

Communities as Counterparties:

Preliminary Review of Concessions and Conflict in Emerging and Frontier Market Concessions

Prepared for the Rights and Resources Initiative

by

Andrea Alforte
Joseph Angan
Jack Dentith
Karl Domondon
Lou Munden
Sophia Murday
Leonardo Pradela

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From a business perspective, the risk posed by conflicts between concession operators and local populations in emerging or frontier markets concerns more than just companies with ground-level operations. It also interests investors. Grounded in an ongoing examination of case studies, this analysis describes the overarching patterns of conflict between companies and local communities in emerging and frontier market concessions. Identifying those patterns is the first step to establishing best practices for managing the risk.

INTRODUCTION

In emerging or frontier markets (EFMs), a significant portion of land is designated for commercial use via concession agreements. These agreements are the legal framework for economic activity in EFMs across many sectors: oil and gas, mining, agriculture, and the like.

As we have noted previously,¹ property rights in many EFMs are dysfunctional to the point that ownership of land can be granted to an operator without the tens of thousands of people who live or depend on that land knowing about it. Generally tied to their land for many generations, these people have little interest in moving to urban areas and are practically impossible to relocate.

Nor is the presence of people on land designated for concessions unusual: in a parallel analysis we conducted, we found that there were people present in 93-99% of concession territories,² and that their presence was more or less uniform across sectors and countries. Table 1 below illustrates the statistical improbability of “clean” (i.e. uninhabited) concession areas.

Table 1: Presence of populations in concession areas in eight countries

<i>Country</i>	<i>Concession</i>	<i>Area (km²)</i>	<i>Total number of concessions minus offshore (polygon)</i>	<i>% of concessions with people in it (Landscan)</i>	<i>% of concessions with people in it (SEDAC)</i>
<i>Brazil</i>	forest	59,130.02	13	100%	100%
	oil and gas	239,832.62	115	96%	100%
<i>Cambodia</i>	palm oil, rubber, cassava, sugar	21,700.00	225	99%	100%
	mining	3,944.64	15	93%	100%
<i>Colombia</i>	mining	53,181.67	9,464	97%	99%
	oil	155,903.06	229	100%	98%
<i>Indonesia</i>	palm oil	155,245.18	1,845	99%	98%
	logging	302,505.81	557	96%	98%
	wood fiber	128,829.03	570	98%	100%
<i>Liberia</i>	agriculture	6,911.93	15	100%	100%
	logging	32,758.16	222	100%	100%
<i>Mozambique</i>	agriculture (biofuel)	30,585.04	374	100%	100%
<i>Peru</i>	forest	79,351.73	105	98%	100%
	mining	269,894.01	59,159	92%	100%
	oil and gas	203,258.17	70	97%	97%
<i>Philippines</i>	timber	5,052.82	22	100%	100%
	mining	14,867.64	35	100%	100%

¹ The Financial Risks of Insecure Land Tenure: An Investment View. Available at: http://www.rightsandresources.org/documents/files/doc_5715.pdf [Accessed 2nd October 2014].

² The different figures derive from different population datasets (93% in the Landscan dataset, and 99% using SEDAC data). More details on the data and our methodology for this analysis can be found in Appendix A.

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In some countries, the proportion of land allocated for commercial use through concession agreements is extensive. Over 40% of land in Peru was allocated for forest, mining, and oil and gas concessions. In Liberia, the use of around 35% of land was conceded for agriculture and timber production. And in Indonesia, 30% of the entire country's land is currently part of some sort of concession.³

The granting of concessions without the knowledge or approval of people directly affected by them is obviously a human rights issue of grave concern. But it may also have a real financial impact, and this impact concerns more than just those companies with ground-level operations.

For example, an increasing number of private equity funds invest directly in concessionaires in EFMs. In parallel, asset managers in equities have an indirect interest via shareholdings in companies who depend on supply from these concessions to make their products (i.e. those making consumer goods, food/beverage products, etc.).

Corporate social responsibility may be effective in capturing the interest of companies, particularly when their brands have value. By contrast, investors tend to be more interested in “the availability of relevant and reliable data which reflects actual issues and potential risks.”⁴ This is not to say they are hard-hearted, simply that they tend to rely more on numbers to make decisions.

Given the extreme rarity of uninhabited concessions, investors should assume some degree of interaction between a concessionaire and whoever lives within (or in many cases, close to) the concession territory. The financial costs of getting this interaction wrong can be significant – a recent major study of business costs resulting from conflict found, for example, that “company-community conflict in one country cost one project US\$100 million per year in stoppages.”⁵ On some occasions, for example where local communities have legally recognized rights to land, infringements of those rights can lead to complete shutdowns of operations.⁶

As we have examined this problem, we have come to think of local populations as a kind of “unrecognized counterparty” to concession agreements. We found that communities often used legal mechanisms to resolve their grievances with concessionaires. This suggests that local

³ See Appendix A for the complete breakdown.

⁴ Release from the Norges Bank Investment Management (NBIM). Available at: http://www.nbim.no/globalassets/documents/submissions/2013/20131217_rainforestfoundationnorway-2.pdf [Accessed 2nd October 2014].

⁵ Franks, D.M., Davis, R., Bebbington, A.J., Ali, S.H., Kemp, D. and Scurrah, M., 2014, “Conflict translates environmental and social risk into business costs”, *Proceedings of the National Academy of Sciences of the United States of America*, Vol. 111 No 21. Available at: <http://www.pnas.org/content/111/21/7576> [Accessed 10th October 2014].

⁶ This occurred in Jesus, Pedro Galvez and Cachachi in Peru: http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=184 [Accessed 2nd October 2014].

communities' rights over an area have appreciable legal weight, even if government bodies and concessionaires haven't attributed them much import in the terms of their agreements.

Our analysis suggests that a concession agreement in and of itself will not guarantee the ability to operate. Even if concessions provide the right from a legal point of view, these are frequently challenged where there is tension between a company and the local population. We examined 60 examples of conflict in mining and timber concessions (two of the most heavily regulated sectors we looked at) to assess the legality of the concessions themselves, and only found four instances where there was clear evidence of irregularities in the concession or licensing process.

The abundance of conflicts between communities and companies in instances where a concession has been granted suggests that what is written on paper does not necessarily represent the full reality of operating a concession.

Just like other important counterparties – a government agency or an engineering firm hired to construct a mine – the community's consent and cooperation must be properly secured before a concession can operate effectively. Recognizing communities as counterparties is one way of thinking through what is required to properly secure consent.

This view begs two questions: first, is it worth the money, time, and risk involved in dealing with these local counterparties? And second, what best practices can we define to reduce the expense and risk of the process?

We are beginning a multi-year effort to answer these questions.⁷ As a first step, this paper shares some emerging evidence from a review of 100 cases in ten different EFMs to establish overarching patterns of conflict around concessions.⁸ Our findings are admittedly subjective, but they suggest some interesting conclusions for investors, namely:

1. More resources should be devoted to managing risks at the inception stage of operating a new concession, or very early in the expansion of a concession.

⁷ The sectors to be covered are mining, agriculture, infrastructure, energy, and forestry. We will begin by assessing the specific land-tenure related challenges of each sector in detail. Based on these, we will devise due diligence and risk management frameworks tailored to each sector, suggesting best practices that should be adopted by companies seeking to minimize the risk and the damage caused by conflicts between themselves and local communities over land and resource rights.

⁸ The number of cases for each country was the following: Brazil (33), Peru (19), Mozambique (10), Colombia (8), the Philippines (10), South Africa (6), Indonesia (4), Liberia (4), India (3), and Cambodia (3). Cases were selected starting where more information was publicly available. For further details on our methodology in selecting case studies, please refer to Appendix B. The full list of cases can be found in Appendix C.

We should point out that this is a first step in plugging a significant information gap. We suspect the gap exists because this has been viewed as a human rights (and not an investment) issue, which means it has only been examined by researchers who think primarily in social, legal, or political terms. Worse still, their jobs have been made very difficult by uncertain – and frankly, insufficient – public funding.

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2. Risks resulting from conflict with local populations can be managed by maintaining strong environmental standards.
3. More time and resources should be given to the identification and development of relationships with reliable local counterparties.

We welcome feedback from those interested in this topic, which can be directed to us via email at landtenurerisk@mundenproject.com.

PATTERNS OF CONFLICT

We recognize that relationships between companies, local populations, and governments are not the same across all EFMs, and in many cases are not even consistent within a single state or district within a given country.

In every example we have looked at, the unique historical context of the people and institutions involved gave a distinct flavor to the ways in which conflicts arose or dissolved. That said, there are certain overarching patterns that can inform the generation and implementation of global best practices.

First, conflicts tend to have a specific timing. Second, that timing is commonly triggered by a specific set of actors and actions. And third, avoiding these problems appears to require engaging with a specific counterparty.

We should also note that there was no noticeable pattern in what kinds of conflict led to particular levels of financial impairment. This suggests that *any* conflict between company and local counterparties carries a potential risk of loss for the concession operator.

By the same token, it also suggests that conflicts can be managed – and avoided – in an economically responsible way. Examination of the patterns below is a first step in understanding how to do this.

Main Pattern #1: Timing of company-community conflicts

We found that the majority of conflicts arise when a project is first being developed.⁹ By contrast, just 23% happen under normal operating conditions between inception and closure.

In some cases – and these are often the ones which make headlines – there is opposition from the outset of an operation, such as in Pulán, Peru, where protests demanding a more comprehensive Environmental Impact Assessment (EIA) first halted exploration for a gold and silver mine in 2004. This opposition set the scene for later protests and regulatory intervention.

We have seen many cases in which the initial interaction between a company and its local counterparties was so dysfunctional that no agreement could be reached.¹⁰ In India, the Philippines, and Brazil, evidence suggests that companies tend to initiate their interaction when decisions

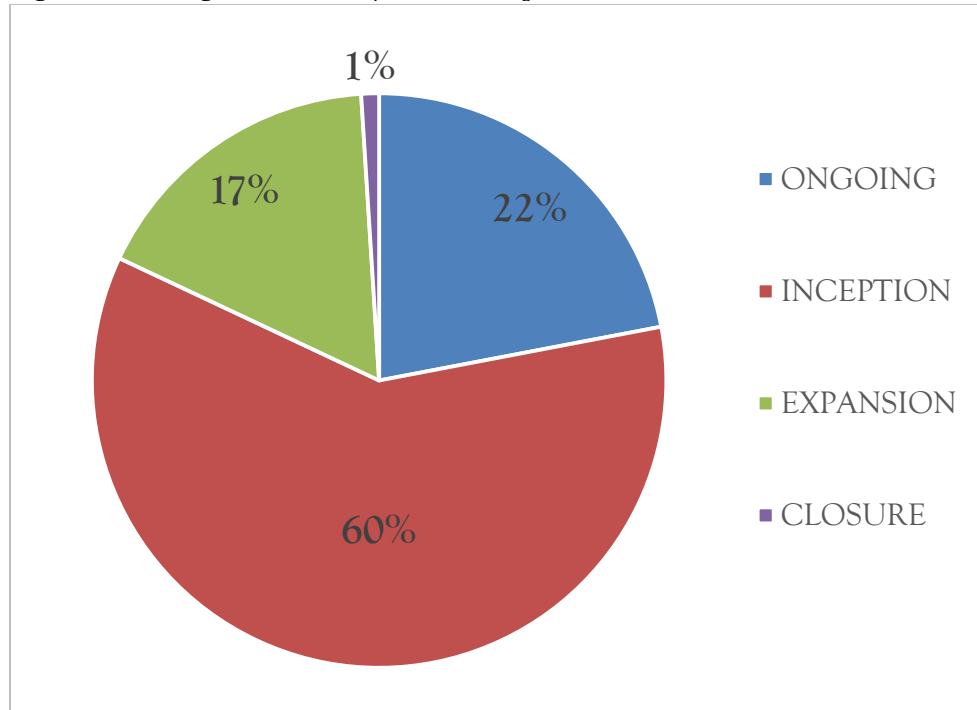
⁹ From the 100 cases analyzed, 60 occurred during inception, 22 ongoing operations, 16 in expansions, and 1 during closure.

¹⁰ In India: “India rejects Vedanta plans to mine tribal land” <http://www.bbc.com/news/world-south-asia-11067678> [Accessed 2nd October 2014]. In the Philippines: “Glencore Xstrata ‘to pull out’ of Philippine mining project” <http://www.gmanetwork.com/news/story/346542/economy/companies/glencore-xstrata-to-pull-out-of-philippine-mining-project> [Accessed 2nd October 2014]. In Brazil: “Índios rejeitam hidrelétricas no rio Tapajós” <http://isebvmf.com.br/index.php?r=noticias/view&id=256654> [Accessed 2nd October 2014].

about the operation are already made; hence there is little or no room for changes proposed by local parties. We explore the importance of how negotiations are conducted in more detail below.

In other cases, for example in the expansion of El Cerrejón coal mine in La Guajira in Colombia, populations coexisted with nearby concessions for many years before an expansion triggered protest. In La Guajira, there had been a coal mine in operation since the 1970s – it wasn't until it expanded in 2001 that conflict disrupted operations.

Figure 1: Timing of Conflict by Phase of Operation



However, the financial impact is generally not immediate: it seems to occur at some point in the first three to five years after a company starts operating a concession.

Losses are typically incurred in two scenarios, the first of which centers on legal agreements. We found a great number of cases in which losses occurred either when negotiations of agreements with relevant local counterparties have not been properly executed, or if there was non-compliance with existing agreements.

A good example of this is in Garwula, Liberia, where local smallholders were not adequately consulted regarding the expansion of a palm oil plantation on their land. They were outraged by the compensation they received and worked with a local NGO to file a complaint which resulted in operations being suspended. Similarly, in La Guajira, compensation arrangements for the expanded mine's impacts were not formally agreed, which led to resettlement costs for the company further down the line.

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We see two themes that explain why conflicts are most likely to arise in the early stages of a new or expanding project.

First, early project development disproportionately includes activities which require direct interaction with local populations. These can be physical actions like clearing agricultural land near a population center, or social contact made when operators attempt to establish agreements, for example in conducting and obtaining consent for environmental impact assessments.

Secondly, companies do not have an established relationship with local communities when they begin these early stage activities, and too often operators underestimate the complexity of establishing the relationship and reaching reliable agreements.

Populations local to a concession area are not necessarily defined and represented in the same clear-cut way that other entities involved in concession agreements are. The difficulty in making agreements that satisfy diverse groups are often exacerbated in EFMs because of logistical difficulties in reaching and bringing together people who live in remote locations; the time scales that commercial entities work in to secure concessions and begin operations tend to discourage the thoroughness of approach that is required to negotiate these complexities effectively.

When companies initiate a project – often in ways which significantly affect the natural and social environment of an area – but do not establish a clear understanding with local populations about what these operations will entail, they will have to deal with strong negative reactions to their work. A lack of trust between the two counterparties, and poorly arranged agreements about community benefit and environmental protection may explain why the beginning of operations is the most common catalyst to action.

Main Pattern #2: Regulatory non-compliance and legal redress

We were surprised to find that regulatory non-compliance is the second most common cause of conflict and loss.

Bluntly put, our experience across Southeast Asia, Latin America, and Africa suggested that many EFMs have rubber-stamp regulatory schemes. We therefore expected compliance with these schemes to be merely a formality. We could not have been more wrong.

The evidence showed several occasions in which local organizations were able to use regulatory systems to hold a company to account. More interestingly still, environmental regulations were the most common source of losses related to non-compliance. If this evidence continues to accumulate, it will strongly imply that maintaining environmental standards is an important method to reduce risk.

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This should not be misread as a classic form of regulatory risk similar to leftward shifts in government that introduce less business-friendly ministers into government. Instead, the regulatory pressure comes from the ground level: we found that EFM authorities rarely initiated proceedings based on environmental reviews themselves.

This might be because those ministries are poorly funded and lack the capacity to be proactive. Whatever the case, if this pattern continues to hold, it suggests that the risk will have to be managed through some direct bargaining with the “unrecognized counterparties” that are local populations and community organizations.¹¹

The typical scenario seems to involve either local community members or an observing NGO recording significant water, soil, and air contamination, and/or forest destruction and issuing some kind of complaint.¹² This is usually followed by a tepid regulatory response, provoking a more forceful demand for explanations (often using media to draw attention to the story). At this point, the government agencies in charge of issuing environmental licenses take some kind of action.

Bad press often accumulates over the course of events, as do penalties and fines levied on the operator. These amounts can be significant: for example, in Serra do Navio, Brazil, a manganese mine that had contaminated soil with arsenic resulted in the operator being fined R\$52 million and having its assets seized to guarantee the payment.

These issues are not restricted to mining – various forms of processing infrastructure also produce pollutants which, if improperly disposed, can prompt conflict with affected populations. The smoke plumes from a cement factory near Matola in Mozambique, for example, prompted local residents to file complaints with the Ministry of Environment. In this instance, it took nine years for the factory to replace the necessary filters, but it demonstrates that even in situations where regulators are slow to act, people will often use formal channels *before* taking direct action like protests or blockades.

¹¹ Such an approach promises good potential for addressing conflict risks, as environmental issues and “the absence of opportunities for community stake-holders to provide consent at the outset of projects” were found as the two most common proximate causes of conflict between mining companies and communities in Franks et al.’s 2014 review of 50 case studies. (Franks, D.M., Davis, R., Bebbington, A.J., Ali, S.H., Kemp, D. and Scurrah, M., 2014, “Conflict translates environmental and social risk into business costs”, *Proceedings of the National Academy of Sciences of the United States of America*, Vol. 111 No 21. Available at: <http://www.pnas.org/content/111/21/7576> [Accessed 10th October 2014]).

¹² In South Africa: “Water pollution near mines prompts South African probe” <http://www.bloomberg.com/news/2014-05-21/water-pollution-near-mines-prompts-south-african-ombudsman-probe.html> [Accessed 2nd October 2014]. In Brazil: “Degradação ambiental é tema central do Minas de Minas em Paracatu” http://www.conexaonordeste.com.br/portal/notas/ler_cont.php?id=1380 [Accessed 2nd October 2014]. And in Colombia: “Colombian town forcibly relocated due to air contamination from open-pit coal mining – Community takes on multinationals in fight for rights” <http://www.ascanada.ca/fr/blogue/billet/colombian-town-forcibly-relocated-due-to-air-contamination-from-open-pit-coal-mining-community-takes-on-multinationals-in-fight-for-rights/216> [Accessed 2nd October 2014].

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Companies may drag their heels in complying, and they are rarely forced into speedy action. In one of our cases the environmental agency demanded that a company produce quarterly water quality reports, which were only delivered two years later.¹³ However companies are usually just delaying the inevitable; ultimately there will be damages to be paid, often in significant sums.

The evident inability or reluctance of regulators to enforce their rules makes it all the more surprising that, in almost all situations, local counterparties attempted to solve their problems through legal channels. This not a one-or-the-other choice between filing a case and on-the-ground action: many court cases were filed when other forms of (often illegal) protest were taking place simultaneously.¹⁴

Nevertheless, there is a degree of skepticism towards Public Defenders' offices and similar public entities' ability to deliver positive outcomes in due time. It is no surprise that bureaucratic processes in emerging economies are often slow, and cases can take decades to be resolved.¹⁵

In many cases local communities address their concerns through simultaneous legal *and* direct action, concluding that by the time their judicial case is decided, the project's damage will already be done and it may be too late to repair it.

The efficacy of legal action remains murky. Some cases result in fines for the companies involved,¹⁶ while others temporarily interrupt operations for a year or more,¹⁷ so it would seem the success of judicial disputes cannot be understood as directly resolving the conflict.¹⁸

Fines are often not troubling enough to change the behavior of a mining company, but indefinitely interrupting operations can force companies to take a new approach with disputing counterparties. Partial victories are frequent, such as authorities demanding alterations in the

¹³ Villa Verde, R.; Fernandes, F. Impactos da mineração e da agroindústria em Paracatu (MG): ênfase em recursos hídricos. Available at: http://www2.cetem.gov.br/publicacao/serie_anais_XVIII_jic_2010/Rodrigo_Verde.pdf [Accessed 2nd October 2014].

¹⁴ Even in very small interruptions, which lasted only a few days due to protesters closing roads in São Felix do Xingu (Brazil), legal action was taken and later resulted in fines for the company involved. Or in Matola (Mozambique), where locals filed formal complaints against the cement factory that released non-toxic waste.

¹⁵ Rights and Resources Initiative. What Future for Reform? Progress and slowdown in forest tenure reform since 2002. March, 2014.

¹⁶ In São Felix do Xingu (Brazil): "Mineração de níquel expulsa pequenos trabalhadores rurais e povos indígenas no sudeste do Pará" <http://www.confliotoambiental.icict.fiocruz.br/index.php?pag=ficha&cod=74> [Accessed 2nd October 2014].

¹⁷ In Cerrito and Chitaga (Colombia): <http://ejatlas.org/conflict/paramo-el-almorzadero-colombia> [Accessed 2nd October 2014]. And in Mpumalanga (South Africa): "Natural water body threatened by large mining company" <http://www.ejolt.org/2012/11/natural-water-body-threatened-by-large-mining-company/> [Accessed 2nd October 2014].

¹⁸ Paracatu (Brazil) is a good example of this, where two affected communities filed lawsuits against Kinross, but only one of them won.

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Environmental Impact Assessment (EIA),¹⁹ which frequently take more than a year to prepare and process.

What is a bit clearer are the conditions under which legal action has been taken. Lawsuits tend to be filed when negotiations with the companies involved have already deteriorated.

Even though some legal challenges are successful, it is exceedingly rare that a lawsuit permanently closes an operation.²⁰ Complete shutdowns were observed when there was failure to obtain approval from local communities with legally recognized land rights,²¹ or when authorities changed the status of the disputed land to some form of protected area²² – but not via court rulings.

The example of a mine which was completely closed down in Jesus, Pedro Galvez, and Cachachi (all in Peru) suggests how conflict could be avoided by treating local communities as counterparties. The mining companies gained their exploration permits in community assemblies, but without the agreement of the owners of the land involved. The legal substance given to counterparties in a contract strongly encourages being certain and clear about who bears rights and responsibilities. In the conflicts we have examined, this certainty and clarity almost universally excludes local communities.

In some instances, as in Jesus, Pedro Galvez, and Cachachi, local community members had pre-existing land rights which could have been taken into account contractually. Such land rights are not always present in EFMs, but the regularity with which we found companies being challenged

¹⁹ As seen in Llusco (Peru): <http://ejatlas.org/conflict/chumbivilcas-peru> [Accessed 2nd October 2014]. Santiago de Chuco (Peru): “Barrick se impone en Alto Chicama” http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=25 [Accessed 2nd October 2014]. In Quellaveco (Peru): “Oposición de agricultores a la desviación del río Asana para el proyecto Quellaveco” http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=106 [Accessed 2nd October 2014]. In Meraukee (Indonesia): <http://www.ejatlas.org/conflict/wilmar-international-sugar-plantations-in-merauke-papua-indonesia> [Accessed 2nd October 2014].

²⁰ In many cases, lawsuits succeeded in suspending operations until given conditions were fulfilled by the company involved. The opinions expressed in this argument do not cast shadow on the importance of lawsuits. Lawsuits are good tools to stop an operation from happening, and they do on occasion lead to mine closure.

From the cases we observed, and those are certainly not all, about 10 operations were closed permanently, none of these the result of court decision. In other instances, we do see companies being forced to stop their operations permanently as a result of a court decision, although frequently the company will try to fix the problems and appeal. What usually permanently ends the operations are non-approved EIAs and failure to get consent from local communities.

Of course, there are other things that can close mines, such as when the Philippine government imposed a ban on open-pit mines, forcing one of the largest foreign investments to change their plans.

²¹ This is especially important for mining, as obtaining the social license to operate is ranked as the third highest risk facing operations, according to Ernst and Young’s “Business risks in mining and metals 2014-15.” Available at: <http://www.ey.com/GL/en/Industries/Mining--Metals/Business-risks-in-mining-and-metals> [Accessed 2nd October 2014].

²² One example is the creation of an Extractive Reserve in São Luís, forcing an industrial complex to be redesigned: “MPF/MA quer a conclusão de processo que propõe a criação de reserve extrativista do Tauá-Mirim na zona rural de São Luís.” Available at: <http://www.prma.mpf.gov.br/noticia-4739> [Accessed 2nd October 2014].

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on environmental regulations indicates that recognizing the rights that local parties have in an area could be crucial to avoiding costly conflict with those parties.

In Santiago de Chuco, also in Peru, local community organizations managed to prove that Barrick Gold was responsible for contaminating their water supply, and forced the company to spend millions of dollars trying to fix it. This attracted attention at the federal level, and Barrick was forced to adjust the project's EIA, causing operations to be suspended for eight months.

The efficiency of government processes appears also to be important. On the legal side, there is a strong relationship between the time of a financial loss occurring and the time it takes for authorities to process the complaints and reach verdicts or settlements.

All countries analyzed had slow and bureaucratic judicial systems. This can have contrasting impacts for companies. A single lawsuit can interrupt the entire operation for nearly a year, and might increase the chances of similar filings in the future (whether against the operation in question or others controlled by the same company).

In contrast, some kinds of legal action can be helpful for a company that actually wants to solve the problem. This is because whenever a counterparty files a lawsuit, it takes a relatively long time before decisions are made in court. This gives plenty of time for negotiations to take place outside of the legal setting.

Main Pattern #3: Reliable counterparties

When negotiations are structured to include local populations, many companies appear to be “checking the box” to fulfill a requirement without viewing these inhabitants as genuine counterparties. Anecdotal evidence indicates that many companies genuinely believe that the simple act of informing local inhabitants about a project is sufficient to discharge their obligations.

If the project involves compensation, there is a corresponding view that making an offer constitutes “social responsibility”, and those receiving it should be grateful for whatever they get. In Yekapa, Liberia, for example, Arcelor Mittal emphasised the value of national pride for Liberians in being involved with the redevelopment of an iron ore mine.²³ Some concessionaires also attempt to bypass formal negotiations and compensation arrangements with bribery.²⁴

²³ BBC, 2012. “Digging for truth in Liberia’s mines.” Available at: http://news.bbc.co.uk/today/hi/today/newsid_9731000/9731458.stm [Accessed 2nd October 2014].

²⁴ It is important to note that, quite apart from legal or ethical issues, bribery does not have the effectiveness that is assumed by those who see it as a quick fix. In Itaituba, Brazil, the Munduruku tribe successfully halted construction of dams close to their territory following alleged bribery attempts. “Munduruku e ribeirinhos lutam pela vida e contra complexo de hidrelétricas em seu território.” Available at: <http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=432> [Accessed 2nd October 2014].

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Not only does this run against the sense of existing guidelines, such as those issued by the International Council on Mining and Metals,²⁵ our analysis suggests that the mere act of bringing a local population to the negotiating table does not reduce losses. Applying standards for how the process is constructed, executed, and monitored seems quite important.

If done properly, process standards would have to address several potential issues.²⁶ These include ensuring a consistent point of contact within the company who can build trust among locals over many years; fulfilling a community's expectations (e.g. of employment) or engaging with the community as equals; and even providing contingencies in the budget following consultation to alter the project, which is often designed before taking local populations into account.²⁷

We are still developing our guidelines, but for the moment our inclination is to focus on securing the local population as a credible counterparty. This is partly because we believe it is possible to develop a repeatable process that can be applied at scale across jurisdictions and operations without losing sight of the ground-level differences that make each concession unique.

This kind of thinking is in line with the recommendations of many NGOs who advocate for local rights. In that way, our conclusions align with their view of the world.

Our major concern is implementation. Existing standards tend to be complex, hard to understand, time consuming, and reliant upon the assumption of available labor to facilitate discussions between the counterparties.

Moreover, guidelines appear to assume that companies are entirely to blame for problems that arise. Our examination of the evidence suggests a less black-and-white picture in which the blame for dysfunctional outcomes can just as easily lie with local organizations. This stands to reason: just as bad executive management can fail to translate good labor into profitability, poor local leadership can also fail to achieve their community's objectives.

For instance, the expansion of El Cerrejón coal mine required the complete relocation of a community. Local leaders failed to make an agreement with the mine operator for the whole affected population, instead opting for individual deals between community members and the company. This divided the population, and those that did not follow the leaders but remained in

²⁵ Guia de Boas Práticas: Mineração e povos indígenas. International Council on Mining & Metals (2010). Available at: <http://www.icmm.com/document/2089> [Accessed 2nd October 2014].

²⁶ International Council on Mining & Metals. Community Development Toolkit. July 2012.

²⁷ This is particularly relevant in situations where local counterparties strongly oppose specific parts of a project, such as the construction of a building or the path of a new road. Altering such features is relatively simple given the magnitude of the entire project, but some companies may face economic hardships at the time, or have very limited budgets.

the contested area faced increasing pressure from the company, including the diversion of a nearby river.²⁸

In other cases, individual leaders can be the problem. In Mozambique, the local community consultation around the Tectona teak plantation involved negotiation only through one chief, who allegedly accepted bribes to prevent disturbances to the timber harvesting operation.²⁹ Other allegations of misconduct by same chief exist, including the illegal sale of lands to the timber company.

At the same time, we see reasons for optimism about community leadership. The case studies showed many instances where local leaders effect results for their communities and overcome problems to work with concessionaires.

In Suárez, Colombia, young local leaders contested several gold mining concessions around their territory.³⁰ Their efforts were successful, halting all mining concessions in the region until their Free, Prior, and Informed Consent was correctly obtained. A number of mining companies have complied with this requirement and now operate in the region.

With that said, we should also add a word of caution: timelines appear to slip quite often. Conflicts arising from inadequate counterparty negotiation occur at varying stages of project development, and there is enough evidence to suggest that very few negotiations conclude successfully in the expected timeline. In Peru, negotiations are permanently interrupted so frequently that the Public Defender's Office prefers to issue reports when there are *open* dialogues between disputing parties.^{31, 32}

²⁸ Environmental Justice Atlas, 2014. "El Cerrejón mine, Colombia." Available at: <http://ejatlas.org/conflict/el-cerrejn-mine-colombia> [Accessed 2nd October 2014].

²⁹ Lords of the land: preliminary analysis of the phenomenon of land grabbing in Mozambique. Available at: <http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/pics/d131619.pdf> [Accessed 2nd October 2014].

³⁰ http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=84 [Accessed 2nd October 2014].

³¹ List of active social conflicts, divided by region in Peru: <http://www.defensoria.gob.pe/conflictos-sociales/conflictosactivos.php?ot=1> [Accessed 2nd October 2014].

³² With regard to mining, Peru is the most problematic country we looked at. Less than 2% of all mining concessions are fully operational, though the reasons for that are not limited to conflicts with local populations: "Less than 2% of Peru's total mining concessions are active." Available at: <http://www.mining.com/less-than-2-of-perus-total-mining-concessions-are-active/> [Accessed 2nd October 2014].

Additional problems of resettling residents and reallocating land to them often occur.³³ The responsibility for relocation is sometimes shared with local and regional governments, which lengthens originally agreed timelines due to inefficiency, lack of manpower, or willful misconduct.

If supported by additional evidence, this finding would imply that even the best practices in negotiating community agreements are only likely to succeed in places where effective counterparties are available.³⁴

CONCLUSIONS

Ultimately, what links the 100 disparate events we examined is the interaction between two parties: operating companies and local populations.

The company is represented by people who are new to a particular space, one typically identified with the assistance of some national elites. The company's objective is to manage the natural resources in that space for profit. The corporate time horizon for judging success is between one and three decades, but career-driven professionals will tend to have shorter-term concerns.

By contrast, local people have a longstanding and dependent relationship with the space that extends beyond economics. In EFMs, the popular view of elites tends to be jaundiced. And generally speaking, this is related to past injustices suffered at the hands of those groups. Local peoples will also tend to be very aggressive in defending what might be their only asset, and moreover, the only legacy their children and grandchildren might inherit.

The typical concession model leaves these people out of the picture. We think it unlikely that government practice will change within a useful period of time, and so it falls to the companies to make the engagement themselves.

By treating all affected communities as counterparties to a concession agreement, companies may be able to more effectively engage with their representatives on the issues which commonly lead to problems. Thinking of communities in this way should also help to establish all of the conditions necessary to operate *in fact*, not just in theory, by making the agreements through which a concession is granted truer to the reality on the ground.

³³ In Mozambique: "New coal giant Mozambique faces rising public anger" <http://www.minnpost.com/christian-science-monitor/2012/04/new-coal-giant-mozambique-faces-rising-public-anger> [Accessed 2nd October 2014]. In Indonesia: "Conflicts between community and British-owned plantation in Kalimantan" <http://www.downtoearth-indonesia.org/story/conflicts-between-community-and-british-owned-plantation-company-kalimantan> [Accessed 2nd October 2014]. And in Colombia: "El espejismo de Marmato" <http://www.elespectador.com/noticias/nacional/el-espejismo-de-marmato-articulo-302997> [Accessed 2nd October 2014].

³⁴ Our current standard for "effective" is that the organization achieves the community's objectives, and in the cases reviewed, this quite often means stopping operations. This is because our current case sample focuses on situations where local populations and business interests are in conflict. Obviously, a more functional model would be to engage these organizations to advance investment and we will be looking for examples of this in the coming months.

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Our sample of case studies only shows one – unsuccessful – side of the story. There is more to be learned. But if the patterns we have observed are borne out in further study, the implications for how companies should manage risks of community conflict are straightforward.

First, more resources should be devoted to preempting conflict risk at the inception phase of a new project, or in the early stages of planned expansions. As with any counterparty who has the ability to affect the success of operations, it would be wise to ensure that they explicitly consent to the way those operations are to be run *before* beginning – or expanding – a project.

Second, risks can be reduced by maintaining strong environmental standards. It pays to manage these standards with a great deal of care and attention – if only because the relationship with the environment is often paramount for local counterparties, and almost always legally protected.

Third, more time and resources should be devoted to identifying and developing relationships with reliable counterparties. Company-community conflicts can only be reduced by engagement with dependable representatives of local populations, and a crucial part of a company's due diligence should be an assessment of how credibly different local actors can speak for the communities involved.

In order to accomplish these three objectives, clear and scalable operational guidelines need to be developed. Using this research as a first step, we intend to issue these in 2015, starting with the mining sector.

APPENDIX A: COMMUNITY AND PROPORTION OF COUNTRY OVERLAP ACROSS CONCESSION SECTORS

Table 1 was originally created for our parallel research paper “Forest Loss, Concessions, and Communities: An Investment Perspective.” Additional files with complete data are available.

Population data with concession locations across a wide range of EFMs. In total, we analyzed 72,907 shapefiles from concessions of different sizes and industries, including mining, oil/gas, agriculture, and forestry. Those were then overlapped with two different global population databases. We also looked at how much of different countries’ territory was covered by the analyzed concessions, as shown in Table 2.

Table 2: A comparison of the combined size of the concessions analyzed with countries’ total areas

<i>Country</i>	<i>Concession</i>	<i>Area (km²)</i>	<i>Country area (km²)</i>	<i>% of country with concession</i>	
				<i>per concession type</i>	<i>country total</i>
<i>Brazil</i>	forest	59,130.02	8,514,877	0.69%	3.51%
	oil and gas	239,832.62		2.82%	
<i>Cambodia</i>	palm oil, rubber, cassava, sugar	21,700.00	181,035	11.99%	14.17%
	mining	3,944.64		2.18%	
<i>Colombia</i>	mining	53,181.67	1,138,910	4.67%	18.36%
	oil	155,903.06		13.69%	
<i>Indonesia</i>	palm oil	155,245.18	1,904,569	8.15%	30.80%
	logging	302,505.81		15.88%	
	wood fiber	128,829.03		6.76%	
<i>Liberia</i>	agriculture	6,911.93	111,369	6.21%	35.62%
	logging	32,758.16		29.41%	
<i>Mozambique</i>	agriculture (biofuel)	30,585.04	799,380	3.83%	3.83%
<i>Peru</i>	forest	79,351.73	1,285,216	6.17%	42.99%
	mining	269,894.01		21.00%	
	oil and gas	203,258.17		15.82%	
<i>Philippines</i>	timber	5,052.82	300,000	1.68%	6.64%
	mining	14,867.64		4.96%	

There are overlaps between some concessions. However, this does not affect the results in a very significant way. The country with the largest gap is Peru, where the difference is of 1.45% of the country area.

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Datasets Used:

Concession areas: Areas where there is a legal claim on natural resources. In our analysis we have included concessions of palm oil, agriculture, forest, logging, oil and gas, and mining whenever the data is available and accessible. These were downloaded from various sources that are publicly available. If concessions data are not available in GIS format (i.e. shapefile or raster), they were geo-referenced, digitized, and converted to GIS format for overlay analysis.

Population: We compared data from two different sources: Oakridge National Laboratories' Landscan™ dataset (Landscan - available at: <http://web.ornl.gov/sci/landscan/> [Accessed 10th October 2014]), and data from the Socio Economic Data and Applications Centre (SEDAC - available at: <http://sedac.ciesin.columbia.edu/data/collection/gpw-v3> [Accessed 10th October 2014]). The difference between the figures given by the two is mainly due to spatial resolution of data: Landscan data is at 1km x 1km resolution while SEDAC is at 5km x 5km.

APPENDIX B: NOTES ON METHODOLOGY

Appendix C provides a comprehensive list of cases we have examined to date. By necessity, our methodology for examining these has been opportunistic and merits explanation.

To find events where companies had their operations interrupted or disrupted in some way, we explored news articles, public databases, conflict maps, blogs, and scientific publications. We looked for large operations, which are well represented by the mining and energy sectors, but we also explored some large agricultural enterprises.

Big agribusiness investments very often operate in remote areas with limited media coverage. Local newspapers offer some information, but not enough to give sufficient understanding of the event. Local blogs provide less reliable but more elaborate opinions about what motivates the initiation and development of conflicts.³⁵ These blogs were explored in cases not significant enough to reach regional or national news, or where it was evident that they were the best source available.

Another way to find conflicts was by looking at public databases of open judicial cases. Peru is the best example of how this works, as their Public Defender's Office releases monthly reports with detailed information about every open and recently closed case involving land tenure in the country.³⁶ This type of source was very useful for identifying areas prone to conflicts, and we would then research local media and scientific publications for further detail.

Some organizations are dedicated to identifying, listing, mapping, and sometimes assisting in land tenure and resource conflicts.^{37, 38} Similar to public databases, these sources require complementary research to identify potential losses to the companies involved.

We have examined publicly available information to identify the causes and types of conflict; the connection between conflicts and commercial operations; and the resulting financial

³⁵ Paracatu (Brazil) is a good example of this, where newspapers had a few articles each month about the conflict between locals and Kinross, while a local blog named "Alerta Paracatu" had a large amount of elaborate opinions and relevant documents. <http://alertaparacatu.blogspot.com/> [Accessed 2nd October 2014].

³⁶ Of all countries examined, Peru had the best public database. Their monthly reports not only list open cases, but also provide short but useful details about the interaction between companies involved and local counterparties. <http://www.defensoria.gob.pe/conflictos-sociales/home.php> [Accessed 2nd October 2014].

³⁷ Two Brazilian organizations stand out on this matter: Fiocruz and CPT (Comissão Pastoral da Terra – *Pastoral Land Commission*). The first listed and mapped nearly 350 tenure conflicts (of which we used about 25), while CPT is a religious organization actively engaged in over 500 cases with the purpose of granting tenure rights for the poor. <http://www.conflictoambiental.icict.fiocruz.br/index.php> [Accessed 2nd October 2014]. And <http://cptnacional.org.br/> [Accessed 2nd October 2014].

³⁸ The Environmental Justice Atlas was also recurrently explored for the research in Mozambique, Liberia, Indonesia and Colombia. <http://ejatlas.org/> [Accessed 2nd October 2014].

consequences.³⁹ The sectors involved include mining, oil and gas, car manufacturing, and agriculture.

To be clear, we are not looking at violence resulting from all types of land conflict. The purpose of the work is to identify and understand conflicts directly related to large enterprises, primarily in the agriculture, mining, and energy sectors. We excluded land owners threatened by guerrillas,⁴⁰ regions targeted by reformist groups like Landless Peasants Movement (MST) in Brazil,⁴¹ or areas facing civil wars, such as Liberia prior to 2003.⁴² Those cases require a different kind of analysis involving judgments of political risk.

Significant weight was given to the different levels of tenure legislation among the ten countries analyzed. Distinct land tenure legislation and enforcement capabilities have a major part to play in the evolution of conflicts. We have used RRI's analysis of forest tenure reform as a guide to how some of the countries deal with the land and resource rights of their populations.⁴³ Establishing trends among the countries examined has been a challenge, since the land tenure regimes in each are developing at very different rates.

Even though there have been some significant advances in legal recognition of community land tenure over the last decades, most countries still do not have the means to overcome their historical bureaucracy. In Brazil, for example, the federal law recognizing *quilombolas* dates back to 1995, but by 2013 only 7% of the 3,000 relevant groups obtained land rights.⁴⁴ The Latin American countries analyzed have come a long way to recognize the existence of traditional communities and to provide land rights for them. However most African and Southeast Asian countries are still trailing,⁴⁵ and by failing to provide legal protection, they force communities to rely on the good will of weak judicial systems for their disputes.

³⁹ It is important to highlight the importance of financial implications. That means we did not list cases where companies won every battle they fought without any kind of punishment. Those are not rare, and different reasons can be attributed to that end, including, but not limited to, corruption, failure of governments to recognize community rights, strong political pressure, and lack of evidence to punish the companies (there are also cases where community claims are misguided, leading to unsuccessful legal disputes).

⁴⁰ "Land and violence in Colombia: This land is our land" Available at: <http://www.economist.com/node/17043061> [Accessed 2nd October 2014].

⁴¹ Barros, C.; Faria, J.; De Araujo Jr, A. Brazilian Land Tenure Conflicts: a spatial analysis. *Journal of International Development*, 26, 409-421 (2014).

⁴² Brottem, L.; Unruh, J. Territorial Tensions: Rainforest Conversation, Postconflict Recovery, and Land Tenure in Liberia. *Annals of the Association of American Geographers*, 99:5, 995-1002 (2009).

⁴³ Rights and Resources Initiative. *What Future for Reform? Progress and slowdown in forest tenure reform since 2002*. March, 2014.

⁴⁴ Hundreds of claims are being processed, but these can take many years to be resolved. http://www.cpisp.org.br/terras/html/por_que_as_titulacoes_ao_acontecem.aspx [Accessed 2nd October 2014].

⁴⁵ Rights and Resources Initiative. *What Future for Reform? Progress and slowdown in forest tenure reform since 2002*. March, 2014

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It is important for the reader to consider the timeframes of our cases. Our original plan was to analyze events starting in 2007, but to increase the pool size, we extended our scope to conflicts beginning as early as 1999. In several of these, disputes resurface after years of agreement, usually when the impact of a commercial project upon local counterparties has been poorly estimated in the initial negotiations.⁴⁶

⁴⁶ One example is the El Cerrejón mine, in Colombia, where several changes in the mine's ownership affected both the project's extension and the relationship with local leaderships. <http://ejatlas.org/conflict/el-cerrejn-mine-colombia> [Accessed 2nd October 2014].

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APPENDIX C: CASE STUDIES – BREAKDOWNS AND FULL LIST

Case breakdowns

Table 3: Number of cases by industry

Sector \ Country	Brazil	Cambodia	Colombia	India	Indonesia	Liberia	Mozambique	Peru	Philippines	South Africa	Total
Agriculture		1			4	3	3				11
Aquaculture	3										3
Automobiles				1							1
Beverages				1							1
Construction							1				1
Energy	7		1				1	1	3	1	14
Farming	1										1
Food industry	1										1
Forestry (timber)	2	1					5	1			9
Infrastructure		1	1						1		3
Metallurgy				1							1
Mining	12		6			1		17	6	3	45
Multiple Sectors	1										1
Naval Industry	1										1
Petro-chemical	1										1
Pulp and Paper	3									1	4
Rubber	1										1
Waste Management										1	1
Total	33	3	8	3	4	4	10	19	10	6	100

Table 4: Number of cases by stage of operation

Country	Total Cases	Stage in which conflict occurred			
		Inception	Ongoing	Expansion	Closure
Brazil	33	20	6	6	1
Colombia	8	5	2	1	0
Peru	19	11	2	6	0
Liberia	4	2	1	1	0
Mozambique	10	7	2	1	0
South Africa	6	2	3	1	0
India	3	2	1	0	0
Philippines	10	7	3	0	0
Cambodia	3	2	0	1	0
Indonesia	4	2	2	0	0

FULL LIST OF CASES EXAMINED

BRAZIL

Location: Paracatu (MG)

Event: Kinross had its gold mine operation (the largest in Brazil at full capacity) interrupted due to prolonged conflict with *quilombolas* (“traditional” communities). The company expanded its operations in 2008 by spending US\$ 570 million, and allegedly invading a *quilombola* territory during this process. A number of environmental complaints forced the company to take action and spend money fixing problems, but what really caused interruptions were tenure conflicts with traditional communities and the occupation of their territory.

Operations were interrupted by judicial determination in May 2010, and resumed once an agreement was established in March 2011.

Companies affected: Kinross, under the name of Rio Paracatu Mineração. The company extracts about 40 tonnes of gold each year from its operations in Brazil, equaling 20% of its global yearly extraction. The shutdown lasted 10 months and affected only the area contested by traditional communities, with no specific figure for the loss.

<http://www.conflitoambiental.icict.fiocruz.br/index.php?pag=ficha&cod=219>

http://www.kinross.com.br/quem_somos.php?id_category=16

<http://paracatunoticias.com/?p=920>

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<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=74>
<http://blogamaurijr.wordpress.com/2011/10/06/ourilandia-colonos-fecham-estradas-que-da-acesso-a-vale/>

Location: São Felix do Xingu (PA)

Event: Vale's nickel operations were halted both by legal determination and by protests, prompted by a lack of transparent and proper negotiation with local farmers. The mining company installed a nickel processing plant on a disputed territory in 2005, where a few thousand families used to live. The compensation process did not go well, with allegation of coercion by Vale's local company, Onça Puma. INCRA (National Institute for Colonization and Agrarian Reform) filed a lawsuit against the company in 2008, for not taking the proper measures to deal with local farmers, and demanding the suspension of mining operations. Rural workers closed some roads for three days in September of that year, which led to negotiations with Vale and an agreement being signed. Several other conflicts occurred since then, one of which resulted in fines, but no interruption of operations.

Companies affected: Vale, under the name of Onça Puma. The mine produces 53 thousand tons of nickel per year.

<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=74>
<http://blogamaurijr.wordpress.com/2011/10/06/ourilandia-colonos-fecham-estradas-que-da-acesso-a-vale/>

Location: Boca do Acre (AM)

Event: Rubber tappers legally claimed back their territory. In May 2009, a big cattle breeder claimed possession of an area where 105 families used to live, forcing them to resettle nearby. By the end of December in the same year, a judicial order gave the rubber tappers their territory back, permanently closing cattle operations.

Companies affected: Fazenda Caçula

<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=486>
<http://portaldopurus.com.br/index.php/melhores-noticias/4089-moradores-do-seringal-macapa-oferecem-denuncia-contra-fazendeiro-ao-ministerio-publico>

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Location: Barreirinha (AM)

Event: *Quilombolas* received legal land recognition, forcing fishing companies and farmers to leave their territory. It took them 6 years of waiting for favorable decisions to be made, but by the end of 2013, the Public Ministry announced its final decisions.

Companies affected: professional fishing companies, ranchers and loggers (not specified)

<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=474>

Location: Lábrea (RO)

Event: Indigenous communities question the construction of a hydroelectric power plant, getting strong public support. This led to an interruption of operations, until agreements were reached. Interruptions lasted for 3 months in 2010.

Companies affected: Energia Sustentável do Brasil

<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=463>
<http://ti.socioambiental.org/pt-br/#!/noticia/83674>

Location: Codajás, Coari, Iranduba, Anori, Caapiranga, Anamã, Manaus (AM)

Event: Communities living near rivers (*ribeirinhos*) in Amazonas and an indigenous tribe denounced the construction of a gas pipeline that would hard their territories. The region contains 24% of all natural gas reserves in the country. In 2002, several public audiences were conducted, but no agreement was reached. They contested that measures described on the Environmental Impact Assessment (EIA) were not enough to mitigate the problems caused. In 2004, they reached a beneficial agreement for all parts, and two years later the construction started. By the end of 2006, the Federal Justice determined the interruption of operations due to lack of proper environmental license. That decision was nullified in the following month.

Companies affected: Petrobrás

<http://noticias.terra.com.br/brasil/noticias/0,,OI1216118-EI306,00-Justica+suspende+obras+do+Gasoduto+CoariManaus.html>
<http://pi.socioambiental.org/en/noticias?id=11000>
<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=9>

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Location: Serra do Navio (AP)

Event: Most of the municipality was affected by the closure of a manganese mine. The company in charge of it did not take proper care of residuals, which contaminated the soil in a large area with arsenic. In 2001, the company received a R\$ 52 million fine for environmental damages. The state government seized ICOMI's assets to guarantee the payment. Only in 2013 was a final agreement reached, with the company cleaning the sites and obtaining the permission for its return to manganese exploration at a nearby site.

Companies affected: ICOMI and Bethlehem Steel Company

<http://www1.folha.uol.com.br/folha/treinamento/novoemfolha45/ult10096u429418.shtml>
<http://www.periodicos.ufpa.br/index.php/ncn/article/viewFile/85/134>
<http://www.conflitoambiental.icict.fiocruz.br/index.php?pag=ficha&cod=7>

Location: Criciúma, Treviso (SC)

Event: Environmental and social groups protested against the expansion of a coal mine. They denounced the severe impacts in the coastal area close to the mine, and won partial judicial battles by suspending operations on four different occasions. The Ministry of the Environment have already spent some money cleaning the area, and expect to force the company to pay for it.

Companies affected: Termoelektrarna Sostanj

<http://noticias.ambientebrasil.com.br/clipping/2008/11/11/41868-mma-investe-r-13-milhao-na-bacia-carbonifera-de-santa-catarina.html>
<http://www.adjorisc.com.br/economia/china-podera-investir-na-producao-de-carvo-mineral-de-sc-1.1054186#.Ugaaj5JwrjI>
<http://ejatlas.org/conflict/coal-mining-pollution-santa-catarina-brazil>

Location: Anitapolis (SC)

Event: A phosphate and sulfuric acid extraction project was successfully interrupted by farmers, environmental organizations and local businesses. They claimed local ecotourism would be impaired by the mine. IFC, the original mining company, was bought by Vale in 2010, which announced it would suspend the project until new studies were conducted.

Companies affected: IFC and Vale

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https://docs.google.com/file/d/174C_XNehwqkCh09kgAC4IpfBy2h_Jmx8WEjmK327_L9gNgcGMYk7sY4iZLuu/edit?hl=pt_BR
<http://www.blogpenadigital.com/2010/08/movimentos-sociais-realizam-manifesto.html>
<http://www.estadao.com.br/noticias/geral,mina-vira-alvo-de-protestos-em-sc,438002>

Location: Corumba and Ladario (MS)

Event: Indigenous communities living in the wetlands (the Pantanal) protested against the expansion of an iron ore mine that could harm their territory. Several fines were applied to companies involved in deforestation for charcoal exploration. The companies involved had all the licenses for operation, but were forced to decrease their production to meet with local demands, due to many allegations of illegal activities. MMX interrupted their operations for 6 months in 2013, but the other companies remain active.

Companies affected: Corumba Mineração Ltda (COMIN), MMX, Rio Tinto, Vale

http://www.lima.coppe.ufrj.br/files/aaepantanal/Relatorio_Executivo.pdf
<http://exame.abril.com.br/negocios/noticias/mmx-suspende-producao-de-minerio-de-ferro-em-corumba-2>
http://www.justicaambiental.org.br/noar/anexos/acervo/17_071129_ibama_fecha_carvoaria_terra_indigena_pantanal.pdf

Location: Paulinia (SP)

Event: Residents surrounding a pesticide plant owned by Shell (and then by BASF) suffered from soil and groundwater contamination. Connection between the contamination and several cancer cases was established. Substantial compensation was granted to many former workers and their families, totaling US\$ 316 million. No judicial decision has yet been reached to force the company to limit its operation or to clean the soil and groundwater.

Companies affected: Shell and BASF

<http://business-humanrights.org/en/shellbasf-lawsuit-re-brazil#c18656>
<http://www.bloomberg.com/news/2012-03-01/basf-shell-in-talks-to-settle-653-million-brazil-contamination-penalty.html>
<http://www.portaldepaulinia.com.br/home/noticias-de-paulinia/cidade/14725-shell-e-basf-terao-que-fazer-pagamento-antecipado-referente-ao-tratamento-medico.html>

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Location: Caeté, Santa Bárbara, Raposos and Rio Acima (MG)

Event: A proposed iron mine expected to receive an area belonging to a national park. This was rejected by local populations, which contested the truthfulness of plans to bring jobs and benefits to their region. The case received strong political support and the project was suspended.

Companies affected: Vale

<http://api.ning.com/files/VZ8NRafuL7YDB6vQvZVVrx3v7niQ8EGmqWZ2VtWhpFpRH8vXtomCdTiepnNbEnUyNzWw00kwMPLFsEmIgw55NXHnyyNRNI7/Gandarela.pdf>
<http://forestrivers.wordpress.com/2012/11/20/actions-create-the-parque-nacional-da-serra-do-gandarela/>

Location: Araripina (PE)

Event: Suzano, a large pulp and paper company, expanded its transgenic eucalyptus tree to Araripina, which is mostly composed of Caatinga (an ecoregion composed of desert shrubland and thorn forests). Local counterparts had to be reallocated, since the large monoculture affected their local production. The expansion of the project was interrupted and state authorities allocated monetary resources to repair some of the damages caused.

Companies affected: Suzano

<http://www.codevasf.gov.br/noticias/2006/desenvolvimento-florestal-para-araripe/>
<http://racismoambiental.net.br/2013/06/suzano-vai-investir-em-plantacao-de-eucalipto-para-geracao-de-energia-em-pernambuco-mais-uma-ameaca-para-agricultores-e-biodiversidade/#more-105482>
<http://www.portaldoagronegocio.com.br/noticia/plantio-de-eucalipto-para-conservao-da-caatinga-25281>

Location: Juazeiro, Orocá, Petrolina, Santa Maria da Boa Vista (PE)

Event: Local communities protested against the construction of several dams in the São Francisco River, which would severely disrupt their way of life and force many of them to resettle somewhere else. Several protests took place, including an attempt to occupy the responsible electric company's office. Relevant authorities have already delayed the project for at least two years, demanding more elaborate terms in the EIA.

Companies affected: Companhia Hidro Elétrica do São Francisco (CHESF)

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<http://www.mabnacional.org.br/noticia/comunidades-dizem-n-ao-projeto-da-barragem-riacho-seco>
<http://pedesenvolvimento.com/2010/03/29/pernambuco-recebe-usina-hidreletrica/>
<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=312>

Location: Juruti (Pará)

Event: Bauxite mining in Juruti has led to environmental degradation, particularly of water quality, in the region. This has spurred social movements against the mining company Omnia, which also owns a railway. In 2007, public hearings were held requesting license suspensions to prevent further mining. In 2009, 1500 people blocked the railway, highway, and port and occupied the company's operational base entrance in protest. However, the company was granted an operating license so the issue persists.

Companies affected: Omnia Minérios Ltda (Alcoa Alumínio S/A)

<http://ejatlas.org/conflict/bauxite-mining-in-juruti-para-brazil>
<http://geopuc.geo.puc-rio.br/cgi/cgilua.exe/sys/start.htm?infoid=23&sid=13>

Location: Itaituba, Trairão, Jacareacanga, Santarém and Aveiro (PA)

Event: The Munduruku tribe protested against the construction of five hydroelectric power plants, successfully interrupting operations.

<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=432>
<http://www.ihu.unisinos.br/noticias/noticias-anteriores/30062-nasce-em-itaituba-a-%60%60alianca-tapajos-vivo%60%60>
<http://www.ihu.unisinos.br/noticias/noticias-anteriores/22028-povos-da-bacia-do-tapajos-rejeitam-complexo-hidreletrico-nos-rios-da-regiao>

Location: Oriximiná (Pará)

Event: MRN is the main mining company in the municipality of Oriximiná, where it holds at least 10 mining grants covering more than 100 thousand hectares (primarily for bauxite). In several cases, public prosecutors have successfully brought suits against the company, such as suspending authorization for deforestation in the Floresta Nacional Saraca-Taquera. The company has also been fined R\$ 325,000 for labor law violations.

Companies affected: Mineração Rio do Norte (MRN), BHP Billiton, Rio Tinto Alcan

<http://ejatlas.org/conflict/bauxite-mining-and-deforestation-in-oriximina-para-brazil>

Location: Gleba Nova Olinda, Pará

Event: In 2009, 40 traditional communities blocked logging traffic in the Arapiuns River for one month and took over two timber barges carrying 2,000 cubic meters of wood, which they later set on fire.

Companies affected: Cooperativa dos produtores do Oeste do Para, Rondobel Industria e Comercio de Madeira

<http://ejatlas.org/conflict/deforestation-and-land-conflict-in-gleba-nova-olinda-para-brazil>
<http://www.conflitoambiental.icict.fiocruz.br/index.php?pag=ficha&cod=349>

Location: Porto de Moz, Pará

Event: Timber exploitation in Porto de Moz has led to violent land conflicts in recent years, with Madenorte group being the most important company in the area. In 2002, local communities proposed the creation of the Reserve Verde para Sempre, which comprises 1.3 million hectares, which would stop the Madenorte group from using that land for timber. In 2004, the Lula government approved the Reserve.

Companies affected: Madenorte group (includes different companies such as Madenorte S/A Laminados Compensados, Norte Madeiras Importação, Exportação Ltda, and Marajo Island Business Ltda.)

<http://ejatlas.org/conflict/timber-exploitation-porto-de-moz-brazil>
<http://www.cdca.it/spip.php?article1639&lang=it>

Location: Serra da Onça in Ourilandia do Norte, Pará

Event: Nickel mining in Serra da Onça by Vale is operating under a license granted by the Departamento Nacional de Produção Mineral. Vale was required to compensate for the appropriation of an area belonging to rural settlements, but the inhabitants have denounced the company for coercing them to accept what little was offered. As a response to impacts from the mines and the lack of fair compensation, they have closed the access road to the mine on several occasions. Because the mine causes watershed impacts for the Kayapo and Xikirn Indians, in 2012 the Ministério Público Federal also filed a public civil action to suspend the mine's activities.

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Companies affected: Canico do Brasil Mineração Ltda, by its subsidiary Mineradora Onça Puma (MOP). In August 2008, the Companhia Vale do Rio Doce (CVRD/Vale) acquired the MOP.

<http://ejatlas.org/conflict/onca-puma-nickel-mining-project-in-ourilandia-do-norte-para-brazil>
<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=74>

Location: Moju, Pará

Event: CADAM explores for kaolin (china clay) and transports it via pipeline in the municipality of Moju, where 674 *quilombola* families have had their crops affected by the operations. As a result, in 2006 they blocked 3 access roads to the mining site to protest the fact that the company had not complied with mandates from the municipality. This included building a community house for agricultural education, a health post, and the restoration of 33 miles of road in *quilombo* lands. Similarly, power transmission line towers have been destroyed. The Ministerio Public Estadual has also approved the right of communities to carry out an environmental impact study and in 2008 Vale agreed to pay for the study and provide some compensation to affected families.

Companies affected: CADAM, a subsidiary of Vale (formerly Companhia Vale do Rio Doce). Sold to KaMin in 2012.

<http://ejatlas.org/conflict/kaolin-pipeline-on-quilombo-land-in-moju-para-brazil>
<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=fichaandcod=79>.

Location: Caucaia (CE)

Event: Due to a lack of official demarcations of traditional lands, the Tapeba Indians are impacted by many economic activities in their territory. On behalf of the Tapeba people, the Ministerio Publico Federal obtained a court ruling which suspended clay exploitation in their indigenous lands.

<http://ejatlas.org/conflict/tapeba-indians-threatened-by-companies-and-public-policies-in-caucaia-ceara-brazil>
<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=42>

Location: Santa Rita (Paraíba)

Event: In 2002, PRJC began shrimp farming in the community of Forte Velho's traditional territory. Tanks were placed in such a way as to close a passageway for community fishermen to the delta of the river Sanhaua. Also, the farming practices have caused salinization of water wells and

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in 2007 the company broke a dike which contaminated mangroves and impacted local flora and fauna. Because of this event, IBAMA suspended the company's activities, the Ministério Público Federal has filed several lawsuits to demand community access, and the community currently awaits for the results from a lawsuit to suspend operations completely.

Companies affected: PRJC

<http://ejatlas.org/conflict/shrimp-farms-v-fishermen-in-santa-rita-brazil>
<http://www.conflitoambiental.icict.fiocruz.br/index.php?pag=ficha&cod=125>.
<http://www.ecodebate.com.br/2009/04/22/esgoto-e-criacao-de-camarao-destroem-manguezais-da-paraiba/>

Location: Sapeacu (Bahia)

Event: Three heavy oil fired power plants were approved in the town of Sapeacu for the company Multiner. In response, the local population mobilized to prevent licensing, held protests, and lobbied state prosecutors. As a result, the Conselho Estadual de Meio Ambiente repealed the environmental licenses for the project and the company suspended the projects.

Companies affected: Multiner

<http://ejatlas.org/conflict/thermal-power-plants-in-sapeacu-brazil>
<http://www.gana.org.br/site/?p=113>.

Location: Coronel Murta (Minas Gerais)

Event: Rural communities organized against plans for a hydroelectric plant (Murta dam) on the Jequitinhonha River, because inundation from the dam would impact 900 families and 22 communities on their traditional lands. Following 14 years of public hearings, environmental impact studies, and updates to the dam's plans, the rural communities were successful with the suspension of the power plant project in 2012.

Companies affected: The consortium under the name Murta Energética S.A. (formerly a consortium named CMPB-Energético formed by Eptisa, Logos, and Technical Industrial Company S.A.(EIT))

<http://ejatlas.org/conflict/murta-dam-mg-brazil>
<http://www.conflitoambiental.icict.fiocruz.br/index.php?pag=ficha&cod=220>

Location: Caravelas e Nova Viosa (Bahia)

Event: In 2004, Coopex requested a license for a 1500 hectare shrimp farm in Caravelas which overlay the same area being proposed by local communities for the Cassurub Extractivist Reserve (Resex). This Reserve was intended to guarantee local livelihoods based on small-scale fishing and shellfish collecting. The local communities and environmental organizations mobilized pressure against the Coopex proposal and in 2009 the government created the Resex Cassurub, thereby cancelling Coopex's plan.

Companies affected: Coopex, subsidiary of the group Lusomar (associated with 26 Brazilian investors)

<http://ejatlas.org/conflict/cassuruba-reserve-in-caravelas-bahia-brazil>
<http://noticias.ambientebrasil.com.br/noticia/?id=32502>.

Location: Vitória (ES)

Event: Aracruz Celulose S.A. seized 11,000 hectares of indigenous territory to produce bleached eucalyptus pulp, displacing 8,500 families. Although the company is still in operation, the territory has been recognized as indigenous and some of the seized lands have been returned.

Companies affected: Aracruz Celulose S.A.

<http://ejatlas.org/conflict/eucalyptus-plantations-aracruz-celulose-brazil>

Location: Estreito, Darcinópolis, Carolina and Babaçulândia (MA)

Event: Local indigenous tribes protested against the construction of a hydroelectric power plant, which would alter the flow of the Tocantins River, thus leading to different fishing cycles, impacting on the tribes' main source of income. The first hearings occurred in 2002, but conflicts only started in 2006 when it was clear the damage the dams could cause. In 2007, a regional judge interrupted operations, which resumed three months later. In 2008, about 400 people occupied an access road to the construction site. Agreements are still being discussed.

Companies affected: Suez Energy South America, Vale, Alcoa, and Camargo Correa Energia

<http://www.conflitoambiental.icict.fiocruz.br/index.php?pag=ficha&cod=51>
<http://www.ecodebate.com.br/2008/04/10/hidreletrica-de-estreito-a-mesa-com-os-atingidos-e-com-os-indigenas/>
<http://reporterbrasil.org.br/2008/08/indigenas-temem-impactos-e-demonstram-desconfianca/>

Location: Alto Alegre do Maranhão (MA)

Event: The rural community Campo da Bandeira was expelled from its territory by the expansion of a cattle farm. The community occupied that territory for about 40 years, but did not have legal ownership. The land was being disputed, but no final decision was reached. The community was forced to leave, but return to occupy and disrupt farming operations in four different occasions. Threats by hired men made the rural community give up on new invasions. Authorities involved wait for judicial decision.

Companies affected: Grupo Fazenda Cachucha Agropastoril

<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=476>
<http://blog-do-pedrosa.blogspot.com.br/2013/09/campo-do-bandeira-resiste.html>

Location: Urbano Santos, Anapurus and Belágua (MA)

Event: Local residents denounced Suzano Papel e Celulose and a local businessperson Eduardo Loeff of deforesting large areas and affecting their livelihoods. Urbano Santos was listed as having one of the highest deforestation rates in the country, which attracted attention by environmental groups. Several protests took place, but the productive battles actually happened in court. After 3 years of lawsuits, locals finally won a case forcing Suzano to halt some of its operations. In 2012, 1,635 hectares of Loeff's unproductive farm was conceded to local communities. The businessman tried to revert the court decision twice, but unsuccessfully.

Companies affected: Suzano

<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=439>
<http://racismoambiental.net.br/2012/06/maranhao-tem-o-maior-registro-de-conflitos-por-terra-em-todo-o-pais/2/>
<http://racismoambiental.net.br/2010/11/denuncia-ong-apresenta-relatorio-de-crimes-ambientais-da-suzano-em-urbano-santosma/>

Location: Itapecuru Mirim (MA)

Event: *Quilombolas* protested against the construction of a railroad through their territory. In 2011, the Public Ministry favored the community on several occasions, delaying the construction of the railroad. In 2013, negotiations advanced some, with Vale giving in to many requests, but no formal decision regarding the railroad has yet been made.

Companies affected: Vale

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<http://portogente.com.br/noticias-do-dia/duplicacao-de-carajas-tem-efeitos-em-cadeia-no-para-e-maranhao-48415>

<http://180graus.com/maranhao-180/seir-realiza-acompanhamento-da-comunidade-quilombola-santa-rosa-dos-pretos-em-itapecurumirim>

<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=448>

Location: São Luís (MA)

Event: Fishermen and *quilombolas*, out of fear of being resettled, denounced the creation of an industrial district. The communities wanted their territory to become an Extractive Reserve (Resex - similar to a national park), but the process takes several years. The creation of the protected area attracted significant political support, and was approved in 2011, six years after the original request. In 2013, a judicial order prohibited any resident of the Resex from being resettled, forcing the industrial complex to be redesigned.

Companies affected: Baosteel, Posco, Thyssen-Krupp

<http://www.prma.mpf.gov.br/noticia-4739>

http://www.joinpp.ufma.br/jornadas/joinppIII/html/Trabalhos/EixoTematicoI/Horacio_Antunes_Rafael.pdf

Location: Aracruz (ES)

Event: The construction of a large shipyard would invade an APP (Area of Permanent Protection), which was denounced by impacted indigenous communities and environmental organizations. Protesters raised allegations of corruption, as new municipal laws favoring the construction were quickly approved. In 2010, two years after the initial proposal, studies were interrupted due to improper negotiations with local counterparts and irregularities on the environmental licensing.

In 2012, contracts totaling more than US\$ 4 billion were signed for the construction of the shipyard, despite existing conflicts. The EBX Group proposed altering the location of the shipyard to the state of Rio de Janeiro, which cause a diplomatic problem, as the Singaporean government demanded explanations regarding the validity of existing contracts. Several agreements had to be made to convince locals to accept the project, including some infrastructure projects and the hiring of local workers.

Companies affected: Fibria Aracruz Celulose, Jurong Shipyard

<http://www12.senado.gov.br/noticias/materias/2013/03/21/embaixador-do-brasil-em-cingapura-tera-de-explicar-caso-do-estaleiro-jurong>
<http://seculodiario.com.br/17621/10/dragagem-da-jurong-prejudica-pesca-artesanal-em-barra-dorriacho-1>
<http://www.conflitoambiental.iciet.fiocruz.br/index.php?pag=ficha&cod=418>

COLOMBIA

Location: Tairara (Vaupes)

Event: Indigenous communities claimed a gold mining concession was given without their prior consent. The company's activities were suspended in 2008 but resumed later in the same year.

Companies affected: Consigo - Frontier

http://www.indepaz.org.co/wp-content/uploads/2013/06/Tairara_El-ojo-del-hurac%C3%A1n-minero_Diana-Mendoza_Junio-2013.pdf
<http://ejatlas.org/conflict/tairara-vaupes-colombia>

Location: Various locations (Cauca and Putumayo)

Event: Indigenous communities are not selling their land titles to AngloGold and B2Gold, as they are not receiving support from federal authorities to deal with their resettlement.

Companies affected: AngloGold Ashanti and B2Gold

<http://www.procesocampesinolavega.org/2011/08/campesinos-e-indigenas-de-la-vega-cauca-encararon-a-mineros-ilegales/>
<http://lasillavacia.com/historia/las-minas-del-cauca-34959>

Location: El Quimbo (Huila)

Event: Communities affected by the construction of a hydroelectric power plant blocked road access to the construction site and filed several lawsuits in order to halt the operation. The success of those court cases was limited, but did interrupt operations for nine months.

Companies affected: EMGESA, and its major shareholder ENDESA

<http://ejatlas.org/conflict/el-quimbo-hydroelectric-project-colombia>

http://www.tusemanario.com/noticia/continuan-exigencias-por-la-liberacion-de-la-madre-tierra_5114

<http://www.elespectador.com/noticias/nacional/protesta-construccion-de-hidroelectrica-el-huila-deja-2-articulo-367312>

Location: Suárez (Cauca)

Event: Local communities mobilized several protests and engaged the relevant authorities, resulting in the suspension of all gold mining licenses in the area. The bone of contention was that the prior consent had not been obtained correctly.

Companies affected: AngloGold Ashanti

<http://www.semana.com/nacion/problemas-sociales/articulo/oro-violencia-muerte-suarez-cauca/115274-3>

<http://notiagen.wordpress.com/2012/04/02/la-salvaje-salvajina-el-despojo-y-el-oro-en-suarez/>
http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=84

Location: Buenaventura (Valle del Cauca)

Event: Environmental groups and local communities successfully prevented the construction a port, by working together to ensure the creation of a national park in the area. Many industry bodies, lobbies and government representatives were involved on both sides, with numerous studies by universities commissioned on both sides.

Companies affected: local construction companies

<http://www.eltiempo.com/archivo/documento/CMS-7702527>

<http://www.semana.com/enfoque/articulo/tribuga-vez-malaga/118877-3>

<http://www.wwf.org.co/?194448/Baha-Mlaga-es-al-fin-Parque-Nacional>

Location: Murindó and Carmen Darién (Antioquia and Choco)

Event: Indigenous communities filed a lawsuit against the copper and gold mining operation that would have forced them to leave the territory. In 2005, Muriel Mining Corporation (MMC) was granted nine exploitation and exploration concessions in an area recognized as indigenous territory. The presence of the project in the area resulted in militarization of the area and alleged human rights abuses.

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In 2009, the Constitutional Court ruled that MMC had not obtained free, prior and informed consent, and further that all licenses be suspended, that the Ministry of Environment must conduct an environmental impact study and that the Ministry of Defence must review their presence and activities in the region. In 2012 the courts refused an appeal by MMC and the Colombian government.

Companies affected: Muriel Mining Corporation, Rio Tinto

<http://ejatlas.org/conflict/proyecto-mand-norte-murind-colombia>
<http://justiciaypazcolombia.com/Indigenous-and-Afro-Colombians-of>
<http://www.elespectador.com/choco/columna111273-socia-mande-norte>
<http://prensarural.org/spip/spip.php?article1854>

Location: Cerrito and Chitaga (Santander)

Event: Coal exploration in the region severely disturbed the lives of rural workers, who protested the situation and gathered strong political support. Coal exploration licenses were revoked in 2008, but issued again in the following year.

Companies affected: CARBORIENTE and MINALMO

<http://prensarural.org/spip/spip.php?article3022>
<http://paramoalmorzadero.es.tl/PARAMO-EL-ALMORZADERO.htm>
<http://ejatlas.org/conflict/paramo-el-almorzadero-colombia>

Location: El Cerrejón (La Guajira)

Event: An old coal mine dating from the 1970s expanded in 2001, forcing local communities to leave their homes. Irreversible environmental damage was also observed in local rivers, and air contamination was evident. The Ministry of Justice ordered the resettlement of the affected population and the guarantee of their fundamental rights.

Companies affected: BHP Billiton, Anglo American, Glencore International AG, and Carbones del Cerrejon Ltd (former Intercor Exxon Mobil)

<http://ejatlas.org/conflict/el-cerrejn-mine-colombia>
<http://www.cmi.com.co/?n=79769>
http://www.cetim.ch/es/interventions_details_print.php?iid=288

PERU

Location: Conga (Cajamarca)

Event: A gold mining operation had plans involving drying four lakes to create optimal conditions for the enterprise. The project is located at the east of a hydrographic basin, and very severe impacts of contamination were already felt.

Very large protests against the mine evolved into violent incidents, with at least 30 dead in total. The federal government had to call an emergency state twice due to conflicts with the population. Protests also led to the Prime-Minister's resignation by the end of 2011.

The operation was stopped after the new Prime-Minister took over in early 2012, as he requested international assistance to evaluate the environmental damages caused by the company.

Companies affected: Newmont Mining Company and Compañía Minera Buenaventura

<http://www.peruviantimes.com/tag/minas-conga/>

<http://ultimosegundo.ig.com.br/mundo/2012-07-05/choques-em-protesto-contra-projeto-de-mineracao-no-peru-deixam-mais-mortos.html>

<http://www.ihu.unisinos.br/noticias/511206-novos-protestos-contra-uma-mina-no-peru-provocam-tres-mortos>

Location: Quellaveco (Moquegua)

Event: 28 communities demanded the suspension of the EIA for a copper mine. They claimed some of the communities were not reached to discuss the project and would be severely impacted. Anglo American attempted to negotiate but was unsuccessful. Operations were interrupted for 18 months, in order to secure beneficial agreements with local counterparts.

Companies affected: Anglo American

<http://www.larepublica.pe/29-06-2012/moquegua-pide-anglo-american-s850-millones-por-proyecto-quellaveco>

http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=106

Location: Cocachacra (Arequipa)

Event: The operations of a copper mine in a very dry area of Peru threatened local populations' access to water. Dialogue was tense in 2010, which delayed the project for one year. In 2011,

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conflict escalated and three people died in confrontations. Military forces were deployed to restore order. One month later, the Ministry of Energy and Mines didn't accept the EIA and ordered the company to remove their machines for the site. A new EIA is being created, this time with 3000 observations from local communities. Activities are expected to resume in 2015.

Companies affected: Southern Peru Copper Corporation, and Gropo Mexico

<http://ejatlas.org/conflict/tia-maria-peru>

<http://elcomercio.pe/peru/lima/gobierno-cancelo-definitivamente-proyecto-tia-maria-noticia-739845>

http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=157

Location: Llusco (Cuzco)

Event: The expansion of gold, copper and silver concessions concerned local communities, which feared for the impacts on their agricultural activities and access to water. The protest took the form of a complete strike in the city, which lasted for 9 days. Local authorities threatened to take over the mining installations if the companies did not leave. A big judicial battle took place, which concluded with the federal government requiring a new EIA for two mines, and permanently suspended the license for another one.

Companies affected: Hochschild Mining, Compañía Minera Area SAC and ANABI SAC

<http://www.larepublica.pe/07-02-2012/incendian-campamento-minero-de-anabi-en-cusco>

<http://ejatlas.org/conflict/chumbivilcas-peru>

<http://www.inforegion.pe/portada/41414/campamento-de-minera-ares-en-chumbivilcas-continua-tomado-por-frente-de-defensa-y-mineros-ilegales/>

Location: Ene-Tambo river (Junin)

Event: The construction of two dams for hydroelectric power was halted by the efforts of the Ashaninka people. Their leader Ruth Mestoquiari received the Goldman Environmental Prize in 2014 for her significant involvement with the cause. The dams would have forced the displacement of 8,000 to 10,000 people. The protests lasted for three years before federal authorities took action and demanded a reallocation of the project.

Companies affected: Odebrecht

<http://www.reuters.com/article/2014/04/29/us-peru-environment-goldman-idUSKBN0DE1L620140429>

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<http://www.peruthisweek.com/news-ashaninka-leader-ruth-buendia-wins-goldman-environmental-prize-for-her-fight-to-halt-construction-of-the-pakitzapango-dam-102839>
<http://intercontinentalcry.org/flooding-our-future-megadams-of-the-peruvian-amazon/>

Location: San Mateo de Huanchor (Lima)

Event: A widespread series of medical diagnoses in 2002 found strong evidence showing soil and water contamination by arsenic, because of mine tailings in the region. Several lawsuits were filed and resulted in favorable decisions for the affected population. The company paid significant compensations, but has not yet cleaned the soil.

Companies affected: Minera Lisandro Proaño

<http://elecochasqui.wordpress.com/actualidad/2010-2/enero/tension-en-chicla-por-relaves-toxicos-de-tamboraque/>
http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=28
<http://peru21.pe/noticia/239067/rio-rimac-amenazado-relaves-cerro-tamboraque>

Location: San Marcos (Ancash)

Event: This is one of the largest mines in Peru. When the companies involved announced plans for its expansion in 2006, conflicts with local populations started to appear, which led to the Public Defender's Office to step in and organize the dialogue.

Companies affected: Compania Minera Antamina S.A, Xstrata, BHP Billiton

http://www.diariolaprimeraperu.com/online/informe-especial/antamina-conflicto-persistente_46912.html
<http://www.laht.com/article.asp?ArticleId=349902&CategoryId=14095>
<http://www.theglobeandmail.com/globe-investor/teck-to-expand-antamina-mine/article1207367/>

Location: Santiago de Chuco (La Libertad)

Event: A community denounced water contamination of their watershed by Barrick from their gold mining operation. They managed to prove it actually happened. The company spent a lot of money on palliative measures, but did not fix the problem. Federal authorities criticized the EIA, which took a further 8 months to be completed.

Companies affected: Barrick

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<http://www.bothends.info/mfi/dos5-factsheetaltochicamacas.pdf>
http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=25
<http://www.northernminer.com/news/barrick-advances-alto-chicama-project-in-peru/1000143395/?&er=NA>

Location: Jesus, Pedro Galvez, Cachachi (Cajamarca)

Event: Local communities took over a mine after waiting too long for the fulfillment of agreements by the operator. The company promised jobs and improvement of roads, but these were never achieved in full, which infuriated locals. After the mine's invasion, the company hired paramilitary security, who threatened local leaderships. Two years after, the project was interrupted by authorities, who demanded news agreements between the company and related counterparties. The community decline to continue discussions about the project.

Companies affected: Miski Mayo (Vale)

http://www.muqui.org/adjuntos/Conferencia_Padre_Marco_Arana.pdf
http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=184

Location: Yanacocha Mine (Cajamarca)

Event: Communities in the area surrounding Yanacocha Mine, resistant to the mine's expansion to Cerro Quilish, eventually became involved in violent confrontations with the mine's operators. In 2012, a large conflict erupted, with several deaths and wounded. This is the second largest gold mine in the world, producing about 3 million ounces of gold per year. This is very close to Minas Conga, and both mines are operated by the same company, so the conflicts are related. After the major events at Minas Conga, Yanacocha also suffered from federal decisions to interrupt operations until order was restored.

Companies affected: Newmont Mining Corporation and Buenaventura

<http://ejatlas.org/conflict/yanacocha-mine-peru>
http://cdca.it/IMG/pdf/Violencia_en_Carachugo_II_-_03-08-06_1_.pdf
<http://cdca.it/spip.php?article1684&lang=it>

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Location: Pulán (Cajamarca)

Event: This gold and silver mine was interrupted on different occasions. The first was in 2004, when Buenaventura interrupted the exploration for about a year, due to protests that demanded a much more comprehensive EIA.

In 2008, the companies involved held a public audience, in which nearly 3,000 rural workers were blocked from entering. Three months later, they participated in several protests, closing access roads and demanding the project's suspension. The local government acted two years later, demanding several conservation measures by the company, such as protecting basin headwaters.

In 2012, there was strong pressure to stop operations, following the decisions at Minas Conga. In September 2013, there was a large strike in the region, protesting against the lack of significant action on the basin headwaters.

Companies affected: Buenaventura, La Zanja and Newmont

<http://grufidesinfo.blogspot.com/2011/05/pobladores-de-pulan-y-catache-piden.html>
<http://www.panoramacajamarquino.com/noticia/ronderos-le-dicen-a-mineras-que-no-canten-victoria/>
<http://gestion.pe/empresas/zanja-expandira-su-produccion-oro-2071717>

Location: Reque (Lambayeque)

Event: Organized local groups protested against the copper mine, denouncing the risks of arsenic contamination to their wellbeing and agricultural production. Negotiations were conducted, but did not involve all relevant parties. The company released several reports showing minimal damages and responded to some demands. However, it was not enough to convince locals, who fiercely insisted on suspending all activities. In October 2009, Rio Tinto announced the cancelation of the project.

Companies affected: Rio Tinto

http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=155
<http://elcomercio.pe/ediciononline/html/2008-10-20/minera-rio-tinto-suspendio-construccion-planta-chiclayo.html>
<http://www.scribd.com/doc/7398026/Suspender-Proyecto-La-Granja-en-Reque>

The Munden Project

Location: Ferrenafe (Lambayeque)

Event: This is an old mine that switched hands a few times before becoming part of Candente's operation in 2001. Their exploration started in 2004, and an expansion was proposed 6 years later. In 2012, about 2,000 locals organized and protested against the copper, gold and silver mine's expansion. There was a survey of the local population's opinions about it, in which 95% opposed the mine.

The company proceeded with operations, which infuriated local organizations. Regional authorities demanded new agreements between involved parties to issue concessions.

Companies affected: Canariaco Copper Peru (Candente)

<http://www.larepublica.pe/09-10-2012/lambayeque-consulta-comunal-en-kanaris-rechazo-en-un-95-proyecto-minero-canariaco>
<http://gestion.pe/noticia/700372/candente-copper-invertira-us-1565-millones-canariaco-norte>
<http://elcomercio.pe/peru/lima/ministerio-energia-minas-desconoce-consulta-popular-contracanariaco-noticia-1481186>

Location: Tambogrande (Piura)

Event: The local population organized and held a vote on a proposed zinc, copper and gold project, involving 27,015 voters, which rejected the proposed mine. The voters feared the impact of the mine on their World Bank sponsored irrigation project.

Companies affected: Manhattan Minerals

<http://www.muqui.org/index.php/observatorio-de-conflictos-usermenu-16/273-piura-caso-proyecto-tambogrande>
<http://www.scribd.com/doc/13721411/Caso-Tambogrande-Peru-CLACSO>
<http://www.tandfonline.com/doi/abs/10.1080/08941920309166>

Location: Huancabamba, Ayabaca (Piura and Cajamarca)

Event: A copper mine which proposed expansion faced opposition from local communities, who voted against the expansion and gathered strong public support from local politicians and environmental organizations. The local population denounced the potential risk to their access to water, as the mine operation demanded large amounts of water. The Ministry of Energy and Mines rejected the EIA, alleging irregularities in the agreements with local counterparts.

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Companies affected: Majaz S.A. Mine, Monterrico Metals, Zijin Consortium, and Rio Blanco

http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=5

Location: Cenepa (Condorcanqui)

Event: This project faced a number of interruptions. The first was with its inception, as the original project did not get the necessary concession from related authorities in 2001 due to incompatible natural conditions for exploration. In 2004, the company successfully obtained the exploration licenses. In 2007, 700 km² of a national park were conceded to the company for the gold and copper mine. This attracted strong criticism by the local population, but only in 2011 did they successfully interrupt operations through the Ministry of Energy and Mines. Concessions were revisited in June 2012 and operations restarted shortly after that.

Companies affected: Minera Afrodita, Dorato Resources

<http://servindi.org/actualidad/92630>

http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=173

<http://www.larepublica.pe/01-06-2012/amazonas-minera-afrodita-afectaria-15-mil-nativos-de-los-pueblos-awajun-y-wampis>

Location: San Martín (San Martín)

Event: In 2006, Ecoamerica requested the acquisition of 72,000 hectares for timber exploration, but received no response from responsible authorities. The company sued the federal agency in 2010 for “administrative silence”. Indigenous communities living in the territory only found out about the South Korean company’s intentions in 2010, and opposed the project, as they would have to be resettled.

The company did not have land titles, but proceeded and deforested 400 hectares illegally. Authorities took action and closed the operations.

Companies affected: Ecoamerica (South Korea)

<http://farmlandgrab.org/post/view/18688>

http://www.chs-peru.com/reporte15/upload/archivos/archivo2_595.pdf

<http://diarioahora.pe/portal/noticias-san-martin/24-yurimaguas/8982-tc-declaro-improcedente-demanda-de-ecoamerica>

Location: Toquepala (Tacna)

Event: The region is located to the north of the Atacama Desert, and faces a large water deficit. In 2007, the regional government declared a state of emergency due to severe droughts. A copper mine with rights to use large amounts of water was severely impacted, having their operations interrupted. The company had previously asked for new concessions which were later declined by the local population, alleging risks associated with increase water use for mining activities.

Companies affected: Southern Peru Copper Corporation

http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=102
http://aguasderegiotacna.blogspot.com/2008_11_30_archive.html

Location: Quellaveco (Moquegua)

Event: In 2000, Anglo American obtained the necessary license to initiate studies of a possible change in the course of a river to explore copper on Asana River. In 2008, the EIA was submitted, but it did not convince local counterparties who proposed changes to guarantee water access for human consumption. The regional government requested alterations on the proposed EIA before approving it. This prolonged studies for about 8 months, when an appropriate version was submitted.

Companies affected: Anglo American Quellaveco

http://basedatos.conflictosmineros.net/ocmal_db/?page=conflicto&id=106
<http://www.conflictosmineros.net/component/content/article/5969>

LIBERIA

Location: Grand Kru, Maryland (Sinoe)

Event: In 2010, Golden Agri Resources (GAR) partnered with the Government of Liberia to create a 220,000 hectare concession for a palm oil plantation and port site, with 40,000 ha granted for small-holder plantations. In 2012, an NGO filed a lawsuit against GAR for non-compliance with the Roundtable on Sustainable Palm Oil on behalf of communities living on the land. The communities' grievances included the pollution of water, the destruction of ancestral graves, forced relocation, and the destruction of wetlands. In 2013, following an auditor's assessment, development was halted until certain benchmarks had been met.

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Companies affected: Golden Agri Resources, who formed the partnership with the Government of Liberia through Golden Veroleum (a subsidiary of Verdant Fund LP)

<http://ejatlas.org/conflict/golden-agri-resources-veroleum-palm-oil-plantations-sinoe-liberia>

Location: Gran Bassa, River Cess (Sinoe)

Event: There has been a history of conflict between the operators of a 169,000 ha palm oil plantation and local smallholders occupying the land. In 2013, a strike and protest – resulting from 250 workers claiming they had not been paid – turned into a riot in which 700 trees were burned and machinery was damaged. In August of the same year, local government authorities urged citizens to obstruct surveys required for the expansion of the plantation.

When the project was expanded in 2011, desecration of gravesites and bulldozing of farms prompted local residents to lodge complaints. The National Traditional Council has sided with Equatorial Palm Oil and the President’s right to sell the land, whereas local communities, particularly youth leaders, have maintained that they were not consulted about the expansion and been angered by the destruction of their land.

Companies affected: Equatorial Palm Oil, Equatorial Biofuels Limited, Liberian Palm Developments Limited and Biopalm Energy

<http://ejatlas.org/conflict/equatorial-palm-oil-project-stalls-in-bassa-liberia>

<http://allafrica.com/stories/201308140486.html>

<http://www.ipsnews.net/2013/05/the-bitter-taste-of-liberias-palm-oil-plantations/>

<http://allafrica.com/stories/201304020472.html>

Location: Yekepa (Nimba)

Event: In reopening a number of mines, renovating the nearest port and securing access to the corridor linking the sites, Arcelor Mittal faced criticisms over the way they handled social and environmental impacts, in particular that they had given inadequate compensation for the involuntary resettlement of farmers. Friends of the Earth alleged that money set aside to support socio-economic development was being spent on projects that were not benefitting the affected communities.

Companies affected: Arcelor Mittal

<http://ejatlas.org/conflict/arcelormittals-iron-ore-mining-liberia>

<http://news.bbc.co.uk/1/hi/29731000/29731458.stm>

The Munden Project

Location: Garwula (Grand Cape Mount)

Event: RSPO upheld a complaint made against Sime Darby by villagers affected by the installation of 5,000 ha of palm oil plantation. Local communities complained of a lack of consultation, inadequate or absent compensation and lost livelihoods.

In response to the complaint, made in September 2011, Sime Darby suspended operations in a contested area and agreed to bilateral negotiations. However, the government demanded that it be involved in the negotiations and they broke down. By the following year, expansion of the plantation over local residents' property had continued, with compensation remaining either inadequate or absent and consultation non-existent.

Following intervention by the Forest Peoples Program and Sustainable Development Institute, the government department responsible has been changed, and future concession have been frozen until the issues have been resolved.

Companies affected: Sime Darby Plantation (Liberia) Inc (Sime Darby Group)

http://www.foeeurope.org/sites/default/files/news/foee_liberia_landgrab_eng.pdf

<http://ejatlas.org/conflict/sime-darby-plantations-liberia>

<http://www.forestpeoples.org/topics/agribusiness/news/2012/04/liberia-agri-business-expansion-threatens-forests-and-local-communi>

MOZAMBIQUE

Location: Matuba Farm, Emvest's land fund in Limpopo/Chokwe (Gaza Province)

Event: EmVest Asset Management is in conflict with local villagers in Matuba, Mozambique due to conflicting reports over land claims, with EmVest describing a 2000 hectare, 50 year lease with the government of Mozambique for food crop production. However, government legal documents show only a provisory use of 1000 hectares of land for 2 years. Matuba villagers claim they were forced by the government to cede 1k hectare of land, not the 2k that EmVest describes. Villagers insist they need the other 1k hectares of farmlands to live and farm.

Companies affected: Current investments are approximately 5,200,000 USD. There have been low levels of local organizing by farmers, international environmental justice organizations, and university students. At this time, the issue has not been resolved and EmVest is currently seeking a government document (DUAT) for approval of the additional 1k hectares.

<http://ejatlas.org/conflict/matuba-farm-emvests-land-fund-in-limpopo-chokwe-gaza-province-mozambique>

http://www.oaklandinstitute.org/sites/oaklandinstitute.org/files/OL_Emvest_Brief.pdf

Location: ProCana Sugar Plantation (Limpopo)

Event: The conflict is over 30,000 hectares in the Massinger district of Gaza province, which was initially granted to the Ministry of Tourism for the establishment of Limpopo National Park. The same land was then promised to ProCana (with investment backing from the Central African Mining and Exploration Co.) for ethanol production from sugar cane, which was to be irrigated with water from the Massingir dam. This would have negatively affected farmers downstream of the plantation. Villagers were already being displaced for the National Park, but sided with the Park against ProCana. The government withdrew the agreement citing non-compliance with contractual clauses, as CAMEC shifted investment away from biofuels.

Companies affected: ProCana, Central African Mining and Exploration Co.

<http://ejatlas.org/conflict/procana-sugar-plantation-limpopo-mozambique>
<http://www.tni.org/paper/politics-agrofuels-and-mega-land-and-water-deals>

Location: Pande-Temane Natural Gas Pipeline (Inhambane)

Event: Sasol applied to the UNFCCC for the right to produce and sell carbon credits because it claimed to be choosing between building a new coal mine and building a pipeline to the gas fields in Inhambane, Mozambique. Environmental organizations (notably Earthlife Africa) stepped in, pointing out that Sasol had been considering building the profitable pipeline since 1998. UNFCCC rejected the project, but did not include any statement against companies manipulating the carbon credit system, as environmental organizations had hoped.

Companies affected: Sasol

<http://ejatlas.org/conflict/pande-temane-natural-gas-pipeline-mozambiquesouth-africa>
<http://www.tni.org/article/sasol-cdm-developed-world-pays-sasol-increase-its-carbon-emissions>

Location: Ntacula tree plantations (Zambezia)

Event: Ntacula Florestas de Zambezia, owned by Global Solidarity Forest Fund, currently holds 9.5k hectares of land in Zambezia but is seeking 70,000 for tree plantations to be sold as timber. Conflict has arisen with local communities due to lack of proper consultation, among other environmental issues.

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Companies affected: Ntacua Florestas, Global Solidarity Forest Fund

<http://ejatlas.org/conflict/ntacua-tree-plantations-in-zambezia-mozambique>
<http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/pics/d131619.pdf> (pg 47)

Location: Tectona monoculture tree plantations (Zambezia)

Event: Tectona Forest of Zambezia is another company that is an investment of the Global Solidarity Forest Fund. In this case, it is using areas of teak plantations, which formerly served as community farms for 38 local communities. According to the company, conflicts arose during the titling process due to “lack of consensus on the demarcation of the area of company operations and policy issues.” Members of several communities have been unhappy with Tectona and point to local chiefs and representatives who accept money from the company instead of safeguarding their rights.

Companies affected: Tectona Forest, Global Solidarity Forest Fund

<http://ejatlas.org/conflict/tectona-monoculture-tree-plantations-mozambique>
<http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/pics/d131619.pdf>

Location: Quifel’s Hoyo Hoyo agriculture project (Lioma)

Event: Quifel Natural Resources has a concession of 10,000 hectares in Lioma, for which it promised job creation, a health clinic, and numerous other community benefits. Since then Quifel has failed to reach required benchmarks, such as not completing a demarcation within the required timeframe, and did not provide any of the aforementioned benefits. As of January 2013, boundary posts remained absent and only 400 ha had been planted, which displaced at least 200 families. The project is operating, despite events of road traffic disruption and frequent protests.

Companies affected: Quifel Natural Resources

<http://ejatlas.org/conflict/quifels-hoyo-hoyo-agriculture-project-in-lioma-zambezia-region-mozambique>
http://www.oaklandinstitute.org/sites/oaklandinstitute.org/files/OI_country_report_mozambique_0.pdf (pg 43-44)

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Location: Chikweti plantations (Niassa)

Event: Chikweti's investment in pine and eucalyptus plantations has led to conflict with rural communities, since the concession occupies the same land that the communities have traditionally used. This included closing off areas used by the communities for access to water and farmland. Chikweti Forests of Niassa Sarl is another company funded by the Global Solidarity Forest Fund. The government stepped in, fined the company, and implemented more rules and control.

Companies affected: Chikweti Forests, Global Solidarity Forest Fund

<http://ejatlas.org/conflict/chikweti-plantations-mozambique>
<http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/pics/d131619.pdf> (pg 50-54)

Location: Malonda Tree Farm (Niassa)

Event: Malonda Tree Farm, managed by Green Resources AS (a Norwegian company financed by Norfund), is involved in eucalyptus and pine plantations on 60,000 hectares. Conflict with local populations has been fierce, as the company began clearing land and planting. The company claims that the project only includes land abandoned by the local population. Members of the community assert that Malonda has not abided by the boundaries of the concessions and has not engaged in appropriate levels of community consultation.

Companies affected: Malonda Tree Farm, Green Resources AS, Norfund

<http://ejatlas.org/conflict/malonda-tree-farms-in-niassa-mozambique>
<http://www.open.ac.uk/technology/mozambique/sites/www.open.ac.uk.technology.mozambique/files/pics/d131619.pdf> (pg 49-50)

Location: Lurio and Sanga forestry and sequestration (Niassa)

Event: Green Resources AS (Norway) is engaging in a forestry plantation and sequestration project under CDM covering 126,000 hectares over 15 years. Locals argue that they had no input in the land acquisition process and that the project has only offered temporary jobs and not fulfilled promises. Green Resources also appears to have no specific community development plan.

Companies Affected: Green Resources AS

<http://ejatlas.org/conflict/green-resources-as-niassa-project>

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Location: Cimentos de Mocambique Cement Factory, Matola (Maputo)

Event: A cement factory, Cimentos de Mocambique, began emitting plumes of smoke from the plant in 2000 which spread around the surrounding neighborhoods. Local residents filed complaints with the Ministry of the Environment and Matola municipality that the factory's filters were not functioning properly. When no action was taken, protests began with support from local communities, environmentalists, and even other local factories. While the particles are non-toxic, they still cause lung/respiratory problems and the dust causes damage to affected vegetation. The plant remains in operation and even applied for a CDM credit for using natural gas rather than coal to fuel the plant. In 2009, new filters were installed but pollution levels are still above acceptable levels set by the World Health Organization.

Companies affected: Cimentos de Mocambique SA

<http://ejatlas.org/conflict/fuel-switching-by-cimentos-de-mocambique-matola-gas-company-mozambique>

SOUTH AFRICA

Location: Cape Town (City of Cape Town Municipality)

Event: In 1997, South Africans suffering from asbestos-related disease sued Cape PLC in the English High Court seeking compensation for the asbestos mining and milling activities in S. Africa. The complainants were former workers and local residents. By 2001, there were 7500 plaintiffs. Ultimately, a settlement was reached where Gencors administers a £35 million trust and settled with plaintiffs for £3 million, while Cape settled for £7.5 million. Asbestos mining stopped in the mid-1980s, but people are still being diagnosed with asbestos-related disease regularly.

Companies affected: Cape PLC, Gencors

<http://annhyg.oxfordjournals.org/content/55/6/569.full>
<http://ejatlas.org/conflict/cape-gencors-asbestos-mining-milling-activity-south-africa>

Location: Karoo (various districts)

Event: Numerous oil and gas companies are looking to access shale gas in the Greater Karoo Basin using horizontal hydraulic fracturing. Local communities are concerned about associated risks to water and air, existing economics, and human and environmental health. Facing public opposition, South Africa's government appointed a task force to study the implications of fracking and

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declared a moratorium on exploration applications. The Karoo Action Group sued when no civil society groups were appointed to the task force and won. The moratorium was in place for 17 months until September 2012 when it was lifted.

Companies affected: Sosal, Shell

<http://ejatlas.org/conflict/hydraulic-fracking-in-the-karoo-south-africa>
<http://thegreentimes.co.za/protest-against-fracking-threatening-water/>
<http://mg.co.za/article/2012-04-20-the-fracking-intrusion-of-a-sacred-space/>

Location: Pondoland Wild Coast (Eastern Cape)

Event: Transworld Energy and Minerals and local partner Xolco proposed to mine ilmenite, rutile and zircon from the Pondoland Coast at Xolobeni. The proposed area overlaps the Pondoland Centre of Endemism, a botanically rich area. This has generated significant opposition, including street protests by farmers and indigenous groups that would likely be displaced. The project is already delayed due to questioning by local authorities.

Companies affected: Transworld Energy and Minerals, Xolco

<http://ejatlas.org/conflict/pondoland-wild-coast-xolobeni-mining-threat-south-africa>
<http://www.wildcoast.co.za/xolobeni>

Location: Sappi Saiccor mill, Mkomazi River (KwaZulu Natal)

Event: The Sappi Saiccor mill operates on the Mkomazi River, upstream from the town of Umkomaas. The mill uses water from the river, derives energy from coal and generates atmospheric pollution, dumps liquid effluent out at sea and solid waste onto farmland. Locals experience illness due to resulting pollution but the operation persists. The company “bribed” local schools and organizations with small donations, which seemingly bought their silence.

Companies affected: Sappi Specialised Cellulose

<http://ejatlas.org/conflict/sappi-saiccor-pulp-mill-pollution-south-africa>
<http://chrislang.org/2005/11/29/south-africa-sappi-saiccor-to-expand-its-polluting-pulp-mill/>

Location: Bisasar, Durban (kwaZulu Natal)

Event: Durban Solid Waste and Environmental Waste Solutions (South Africa) operate the Bisasar Road Landfill site in Durban. Approximately 3000 to 5000 tons of waste is dumped here daily and this has led to increases in cancer rates locally. Community members have repeatedly called for closure of the site, but the dump was approved as a pilot CDM project for converting methane to electricity. The World Bank provided initial investments of \$14 million, but in 2005 refused to purchase emissions credits because of concern over environmental justice issues in Durban.

Companies affected: Durban Solid Waste, Environmental Waste Solutions (South Africa)

<http://ejatlas.org/conflict/bisasar-rd-landfill-site-south-africa>

Location: Leeuwpan coal mine (Mpumalanga)

Event: Local activists allege that the expansion of a coal extraction mine is illegal. Farmers around the mine claim the coal operation does not have the proper water license. The case was taken to court and its decision favored the local population. Operations were halted until the proper license is issued.

Companies affected: Exxaro Leeuwpan Colliery

<http://mg.co.za/article/2012-05-14-delmas-farmer-lodges-complaint-against-exxaro>
<http://www.ejolt.org/2012/11/natural-water-body-threatened-by-large-mining-company/>
<http://oxpeckers.org/2013/12/ways-to-kill-a-wetland/>

CAMBODIA

Location: Lumphat Wildlife Sanctuary (Ratanakkiri)

Event: In 2013, UK-based NGO Global Witness published a report accusing diversified Vietnamese company Hoang Anh Gia Lai (HAGL) of illegally logging in Lumphat Wildlife Sanctuary outside concession areas, and being in possession of at least 47,000 hectares of economic land concessions (ECLs), which is almost five times the legal limit. 17 indigenous communities accused HAGL of land grabbing in their home villages in Ratanakkiri province and filed a complaint with the International Finance Corporation (IFC), which invests in the rubber producer via an intermediary fund called Dragon Capital Group.

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In April 2014, HAGL responded to a request from IFC and announced that it was suspending logging operations of three projects in the province from May 1 to November 30.

Companies affected: Hoang Anh Gia Lai and its subsidiaries in Ratanakkiri province (Hoang Anh Andong Meas, Hoang Anh Oyadav, Heng Brothers), companies logging for HAGL (Cheng Bo Ying Co. Ltd., MDHL Share World Co. Ltd., Savan Prasith Investment and Construction Co. Ltd), HAGL investors (International Finance Corporation via Dragon Capital Group, Deutsche Bank, Credit Suisse)

<http://www.cambodiadaily.com/archives/rubber-firm-accused-of-illegal-logging-puts-work-on-hold-58287/>

<http://www.globalwitness.org/library/credit-suisse-ignored-human-rights-commitments-and-became-major-shareholder-vietnamese>

Location: Borei Keila (Phnom Penh)

Event: In 2003, a land-sharing agreement was proposed for Borei Keila commune in Phnom Penh, to allow a private company to develop part of the area for commercial purposes while providing alternative housing to residents on the remaining land. A social land concession for 4.6 ha was authorized by Cambodian Prime Minister Hun Sen, and the government contracted Phan Imex to construct 10 apartment buildings on 2ha to house 1,776 families in exchange for rights to redevelop the remaining land into luxury accommodation, offices and retail spaces.

In 2010, Phan Imex had constructed only 8 of the 10 buildings, and instead offered residents compensation and housing at sites outside Phnom Penh. Not all families moved to the relocation sites: some stayed in Borei Keila, protesting for housing and compensation from Phan Imex and the government. In January 2012, there were clashes between Borei Keila residents and private security forces hired by Phan Imex to evict them. In Spring 2014, following clashes with government security forces after occupying a building at the site, some residents were still refusing offers of temporary shelter at Borei Keila from the government. Phan Imex, which has claimed bankruptcy, has been ordered by court to repay a Korean company a US\$ 2.7m deposit for Borei Keila land which was never delivered.

Companies affected: Phan Imex

<http://www.opendevdevelopmentcambodia.net/tag/phan-imex/>

<http://www.phnompenhpost.com/national/bricks-used-drive-out-authorities>

<http://www.phnompenhpost.com/national/borei-keila-deal-taken-some>

The Munden Project

Location: Thpong and Oral districts (Kampong Speu)

Event: In April 2010, Phnom Penh Sugar Company's land clearing operations in Kampong Speu were interrupted by protestors from affected villages. Local residents were protesting against a mass eviction following the allocation of land to the Phnom Penh Sugar Company (PPSC) as economic land concessions. The total size of the concessions was over 23,000 ha, more than twice the size permitted under Cambodia's Land Law; the concessions encroach on more than 2,000 ha of farmland belonging to families in Thpong and Oral districts, as well as grazing land, water resources and registered community forest.

The company's offices were set on fires and road blocks were set up to prevent access to the factory.

Companies affected: Phnom Penh Sugar Co. Ltd and its sister company Kampong Speu Sugar Co. Ltd.

<http://www.phnompenhpost.com/national/cambodian-sugar-plant-leaves-villagers-bitter>
http://www.nytimes.com/2013/10/01/business/international/in-cambodias-cane-fields.html?_r=2&
<http://www.inclusivedevelopment.net/anz-bankrolls-massive-land-grab-in-cambodia/>

INDIA

Location: Mehdiganj (Uttar Pradesh)

Event: Coca-Cola's bottling plant has been shut down by state government authorities. The Uttar Pradesh Pollution Control Board (UPPCB) ordered the plant to shut down because it found the company to be violating a number of conditions of its license, or "No Objection Certificate" (NOC). Eviction from land occupied by bottling plant in Mehdiganj. The action to evict Coca-Cola comes as the result of an [order](#) (in Hindi) passed by the *Tehsildar*, the local revenue officer, in December 2013 after an official investigation carried out at the insistence of local villagers. The company was also fined Rs.124,590, (about US\$ 2,000).

Coca-Cola has been unable to begin operations in the expanded facility because it lacks all the required permits - because of local objections. Coca-Cola got an interim stay on the UPPCB's order to the company to shut its plant in Mehdiganj down. The National Green Tribunal allowed the company to continue its existing operations but restrained it from making any moves towards expansion of the facility.

Companies affected: Coca Cola

<http://www.toxicwatch.org/2014/06/coca-cola-plant-shut-down-in-india.html>

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<http://www.scoop.co.nz/stories/WO1401/S00285/india-coca-cola-to-be-evicted-from-illegally-occupied-land.htm>

<http://www.edie.net/news/6/Coca-Cola-to-be-evicted-from-illegally-occupied-land-by-Indian-authorities/>

http://www.organicconsumers.org/articles/article_30429.cfm

<http://hotnhitnews.com/Shutdown-ordered-for-Coca-Cola-plant-licence-cancelled-HotnHitNews-19118062014.htm>

<http://www.dailypioneer.com/state-editions/dehradun/state-skipping-sc-verdict-in-coca-cola-project.html>

Location: Nano Project, Singur (West Bengal)

Event: Tata Motors decided to pull out of the Nano Project factory out of Singur, West Bengal. They had to relocate and move equipment and machinery from Singur in West Bengal state to Gujarat where the Nano is now produced. The construction of the plant was initiated on January 2007. In October 2008, they pulled out of Singur due to political unrest and agitation.

The protesters' compromise was that Tata be allowed to keep the 600 acres on which it has already built and return the remaining 400 acres to the farmers. This proposal was rejected by both the state government and Tata Motors. The relocation is a highly expensive option, with the plant 85% complete, Tata would lose its US\$ 350 million investment and have to spend another US\$ 50 million to \$100 million to relocate. The bigger problem is that to keep prices low on the world's cheapest car, Tata had planned to have suppliers set up factories on the 400 acres in dispute.

Companies affected: Tata Motors

<http://blogs.lse.ac.uk/indiaatlse/2013/09/13/learning-from-singur-land-acquisition-and-compensation-in-india/>

<http://www.businessweek.com/stories/2008-08-27/why-indian-farmers-are-fighting-tatas-nanobusinessweek-business-news-stock-market-and-financial-advice>

<http://www.bloomberg.com/apps/news?pid=newsarchive&sid=aP8iIdFX6l9w>

Location: POSCO steel project (Orissa)

Event: There was a temporary suspension of land acquisition process for POSCO steel project in Orissa, India. With several social activists making a beeline to the POSCO project area to support the protesting villagers, the state government seems to have halted its land acquisition for POSCO's 12 million tonne steel plant in Jagatsinghpur district. For the last five years, people living in the villages of the proposed site under the banner of POSCO Pratirodh Sanghrsa Samiti (Anti-

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POSCO People's Movement) have been relentlessly protesting against the land acquisition process. More than 4000 families, totaling a population of 30,000, will be affected by the project.

Companies affected: POSCO

<http://www.aljazeera.com/indepth/features/2011/07/201171711310873319.html>
<http://divergences.be/spip.php?article857&lang=fr>
http://www.telegraphindia.com/1140114/jsp/nation/story_17784488.jsp#.U8P7oRbJAI
<http://www.thehindu.com/todays-paper/tp-national/despite-protests-odisha-continues-with-land-acquisition-for-posco/article4878973.ece>
<http://blogs.wsj.com/indiarealtime/2011/07/04/orissa-anti-posco-protest-is-a-family-affair/>
<http://www.globalpost.com/dispatch/news/regions/asia-pacific/india/130308/indian-women-strip-protest-odisha-posco>

INDONESIA

Location: Ketapang (West Kalimantan)

Event: In mid-1999 villagers apparently reoccupied 2,000 ha of HSL/Commonwealth Development Corporation's plantation, marking their former property with boards bearing their names. In early July 2000, 50-60 people from three villages cut down 400 oil palms in the concession area in broad daylight as a token protest. Villagers claim that they were forced to hand over their land, and that there has been manipulation of consent forms and compensation payments.

Companies affected: PT Harapan Sawit Lestari (HSL), Cargill, CTP Holding, CDC Group

<http://www.downtoearth-indonesia.org/old-site/ccdc2.htm#Cfl>
<http://www.downtoearth-indonesia.org/story/conflicts-between-community-and-british-owned-plantation-company-kalimantan>
<http://www.ejAtlas.org/conflict/pt-hsl-conflict-kalimantan>

Location: Kuala Batee, South Aceh (Sumatra)

Event: Arson and damage to company property were caused following disputes over land. The company's base camp was burnt down, including two office buildings and an employee dormitory. Company employees were evicted as a result. Vehicles, heavy machinery and other equipment were also damaged or confiscated.

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Villagers were unhappy about a land dispute between local farmers and the company. Several months of attempts to negotiate over land rights erupted into violent conflict.

Companies affected: PT Cemerlane Abadi

<http://www.ejAtlas.org/conflict/pt-cemerlang-abdi-conflict-sumatra>
http://www.nas.gov.sg/archivesonline/audiovisual_records/record-details/4fc05cc7-1164-11e3-83d5-0050568939ad

Location: Merauke (Papua)

Event: Local communities affected by Wilmar's operations demanded that the company halt operations on the ground while proper and thorough EIAs were conducted, and further that there should be a transparent consultation process to gain the communities' consent for land acquisition. It was later decided to move Wilmar's permit to Animha district, and it was also reduced in size to a maximum of 80,000 hectares.

Companies affected: Wilmar International

<http://www.downtoearth-indonesia.org/story/why-not-wilmar>
<http://www.ejAtlas.org/conflict/wilmar-international-sugar-plantations-in-meraukee-papua-indonesia>
https://awasmiffee.potager.org/?page_id=168
<http://www.panap.net/en/fs/post/food-sovereignty-wfd-2012/1292>
<http://bio-fuel-watch.blogspot.com/2014/02/biofuelwatch-down-to-earth-article.html>
<http://www.scoop.co.nz/stories/WO1207/S00621/indonesia-miffee-stealthy-face-of-conflict-in-west-papua.htm>
<http://www.downtoearth-indonesia.org/story/starvation-and-poverty-indonesia-civil-society-organisations-appeal-suspension-miffee-project-p>

Location: North province (Sumatra)

Event: Land granted to PT LonSum for oil palm, rubber and cacao plantation was illegally occupied by members of the local community who claimed the land had been taken without their consent. On several occasions, villagers entered, occupied and damaged land and plantations belonging to PT LonSum obtained via a land use permit for oil palm, rubber & cacao plantations. The villagers also started to clear land claiming that the company took it from them.

On 12th August 2013, 3000 Bulukumba people led by AGRA (Aliansi Gerakan Reforma Agraria - Alliance of Agrarian Reform Movement), occupied PT Lonsum plantation to reclaim their land.

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They were met by the representative of local Bulukumba government who promised to deliver their demands to the Governor of South Sulawesi to start the mediation.

Companies affected: PT LonSum

<http://www.downtoearth-indonesia.org/story/dayaks-charged-oil-palm-dispute>

<https://www.greenleft.org.au/node/29254>

<http://earthofpeople.wordpress.com/2013/08/21/3-000-bulukumba-peasants-occupy-loncum-ltd-agricultural-plantation/>

<http://plantationworkers.blogspot.com/2007/04/human-rights-abuses-in-plantation-and.html>

<http://www.fian.org/fileadmin/media/publications/0417HIDO-Pergulaan-e01.pdf>

http://indigenouspeoplesissues.com/index.php?option=com_content&view=article&id=17478:indonesia-key-findings-in-defense-of-land-and-livelihood-of-indigenous-peoples-in-bulukumba-indonesia&catid=32&Itemid=65

PHILIPPINES

Location: Batong Buhay (Kalinga-Apayao)

Event: CNC is a Chinese-led consortium, which allegedly performed exploratory drilling of the large gold and copper deposits in Batong Buhay (literally translated as “Living Rock”), a site which is claimed by the Balatoc tribe as their ancestral homeland. Villagers halted the alleged drilling activity in Balatoc February this year. Some residents cut off the water supply, prompting the operators of the drilling machines to cease their operations in the area.

“We do not want this to blow into a violent situation,” said local residents, citing that the mining company failed to conduct the necessary FPIC (Free Prior and Informed Consent) before commencing with any mining operation in the area.

Eventually, the National Commission on Indigenous Peoples, a quasi-judicial body under the office of the President of the Philippines, issued a temporary restraining order against CNC on June 25, 2013 then a resolution on September 9, 2013 which stipulated a writ of preliminary injunction.

CNC and its other private partners were not mining as the public generally understand the term. They were conducting mineral exploration. However, mineral exploration is included within the legal definition of mining in the legislation applicable to the tribe’s filed complaint.

Companies affected: CNC

The Munden Project

<https://ph.news.yahoo.com/cordillera-villagers-rally-behind-kalinga-tribe-mining-dispute-191444314.html>

<http://www.mb.com.ph/kalinga-tribe-wins-mining-case/>

<http://www.piplinks.org/kalinga-folk-block-entry-mining-firm>

<http://www.philstar.com/nation/2013/10/26/1249380/ncip-favors-kalinga-tribe-mining-case>

<http://bulatlat.com/main/2013/06/25/kalinga-folk-block-entry-of-mining-firm/>

Location: Tampakan, Mindanao (South Cotabato)

Event: The Tampakan project, touted as the largest known undeveloped copper-gold minefield in Southeast Asia, was restricted by the open-pit mining ban imposed on South Cotabato since 2010. A report by Indophil conceded that the Tampakan project, located in the troubled southern island of Mindanao, had run into problems, chiefly the provincial government's ban on open-pit mining which delayed the start of development.

The mine would be the Philippines' largest ever foreign investment but it has faced opposition from church, community and environmental groups. The project would require numerous other government and community permits to be obtained.

Bishops, led by new Cardinal and Cotabato Archbishop Orlando Quevedo wrote a letter to President Benigno Aquino III, noting that while mining can contribute to the economy, the project by global miner Xstrata Plc's Philippines unit may harm the local community and environment. Church leaders also stressed their opposition to the project is based on "moral grounds," being against the integrity of God's creation as well as the destruction of almost 4,000 hectares of land.

The aim of extracting 13.5 million metric tons of copper and 15.8 million ounces of gold, could theoretically provide P134 billion to the economy each year. The government eventually issued an environmental compliance certificate to Sagittarius, a unit of Xstrata, in February 2013, despite appeals by various sectors to halt the project. Marbel Bishop Dinualdo Gutierrez claimed Aquino ignored a petition of more than 100,000 people to scrap the mining project.

In August, 2013, Glencore Xstrata said it was laying off nearly all workers at the Tampakan project amid continued delays, although Indophil said in its quarterly report that the company and its local partners "remain optimistic that the pathways for the development of Tampakan will be cleared."

Glencore Xstrata owns 62.5 percent and Indophil owns 37.5 percent of a joint venture that holds a 40-percent controlling stake in Sagittarius Mines, Inc., which operates the Tampakan project.

Companies affected: Indophil, Glencore Xstrata, Sagittarius Mines, Inc.

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<http://www.gmanetwork.com/news/story/346542/economy/companies/glencore-xstrata-to-pull-out-of-philippine-mining-project>

<http://www.gmanetwork.com/news/story/352786/economy/agricultureandmining/bishops-seek-stop-to-tampakan-mining-in-mindanao>

<http://www.mindanews.com/top-stories/2014/05/08/tampakan-project-budget-for-2014-down-to-9m/>

<http://www.piplinks.org/groups-hold-indignation-rally-protest-tampakan-project>

Location: Jaluar River Multipurpose Project (Iloilo)

Event: A Writ of Kalikasan was issued on October 31, 2013 against the Php11.2 billion Jaluar River Multipurpose Project (JRMP) II. The JRMP II is a megadam project in Iloilo, Philippines. The Writ of Kalikasan is a legal remedy for parties who believe their “constitutional right to a balanced and healthful ecology is violated or threatened with a violation” and to stop an environmentally destructive act or actions.

A petition filed by former Iloilo Rep. Augusto Syjuco Jr., who claimed that the project would displace thousands of indigenous people and pose “horrendous and inconceivable peril,” including the risks of flooding and habitat destruction, prompted the writ. There were also protests by various indigenous groups and other sectoral groups.

Companies affected: Dasan Consultants (South Korea)

<http://newsinfo.inquirer.net/519727/nia-abides-by-writ-of-kalikasan-vs-megadam>

<http://www.philstar.com/region/2014/02/28/1295497/indigenous-people-protest-iloilo-dam-project>

<http://www.philstar.com/region/2013/04/25/934714/protest-caravan-held-vs-mega-dam-project>

Location: Subic Bay (Zambales)

Event: A Writ of Kalikasan was issued by the Court of Appeals on January 30, 2013 against the 600-megawatt coal-fired power plant project of Redondo Peninsula Energy Inc. in Subic. The Writ of Kalikasan was issued following a case filed by environmental groups which opposed the project. The petitioners asked the courts to issue a Temporary Environmental Protection Order (TEPO) and/or a Writ of Kalikasan ordering the corporation behind the project, Redondo Peninsula Energy Inc., to cease and desist from the construction and operation of the coal-fired power plant.

They described the coal-fired power plant project as a “threat to the environment and the people’s lives.” Kalikasan Partylist President Clemente Bautista, Jr. said “the Central Luzon region will be at risk [of having] more pollution and disasters if this coal-fired power plant is allowed to operate.”

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Atty. Terry Ridon, legal counsel for the petitioners, asserted that “the project violates the constitutional rights of the residents of Zambales and Bataan provinces to a balanced and healthful ecology. It also violates provisions in the Local Government Code and the Indigenous Peoples Rights Act.”

Companies affected: Redondo Peninsula Energy Inc.

<http://www.philstar.com/business/2014/06/23/1337853/industry-group-airs-concern-over-delay-subic-power-proj>

<http://business.inquirer.net/124129/ca-maintains-decision-junking-writ-of-kalikasan-vs-rp-energy>

<http://www.philstar.com/business/2014/06/23/1337853/industry-group-airs-concern-over-delay-subic-power-proj>