DEADLY ENVIRONMENT

THE DRAMATIC RISE IN KILLINGS OF ENVIRONMENTAL AND LAND DEFENDERS

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The report’s findings and recommendations were noted at the summit, with UN High Commissioner for Human Rights Navi Pillay commenting, “It is shocking, but it is not a surprise to me because this is what my own office has been finding in respect of the land claims of indigenous people, not only here in Brazil but elsewhere.”

Yet in the month after the Rio summit, 18 environmental and land defenders were murdered across seven countries. The day the summit closed, two advocates for fisherfolk’s rights were abducted nearby in Rio de Janeiro state. Almir Nogueira de Amorim and João Luiz Telles Penetra were found executed a few days later. They had long campaigned to protect Rio’s fishing communities from the expansion of oil operations. To date, no-one has been held to account for their killings.

They were just two of 147 known killings of activists in 2012, making it the deadliest year on record to be defending rights to land and the environment.

In December 2014 government officials from around the world will gather for the next climate change talks in Lima, Peru. Without urgent action, they are once again likely to be discussing ways to protect the conditions for life on the planet, while the murder and intimidation of ordinary people actually defending the environment and land go ignored.

This report aims to increase awareness and improve understanding of this crisis, asks why so little is being done to address it, and makes recommendations for what must happen. Given that a lack of information on this issue was identified as a key driver of the problem in A Hidden Crisis, we have refined our data-gathering methodology and definition of those affected. We hope this will provide a solid foundation for future research and monitoring by Global Witness and others. We have also looked into the underlying causes of the problem globally and in specific countries, and consulted widely with partners in the field to see what work is being done, and how it can be supplemented. Finally, we have updated our statistics to cover the two years since our last publication.

People have died protecting a wide range of environmental needs and rights, but dominant themes also emerge. Many of those facing threats are ordinary people opposing land grabs, mining operations and the industrial timber trade, often forced from their homes and severely threatened by environmental devastation. Indigenous communities are particularly hard hit. In many cases, their land rights are not recognised by law or in practice, leaving them open to exploitation by powerful economic interests who brand them as ‘anti-development’. Yet local communities are invariably struggling to secure good livelihoods as a result of their stewardship of natural resources, which is fundamental to sustainable development. Often, the first they know about a deal that goes against their interest is when the bulldozers arrive in their farms and forests.

This problem is poorly understood and addressed. Where cases are recognised or recorded, they are generally seen in isolation and not as part of a larger trend. Definitions of those affected vary widely, with the unique set of problems these defenders face often seen solely in terms of their human rights or environmental dimension. Plenty of excellent and highly courageous work is being done by NGOs in specific contexts, generally in a single country or region, but they need more and better support from outside. A key theme emerging from our consultation process was the view that a more coordinated, concerted effort is required from governments, civil society and international bodies such as the UN to monitor and tackle this crisis as a global phenomenon in its own right.

Our analysis highlights an endemic culture of impunity, which national governments and their aid donors have a responsibility to address. Often, defenders face threats from the very people supposed to protect them – a number of cases involve state security forces, often in collaboration with corporations and private landowners. The lack of political will to ensure large resource deals are done fairly and openly appears matched by the lack of political will to deliver justice for those killed in resulting conflicts. Evidence suggests that responsibility rarely only lies with the person pulling the trigger – complex and secretive networks of vested interests ultimately lie behind these crimes. Just 10 perpetrators are known to have been tried, convicted and punished between 2002 and 2013 – around one per cent of the overall incidence of known killings.

“First I thought I was fighting to save rubber trees. Then I thought I was fighting to save the Amazon rainforest. Now I realise I am fighting for humanity.” — Chico Mendes

This problem is an urgent priority. The world will gather for the next climate talks in Lima, Peru. Without urgent action, they are once again likely to be discussing ways to protect the conditions for life on the planet, while the murder and intimidation of ordinary people actually defending the environment and land go ignored.

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This lack of redress for victims and their families has an additional silencing effect on environmental activism, in turn deterring others from protecting rights to the environment and land. In the words of Isolte Wichiniaksi, National Coordinator of the Commissao Pastoral da Terra (CPT) in Brazil, “what feeds the violence is the impunity.”

Weak understanding of rights or ability to exercise them is one of the main reasons why environment and land activists are one of the most vulnerable groups of human rights defenders, according to Margaret Sekagya, UN Special Rapporteur on the situation of Human Rights Defenders: “they are particularly disadvantaged due to the often limited knowledge they have about their rights and lack of information on how to claim them, scarce resources and weak organisational capacity.”

Meanwhile, UN Independent Expert on Human Rights and the Environment John Knox commented to Global Witness:

“Human rights only have meaning if people are able to exercise them. Environmental human rights defenders work to ensure that we live in an environment that enables us to enjoy our basic rights, including rights to life and health. The international community must do more to protect them from the violence and harassment they face as a result.”

The aim of this report is to push for this to happen, firstly by making the problem more visible and urgent for governments, policymakers and the wider public. We have included extended case studies that focus on countries where the issue is particularly serious, in the Philippines and Brazil, to help better understand these contexts. Brazil is particularly badly affected, accounting for over half the global total of deaths from 2002–2013.

These findings are very likely just the tip of the iceberg in two important respects. Firstly, rising fatalities are one of the most acute and measurable end of a range of threats including intimidation, violence, stigmatisation and criminalisation. However, lack of public information around these threats and security implications for those in danger make it very difficult to track and systematise this data. Secondly, there are without doubt more cases than we have been able to verify. Because of the live, under-recognised nature of this problem, an exhaustive global analysis of the situation is not possible. For example, African countries such as Nigeria, Democratic Republic of Congo, Central African Republic and Zimbabwe that are enduring resource-fuelled unrest are highly likely to be affected, but information is almost impossible to gain without detailed field investigations. In future, Global Witness hopes to carry out such work to further bring this issue to national and international attention.

But others must act as well, and they must do so now. What we can say with grim conviction is that we have a dramatically worsening global situation, and that national governments, companies and the international community must do much more to stop the violence, intimidation and murder of those we should be celebrating as heroes.

**KEY FACTS**

- Between 2002 and 2013, 908 people in 35 countries are known to have been killed because of their work on environment and land issues.
- Three times as many people were killed in 2012 than 10 years previously, with the rate doubling to an average of two people a week in the past four years.
- 2012 was the bloodiest year yet, with 147 deaths recorded.
- Only 10 perpetrators are known to have been tried, convicted and punished between 2002 and 2011 – around one per cent of the overall incidence of known killings.
- Brazil is the most dangerous place to be defending rights to land and the environment, with 448 cases, followed by Honduras (103) and the Philippines (67).

**RECOMMENDATIONS**

These killings are increasing because competition for resources is intensifying in a global economy built around soaring consumption and growth, even as hundreds of millions go without enough. They are going unreconised because of a lack of visibility and accountability. The rights of environmental and land defenders must be recognised and respected; they should be able to carry out their work without fear of killing, persecution, intimidation or threats to their lives, families or colleagues. National governments, civil society and international human rights bodies should properly monitor abuses against and killings of such activists, and ensure that those responsible are brought to justice. Companies must carry out effective checks on their operations and supply chains to make sure they do no harm.

The work of environmental and land defenders to protect indigenous and vila, opposing powerful economic interests and protecting the activities of destructive industries and development projects leaves them particularly vulnerable to abuse, and therefore they should be given special attention. The often isolated, rural context of their struggle, poor resources and lack of understanding of their rights adds to their exposure.

**National governments, including those in acutely affected countries such as Brazil and the Philippines, must take immediate steps to:**

- Publicly reaffirm and recognise the important work that environmental and land defenders do, and take steps to respect, protect and promote their rights, as stipulated by the UN Special Rapporteur on Human Rights Defenders in 2011.
- Implement and respect all provisions set out in the UN Declaration on Human Rights Defenders with special attention to a state’s duty and responsibility to protect, promote and implement all human rights including the right to a safe and healthy environment.
- Ensure prompt and impartial investigations into allegations of attacks and violations against defenders, and carry out appropriate redress and reparation for victims.
- Recognise and implement the right of communities potentially affected by investment and extractive projects to genuinely free, prior and informed consent before a deal is done.
- Sign and adhere to (where eligible) the Aarhus Convention, giving citizens the right to participate in environmental decision-making, to have access to environmental information and to seek justice in environmental matters.

In addition, the Convention should be opened up for signature and ratification by all UN member states

- Address the heightened risk posed to environmental and land defenders in the UN Human Rights Council’s Universal Periodic Review process, both in their own reports and in their recommendations to other states’ reports.

**International bodies:**

- The Human Rights Council’s Special Procedures, specifically those mandated to Human Rights Defenders, Indigenous Peoples, Business and Human Rights, Environmental and Human Rights, and Extrajudicial Killings should address the increase in risk posed to environmental and land defenders in their reporting procedures.

**Companies operating in areas where environmental and land defenders are under threat must take immediate steps to:**

- Refuse to make any investment decision or project plan unless genuinely free, prior and informed consent is given by potentially affected communities.
- Refrain from operating in militarised areas, or using private security where there are credible allegations of prior involvement in human rights violations.
- Implement due diligence checks on supply chains to ensure that their purchasing policies are not linked to companies whose operations cause social and environmental damage.
- Adopt and implement the Voluntary Principles on Human Rights and Security, the UN’s Guiding Principles for Business and Human Rights and other relevant international human rights standards.
- Adopt and implement the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests.
METHODOLOGY AND SCOPE

“As pressure on natural resources increases, land and environment rights defenders have become one of the most vulnerable groups in terms of killing. These defenders must be recognised in their own right. They must be protected. They must be empowered because they are not only fighting for their lives but also for ours.”

— Antoine Bernard, FIDH CEO and coordinator of the Observatory for the protection of human rights defenders

This second report draws on the scope Global Witness used for A Hidden Crisis (2012), and applies a refined methodology that we hope will provide the basis for future work by Global Witness and others to galvanise attention and action around this problem.

Details of the full methodology and definition can be found in the Annex, but its key features can be summarised as a three step process:

1. Opportunistic: we took the initial dataset of over 700 cases and 141 sources indentified in our 2012 survey and further researched each case and source. This identified more potential leads to investigate. We have also removed some cases that failed to meet our new criteria for verification (see Annex).

2. Systematic: we looked at 74 countries in the following regions as defined by the UN: Africa (Southern, Middle, Eastern, Western), Asia (South Eastern), The Americas (Central, South). In each of the 74 countries we searched for recent communications made by Special Procedures of the UN Human Rights Council to the governments in question and looked at the documentation provided by stakeholders and the UN High Commission for Human Rights (UNHCHR) in the UN Human Rights Council’s Universal Periodic Review of Human Rights (UPR) sessions.

   Further detail was added to the resultant cases and reports we found by using specialised resources such as human rights search engine HurSearch, which indexes around 5000 human rights websites.

3. Partner-based verification: where possible, we submitted our initial findings to in-country or regional partners for further research and verification.

In cases that met the broad scope outlined above, inclusion in this report’s analysis has depended on meeting or exceeding the following criteria:

• That there was a credible, published and currently publicly available online source of information. We have archived over 1000 sources during our research.

• That the victim was named, that the type of act and method of violence was specified, and that the exact date and precise location of the killing was documented.

• That in each case, there was further biographical information about the victim, such as their occupation, organisational and political affiliations, and where relevant, their ethnic or indigenous identity.

• That there was a clear, proximate and documented connection to an environment or land issue.

We have structured the data about the cases using the HURIDOCS Event Standard Formats and Micro-Thesauri, an approach which is widely used to manage and analyse material of this nature.

All the cases we have included in this report’s analysis meet the scope and standards we have set. As with all criteria and standards, they are challenged by what we have found during the course of investigation. There have been many reports of killings that did not meet our evidential standard but warrant further investigation. More details of these can be found in the Annex.
GLOBAL FINDINGS AND ANALYSIS

A sharp increase in killings

Worldwide, between 2002 and 2013, known killings of environmental and land defenders have dramatically increased. Three times as many people were killed in 2012 than 10 years before. Overall, we have documented 908 people in 35 countries who have died during this period because of their work on environment and land issues. Eleven defenders have also been forcibly “disappeared” and are presumed dead. Beyond the killings lie a wide range of non-fatal threats such as intimidation, violence and others that we have not recorded in this research, but which pose great risks to defenders and their families and act as a deterrent to further activism.

An environment and land activist has been killed on average at least once a week during this time period. In the past four years, this has doubled to an average of two people a week, while no fortnight has passed without a fatality.

2012 was the bloodiest year yet, with 147 deaths recorded. This continued an unbroken upward trend observed since 2008. A time lag on reporting means that killings in 2013 are likely to be higher than the 95 documented so far.

The deaths are mostly assassinations of specific individuals, or extrajudicial killings in the context of demonstration and protest actions or assassinations of specific individuals. The principal causes leading to these deaths are opposition to land-grabbing and unfair land ownership, large-scale mining operations, deforestation, illegal logging and hydroelectric projects. Other environmental issues linked to killings include pollution, waste disposal, toxic and radioactive contamination, protection of seas and coastlines, wetlands and wildlife conservation.

The data shows how indigenous peoples, landless groups and peasant movements are on the frontline of this upsurge in violence. We have documented 92 events with 115 victims related to indigenous peoples. This is a conservative figure as under-reporting of whether a victim’s indigenous identity is likely, and because cases related to indigenous people often take place in remote areas.

GLOBAL FINDINGS AND ANALYSIS

ANNUAL NUMBER OF DEATHS OF LAND AND ENVIRONMENTAL DEFENDERS BY COUNTRY

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<td>129</td>
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Photo: Indigenous Mundurukú men at the Belo Monte Dam project in the Brazilian Amazon. Indigenous communities appear to be on the frontline of the rise in violence. © Taylor Weidman Zuma Wire ZUMAPRESS.com
GLOBAL FINDINGS AND ANALYSIS

CONTINUED

“Land and environmental rights are interconnected. Activists and communities protecting their land rights are those on the frontline of ecosystem stewardship. They are the first ones to be attacked. We work with them to combat criminalisation of peaceful protest and end impunity.”

— Luca Miggiano, Secretariat of the International Land Coalition

Geographical area

Global Witness found credible evidence of killings and enforced disappearances for the period 2002-2013 in 36 different countries. The problem is particularly prevalent in Central and South America. The death toll in Brazil accounts for just under half of the recorded killings, with a regular annual rate of between 30 and 40 deaths, while in Honduras, 93 known killings relate to the live conflict in the Bajo Aguán valley over palm oil and land redistribution. The World Bank’s private lending arm, the International Finance Corporation, recently admitted failings after it was shown to have lent US$30 million to agribusiness Dinant, a company accused of assassinations and forced evictions of farmers in this region.25

Parts of Asia also account for significant numbers of killings of defenders. A contributing factor could be that, like South America, some Asian countries have strong social movements and awareness of rights, with good civil society monitoring of environmental and land issues. The Philippines is the worst-hit country in Asia with 67 known killings, the majority over mining conflicts.

Our dataset shows a high incidence of killings of defenders. A contributing factor could be that, like South America, some Asian countries have strong social movements and awareness of rights, with good civil society monitoring of environmental and land issues. The Philippines is the worst-hit country in Asia with 67 known killings, the majority over mining conflicts.

Based on what we can prove, there appears to be significant under-reporting in Myanmar, Central Asian countries, China and West Papua, where human rights monitoring is prohibited or restricted.

As part of this study we trawled extensively for information on killings in Africa but found very little reliable evidence. Given the prevalence of land, forest and mining disputes across the continent, this is unlikely to mean defenders are not being threatened or killed. Instead, it may be due to limited monitoring and documentation of the problem as capacity and resources of government and civil society organisations are restricted, especially in rural areas. There are a number of live situations where activists are known to face grave threats in Africa, for example in Virunga National Park in the Democratic Republic of Congo.26

Main drivers:

Land grabbing and unfair land distribution

Land rights form the backdrop to the majority of the killings we have researched. At least 661 – over two-thirds – of the known killings took place in the context of conflicts over the ownership, control and use of land, in combination with other factors. In the remainder of cases, land conflicts were linked to other issues such as mining operations, pollution or deforestation.

Globally, competition for land is rapidly intensifying. The World Bank has reported a fourfold increase in global large-scale farmland investments between 2001 and 200927 largely driven by agribusiness. Global Witness’ work has shown how companies and governments routinely strike secretive deals for large chunks of land and forests to grow cash crops such as rubber, palm oil and soya. In the process, they push communities off their land and out of their homes, often with the help of state forces.28 The direct impacts on local people in terms of food prices and poverty are often severe, as are the overall effects on global food security. Since 2008, the world has seen a series of food price crises which have triggered widespread social unrest – in this period the number of environmental and land-related killings has also doubled to two a week.

Unlike most other commodity trades, the agribusiness industry is not regulated. Voluntary commitments to end land grabbing (such as the Voluntary Guidelines on Responsible Governance of Tenure29) have not been met, so laws are needed to protect the environment and local people, and they must be enforced. This research shows that in the absence of such measures, citizens are increasingly left to defend these basic rights themselves, often with lethal consequences.

The conflict over land is worsening – some of the most egregious cases have taken place in the past few years. On 15 June 2012, security forces in Curuguaty, Paraguay, killed at least nine landless campesinos who had occupied a soy estate.30 Exhaustive NGO investigations demonstrate strong evidence that these killings were executions, not accidents related to crowd control or self-defence police claimed.31 This is one of the largest single losses of life we have found through our research.

Meanwhile between 2010 and 2013, 93 small-scale farmers were killed in the Bajo Aguán valley in Honduras, the site of a protracted dispute between landowners and campesinos over the distribution of farmland.32 And in Kratie, Cambodia on 16 May 2012, military police shot dead a 14-year-old Hen Chantha during an operation to evict a village to make way for a plantation.33 Her death follows six killings related to land grabbing in Cambodia since 2005.
Main drivers: mining and extractive industries

As global demand for resources rises, extractive companies are increasingly pushing their operations’ frontiers into new, more remote areas. The expansion of mining activities in and around areas of indigenous, community-held or contested land has given rise to many grave conflicts. The environmental effects of mining are well-documented and violence against these opposing projects is increasing, for example in Mexico and Central America. At least 150 killings have taken place in the context of struggles with mining and extractive projects. Many of these have taken place during protests. In Peru, for example, between 2002 and 2013 there were 46 extrajudicial killings of demonstrators at mining sites around the country.

We have also documented the deliberate targeting of activists who lead or participate in organised opposition to the expansion of mining activities. In the Philippines, 41 defenders were killed opposing mining or extractive operations, many by unknown gunmen on motorcycles. In Colombia in 2012 and 2013, seven anti-mining activists were killed in connection with their resistance to mining operations, many by unknown gunmen on motorcycles. In Peru, 46 extrajudicial killings of demonstrators at mining sites around the country.

In the case of Mexico, some killings are linked to organised crime and the high levels of violence associated with it. In the town of Cherán, in Michoacán, Mexico, three killings in 2012 and 2013 continue a trend in violence linked to the community’s struggle against illegal logging. Following two killings in 2009 and growing deforestation, in April 2011 the Cherán community blocked the town, evicted the police and started denying logging trucks access to the area. In the subsequent months, Pedro Juárez Urbina and Armando Hernández Estrada were shot dead by an armed group of illegal loggers whilst manning a barricade. Former city mayor Leopoldo Juárez Urbina was abducted by unknown perpetrators on 8 May 2011 and found shot dead the next day. Ten days later, Domingo Chávez Juárez disappeared and was then found burned, his body decomposed on the foothills of a nearby volcano.

Logging is also taking a severe toll on humanity: 1.6 billion people depend on them for their survival, while about 60 million indigenous people are almost wholly dependent on forests. Our research suggests that these people and those who support them are increasingly putting their lives on the line to protect their forests and all that they provide.

Globally, from 2002-2013, 94 known killings and four enforced disappearances were connected to deforestation and illegal logging – in the past two years alone, 22 environmental defenders have been killed in nine countries over this issue. The logging trade operates in remote areas with weak law enforcement, and is widely recognised as one of the most corrupt on the planet. Worth at least US$30 billion annually, the global illegal logging trade has strong links to organised crime. For example, the UN estimates that illegal logging is the second biggest source of revenue for criminal syndicates in Asia-Pacific.

Two-thirds of documented killings were in Latin America, which may be partly attributable to renewed contest over forest rights. A third of forests in Latin America are owned by the state, compared to 66 per cent in Asia and 98 per cent in Africa. Given the increasing influence of large landowners looking for new land to grow commodities for export, there is more likely to be contested forest area in Latin America and this may lead to conflict. In 2013, Interpol announced it had arrested nearly 200 people and seized around US$8 million worth of illegal timber in a major international crackdown on illegal logging and timber trafficking in Central and South America.

The industrial logging trade’s expansion is taking a huge, unsustainable toll on the planet. Recent satellite analysis by the University of Maryland and others shows that an area of forest the size of 50 soccer pitches has been lost every minute since 2000. These forests are home to half of all terrestrial plant and animal species, and soak up vast amounts of carbon that would otherwise accelerate climate change; the planet cannot survive without them.

Logging within fortified areas is increasing, for example in key global biodiversity hotspots such as the Brazilian Atlantic forest. In the American Amazon, the expansion of illegal logging — deforestation — continues apace: at least 90 per cent of the region is now deforested, which is having a profound impact on the people and the environment. The industrial logging trade’s expansion is taking a huge, unsustainable toll on the planet. Recent satellite analysis by the University of Maryland and others shows that an area of forest the size of 50 soccer pitches has been lost every minute since 2000. These forests are home to half of all terrestrial plant and animal species, and soak up vast amounts of carbon that would otherwise accelerate climate change; the planet cannot survive without them.

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“Environmental defenders are our outspoken voices. These are the people who are telling the world what’s going on.”
— Natalia Viana, Pública – Agência de Reportagem e Jornalismo Investigativo, Brazil

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<thead>
<tr>
<th>Type of perpetrator – state and non-state actors</th>
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<td>Of the 908 killings documented, we have been able to find information about perpetrators in 294 cases from 33 countries. In this set of cases, 69 specifically named perpetrators are alleged to have been involved directly (as triggermen or getaway drivers) or indirectly (as ultimate masterminds) in the killing of 42 environmental and land defenders.</td>
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<th>Institutionalized impunity</th>
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<td>Impunity is a prevalent feature in the vast majority of cases of killings of environmental and land defenders. From the research gathered for this report, we have found that only 34 perpetrators are currently facing charges. We have documented only 10 perpetrators who were tried and convicted between 2002 and 2013.</td>
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<th>Lack of attention, systematic information and monitoring</th>
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<td>The 908 killings in our database are substantiated by more than 1000 distinct articles and reports from NGOs, media organisations, research groups, national human rights institutions and commissions of inquiry. All are published publicly and are currently available online.</td>
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But this kind of information is hard to find and verify. Often, published information is partial or lacking the basic details needed to help establish links to the wider environmental or social context. Further, with some notable exceptions, such as the work of the Comissão Pastoral da Terra in Brazil, cases are rarely tracked over time. It is unusual to find publicly available information about the most recent state of the case, or its progress through a legal system. More rigorous and extensive field and desk investigations in specific contexts are needed, which adhere to internationally recognised and accepted definitions and data-gathering methodologies.

Lack of coverage is another factor leading to gaps in data gathering. Many killings take place in countries where the rule of law is weak, with insufficient government monitoring of human rights violations, poor judicial systems and few press freedoms. The involvement of non-state actors in many cases means often there is a lack of evidence of the identity of either the direct perpetrators or the masterminds of the crime. The common scenario of two gunmen on a motorcycle, hired through a chain of contacts, makes accountability a true challenge.

A final important consideration is the lack of attention currently paid to this issue by the international community. One conclusion of our qualitative research is that a wide range of excellent work is being done by different organisations on this issue in specific contexts, but there is little common understanding of its thematic scale, urgency and causes. Within the UN and other bodies, it appears so far to have fallen into the gaps between mechanisms designed to protect human rights, such as the Office of the UN High Commissioner for Human Rights (OHCHR), and those agencies mandated to protect the environment and promote sustainable development. Global Witness wants to see this issue mandated and addressed in its own right within the UN and other bodies.

Above: The elderly Frédéric Moloma Tuka was beaten to death during protests over logging operations in the Democratic Republic of Congo.
© Greenpeace DRC
Main drivers: land conflict and illegal logging

Conflict over land and forest rights is the main driver of defender killings in Brazil, with the Amazon being the frontline of the struggle over indigenous and environmental rights. Driven by the powerful agricultural interests at the heart of Brazil’s export-focused economy, farms push ever deeper into the forest and spawn many conflicts. Natalia Viana, of the Brazilian investigations NGO Publica, has looked at this issue over time:

“The most conflicted areas are those where there is recent deforestation. First the illegal loggers come and take out the wood. Then the second industry is cattle, and then soy. This is the natural cycle of the Amazon frontier.”

In Global Witness’ experience of investigating the logging trade, this process is not unusual. Industrial logging in untouched tropical forests paves the way for plantations and other commercial activity, triggering a cycle of decline that brings few lasting benefits to communities and spells the beginning of the end for the forest.

Despite some successes in recent years in efforts to curb logging in the Amazon, Brazil’s deforestation rate jumped 28 per cent in 2013. Sixty-one per cent of deforestation occurred in two of the states most affected by acts of violence against activists: Pará (41 per cent) and Mato Grosso (20 per cent). Brazil amended its forest code in May 2012 to give amnesty provisions for illegal deforestation and concentrate land ownership further, raising fears that this will bring few lasting benefits to communities and spell the beginning of the end for the forest. As elsewhere in the world, impunity for killings linked to environmental and land issues is a major problem, with fewer than 10 percent of cases taken to court and just over 1 per cent resulting in a conviction.

Main perpetrators: landowners and loggers

In many parts of the Brazilian Amazon, legal title for lands on which communities have lived on for generations is unclear or non-existent. There are also serious gaps in the rule of law and a weak state presence in remote territories often covering many hundreds of miles. Meanwhile, logging and agricultural business interests hold enormous influence in regions where killings have been perpetrated against activists.

In Mato Grosso do Sul province, for example, the political class has long been dominated by agribusiness interests including beef, soya and sugar cane. These elites have clashed frequently with the Guarani and Kaiowa people, who have settled in the region over a number of centuries. Half the killings of defenders occurred in the period in this region, along with 250 other indigenous peoples between 2003 and 2010. Of this, Dr Welch remarks:

“We’ve seen a real uptick in violence against the Guarani and Kaiowa in the last 10 years that coincides very much with the pressure to produce agrofuels (...) You can practically map the deaths with that new demand, particularly in the centre-west region where the indigenous population density is higher and sugarcane and soybean agribusiness interests have come to predominate the political and judicial power structure of the states of Mato Grosso and Mato Grosso do Sul.”

José Cláudio Ribeiro da Silva and his wife Maria do Espírito Santo da Silva

A case that shocked Brazil and the global environmental movement was the 2011 killing of environmentalist José Cláudio Ribeiro da Silva and his wife Maria do Espírito Santo da Silva:

On 24 May 2011 José Cláudio Ribeiro da Silva, also known by his nickname “Ze Claudio”, was shot dead along with his wife, Maria do Espírito Santo da Silva, in Nova Ipixuna, a rural town in the northeast Brazilian Amazon state of Pará. They were murdered by masked gunmen in an ambush near the Praia do Pintinho sustainable reserve where they had worked producing nuts and natural oils for the past 24 years. José Cláudio had one of his ears ripped out by the killers as proof of execution. The couple had denounced the encroachment of illegal loggers in the reserve and had previously received threats against their lives. In November 2010, during a speech at an international event in Manaus, José Cláudio alloyed concerns that he was at risk of being killed due to his stance against loggers that were illegally exploiting the rainforest. Shortly before his death, José Cláudio had been injured after shots were fired into his backyard. Both he and his wife were members of the National Council of Extractive Populations, an NGO founded by Chico Mendes for the preservation of forests in the Amazon.
General overview and socio-political context

In the Philippines, the risks to environmental and land defenders are acute. Between 2002 and 2013, 67 activists were killed and two have disappeared, presumed dead. People have been killed opposing numerous environmental threats including illegal logging, waste dumping, expansion of biofuel plantations and the construction of large-scale hydroelectric dams. Yet it is opposition to mining operations that dominates behind most of the killings. Conflicts over mining account for 42 murders of environmental and land defenders since 2002.

Our research shows that of 67 confirmed killings, only two perpetrators have been imprisoned for their actions. The vast majority appear to enjoy total impunity for their crimes. Of the few cases where the identity of the perpetrators has been documented, state forces are suspected of being behind the killings. Key state institutions, including the judiciary and law enforcement agencies, are weak and the military and police are known to commit human rights violations with little accountability.

Main driver: mining conflict

The Philippines is rich in natural resources and has a significant mining industry. But there is little transparency in this sector, with mining contracts and data seldom made public. Rules requiring mining companies to consult with and gain consent from communities who live in the areas in which they seek to operate are not consistently followed. The Philippines has yet to pass a freedom of information law and was ranked 129 out of 181 countries in Transparency International’s 2011 corruption index.

Land conflicts related to the mining sector are a highly politicised issue in the Philippines. Clemente Bautista Jr, National Coordinator of the Kalikasan People’s Network for the Environment (Kalikasan-PNE) says:

“A part of the government’s counter-insurgency program is the harassment and silencing of political activists, to protect its priority projects and economic policies. One of these is allowing the entry and operation of large scale mining. This mining liberalisation has resulted in various human rights violations, particularly land grabbing, community displacement of peasants, fisher folk and indigenous peoples areas.”

The capacity and willingness of the judicial system to deliver justice for victims and their families is low in the Philippines, where “involuntary disappearance” only recently became a recognised crime and few killings have been resolved.

It is in this context that our research found 41 killings of environmental and land defenders over the past 12 years, linked to protests and opposition to mining in the Philippines. Many of those killed were directly involved in resisting the operations of international and domestic mining companies. For example:

On 5 March 2012, indigenous leader Jimmy Liguyon was shot dead in front of his family. Reports suggest he was killed for not signing a certificate of ancestral domain to grant mining rights for an area of 52,000 hectares of the Matigsalog tribe in San Fernando.

The bodies of Manuela and Expedito Albarrillo were found by relatives in their village in San Teodoro, Benguet, on 9 March 2005. NGO reports say Sanchez, a leader of the Save the Abra River Movement (STARM) was shot dead in Bagiuo City, Philippines, and was a campaigner against mining operations in the Illocos and Cordillera areas of the Philippines.

Main perpetrators: security forces

The most common form of killing of Filipino activists is contract-style, by two-man teams on motorcycles. Most perpetrators are unknown but those documented, a striking number are alleged to have been killed by state agents. We found that 14 killings can be attributed to the armed forces, three to local government officials and two to the police. The case of Gerardo Ortega demonstrates the deep political ties to some of the assassinations:

At 10.30am on 24 January 2011, Gerardo Ortega, a well-known environmentalist and anti-corruption campaigner, was shot dead whilst trying on clothes in a shop in Puerto Princesa City, Palawan. Ortega was an outspoken critic of Palawan Governor Joel Reyes, having previously made an unsuccessful gubernatorial (governorship) run himself. Ortega opposed illegal logging in the region and spearheaded a campaign called “Ten Million Signatures for the Banning of Mining in Palawan.” Ten people have been charged and are facing trial for his murder. Their roles in the killing range from pulling the trigger, being a lookout, procuring the weapon and ammunition, to planning and ordering the action. In May 2012, a number of senior politicians were charged with masterminding the killing but in March 2013 were cleared by the Supreme Court after procedural errors by the Department of Justice.

The case of Juvy Capion

A particularly harrowing case is the alleged extrajudicial killing by the Philippines Armed Forces of an indigenous woman and her children in the mining areas of South Cotabato on the island of Mindanao:

On 19 October 2012, in the village of Fayahlob in Mindanao, Juvy Capion and her two young sons were shot dead by soldiers of the 27th Infantry Battalion. A fact-finding mission by 30 NGOs found reports that the soldiers peppered her house with machine gun fire, before removing their dead bodies and leaving them outside. An indigenous anti-mining activist, Juvy was also the wife of Daguil Capion, a leader of the B’laans indigenous peoples in South Cotobato. Daguil had taken up armed resistance against the Tampakan Gold Copper Project and the security forces protecting it. The Tampakan project is operated by Sagittarius Mining Inc (SMI), an initiative in which Glencore-Xstrata owns a majority stake.

The Tampakan open-pit gold copper mine has been condemned by some environmental experts as it lies 10km from Mount Matutum, an active volcano. Long-term opposition to the project from the B’laans indigenous community appears to have led to at least seven of their leadership being killed, including Juvy Capion and her two young children. While peaceful protest continues, the struggle has also become armed, further increasing militarisation and instability in the area.
Global Witness campaigns for a world in which all can thrive without destroying the biosphere – or each other. For 20 years, we have worked to show how unsustainable and unfair management of natural resources fuels conflict, encourages corruption and does irreparable damage to the environment.

In this time, we have seen communities, NGO workers, individuals and journalists intimidated, attacked and killed resisting the exploitation of their environment and land. This new research shows that as pressure on the world’s finite resources intensifies, such threats are increasing sharply. There can be far starker or more obvious symptoms of the global environmental crisis than this dramatic upturn in killings of ordinary people, many of whom do not know about or resist the activities of those who would protect them cannot be called “development”.

Yet a model of economic development that undermines planetary life-support systems and kills and intimidates those who would protect them cannot be called “development” at all. Human progress can’t be based on the unfair and unsustainable exploitation of natural resources in lower income countries to feed overconsumption elsewhere. Nor, while that continues, can the crisis described here be considered common crimes. While they are not included in the analysis in this document, we have also researched a number of such killings. Behind the rising number of killings lies a wide range of threats including intimidation, assault, violence and other abuses that environmental and land defenders face on a daily basis, but which has not been possible to measure within this research.

Geographically, we have not excluded any countries and our data includes cases from every continent. However, given time and resource limitations we have concentrated our proactive efforts on regions where the problem is considered to be most acute, such as Asia Pacific and the Americas.

The time for action is now. Governments, international bodies and companies must do their duty. They have a duty to address the flawed economic models which are placing such a strain on the environment. And they have a duty to protect their citizens from harm and bring those responsible for crimes to justice. If they do not, more killings will take place, and perpetrators will continue their violence, secure in the knowledge they will go unnoticed and unpunished.

Conclusions

- The subjects of this research are environmental and land defenders, whom we define as people who take peaceful action to protect environmental or land rights, whether in their own personal capacity or professionally. Environmental and land defenders are human rights defenders, and as such are afforded without discrimination all the protections specified in the UN Declaration on Human Rights Defenders.
- The scope of violations covered in the research range from extrajudicial killings to murders and enforced disappearances. Extrajudicial killings often involve official state security forces, organisations controlled by the state or organisations that should be controlled by the state. In a large number of the documented killings, the perpetrators are either unknown or non-state actors, such as paramilitary groups, agents of organised crime and people in positions of power. We have classified these as murders that should be considered common crimes. While they are not included in the analysis in this document, we have also researched a number of such killings. Behind the rising number of killings lies a wide range of threats including intimidation, assault, violence and other abuses that environmental and land defenders face on a daily basis.

Identify cases and uncover reliable sources, we have used a three-step process:

- Opportunistic: we took the initial dataset of over 700 cases and 442 are included in our first briefing. A Further Micro-Thesauri,115 an approach which includes cases from every continent. However, given time and resource limitations we have concentrated our proactive efforts on regions where the problem is considered to be most acute, such as Asia Pacific and the Americas, and where we believe it to be under-reported – that is, Africa.

- The period of time covered by the research is 1 January 2002 to 31 December 2013. The most recent data was added following our 2013 report, “Killing off the Future: Defenders of the Amazon, the Andes and the Andaman Islands.”

- Systematic: we looked at 74 countries in the following regions as defined by the UN: Africa (Southern, Middle, Eastern, Western, Asia (South Eastern, The Americas (Central, South). In each of the 74 countries we searched for recent communications made by Special Procedures of the UN Human Rights Council1 to the governments in question and looked at the documentation provided by stakeholders and the UN High Commission for Human Rights. We referred to the UN Human Rights Council’s Universal Periodic Review of Human Rights (UPR) sessions.

- For further detail was added to the resultant cases and reports found by using our new searchable database, Human Rights Council’s Universal Periodic Review of Human Rights (UPR) sessions.

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- There is also information about killings of nine indigenous people but with no close links to environmental or land-related motives.

- In Zimbabwe, during three weeks in October and November 2008, Human Rights Watch reports that Zimbabwean armed forces killed at least 83 informal diamond miners in Chidzungu, near the Marange diamond field. The research is excellent, but the ongoing dangers to witnesses and the families of victims means few details about the victims were mentioned, so we have excluded it from this report.
No justice in sight for 18 environmental activists


UN Office of the High Commissioner for Human Rights, Interview with Clemente Bautista, National Coordinator, Kalikasan People’s Network


Jose Dionisio was killed on 5 May 2006. See endnote 46.


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

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