



## U.S. Congress Must Hold Colombia Accountable for Violations Linked to “African” Palm Oil Projects

United States economic assistance to Colombia in 2008 includes at least 80 million dollars for alternative development programs administered by USAID to support production of coffee, cacao, fruits, and “African” palm oil (APO). In approving this money (H.R. 2764), Congress placed restrictions on the program stating that the funds could not be used to finance palm oil projects that contribute *to significant loss of native species, disrupt or contaminate natural water sources, reduce local food security, or cause the forced displacement of local people*. Palm oil may be a lucrative business for large corporations yet it does not provide adequate employment and economic stability for Colombia’s rural poor and it is not a viable alternative to coca production for small farmers. Worse yet the expansion of APO cultivation efforts are linked to serious human rights abuses, environmental degradation that violates U.S. law, and internal displacement of poor farmers including Afro-Colombians. APO production is also linked to paramilitary violence, assassinations and death threats in areas such as the Chocó. Furthermore, U.S. support of APO projects may be counter-productive, undermining U.S. anti-narcotics efforts because of serious allegations by Colombian groups that certain palm oil projects serve as money laundering schemes.

### How Does Palm Oil Cultivation Violate U.S. Prohibitions?

#### *Linked to Serious Human Rights Abuses*

Throughout Colombia, palm oil cultivation is linked to serious human rights abuses including forced displacement, threats and assassinations. In the past two weeks paramilitary forces have directed eight death threats at a non-governmental organization known as Justice and Peace for their work supporting the community council of Curvaradó (Chocó). Both organizations are engaged in efforts to return lands illegally and violently appropriated by the paramilitaries and palm oil companies to their rightful owners. In September, paramilitaries held a member of Justice and Peace at gunpoint and threatened to kill him and his family. In 2005, a prominent Afro-Colombian leader from Curvaradó was killed by paramilitaries due to his work opposing palm oil projects in his communities’ territories. In December 2007, Colombia’s Attorney General indicted palm oil businessmen in the Chocó on allegations that they had paid paramilitaries to forcibly displace communities in order to establish APO plantations in their territories. In Tumaco (Nariño), Afro-Colombian leaders and a Catholic nun opposed to palm oil cultivation in Afro-Colombian territory were killed. Additionally, ‘private security forces’ have threatened farmers who refused to sell their land or cultivate palm oil. In Magdalena Medio, the palm oil industry is linked to paramilitaries who are responsible for forced disappearances and internal displacement. Members of palm oil trade unions in this region are at high risk of harm. In the small municipality of Puerto Wilches 14 prominent palm oil trade unionists have already been assassinated.

#### *Internal Displacement Associated with Palm Oil Cultivation*

The well-documented case of displacement associated with palm oil cultivation in the Jiguamiandó and Curvaradó Afro-Colombian territories is not an isolated case. In Regidor (Bolívar) thousands of farmers were forced off their land to make way for palm oil projects. Since 2004 farmers in the area were forced off more than 16,000 hectares of land that are now in the hands of six palm oil companies. In Tumaco, many Afro-Colombians were forced under threat of death to sell their land at bargain prices even though this is illegal under Colombian Law 70 of the Black Communities. Sadly, those Colombians internally displaced due to these threats are not officially recognized as internally displaced by the authorities and thus are ineligible for government assistance and face extreme hardship and poverty.

#### *Palm Oil Cultivation Leads to Food Insecurity*

Since palm oil is a monoculture, to be economically viable it requires the use of vast tracts of land. In these cases, communities often stop producing their traditional food crops, leading to food shortages. In Maria la Baja and Cordoba, for example, Afro-Colombian communities are suffering food shortages due to the lack of land to grow their traditional crops and the low wages they receive from the palm oil companies. Members of these communities became displaced as a result.

#### *Palm Oil Cultivation is Environmentally Unsustainable and Destructive*

The clearing of land required to grow single crops (monoculture) leaves topsoil exposed to severe weather, which in turn leads to excessive soil erosion and contamination of waterways. Since many communities, especially Afro-Colombian, do not have water aqueducts, their water source is either contaminated or dried up by palm oil production. Furthermore, palm oil is not native to Colombia and as such poses a serious threat to Colombia’s biodiversity. When tropical forests are

eliminated to clear lands for palm, the natural habitat of a diverse range of animals is eliminated. The species that do survive become pests for the palm producers. Palm oil companies then use chemical pesticides, which further harm biodiversity, the water supplies and, ultimately, the health of workers and local communities. Palm oil is often promoted as an alternative source of energy to oil yet there are a number of studies showing that extracting biodiesel from new palm plantations may not lessen global warming. When primary forests are burned to plant palm, it is estimated that decades are needed before the benefits from palm oil agrofuel equal the carbon dioxide that would have been processed if the forest had been left alone.

### **FTA Would Benefit Palm Oil Projects Linked to Violations of Afro-Colombian and Labor Rights**

As of December 2007, 285,000 hectares of palm oil were under cultivation in Colombia. *President Alvaro Uribe is planning to increase production to 6,000,000 hectares, with the help of the proposed U.S.-Colombia Free Trade Agreement (FTA).* The majority of Afro-Colombian communities are opposed to palm oil cultivation in their territories. The Colombian government is not following the consultation mechanism required by Law 70 for the Black Communities, which requires Afro-Colombian authorities to be fully consulted on all economic projects to be implemented in their territories. President Alvaro Uribe showed his disregard for the communities' rights when, at a Fedepalma meeting in 2006 he said that the government and APO companies should meet with Afro-descendants from Tumaco to discuss the expansion of oil palm in the area and that they "are forbidden to leave the office and should be locked up in there until they reach an agreement. It needs to be handled in this way, with perseverance.... Lock them up."<sup>1</sup>

Palm oil companies have also evaded the land right laws that Law 70 granted the Afro-Colombian community by creating APO credit programs with members of the community. These programs, which exist throughout the country, breach Law 70 as they do not consult with the communities' traditional authorities. Furthermore, if the farmers fail to pay back the credit in 12 years the company gains rights to the production of the palm oil on their land (which can be up to 30 years). Many farmers say that as a result they can become indentured laborers on their own land. Already palm oil workers report extremely poor working conditions, including; contracts through third parties that offer absolutely no security, 12 hour days with no more than an hour break, and dangerous working conditions with highly poisonous pesticides without adequate protective gear. USAID has funded several of these projects throughout the country including in Tumaco and Magdalena Medio.

### **Oil Palm is Not A Viable Alternative to Coca Growing**

The Colombian Government and USAID are promoting palm oil as an alternative to coca cultivation for Colombia's farmers. While preferable to coca cultivation, palm oil is not a viable alternative, and in some cases coca is grown alongside palm oil. Furthermore, coca is grown on small fields owned by small farmers, while palm oil is grown on plantations owned by large companies that do not benefit small farmers. While coca is a fast-growing crop that can be harvested several times a year, APO is most productive after 6 years. Coca can be easily processed into coca paste or coca base on small farms and without heavy capital; APO requires a US \$5 million mill to process. There is very little transportation cost associated with selling coca for small farmers; oil palm products need to be transported by trucks to processing mills. Small farmers can earn up to US \$6300 a year for selling coca compared to US \$2400 a year for cultivating APO. When farmers convert coca into base or paste, the profit margin is considerably higher.

### **Members of the U.S. Congress Should:**

***Require USAID to verify that all oil palm projects receiving U.S. financing are not implemented on lands violently or illegally appropriated, nor in areas where paramilitaries continue to operate and threaten the local population, nor where serious labor violations are reported.***

***Pass House Resolution 618 on the plight of Afro-Colombians which encourages the U.S. government to ensure that the previous consultation mechanism with Afro-Colombians and marginalized groups is applied in the free trade agreement negotiation and in Plan Colombia's implementation.***

***Request the Government Accountability Office to conduct an audit of the environmental impact of palm oil production in Colombia.***

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<sup>1</sup> Letter to President Uribe from Afro-Colombian Leaders, *Re: The Invasion of Monoculture Oil Palm in Our Territories*, July 16, 2006.