

Open Letter: UK Government must withdraw authorisation for Aguan and Lean CDM projects linked to assassinations and other human rights abuses in Honduras

The signatories to the letter call on the UK Government to immediately withdraw authorisation for the proposed CDM project “Aguan biogas recovery from Palm Oil Mill Effluent ponds and biogas utilisation” by Exportadora del Atlantico in Honduras (<http://cdm.unfccc.int/Projects/DB/TUEV-SUED1260202521.42/view>). Authorisation for EDF Trading to purchase CDM credits (CERs) from this project was granted by the UK Government on 3rd June 2009, shortly before the military coup. The CDM Executive Board will consider in their next meeting from 14-18 February whether to approve this application or review it. A review has been requested by Board members due to concerns over 'additionality', not human rights and thus the 'sustainability' of the project. However, claims by the company and TUV-Sued, who wrote the validation report, regarding additionality are highly questionable: Neither the project design document nor the validation report mention that the company has already received a \$30 million loan from the World Bank's International Finance Corporation (IFC) loan and a \$7 million loan from the Inter-American Investment Corporation both partly in respect of biogas production from palm oil residues¹. We believe that on this ground alone, the CDM Board must refuse authorisation for the applications.

We also call on the UK Government to withdraw authorisation for another CDM project application by the same company: “Lean Biogas recovery from Palm Oil Mill Effluent (POME) ponds and biogas / biomass utilisation” to which it appears as a project participant. (www.netinform.net/KE/files/pdf/PDD_Lean_18122007.pdf).

Exportadora de Atlantico is a subsidiary of Grupo Dinant, owned by the family of Miguel Facusse Barjum. Facusse and his company have been at the centre of violent land conflicts, evictions, human rights abuses and the assassination of peasant members of the Unified Peasant Movement (MUCA) and the Peasant Movement of the Lower Aguan Valley (MCA). According to international human rights organisation FIAN, 16 assassinations in 2010 have been verified², however the number of people killed may have been even higher, with a Via Campesina Honduras spokesperson stating that 25 farmers were assassinated last year³. A defamatory campaign against the peasants has been conducted by the Honduran media which is close to the regime, claiming, against all evidence, that peasant organisations are armed. Those accusations are strongly rejected by the peasant organisations and contradict all evidence.

Land conflicts in Bajo Aguan date back to the 1990s when Miguel Facusse and two other large landowners obtained titles to the land now under oil palms from farmers' cooperatives who were subjected to violence and intimidation. There is strong evidence that under the terms of National Agrarian Reform Legislation, Facusse/Grupo Dinant do not hold legal claims to the land. In June 2009, the Zelaya government signed an agreement to fully investigate the land claims by Miguel Facusse, however, the de-facto government since the

¹ www.iic.int/newsrelease/view.asp?ID=656 and www.ifc.org/ifcext/spiwebsite1.nsf/0/2F9B9D3AFCF1F894852576BA000E2CD0

² www.fian.org/news/press-releases/honduras-asesinato-de-cinco-campesinos-en-el-bajo-aguan/pdf

³ www.argentinaindependent.com/currentaffairs/newsfromlatinamerica/honduras-international-mission-to-witness-situation-of-farmers-in-bajo-aguan and

coup has not implemented this agreement⁴. Instead, the de-facto president Porfirio Lobo entered into new negotiations with MUCA, resulting in an agreement in April 2010 under which the farmers would get 6,000 hectares of the land but would have to grow oil palms on half of it and sell the fruits to palm mills owned by three businessmen, including Facusse. However, Facusse and the two other landowners did not release and return any of the land, regardless of the agreement and the militarisation of the area increased. According to the Honduran human rights organisation Comité para la Defensa de los Derechos Humanos en Honduras (CODEH) and MUCA, the palm mill where the first CDM project would be located has been used as a site to accommodate military forces, paramilitaries and police during April 2010⁵. A peasant woman reported that the forces used the site as a base for patrols and intimidation and that they fired bullets at a ten year old girl on 11th April⁶. The Inter-American Commission for Human Rights expressed serious concerns about the involvement of the military in a report published in May⁷.

The most recent confirmed murders took place on 15th November 2010, when five farmers (Teodoro Acosta, Raúl Castillo, Ignacio Reyes, Syriac Jesus Muñoz and José Luis Saucedo) were killed and others were wounded at the nearby community El Tumbador, near Trujillo. An Open Letter by six international NGOs, directed at the European Union (APOL, APRODEV, CIDSE, CIFCA, FIAN International and FIDH), states that according to their information, “the killings occurred when about 200 security guards, allegedly on the orders of palm oil producer Miguel Facusse Barjum, carried out a violent eviction in the farm El Tumbador and opened fire with heavy weapons against the peasants”. The organisations express particular concern about the complete impunity of human rights abuses in Honduras and state that the failure of the regime, since the military coup in June 2009, to implement agrarian reform legislation, has contributed to this impunity⁸.

In early January 2011, there have been reports that two young men were beaten and seriously injured, by members of the police and armed paramilitaries paid by Miguel Facusse and another landowner⁹. On 8th January, journalist and MUCA member, Juan Chinchilla, was kidnapped in the same province. He managed to escape from his captors, who, he reported, had worn uniforms of the military, police and Facusse's private guards who had beaten him¹⁰.

The violence and impunity in Bajo Aguan has been widely condemned by human rights and other civil society organisations in Honduras and internationally. It would be unacceptable for CDM funding to be granted to one of the companies at the centre of the violence and human rights abuses. Such CDM funding could only exacerbate the human rights situation further, providing additional income to a company known to spend substantial sums of money on

⁴ www.rightsaction.org/Alerts/Hond_Aguan_land_crisis_041410.html

⁵ http://hondurasresists.org/pipermail/announce_hondurasresists.org/2010-April/000467.html and http://codeh.hn/v1/index.php?option=com_k2&view=item&id=110:ante-los-hechos-del-d%C3%ADa-de-hoy-1-de-abril-de-2010-ocurridos-en-el-bajo-aguan&Itemid=1

⁶ <http://hondurasresists.blogspot.com/2010/04/violent- eviction-being-prepared-for.html>

⁷ www.cidh.org/countryrep/Honduras10eng/Honduras10.Situation.htm

⁸ www.fian.org/news/press-releases/honduras-asesinato-de-cinco-campesinos-en-el-bajo-aguan/pdf

⁹ www.fian.hn/v1/index.php?option=com_k2&view=item&id=283:denuncia-nacional-e-internacional-joven-campesino-franklyn-padilla-herido-17-por-guardias-de-miguel-facusse-y-rene-morales-otro-brutalmente-golpeado-16&Itemid=4

¹⁰ www.rel-uita.org/agricultura/palma_africana/con_juan_ramon_chinchilla.htm

paying for armed paramilitaries who are responsible for serious human rights violations. We are aware that current CDM rules do not include any consideration of human rights and we consider this to be unacceptable. We therefore call on the UK Government, as a party to the two projects involved, to send a signal to Honduras and other governments that corruption, violence and human rights abuses are not acceptable and to immediately withdraw authorisation.

Signatures:

- + Afrika-Europa Netwerk, Netherlands
- + Alianza Mexicana por la Autodeterminacion de los Pueblos (AMAP), Mexico
- + Alianza para la Conservacion y el Desarrollo (ACD), Panama
- + Alianza Mexicana por la Autodeterminacion de los Pueblos (AMAP), Mexico
- + Angikar Bangladesh Foundation, Bangladesh
- + Asociación Italia-Nicargua, Italy
- + Australians for Democratic Honduras, Australia
- + Aves, France
- + Bangon Kalikasan Movement (Rise Up Nature!), Philippines
- + Biofuelwatch, UK/US
- + Bloque Popular/FNRP, Honduras
- + Both ENDS, Netherlands
- + CAPP, Indonesia
- + CDM Watch, Belgium
- + Center for Encounters and active Non-Violence, Austria
- + Centre for Transport and Energy, Czech Republic
- + Centro de Documentación en Derechos Humanos “Segundo Montes Mozo S.J.”, Ecuador
- + Centro de Documentacion y Solidaridad con America Latina y Africa de Valencia (CEDSALA), Spain
- + Centro de Estudios Sociales y Culturales Antonio de Montesinos A.C. , Mexico
- + Centro Ecologista Renacer, Argentina
- + Centro Uruguayo de Tecnologias Apropriadas (CEUTA), Uruguay
- + CESTA/Friends of the Earth El Salvador
- + Citizens Organization Concerned with Advocating Philippine Environmental Sustainability (COCAP), Philippines
- + COECOCEIBA-Friends of the EarthCosta Rica
- + Colectivo VientoSur, Chile
- + Comité de Solidaridad Internacionalista de Zaragoza, Spain
- + Cooperativa COOMUPL, Honduras
- + Corner House, UK
- + Deutscher Naturschutzring (DNR), Germany
- + Ecological Society of the Philippines
- + Econexus, UK
- + Ekologistak Martxan, Basque Country
- + Environmental Investigations Agency (EIA), UK
- + Environmental Investigations Agency (EIA), US
- + European Climate Foundation (ECF)
- + FairClimateFund, Netherlands
- + Federacion de Sindicatos y ONGs Independientes (FITUN), Trinidad and Tobago
- + FERN
- + FIAN International
- + Friends of the Earth/Amigos de la Tierra Mexico
- + Friends of the Earth US
- + GAIA (Global Alliance for Incinerator Alternatives)
- + Gaia Foundation, UK
- + Global Witness

- + Green Convergence , Philippines
- + HELIO International
- + IndyACT – The League of Independent Activists, Lebanon
- + Jubileo Sur, Mexico
- + Justice in Nigeria Now, US
- + Marea Creciente, Mexico
- + Movimiento Insurreccionista Anarquico (MIA)
- + Movimiento Mexicano de Afectados por las Represas (MAPDER), Mexico
- + Organización Fraternal Negra Hondureña (OFRANEH), Honduras
- + Organización mapuche Kila lof, Chile
- + Organización mapuche Lakutun, Chile
- + Organización mapuche Meli Newen Mapu, Chile
- + Organización mapuche Newen Peai, Chile
- + Organización mapuche Relmu Antu, Chile
- + Organización mapuche Trepei Pu Lamngen, Chile
- + Organización mapuche Trawun Mapu, Chile
- + Organización mapuche Werken Mapu, Chile
- + Osservatorio Informativo Sulla Americhes, Italy
- + Other Worlds, California, US
- + Otros Mundos AC/Amigos de la Tierra, Mexico
- + Movimiento Social Nicaraguense Otro Mundo es Posible, Nicaragua
- + Paryavaran Mitra (Friends of the Environment), India
- + Plataforma de Solidaridad con Chiapas de Madrid, Spain
- + Red Sinti Techan, El Salvador
- + Rede Social de Justiça e Direitos humanos, Brazil
- + Regional Latinoamericana de la Unión Internacional de Trabajadores de la Alimentación, Agrícolas, Hoteles, Restaurantes, Tabaco y Afines (Rel-UITA), Latin America
- + Rettet den Regenwald e.V., Germany
- + Salva la Selva, Spain
- + Search Foundation, Australia
- + Timberwatch, South Africa
- + Unidad Ecologica Salvadoreña (UNES), El Salvador
- + World Rainforest Movement
- + Voces Ecologicas de Panama

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ENDS.