised impunity

Information on violence against these people and other human rights activists in general is hard to find, let alone verify. Those responsible often go to great lengths to cover up their activities. They have significant control over the legal structures and media which could be used to seek redress or hold

## NÍSIO GOMES – Brazil

In the early morning of 18 November 2011, some 40 gunmen arrived at a Guarani-Kaiowá indigenous encampment in the Brazilian state of Mato Grosso do Sul, and shot their leader Nísio Gomes before dragging him away. Gomes' body and three indigenous children abducted during the attack have not been seen since.<sup>38</sup>



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In the weeks before the killing, gunmen repeatedly threatened the Guaiviry encampment's residents and two days before the attack they reportedly threatened to take Nísio Gomes' life.

Around 60 Guarani-Kaiowá people settled at the Guaiviry site on 1 November 2011, on land which was in the process of being officially identified as ancestral territory, but which was being used by local farmers and ranchers.

The indigenous community had previously been living in appalling conditions alongside a local highway, after being forcibly evicted from the same lands. Some 60,000 Guarani-Kaiowá indigenous people across Brazil's southern Mato Grosso do Sul state live in poverty in densely populated reserves.

Landowners and ranchers in Mato Grosso do Sul frequently use hired gunmen and private security companies to intimidate indigenous communities fighting for their constitutional rights to their ancestral lands.

them to account. And in many countries which are rich in natural resources but have poor populations, the judiciary and legal institutions are weak, corrupt or non-existent.

The threat of violence also acts as a deterrent to speaking out or monitoring situations effectively. The UN Special Representative of the Secretary General on Human Rights had this to say of the situation in West Papua:

"The Special Representative is also concerned about complaints that defenders from West Papua working for the preservation of the environment and the right over land and natural resources frequently receive threats from private actors with powerful economic interests but are granted no protection by the police. Some old and recent cases concern direct involvement of the police and military. Complaints were made to the police, but no action was reportedly taken. Sometimes, the police did not even make the effort to examine the facts. The Special Representative reminds the Government that it has

a responsibility to protect its citizens against the harmful activities of non-State actors."<sup>39</sup>

In West Papua, there are visa restrictions on foreign journalists and international NGOs and resources for documenting killings are limited<sup>40</sup>.

According to Brazil's Catholic Land Commission, fewer than 10% of cases have gone to court and a little over 1% have led to convictions.<sup>41</sup>

In the Philippines where "involuntary disappearance" has only recently become a crime, 50 killings occurred in the past decade, but not a single case has led to a prosecution. According to the monitoring of environmental group Kalikasan-PNE, 37 environmental activists have been killed since November 2001<sup>42</sup> and June 2010 and a further 11 between November 2010 and October 2011, most of which were involved in campaigns against large-scale mining projects. Suspected perpetrators of these killings are police, military, and private security forces of private corporations."<sup>43</sup>

And when convictions are brought there are examples of trivial sentences. For example, in Peru, two senior officers were charged with 'dereliction of duty' for the Bagua massacre which killed 20 people from indigenous communities, but were only given suspended sentences ranging from 12 to 36 months<sup>44</sup>.

In the Philippines, Marjorie Pamintuan of environmental group Kalikasan-PNE says:

"Environmental defenders like forest rangers, indigenous people, biodiversity experts, and anti-mining activists are still preys[sic] of human rights violations and extra judicial killings. Even worse, the perpetrators of these acts of harassments, abductions and murder remain at large and unprosecuted. Until now, not a single case of killing solved.[sic]"<sup>45</sup>

It is also highly likely that corruption and interference (generally by the executive) within the judiciary is a factor, as well as obstructive tactics by companies and/or authorities looking to circumvent the rule of law. In 2007 the UN Special Rapporteur

on Extrajudicial Execution, Phillip Alston, accused the Philippine authorities of:

"a passivity, bordering on an abdication of responsibility, which affects the way in which key institutions and actors approach their responsibilities in relation to such human rights concerns; prosecutors refused to take a role in gathering evidence, and instead being purely passive, waiting for the police to present them with a file; the Ombudsman's office did almost nothing in recent years in this regard, failing to act in any of the 44 complaints alleging extrajudicial executions attributed to State agents submitted from 2002 to 2006."<sup>46</sup>

Passivity is an apt description – it also applies at the international level, where there is no international monitoring system or database which focuses specifically on killings or human rights abuses related to claims over land or forests, or other types of natural resources.

## ELIEZER 'BOY' BILLANES - Philippines

On March 9th 2009 anti-mining advocate and community leader Eliezer "Boy" Billanes was gunned down, whilst buying a newspaper in the public market of Koronadal City, Philippines, by two unidentified men riding a motorcycle.<sup>47</sup> His killing took place a few weeks after he reported being threatened by military forces in Tampakan.<sup>48</sup>

Mr. Billanes was the chairperson of the Alliance for Genuine Development in Mindanao (AGDMI), a regional anti-mining alliance leading the opposition to



the Tampakan Copper-Gold project in South Cotabato. The project is owned and managed by the UK-Swiss multinational mining company, Xstrata. Global Witness is not alleging

that Xstrata had any role in the death of Mr. Billanes.

Mr. Billanes actively exposed the impacts of the Tampakan project on the region's forests and indigenous communities. He led the opposition against large-scale mining in the country, exposing the environmental calamities associated with the mining liberalization program of the Philippine government.

Mr. Billanes was the 20th anti-mining activist killed since 2000 in the Philippines.

# RECOMMENDATIONS

Global Witness strongly believes that economic progress must not be pursued at the expense of the rights of communities, activists or in detriment to the environment as this undermines the universality of human rights.

The UN Declaration on Human Rights Defenders exists to overcome centuries of abuses against those that promote and strive for the protection and realization of human rights, including the right to enjoy the environment. Governments are failing in their duty to protect citizens and activists who hold concerns about how land and forests are managed. Governments must take the following immediate steps to deal with the alarming rise in killings outlined in this report:

- Carry out full and impartial investigations into such attacks and killings, bring those responsible to justice and ensure redress for the families of those killed<sup>49</sup>.
- Countries, especially Brazil, Cambodia, Colombia, Indonesia, Peru and the Philippines, should invite/allow full access by the UN Special Rapporteurs on Extra-judicial Executions, Human Rights Defenders and other relevant UN mechanisms to enable them to fulfil their mandates.
- Ensure that anyone with concerns about how land or forest is being managed can voice these without fear of being persecuted, killed or harassed, in line with the UDHR article 19 and the UN Declaration on Human Rights Defenders 1998. Furthermore, each State should publicly reaffirm and recognise the important work that defenders of land and forest do, as stipulated by the UN in 2011.<sup>50</sup>
- Ensure that land and forest deals and investment projects are not approved unless affected communities have given their free, prior and informed consent and customary and traditional land rights have been respected.
- Ensure that state security forces adhere to international standards on the use of force, and that allegations of abuse are investigated promptly, independently and where appropriate perpetrators are prosecuted.
- Ensure private security companies accused of human rights violations are brought to justice. Governments must put adequate regulations and laws in place to improve oversight and accountability of the private security industry. These companies, at a minimum, must adhere to the Voluntary Principles on Human Rights and Security and other relevant international human rights standards in all their operations around the world.

# CONCLUSION

It is a well-known paradox that many of the world's poorest countries are home to the resources that drive the global economy. Now, as the race to secure access to these resources intensifies, it is poor people and activists who increasingly find themselves in the firing line.

If this problem is not addressed urgently, it is likely to get worse, particularly as we can expect more investments in countries with weak rule of law and land tenure rights. This will mean more violent conflict over investment projects and disputes over land ownership, with potentially tragic consequences.

Governments of all countries must learn lessons from these experiences as rising global consumption increases the demand for land. That means bringing in measures which ensures that consumption is managed within planetary limits, that land and forest are managed transparently and fairly, and that citizens voicing their concerns are not abused or killed.

# ENDNOTES

- 1 D Bryant et al (1997) *Frontier forests* World Resources Institute, Washington DC
- 2 Bai ZG, Dent DL, Olsson L and Schaeppman ME (2008) *Global assessment of land degradation and improvement. 1. Identification by remote sensing*. Report 2008/01, ISRIC – World Soil Information, Wageningen. Page i. Available at: [http://www.isric.org/sites/default/files/Report%202008\\_01\\_GLADA%20international\\_REV\\_Nov%202008.pdf](http://www.isric.org/sites/default/files/Report%202008_01_GLADA%20international_REV_Nov%202008.pdf)
- 3 Deininger, K. and Byerlee, D. (2011) *Rising global interest in farmland: can it yield sustainable and equitable benefits?* Washington, DC: World Bank. Available for download: [http://siteresources.worldbank.org/INTARD/Resources/ESW\\_Sept7\\_final\\_final.pdf](http://siteresources.worldbank.org/INTARD/Resources/ESW_Sept7_final_final.pdf) See also: *Land rights and the rush for land; findings of the Global Commercial Pressures on land research project* January 2012 IIED, CIRAD, ILD. Available at <http://www.landcoalition.org/cpl/CPL-synthesis-report>
- 4 *Dealing with Disclosure; improving transparency in decision-making over large-scale land acquisitions, allocations and investments*, April 2012 Global Witness, International Land Coalition and The Oakland Institute. Available at <http://www.globalwitness.org/library/dealing-disclosure>
- 5 International Covenant on Civil and Political Rights, accessible at <http://www2.ohchr.org/english/law/ccpr.htm>
- 6 International Covenant on Economic, Social and Cultural Rights, accessible at <http://www2.ohchr.org/english/law/cescr.htm>
- 7 United National Declaration on the Rights of Indigenous Peoples, accessible at [http://www.un.org/esa/socdev/unpfi/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfi/documents/DRIPS_en.pdf)
- 8 Taken from "Report of the Special Rapporteur on the situation of human rights defenders A/HRC/19/55, Margaret Sakaggya 21 December 2011", para 123-6
- 9 Peru; *Violence in social conflicts Ombudsman report no. 156* page 32, March 2012; Colombia; Public Statement 16 September 2011 against death threats to environmental activists calling on authorities to increase protection for environmental activists working on land rights
- 10 <http://kathangkatothohan.wordpress.com/category/kalikasan/>
- 11 <http://www.hrw.org/news/2011/07/30/thailand-investigate-murder-environmentalist>
- 12 Professor Bill Kovarik, of Radford University in Virginia, via email 06/06/2011.
- 13 Catholic Land Commission *Conflitos no campo 2003*. Available at: <http://alainet.org/active/6174?lang=es>
- 14 See, for example, *Forced evictions: Global crisis, global solutions*, p67 2011 UN Habitat
- 15 Local community member interviewed by Global Witness, August 2011, Orientale Province, DRC. In answer to question "how has your life changed since arrival of logging companies?" The response given was "game is rare, harvests of fish are poor and caterpillars are rare." This testimony is featured in the Global Witness film, "We are people already sold", available at: <http://www.globalwitness.org/library/we-are-people-already-sold-film-shows-real-impact-industrial-logging-congolese-communities>
- 16 Professor Bill Kovarik of Radford University, via email 21/5/2012
- 17 Taken from "Report of the Special Rapporteur on the situation of human rights defenders A/HRC/19/55, Margaret Sakaggya 21 December 2011
- 18 The work of FIND in the Philippines is significant (1785 cases of disappearance) but has not been included because there was insufficient data on what people were engaged in when they were disappeared. There was also no breakdown given for individual years in the period which was studied – 1965 to July 31, 2010. However farmers constituted the highest number of people who were disappeared in this period. <http://www.find.org.ph/resources/19-statistics/31-overall-result-of-finds-search-and-documentation-work-november-1985-to-february-2012>
- 19 *Conflitos no Campo Brasil 2011* Catholic Land Commission (Comissão Pastoral da Terra), p15, available at [www.cptnacional.org.br](http://www.cptnacional.org.br), also quoted in in The Associated Press, May 8, 2012 Tuesday 01:19 AM GMT, Brazil: *Land fights up, but fewer activists dead*.
- 20 Sergio Sauer *Land reform; critical debates and perspectives*; page 178 Available at: <http://www.foodfirst.org/files/bookstore/pdf/promisedland/9.pdf> Brazil has one of the world's most perverse and highly concentrated landholding structures, with a Gini-coefficient near 0.9—nearly total concentration of ownership in few hands.
- 21 Deininger, K. and Byerlee, D. (2011) *Rising global interest in farmland: can it yield sustainable and equitable benefits?* Washington, DC: World Bank. Available at: [http://siteresources.worldbank.org/INTARD/Resources/ESW\\_Sept7\\_final\\_final.pdf](http://siteresources.worldbank.org/INTARD/Resources/ESW_Sept7_final_final.pdf)
- 22 *Who owns the forests of Africa?* (2009) page 3 United Nations Economic Commission for Africa
- 23 'Frontier markets' is an economic term coined by International Finance Corporation's Farida Khambata in 1992. Describes a sub-set of emerging markets, usually developing countries with high rates of economic growth, relatively small stockmarkets and less developed infrastructure. They are seen by investors as more risky – potentially unstable and/or with fragile governance.
- 24 *Dealing with Disclosure; improving transparency in decision-making over large-scale land acquisitions, allocations and investments*, April 2012 Global Witness, International Land Coalition and The Oakland Institute. Available at <http://www.globalwitness.org/library/dealing-disclosure>
- 25 Kalikasan press release, May 29 2012: "Bloody May" for ecologists: killings, harassments and acquittal of violators under Aquino". Visit [www.kalikasan.net](http://www.kalikasan.net) for more details.
- 26 ACSN Statement, 22 Sept 2011. Available at [http://www.wola.org/publications/acsn\\_urges\\_the\\_santos\\_administration\\_to\\_investigate\\_paramilitary\\_activity\\_and\\_protect\\_t](http://www.wola.org/publications/acsn_urges_the_santos_administration_to_investigate_paramilitary_activity_and_protect_t)
- 27 The police used unnecessary and excessive force against demonstrators and protesters, especially in land dispute cases in Indonesia. In the rare instances where investigations took place, little progress was made in bringing perpetrators to justice. Sourced from: <http://www.amnesty.org/en/region/indonesia/report-2012#section-2-3> [http://www.erc.org.au/index.php?module=documents&JAS\\_DocumentManager\\_op=viewDocument&JAS\\_Document\\_id=25](http://www.erc.org.au/index.php?module=documents&JAS_DocumentManager_op=viewDocument&JAS_Document_id=25) <http://www.unhcr.org/refworld/country,,,IDN,4fc75a93c0.html> [http://pdf.usaid.gov/pdf\\_docs/PNADD200.pdf](http://pdf.usaid.gov/pdf_docs/PNADD200.pdf)
- 28 The case of Yanacocha gold mine in Cajamarca, Northern Peru in 2006, a protester was shot dead in a conflict between the local community and private security forces together with the Peruvian National Police. An independent review of Newmont Mining's security policies in 2009 shed light on the collusion between the Peruvian Police and the mining company's privately-contracted security forces, according to Dr. Gino Costa's *Comprehensive review of the Minera Yanacocha's Policies Based on the Voluntary Principles of Security and Human Rights*, 12 May 2009. Available at: <http://xa.yimg.com/kq/groups/19326480/1798798654/name/VPHumanRightsGinoCostaExecutiveSummaryFinal.pdf>. Also cited here: *Oxfam calls on mining company to respect human rights*, <http://www.oxfamamerica.org/press/pressreleases/oxfam-calls-on-mining-company-to-respect-human-rights/?searchterm=None>
- 29 U.S. Country Profile on the Philippines March 2006, the U.S. State Department reported that Philippine security forces have been responsible for serious human rights abuses despite the efforts of civilian authorities to control them. Library of Congress – Federal Research Division. March 2006. Available at: <http://lcweb2.loc.gov/frd/cs/profiles/Philippines.pdf>. The work of FIND in the Philippines is significant (1785 cases of disappearance) but has not been included because there was insufficient data on what activities people were engaged in when they were disappeared. There was also no breakdown given for individual years in the period which was studied – 1965 to July 31, 2010. However farmers constituted the highest number of people who disappeared in this period.
- 30 See para 123 of the *Report of the UN Rapporteur on human rights defenders*, December 2011 which says; "Defenders working on land and environmental issues are also highly exposed to attacks to their physical integrity, often by non-State actors, and many are killed because of their work on the environmental impact of extractive industries and development projects, or the right to land of indigenous peoples and minorities".
- 31 Various, including: <http://www.phnompenhpost.com/index.php/2012042755825/National-news/another-chapter-in-bloody-history.html>; <http://www.licadho-cambodia.org/reports/files/73CHRACKbaSpeanReport.pdf>; <http://www.phnompenhpost.com/index.php/2012051656190/National-news/two-shot-dead-in-kratie-land-eviction.html>; <http://www.licadho-cambodia.org/reports/files/1432010-HRDReport2008-2009Final-ENG.pdf>; <http://www.licadho-cambodia.org/reports/files/126LICADHOHumanRightsDefendersReport2007Eng.pdf>; <http://www.licadho-cambodia.org/reports/files/148LICADHOIllusionDemocracy2010.pdf>
- 32 *Statement in response to killing of prominent Cambodian forest campaigner Chut Wutty*, Global Witness 26/4/2012
- 33 *Human Rights Abuses Against Bosanga Community Members – Case Study* Greenpeace, 16th June 2011
- 34 *Statement of Danzer Group to the Greenpeace Report of 7th November 2011* Danzer Group, 9th November 2011
- 35 Letter from Danzer Group to Global Witness, 13 July 2011
- 36 *Siforco Statement about the conflict at Yalisika*, Danzer Group, 28 June 2011

- 37** For more information see BBC News, 16 May 2012 "Teenage girl shot dead in Cambodia land protest", available at <http://www.bbc.co.uk/news/world-asia-18093818>
- 38** *Brazil: Indigenous Leader Killed in Armed Raid*. Amnesty International Press Release, 22 November 2011, Available at: <http://www.amnesty.org/en/news/brazil-indigenous-leader-killed-armed-raid-2011-11-22>
- 39** *Report of the Special Representative of the Secretary-General on the situation of human rights defenders, Ms. Hina JILANI. Addendum Mission to Indonesia*. UN Human Rights Commission. Para 67, p21 Available at: [www2.ohchr.org/english/bodies/hrcouncil/.../A-HRC-7-28-Add2.doc](http://www2.ohchr.org/english/bodies/hrcouncil/.../A-HRC-7-28-Add2.doc) 28/1/2008
- 40** [http://www.franciscansinternational.org/News.111.0.html?Etx\\_ttnews%5D=69&EtxHash=d0d41229156dfa0f57c90ed1fef2e40d](http://www.franciscansinternational.org/News.111.0.html?Etx_ttnews%5D=69&EtxHash=d0d41229156dfa0f57c90ed1fef2e40d)
- 41** *Conflitos no Campo Brasil 2011* Catholic Land Commission (Comissão Pastoral da Terra), p15, available at [www.cptnacional.org.br](http://www.cptnacional.org.br), also quoted in The Associated Press, May 8, 2012 Tuesday 01:19 AM GMT, *Brazil: Land fights up, but fewer activists dead*.
- 42** *Remembering our environmental heroes*, Kalikasan paper, received by email 4 June 2012
- 43** Quoted in Butalat.com: "Green Lanterns for Environmental Justice"; <http://bulatlat.com/main/2011/03/10/news-in-pictures-green-lanterns-for-environmental-justice/>
- 44** Cited in *Peru: Bagua victims still waiting for justice*, 31 July 2011. Available at: <http://www.amnesty.org/en/library/asset/AMR46/003/2011/en/d6107da4-dd1b-4671-99e4-03589483cb4a/amr460032011en.pdf>
- 45** Quoted in Butalat.com: "Green Lanterns for Environmental Justice"; <http://bulatlat.com/main/2011/03/10/news-in-pictures-green-lanterns-for-environmental-justice/>
- 46** *Preliminary note on the visit of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, to the Philippines (12–21 February 2007)*, A/HRC/4/20/Add.3, March 22, 2007, p. 4.,
- 47** *Environmental leader killed in Koronadal*. Centre for Environmental Concerns Philippines Available at: <http://www.cecphil.org/node/87>
- 48** *Another mining advocate assassinated in Mindanao, Philippines*. Kalikasan PNE Press Release, 10 May 2009, Available at: <http://www.minesandcommunities.org/article.php?a=9106>
- 49** Taken from "Report of the Special Rapporteur on the situation of human rights defenders A/HRC/19/55, Margaret Sakaggya 21 December 2011", para 126.
- 50** *Ibid* Para 124.

## The most comprehensive online sources we referred to were;

ProtectionLine; <http://www.protectionline.org/-Reports-on-defenders-.html>  
 Human Rights Watch; <http://www.hrw.org/node/79288>  
 Impunity Watch; <http://impunitywatch.com>  
 Reporters Without Borders; <http://en.rsf.org>  
 Asian Federation Against Involuntary Disappearances; <http://www.afad-online.org>  
 Asian Human Rights Commission ; <http://www.humanrights.asia/>  
 Committee to Protect Journalists; <http://www.cpj.org/killed/2012/>  
 Families of Victims of Involuntary Disappearance (FIND); <http://www.find.org.ph/contact-us>  
 Human rights Internet ([www.hri.ca/organizations-database.php](http://www.hri.ca/organizations-database.php))  
 African Human Rights on the Internet; <http://library.stanford.edu/depts/ssrg/africa/hurights.html>  
 Amnesty International; <http://www.amnesty.org.uk>  
 Environmental History Timeline <http://www.radford.edu/wkovarik/envhist/murder.html>  
 May I Speak Freely?; <http://www.mayispeakfreely.org>  
 Special Rapporteur on the situation of human rights defenders; <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/SRHRDefendersIndex.aspx>

## In addition to sources above, advice or data from the following individuals and/or organisations informed our survey;

Amnesty International – Nancy Tapias Torrado  
 Ariadne Human Rights Funders Network – Jo Andrews  
 Blacksmith Institute – Bret Ericson  
 Business & Human Rights Centre – Chris Avery  
 Centre for Applied Human Rights, University of York – Sanna Eriksson, Jonathan Ensor, Alice Na  
 Climate Change Media Partnership Journalist Network  
 Defensoria del Pueblo – Peru (Peruvian Human Rights ombudsman)  
 Environmental Funders Network – Jon Cracknell  
 Environmental Investigation Agency  
 Friends of the Earth  
 Front Line – the International Foundation for the Protection of Human Rights Defenders – Mary Lawlor  
 Faisal Raza Khan, Free-lance Green Journalist, Islamabad – Pakistan  
 Foundation for Democracy and Sustainable Development – Halina Ward  
 Global Greengrants Fund – Teresa Odendahl  
 Greenpeace  
 Licadho – Cambodian League for the promotion and defence of human rights  
 Markus Hardtke  
 Kalikasan People's Network for the Environment (Kalikasan-PNE) – Clemente Bautista,  
 Ikuko Matsumoto, hydro-expert – Japan  
 JMG Foundation – Harriet Williams  
 Institute for Papuan Advocacy and Human Rights (IPAHR) – Paula Makabory and Matthew Jamieson  
 Open Society Foundations – Russell Pickard  
 Peace Brigades International – Rob Hawke  
 Professor Bill Kovarik Professor of Environmental History and Communications, Radford University Virginia  
 Professor Sheldon Leader, Professor of Law School. Director of Human Rights Centre at the University of Essex  
 Publica, Brazil – Natalia Viana  
 Philippine Network of Environmental Journalists – Imelda V. Abano  
 Reporters Without Borders – Johann Birr  
 Sustainable Development Institute, Liberia  
 United Nations Environment Programme – Nick Nuttal  
 UN Human Rights Council country reports

Global Witness investigates and campaigns to prevent natural resource-related conflict and corruption and associated environmental and human rights abuses.

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