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FOOD SOVEREIGNTY

PAN AP Pesticide Action Network
Asia and the Pacific

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The Real Trespassers: Landgrabbing in the Name of Palm Oil in Southern Philippines

By Ilang-Ilang D. Quijano



(Top) If viewed from above, one could play a “connect-the-dots” and come up with hundreds of figures using these one-year old palm oil trees on the border of Bagoceboc and Tingalan. (Bottom) An intruder in her own land, 67-year old Consolacion Payla stands beside an A Brown signboard seated on a dirt road going to her house.



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This publication of PAN AP aims to provide in-depth stories from communities asserting their food sovereignty. It is a tool for marginalised communities to speak out on issues that affect their lives and livelihoods. It hopes to raise awareness and seek solidarity actions from the readers. If you have comments or have taken solidarity actions as a result of this publication, please share them with us at panap@panap.net.

“The guards came one day and pointed their guns at me. I watched helplessly while they sprayed my banana and coconut trees with chemicals, so that they eventually died. They uprooted my cassava crops. Then they bulldozed a part of my land to make way for the palm oil plantation.”

Sixty-six year-old Amadeo Payla speaks with rapid anger, as if unable to forgive himself for letting a company take away that day the land that belonged to his ancestors, the land that still rightfully belongs to his children. He lives in Barangay Tingalan, a village in Opol, province of Misamis Oriental in Mindanao or Southern Philippines. It is one of the two villages in which a palm oil plantation, owned by A Brown Company, Inc., has operated for the past two years through landgrabbing from the indigenous Higaonon tribe.



66-year old Higaonon farmer, Amadeo Payla, recounts to the IFFM team how A Brown forcefully grabbed his land. Behind him is what was left of his banana plantation.

Last May 6 to 10, an International Fact-Finding Mission (IFFM) was held in Tingalan and Bagooboc to investigate complaints of landgrabbing received from a local indigenous peoples group. The IFFM was organised by Pesticide Action Network Asia and the Pacific (PAN AP), Kilusang Magbubukid ng Pilipinas (KMP), Asian Peasant Coalition (APC), Sentro Kitanglad and the Kalumbay Regional Lumad Organization, among other organisations.

The IFFM was able to uncover incidents of harassment and violence against the Lumads (indigenous peoples of Mindanao) who refuse to give up their lands, as well as adverse health and environmental effects that are beginning to manifest due to the palm oil plantation’s use of pesticides. These effects are seen only to worsen with time, as corporate monocropping replaces indigenous and traditional farming practices at a rate as fast as the palm oil industry grows.

Growing palm oil industry

Worldwide, the palm oil industry is vigorously expanding due to an increased global demand. Palm oil is a versatile edible oil with many commercial uses. It is used in cooking, and as ingredient in processed foods, cosmetics, soaps, pharmaceuticals, and industrial and agro-chemical products. It is also used as biodiesel.

Agribusinesses have been attracted to growing palm oil, which is considered as one of the most economically produced “cash crops.” Palm oil trees need only three years to mature and bear fruits, and boasts of high yields. Combined with cheap labour that often accompanies palm oil plantations in developing countries, industry players are ensured fast and hefty profits.

As of 2010, the total area planted to palm oil is estimated to be 7.65 million hectares globally, with an annual growth rate of 300,000 hectares for the last decade.¹ The total global production of palm oil is estimated at 46.7 million metric tonnes (MT), with Malaysia and Indonesia as the world’s top producers and exporters. Indonesia alone was estimated to produce 23 million MT of palm oil, almost half of the world’s production.²

Palm oil plantations are now expanding in the regions of South East Asia, Africa, and Latin America, in developing countries that boast of tropical climates and vast tracts of land. Statistics

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The government usually turns a blind eye on its rural constituents in favour of large business ventures such as palm oil, shares IFFM delegates Elsa Susanti (Sawit Watch) and Rahmat Ajiguna (AGRA) of Indonesia - the world's top palm oil producer.

show that the growth rate of palm oil production is steadily increasing in Thailand, Indonesia, Philippines, Papua New Guinea, Peru, Ecuador, Colombia, Malaysia, Nigeria, and India.³

This unparalleled growth of the industry is however accompanied with the unparalleled conversion of forest and agricultural lands to palm oil plantations, displacing farmers and indigenous peoples, affecting food security, and raising concerns over environmental destruction and loss of biodiversity.

It is considered a paradox that while governments promote palm oil production as part of their efforts to mitigate the effects of climate change, even the U.S. Environmental Protection Agency does not consider palm oil to significantly reduce carbon imprints,

because of the waste it produces and the conversion of carbon-rich forests into plantations.⁴ Nearly half of all palm oil plantations in South East Asia are created on primary or secondary forest land.⁵ In Sarawak, Malaysia alone, almost 353,000 hectares of peatland forests were opened up for palm oil production between 2005-2010. The conversion of these forests are estimated to have caused the release of some 20 million tonnes of carbon emissions annually.⁶

Forest lands, of course, are also home to a large number of the world's indigenous communities. In Indonesia, an estimated 600,000 hectares of forest land are cleared each year for palm oil expansion in the islands of Sumatra, Kalimantan, Sulawesi, and West Papua, where most indigenous peoples reside. There are plans to further expand palm oil plantations to an additional 100,000 hectares per year in Sarawak, home to 800,000 indigenous peoples from 28 ethnic groups.⁷

Increasingly therefore, the right of indigenous peoples to the lands and resources that they have traditionally owned or utilised, as well as their right to give or withhold their free, prior, and informed consent (FPIC) to any project affecting their lands, have become key issues in the continuing expansion of the palm oil industry. In many places, these fundamental human rights are being violated with impunity. Despite being protected under the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), these are being trampled on in the name of palm oil expansion.

Home of the Higaonons

Even before Spanish colonisation, the native Higaonon tribe has occupied the Central and Northern parts of Mindanao (Southern Philippines), hunting animals and gathering honey in once lush forests, while maintaining a small portion for agriculture. The tribe's name literally means "people of the living mountains." The tribe is made up of eight clans centered around eight main rivers that are spread out in five provinces. They follow their own customary laws that promote peace and unity among the tribe.

However, decades of deforestation and landgrabbing by local landlords have converted most of their forest lands to pasture and agricultural lands. This has also led to the deterioration of indigenous practices, which are dependent on the communal use of land and natural resources considered as their ancestral domains.

The mountainous regions of Opol, for instance, today no longer resemble the place where ancestors of the native Higaonons lived. Most of the forest cover is gone. Still, the indigenous peoples continue to make the land productive, planting fruit trees and other crops on which they feed and raise their families.

Opol is a second-class municipality in Misamis Oriental that lies some 11 kilometers west of Cagayan de Oro, one of the major cities in Mindanao. Bagoceboc and Tingalan are largest two of 14 barangays or villages in Opol. Bagoceboc, covering 4,150 hectares, has a population of 428 families, while Tingalan, covering 2,763 hectares, has a population of 333 families. Most of these families are Higaonons.

The Higaonons in Opol had their first experience of landgrabbing in 1951, when a retired pilot, a certain “Captain Carrie,” came and harassed the farmers with armed guards. He acquired rights to develop their lands, classified by the government as “public forest,” into a pastureland. Villagers say that Carrie’s real intention was logging. It was also during this period that the area was heavily deforested; the area was fenced off and Higaonon families were displaced to adjacent villages.

By the early 1960s, many of these displaced families went back to their lands, only to be displaced again by a new landlord, Victor Paras, owner of Paras Machinery Works Corp. Amadeo, who used to work under Paras, related, “He ordered his guards to burn houses, and shoot at farmers.” Paras continued logging operations, according to the villagers. Non-indigenous settlers also came to the area during this period.

In 1991, Forest Land Grazing Lease Agreement (FLGLA) No. 614, covering 520 hectares, was granted to Paras by the Department of Environment and Natural Resources (DENR), the government agency tasked to oversee the utilisation of public lands and natural resources. However, Paras eventually became uninterested in developing the land, which has been almost completely deforested. In 2002, several Higaonon families reclaimed the area, despite continued threats by Paras’ guards.

Some of these farmers that returned to their lands founded the Sarahogon Bagoceboc Farmers Association (SBFA). In the same year, the DENR facilitated the formation of another farmers’ group, the Kahugpong sa Mag-uuma sa Barangay Tingalan (KMBT) and granted them a Community-Based Forest Management (CBFM) Agreement.

Under the government’s CBFM Programme, communities are assured of long-term tenure, but are in turn responsible for replanting deforested areas and observing sustainable resource use. According to a document shown to the IFFM team by the DENR, the CBFMA covered 1,000 hectares adjoining the pastureland.

According to the villagers, however, the KMBT never became active. Meanwhile, members of SBFA were successful in making the area agriculturally productive. By 2005, Barangays Tingalan and Bagoceboc have once again become thriving farming communities.

Gilbert Paborada, chairperson of SBFA, filed a request for stewardship with the DENR- Provincial Environment and Natural Resources Office (PENRO) on April 6, 2008 to further establish their rights over their lands, once the Paras lease agreement expires in 2016. The DENR-PENRO assured the group that they did not need to file a petition, as the government already recognises their right to till the land.



Three generations of the Higaonon are under serious threat by palm oil plantation's entry, with their indigenous culture endangered forever.

However, the government betrayed its own word when, in 2010, it facilitated the entry into the area of A Brown's subsidiary companies for palm oil investment, namely, Nakeen Development Corp. (Nakeen) and A Brown Energy Resources Development, Inc. (ABERDI).

According to Rubenson Batuto, vice-chairperson of Pangalasag, a newly formed organisation of tribal leaders, the DENR- Community Environment and Natural Resources Office (CENRO) started conducting meetings with A Brown and KMBT members. Community leaders were not given a voice in these so-called "consultations," which ended with a development contract between KMBT and Nakeen Corp. under the CBFM Programme. "Those present in the signing of the contract were handpicked," said Batuto.

The CBFMA, under Department Administrative Order No. 98-08, also allows for people's organisations to "enter into contracts with private and government entities and individuals for the utilisation/development of portions, or the entire CBFM area." Development Contracts include "timber and non-timber development, agro-forestry development, livestock production, and ecotourism."

On March 4, 2011, FLGLA No. 614 issued by the DENR to Paras was suddenly cancelled due to several violations, including the "failure to introduce improvements in the area" and the "absence of cattle grazing". The cancellation was uncontested by Paras, who, suspiciously, had already executed a special power of attorney in favour of A Brown subsidiary Nakeen Corp. a month before.

Soon after the lease agreement with Paras was cancelled, A Brown submitted a Letter of Intent “signifying their interest to develop the area” of the pastureland and include it in the CBFM area, according to an executive brief that the DENR provided the IFFM.

Yet, even before the lease agreement was cancelled and the Letter of Intent submitted, officials of the DENR-CENRO and A Brown have already announced the entry of the palm oil plantation, in a village meeting last February 2011. “They promised that those individuals or groups who will not consent to give their lands to A Brown will not be forced to. The company also offered to pay farmers Php (Philippine Peso) 9,000 per hectare, and promised us a better life,” said Batuto.

The villagers said that A Brown officials promised, “From bicycles, you will be using motorcycles. From local wine, you will now be drinking beer.” The company also promised to build a hospital, give scholarships to their children, and provide other social services.

Plantation’s entry: tales of injustice and unfulfilled promises

Needless to say, these promises were never realised. Farmers were not paid any amount of money, but were made to sign a waiver that surrenders control of their land to the company. “They told us, ‘whether you agree or disagree, we would plant palm oil.’ So in the end I just agreed,” Mary Jane Pangalo, a resident of Barangay Bagooboc, told the IFFM team.

Meanwhile, those who refused the plantation’s entry paid a high price. Incidents of harassment and violence, including destruction of crops, burning of houses, strafing, and death threats, commenced immediately after A Brown started operations.

On March 10, 2011, at around 11 o’clock in the morning, Pangalasag members Edwin Baranggot, Jemar Armilla, Fausto Magpulong, Raul Magpulong, Jose Paborada, Dante Paborada, and Ruel Tagupa headed out to gather bamboo for the hut that they were constructing. However, they were barred by guards from entering their intended destination. The eight farmers instead proceeded to a temporary shelter at Sitio Limbasan, Barangay Tingalan, to rest. Almost an hour later, a dump truck, two pick-up trucks, and a jeepney arrived, bearing A Brown guards and members of the National Bureau of Investigation (NBI). The NBI is the national government’s law enforcement agency.

Baranggot, 40, still speaks of the incident with a mixture of rage and fear. “A man wearing an NBI uniform pointed his shotgun at us and said, ‘Nobody moves! Nobody moves!’ Instead of presenting a warrant, the man started firing shots in the air. We started running, we realised that we were being shot at.”



(Top) Six out of the eight Pangalasag farmers recollect on that fateful March 10, 2011 when they were assaulted by A Brown guards and government forces. (Bottom) One of the victims, Fausto Magpulong, said he will not forget that near-death experience.

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While the others were able to flee, he and Armilla were caught by their assailants. “I was forced onto the ground. One of them stepped on my nape, my hands were tied, and I was stamped on the back. I was asked to stand up, and then was kicked on the stomach and grabbed by the neck. They told me, ‘Why are you planting in this area? Why don’t you just give it to A Brown?’ I was slapped on the face several times,” Baranggot told the IFFM team.



The two farmers were brought to Opol Municipal Hall. Shortly afterwards, they were brought to the NBI office, where they were detained without charge for one night. On March 11, without the presence of their own lawyer, charges of direct assault were filed against them. They were imprisoned for two weeks at the Misamis Oriental Provincial Jail, and were only released upon posting bail.

Meanwhile, Jose Paborada, one of the survivors, told of how he rolled down a cliff, hid and crawled in a canal for one hour in order to escape. He sustained a gunshot wound on his lower left limb, right below the knee. Another survivor, Raul Magpulong, hid for 10 hours under the tall grass. He remains traumatised by the incident, he told the IFFM team.



The shooting incident also forced many families in the surrounding area to leave their land out of fear for their own safety.

A month earlier, on February 11 and 12, SBFA chairperson Gilbert Paborada also experienced harassment. Guards pointed their guns at him and threatened him when he refused to plant palm oil. “When I went to the police station to complain, the police said that it was not their job to intervene. Afterwards, the company would plant palm oil on my land during night time,” he said.

The incidents of harassment continued all throughout the year. Sometime in November 2011, the house of 64-year old Victoria Tabubo was burnt to the ground by A Brown security guards. “They took my coconuts and planted palm oil on my land,” she said.

Cassava crops planted by Catalina Atayde of Barangay Bagoceboc were uprooted by company personnel, who planted palm oil trees on her land instead.

(Top) Teary-eyed, Pangalasag vice-chairperson Rubenson Batuto tells the IFFM tales of human rights violations his community experienced in the first two years of A Brown’s palm oil operations in Tingalan. (Middle) Raul Magpulong remains traumatised up to this day after the life-threatening assault by A Brown guards and NBI forces on March 2011. (Bottom) Victoria Tabubo, 64, shares with the IFFM how A Brown security guards burned her house down and forcefully planted palm oil trees in her land.

Meanwhile, 34-year old Leoncito Mabao was held at gunpoint by more than 10 armed guards while bananas, cassava, corn and coconut planted on six hectares of his land were “uprooted and sprayed with chemicals in order to be destroyed.” He was paid by A Brown to pave only a piece of his idle land for road construction. “We had an agreement that the plantation will not touch my fields. But they did, and they planted it with palm oil,” Mabao told the IFFM team.

Government in cahoots

The villagers also disclosed that village officials sometimes accompany guards while harassing farmers. Amadeo disclosed that a certain barangay kagawad Jimiterio Sharot was among those who held him at gunpoint while his crops were being destroyed. Sharot, according to farmers, is the principal manpower provider of A Brown.

It is not only the environmental agency, but also the local government, which has been supportive of A Brown. The legislative bodies of both Barangay Tingalan and Opol supported the expansion of the palm oil plantation in a resolution passed last year. Opol Mayor Dexter Yasay has also publicly expressed his support for the company.

In a visit made to Opol Mayor Dexter Yasay, the IFFM team was also able to confirm the mayor’s support for the company, who said that the palm oil industry is being promoted at the national level. “As a public official, I don’t have the capacity to go against the decision of the national government,” he said. He further said, “If there is no palm oil what else can we do as of the moment? With our limited resources, let’s face the reality that we need these industries to generate employment in our area.”

Yasay also ranted against the farmer leaders who were with the IFFM team, accusing them of “making trouble,” “harassing” the guards, and defying village officials. He issued a veiled threat, saying, “if you defy them, then you also defy my authority.” Inadvertently, he made an admission to the team that he was the one who ordered the NBI to arrest the farmers last year.

The indigenous community believe that this support by local government officials only embolden A Brown in their harassment tactics, which were even used to try



(Top) One of the esteemed elders of the Higaonons in Opol, 75-year old Antonino Granada (Datu Sandigan) fears that the collusion between the government and A Brown, which permitted the entry of palm oil plantation in their ancestral land, will eventually erase what was left of their indigenous culture. (Bottom) Municipal Mayor Dexter Yasay firmly told the IFFM team that A Brown has the green light to operate in Opol.

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to deter them from speaking with the IFFM team. According to villagers in Bagoceboc, barangay officials warned residents against the IFFM team, whom they maliciously claimed as New People's Army rebels. Meanwhile, villagers in Tingalan were visited by A Brown guards the night before the arrival of the IFFM team, threatening that anyone who talks with the IFFM team "will be abducted."

Batuto is no stranger to red-baiting and threats. Sometime in October 2011, a supervisor of A Brown punched him in the stomach at a village feast, after seeing him talking to several of the company's labourers. He was called a "rebel" by the supervisor. The next month, he received an anonymous text message that read: "If you do not stop resisting, you will be killed. You will not live to see Christmas."

Despite the ongoing threats to his life, the leader said that he is not scared. "I will not be deterred from struggling for our rights. I was tasked to take care of our ancestral home. I will not sit idly while we are being treated like outsiders in our own lands," said Batuto.

Rahmat Ajiguna, secretary general of AGRA (Aliansi Gerakan Reforma Agraria) Indonesia and a delegate of the IFFM, said that the situation in Opol shows that the experience of the Philippines does not differ from that of Indonesia, the world's number one palm oil producer. "The main problem is that always, the government collaborates with corporate landlords," according to Ajiguna, also deputy secretary general of APC.

He related that in the Jambi province of Sumatra, three-fourths of indigenous peoples lands are being converted to palm oil plantations without undertaking the FPIC process. "Through the government, they purchase the land of communities at a very low price. Pseudo-leaders gather the community and ask for their signatures, which are then presented as proof that they agree for the land to be planted with palm oil," Ajiguna said.

The peasant leader added that many farmers lose their lands because the Indonesian government uses the military and police to protect these plantations: "When they resisted, they were killed." He shared that last year alone, Indonesian state authorities killed 22 peasants involved in land struggles with palm oil companies.

IFFM delegate Elsa Susanti of Sawit Watch, an Indonesian non-government organisation addressing the social and environmental impacts of palm oil, further said that in 2010, there were 663 communities involved in conflict with 170 palm oil companies. Under the Indonesian government's Agriculture Act, "If people try to disturb the company's operations, you are considered to be against the government," she said. On the same year, 106 farmers were arrested as a result of these conflicts.

Health, environmental, and social harm

Everywhere, farmers and indigenous peoples resist the state-sponsored landgrabbing by the palm oil industry, which leads not only to displacement and loss of livelihood, but increasingly, health and environmental harm.

Environmental harms include pollution of soil and water by the heavy use of pesticides, soil erosion and increased sedimentation in rivers and streams, and water pollution from dumping of untreated palm oil-mill effluent. Heavy pesticides use also cause acute and chronic poisoning to human beings.



(Left) A Brown bulldozed a burial site of the native Higaonons and used the quarried dirt to pave a road network inside the palm oil plantation. (Right) Using these long black plastic hoses, A Brown taps its water from the same upstream reservoir where the villagers of Bagooboc and Tingalan get their household water supply.

According to the Center for Science in the Public Interest, palm oil plantations use approximately 25 different kinds of pesticides, the most common of which is paraquat.⁸ Paraquat is considered the most highly acutely toxic herbicide to be marketed over the last 60 years. It is banned or disallowed in 32 countries, including Switzerland, the home base of its manufacturer, Syngenta. Paraquat is known to damage the lungs, heart, kidneys, adrenal glands, central nervous system, liver, muscles and spleen, causing multi-organ failure; it is damaging as well to the skin and eyes. It is linked to cancer and Parkinson's disease.⁹

In Opol, residents have started to notice illnesses that they can only attribute to A Brown's chemical use in the plantation. "A lot of people get sick more often. Before the plantation came, people didn't get sick. Now, children often have coughs and colds. We've also started to have skin diseases," said 67-year old Consolacion Payla, Amadeo's wife. Consolacion further relates that when spraying occurs, they inhale the fumes and become instantly nauseous.

The pesticides also go into the stream where the residents take a bath and do their washing. "Before, we used to use the water for cooking. Now, we no longer do for fear of being poisoned," she added.

Villagers mentioned that the plantation uses carbofuran (trade name: Furadan), a highly toxic carbamate pesticide that has already been banned by the U.S. Environmental Protection Agency. The IFFM was also able to recover a label for the herbicide glyphosate, also known to be toxic to humans and animals.

Batuto shared that plantation workers are given little or no protective equipment while spraying pesticides. "They are also not given information on the effects of these pesticides. They were told, for instance, that a container of Furadan contained fertilizer only. But when they opened it, they inhaled the fumes, and got dizzy," he added.

Dr. Romeo Quijano, president of PAN Philippines and IFFM delegate, said, "If the palm plantation continues its operations, the chemicals used will only increase. This will poison not only the workers, but also the environment, because the chemicals will contaminate the streams and flow into the river, it will also contaminate the air that they breathe."

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Clockwise from Top Left. (1) This tributary is one of the many ways in which agro-chemicals used by A Brown would eventually contaminate what remains of the farmers' crops in Bagoceboc and Tingalan. (2) Dr. Romeo Quijano of the Pesticide Action Network (PAN) Philippines informs the media of the dangers of toxic chemicals being introduced by palm oil plantations and calls on the communities to be vigilant in opposing all forms of development aggression. (3) One of the remaining patches of crops owned by Higaonons inside the palm oil plantation in Tingalan. (4) Farmers' crops, as shown by this coconut tree, are beginning to wilt due to toxic chemicals used on the palm oil plantation. (5) Rows and rows of palm oil seedlings (*foreground*) waiting to replace the already ailing bananas (*background*) in Tingalan.

“Soon enough, their situation will be similar to those working or living near plantations in Malaysia, whom I’ve seen suffering from so much illnesses,” he added. Quijano was referring to women sprayers of paraquat, whose complaints about pesticide poisoning led the country to ban paraquat in 2002 (although the ban has since then been suspended due to lobbying efforts by the industry).

The native Higaonons who remained on their lands also face a new problem brought about by the plantation’s pesticides use: their formerly healthy coconut and banana trees are now afflicted with pests and diseases. The IFFM team witnessed how many of these trees have turned yellow, and have been slowly dying.

Quijano explained that fungicides usually disrupt the natural biological pest control of coconut trees. This, he said, could be the reason why pests have been hounding the trees, when there used to be none. The IFFM team found the coconut beetle, *Brontispa longissima*, in some of the trees. Meanwhile, Quijano said that the banana trees could be affected by herbicides, which kills even beneficial weeds and plants.

Villagers believe that the pests driven away from the plantation through chemicals are now destroying their crops. “We have been left with little or no land. And now, there are even lots of rats that eat our meager harvest, even our sweet potatoes. Before, there used to be no rats,” said Pangalo.

She added that before the plantation came, she could feed her family with income from bananas and corn. “We now have no money for food, or to buy our children’s needs,” she said.

Driven away from their lands, around 100 villagers are now employed in the plantation as agricultural labourers. Here, they are given a daily wage of Php 247 (approximately US Dollars 5.7), less than the minimum wage in the region. Many were also given only contractual work or work on a piece rate basis, contrary to the company’s promise of giving regular employment.

A villager, who requested anonymity, said that he used to work for the company planting, hauling, and digging at the rate of Php 45 (USD 1) per seedling. Meanwhile, his wife died in an accident involving the company last April 29, 2011. Nine farm workers employed by A Brown, including a minor, died and 53 others were injured when a 6x6 cargo truck ferrying them to work overturned as it negotiated a curve in Barangay Tingalan. Workers claim that the truck overturned because it was overloaded. While the company covered the hospital and burial costs for all victims, “the management didn’t provide for the schooling of my children, as they promised,” the villager said.

Ajiguna described similar social impacts of the entry of palm oil plantations to indigenous Indonesian communities. “Farmers became agricultural workers in their own lands. This brought about a change, from multiculture to monoculture, from communal culture to individualistic, from local food consumption to commercial consumption,” he said.



Of more than a hundred families who lived in the 520-hectare contested land, only a number dared to face the threat of being internally displaced – such as this hut of a Higaonon family.

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Perks for A Brown Company

The A Brown Company, Inc. (ABCI) is a huge, diversified company engaged in trading, energy, mining, quarrying, and real estate development. Originally incorporated in 1966 as Bendaña, Brown, Pizarro & Associates, Inc., its owners are the Filipino-American business persons Walter W. Brown and Annabelle Brown. Nakeen and ABERDI, 99.99 per cent-owned subsidiaries of ABCI, are engaged in palm oil plantation development and production. Another subsidiary, Brown Resources Corporation, is engaged in real estate activities. ABCI also has interests in the energy sector through its investments in Monte Oro Resources and Energy Inc. and its wholly owned subsidiary, Monte Oro Grid Resources Corporation.¹⁰

Since 2002, ABERDI has operated a palm oil plantation and mill covering almost 800 hectares in the municipalities of Dalirig, Kalabugao, and Impasugong in the province of Bukidnon. The company is eyeing a total expansion area of 2,000 hectares in Opol, in order to increase its capacity for crude palm oil production.

Majority of the crude palm oil produced by A Brown is distributed to local refineries in Manila, Cagayan de Oro City, Butuan City and Malaybalay City in Bukidnon.¹¹ This is consistent with the fact that palm oil production in the Philippines is mostly geared towards the domestic market. An industry primer by the Philippine Palm Oil Development Office lists the top local crude palm oil and palm kernel oil refineries, which are a mix of Philippine-based transnational and domestic companies, such as Universal Robina Corporations, RFM Corporation, Asia Plantation Philippines Inc., and Ricor Mills Corporation, among others. Meanwhile, food and manufacturing companies that use palm oil products include Nestle Philippines, Olea Fats Inc., Ansi Corporation, and Windsor Corporation, among others. However, it has been reported that some companies have started exporting due to higher prices in the international market. A Brown is reportedly exporting a percentage of its products to Malaysia.¹²



A Brown Company, Inc. is the newest player of domestic palm oil industry in the Philippines which obtained a USD 4-million tax incentive from the government in 2011.

A Brown is the newest among the major players in the Philippine palm oil industry. Other major players are Filipinas Palm Plantations Industries Inc., Agusan Plantations Inc., and Kenram Philippines Inc., whose plantations have existed for several decades.

In general, the Philippine government is keen on promoting the growth of the palm oil industry in the country. In 2003, a Philippine Oil Palm Development Plan for 2004-2010 was crafted through the Philippine Palm Oil Development Council (PPODC). Its vision is “oil palm as a strategic crop for food security, poverty alleviation and employment generation.”

The PPODC plan said that priority in palm oil development “shall be given to idle, unproductive, and underdeveloped areas.” But in actuality, forest lands and lands supposedly given to agrarian reform beneficiaries have been the target of palm oil expansion. In August 2004, the DENR issued Memorandum Circular No. 2004-12, which opened up to palm oil plantations public lands classified as forest areas with existing tenurial agreements, such as the Integrated Forest Management Agreement, Socialized Industrial Forest Management Agreement, and the CBFMA. Meanwhile, leaseback, joint venture, and contract growing arrangements facilitated by the Department of Agrarian Reform have been the dominant mode of land acquisition by palm oil plantations.

Data from the PPODC shows that as of 2009, there are 46,608 hectares planted with palm oil in the country, less than the plan’s target of 104,000 hectares by 2010. However, this already reflects a 160 per cent increase, from only 29,003 hectares of palm oil planted in 2005. And efforts to expand the industry continue.

In Southern Philippines (Mindanao) alone, the DENR has identified at least 304,350 hectares as potential areas for palm oil plantations, located in the provinces of Surigao del Sur (93,790 hectares), Bukidnon (65,090 hectares), Zamboanga del Sur (31,430), Surigao del Norte (31,360), South Cotabato (17,000), Misamis Oriental (11,440), Agusan del Norte and Misamis Occidental (10,370 each), Maguindanao (9,270), Zamboanga del Norte (7,530), Agusan del Sur (7,490), Davao Oriental (6,220), Sultan Kudarat (5,630), Lanao del Sur (3,280), Davao del Norte (2,070), Cotabato (1,180), and Lanao del Norte (830). Private sector investments in palm oil are encouraged in these areas.

According to Antonio Flores, national council member of KMP and IFFM delegate, landgrabbing in Opol is obviously done under Pres. Benigno Aquino III’s “Public-Private Partnerships” (PPPs). “These PPPs prioritise the interests of agro-industry over the rights of farmers and indigenous peoples,” he said.

To show its support to the growth of the palm oil industry, the Board of Investments (BOI) last year approved tax perks for A Brown’s investment in Opol, which is estimated to cost Php 174.4 million (approximately USD 4 million). “With the strong demand of palm oil not only domestically but internationally production can only get better with growing more oil palm trees in the countryside,” BOI Chairman and Trade Secretary Gregory L. Domingo was quoted as saying in reports by local newspapers.¹³

Illegally operating?

The reports, quoting the BOI, also said that the project is still “awaiting DENR’s approval on its application for 25-year lease of the land under the agency’s Upland Agro-Forestry Programme.”

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(Top) Forester Joey Austria of DENR's Indigenous Community Affairs Office confirmed in a dialogue with the IFFM team that the cancelled FLGLA No. 614 only concludes that A Brown is illegally "squatting" in Opol. (Bottom) "Considering that the palm oil plantation sits inside an ancestral domain, A Brown should observe the free, prior and informed consent (FPIC) process as stipulated in the IPRA Law", says NCIP Commissioner Cosme Lambayon.

This confirms the IFFM's findings that while A Brown has already been operating its plantation in Opol since 2010, the DENR has yet to grant it permission.

In a dialogue with officials of the DENR's Forest Management Bureau last May 9, Joey Austria, head of the Indigenous Community Affairs Office, said that the agency's national office has not yet received, much less approved, any application under the Upland Agro-Forestry Programme, ever since the FLGLA No. 614 with Paras was cancelled. "Even if Paras executed a special power of attorney (SPA) favouring A Brown, this does not give the company a right to plant palm oil, because the cancelled lease indicates that it is for pasture use only," Austria told the IFFM team. This SPA was the legal instrument that A Brown and local government officials—including the DENR-CENRO—used to justify to the villagers the entry of the palm oil plantation. The Philippine government, according to the official, still officially considers the Higaonon's ancestral lands to be "open," as no agreement has yet been awarded to any tenure holder or developer. The DENR executive brief indicates that A Brown's Letter of Intent is still pending with the agency's regional office. Thus, A Brown may be considered to have been illegally operating in the area for the last two years, said Austria. The agency promised the IFFM team that it will investigate the matter.

The IFFM team also held a dialogue with the National Commission on Indigenous Peoples (NCIP), a government agency which recognises indigenous tenure under the country's Indigenous Peoples Rights Act (IPRA) of 1997. NCIP Commissioner for Northern and Western Mindanao, Cosme Lambayon said that

the agency's national office has not yet been informed of A Brown's project, which is required if the project is undertaken within an ancestral domain area.

Denials, Investigations: Post-IFFM updates

After the publication of the IFFM's key findings, A Brown suddenly appeared in a press conference with Opol Mayor Dexter Yasay on May 15. The company refuted the team's findings of harassment of villagers, and claimed that the plantation's entry "has the blessings" of the Department of Environment and Natural Resources (DENR), people's organisations, and the local government. Shiela Mercurio, Nakeen's compliance manager, further said, "Ever since the palm oil plantation started, families there were able to eat three meals and two snacks a day."¹⁴ This contradicts the IFFM's findings of increased hunger and poverty since the plantation's entry. Even agricultural workers that receive their wages through ATM become prey to moneylenders, who facilitate withdrawals of the wages for certain fees,

according to the villagers. Mayor Yasay also called the IFFM's findings "false, baseless, and malicious," and continued to malign the local indigenous group resisting the plantation.

The Misamis Oriental Provincial Board has confirmed A Brown's lack of a permit to operate in Tingalan and Bagoceboc, as discovered by the IFFM. In reports by local newspapers, Benedict Lagbas, Board Member, said that A Brown's operations were "not in accordance with existing forest and environmental laws." Lagbas quoted the report of Enrique Tuquib, head of the DENR's Community-based Forest Management Division.¹⁵ Furthermore, in a meeting called by the Provincial Board, even Raffy Magbanua, A Brown's representative, admitted that the company committed some "lapses."¹⁶

But the Provincial Board reversed its stand after it met with government and A Brown officials, clearing the company of land grabbing and human rights violations. In the said meeting, farmer representatives were hardly given a chance to speak, according to Richard Colao of KMP- Region 10. "When we were finally allowed to talk, they cut us short because they said that we did not have enough time. We would have accepted had they invited us to continue the dialogue another time. But they were quick to conclude from the very unfair 'inquiry'—it did not even deserve to be called such. They did not even go to the field to check on the findings of the IFFM."

Meanwhile, the DENR and National Commission on Indigenous Peoples have yet to deliver on their promise to conduct their own investigations.

Under the IPRA (Republic Act 8371), ancestral domains are defined as "areas generally belonging to indigenous cultural communities/indigenous peoples (IPs) comprising lands, inland waters, coastal areas, and natural resources, held under claim of ownership, occupied or possessed by IPs, by themselves or through their ancestors since time immemorial, continuously to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals/corporations, and which are necessary to ensure their economic, social, and cultural welfare." Under Section 59 of the IPRA, government agencies are "strictly enjoined from issuing, renewing or granting any concession, license or lease, or entering into any production-sharing agreement without prior notification from NCIP that the area does not overlap with any ancestral domain."

The Dulangan Unified Ancestral Domain Claim filed last 2002 covers six villages in Opol, including Tingalan and Bagoceboc—indicates that A Brown should have the NCIP's clearance before operating in the area.

In contradiction with the IFFM's findings regarding the legal status of A Brown's operations in Opol, the company's 2010 annual report claims that it has already acquired "603 hectares of new land rights in Opol, Misamis Oriental that were available for planting."¹⁷ It said that 92 hectares were planted that year, and that 400 hectares were targeted to be planted in 2011.

Additionally, based on complaints by Higaonons to the IFFM team, the company has violated the FPIC process, which is provided for under the IPRA. The law defines FPIC as the "consensus of all members of the indigenous cultural communities/IPs to be determined in accordance with respective customary laws and practices free from any external manipulation, interference,

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coercion and obtained after fully disclosing the intent and scope of the activity, in a language and process understandable to the community.”

The Higaonon community is instead livid at how A Brown even destroyed areas considered sacred by the community. A sacred hilltop, which served as the burial ground of their ancestors, was quarried by the company for road construction. The villagers showed the IFFM team this quarried hilltop. The company also planted palm oil in a ritual area that they called Bagonsilibo, an act considered as desecration by tribal elders.

“I was told not to leave our ancestral land, and to stand for it. I cannot bear to witness how this company desecrates our land, our ancestors and our cultural traditions, and how we are being treated like outsiders,” said 75-year old Antonino Granada, also known as Datu Sandigan. Datu is the title given to esteemed leaders of indigenous communities.

Divide and rule tactics

Datu Sandigan added that “the good relationships between people in our community were destroyed.” He was referring to the company’s “divide and rule tactics” among the Lumads, including the cooptation of some indigenous leaders through bribery, both direct (money offers) and indirect (promises of jobs, social services, and over-all prosperity). Datu Sandigan himself was twice offered money by A Brown, but he staunchly refused.

These tactics were first experienced by the Higaonons of the municipality of Impasugong in Bukidnon, where A Brown has operated an 800-hectare palm oil plantation since 2002. “When the plantation first came, we were very happy. They said that residents will be given employment and gain more income,” shared Romie Balutic, a farmer from Barangay Sayawan, Impasugong.

Residents in Impasugong, majority of which are Higaonons, were given Php 5,000 (USD 116) for each hectare of land given to A Brown to develop. The palm oil plantation development was also undertaken through the DENR’s CBFM Programme, in collaboration with a local people’s organisation, KASAMAKA-Association of Farmers in Kaanibungan.

The farmers were then employed in the plantations. An agreement with the company states that “for every five hectares owned by a KASAMAKA member, his/her family is entitled to nominate one worker to work in the plantation on a regular basis.” Plantation workers only earn Php 200 (USD 4) a day.¹⁸ Balutic said, “I earned only Php 5 (USD 0.10) for every seedling that I planted. For eight hours of work a day, I only earned a maximum of Php 3,000 per month,” he told the IFFM team.

In comparison, according to the A Brown’s 2010 annual report, crude palm oil production from its plantations in Bukidnon totalled 903.9 MT, amounting to Php 34.3 million (approximately USD 800,000) in sales.

The communities in Bukidnon were also encouraged by A Brown and the local government to plant palm oil as outgrowers, through capital lending from Quedancor (Quedan and Rural Credit Guarantee Corporation), a government-owned and controlled corporation. However, lending from Quedancor stopped in 2006, bankrupting farmers and leaving them with untended palm oil seedlings. Slowly, some farmers have gone back to planting corn.

Tagupa, one of the farmer survivors of the shooting incident, said, “I almost cry because of hunger. No matter what I do, I cannot feed my family well.” He further lamented that every fiesta (feast), the local government would invite them to town to perform indigenous dances. “But when it’s about our land problem, they do not recognise us as indigenous peoples,” he said.

During the IFFM’s visit to Barangay Tingalan, delegates were barred from visiting the house of the Payla couple, since it sits right in the middle of the palm oil plantation. Their neighbours have since left, fearing for their lives after the shooting incident in Barangay Tingalan.



The IFFM team was barred by company guards from entering the property of Higaonon couple Amadeo and Consolacion Payla, saying that it is owned by A Brown.

A fully armed guard of A Brown, communicating with his superior through a two-way radio, kept telling the team that the land was “private property.” Amadeo and Consolacion tried to argue with the rest of the delegates, but their pleas fell on deaf ears of guards who were just “following orders,” they said. While walking away, Consolacion kept on looking over her shoulder, muttering with anger, tears forming in her aged but still lucid eyes. By her feet lay a sign that said, “Private Property: No Trespassing.”

The question begs, who owns these lands, which were already home to the Higaonon people even before the birth of private property? Who are the real trespassers?

Consolacion knows the answer to that. “We will continue to fight. We are certainly not afraid,” she said in a voice both proud and defiant, perhaps aware that their present struggle is their one remaining link to their past, and their only hope for the future.

As her husband, Amadeo, put it, “There is no hope in relying on this government. The only hope we have is in uniting and organising ourselves.”

As the IFFM sees it

The IFFM, after its investigation, concluded that the entry of A Brown in Opol, Misamis Oriental was illegal, and that it was accompanied by gross human rights violations. The IFFM also found that the palm oil plantation violated the rights of the Higaonons as indigenous peoples who have resided in the area since the pre-Spanish colonisation era. The IFFM recommends the following actions:

- A Brown must immediately pull out its palm oil operation in Barangays Bagoceboc and Tingalan. It has been proven by the IFFM, as well as by initial investigations conducted by the Misamis Oriental Provincial Local Government, NCIP and DENR, that A Brown has no permit to operate in the said communities. The 520-hectare property being utilised by A Brown used to be covered by a Forest Land Grazing Lease Agreement (FLGLA) No. 614 with Victor Paras, which was then cancelled through an Administrative Order issued by DENR’s Undersecretary for Field Operations Ernesto Adobo, Jr. on March 2011. The cancellation of FLGLA No. 614 automatically nullifies the Special Power of Attorney issued by Paras in favour of A Brown.

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- The contested land must immediately be returned to the farmers and indigenous peoples. Since the entry of A Brown, farmers and indigenous peoples have been driven away from their ancestral lands, losing their source of livelihood, among other social and economic impacts.
- The National Commission on Indigenous Peoples (NCIP) must recognise the ancestral rights of the Higaonons and investigate the violation of the free, prior and informed consent (FPIC) as mandated by the IPRA law, and the destruction of sites sacred to the Higaonons of Opol.
- The Department of Environment and Natural Resources (DENR) must stand by their statement that A Brown has no permit to operate in Opol, carry-out its commitment to investigate the case, and compel A Brown to clean up and rehabilitate areas contaminated by the use of agro-chemicals.
- The Local Government Units of Opol and Misamis Oriental must withdraw its support to A Brown's entry in Bagoceboc and Tingalan, and immediately provide redress and immediate economic relief to the displaced families.
- The Philippine government must investigate cases of human rights violations (HRVs) in Opol, punish the perpetrators (including A Brown Company guards, local government officials, and law enforcement agents), and indemnify the victims of these HRVs.

The IFFM also calls on the Philippine government to:

- Uphold people's food sovereignty and stop land use conversion especially the conversion of forest lands to palm oil plantations, which have been proven to have adverse environmental, health, and social effects.
- End all forms of land grabbing in the country.

The IFFM hopes that the issue of land grabbing in Opol, Misamis Oriental will be resolved in favour of the people, and that through concerted action by people's organisations and supporters of farmers' and indigenous peoples' rights across the globe, changes in existing policy will be enacted to stop and prevent more of such acts by companies in the palm oil industry in pursuit of unbridled profit.

ABOUT THE IFFM



An International Fact-Finding Mission (IFFM), which started on 6 May 2012, was led by Pesticide Action Network Asia and the Pacific (PAN AP), Peasant Movement of the Philippines (KMP), Kalumbay Regional Lumad Organization, Sentro Kitanglad, Rural Missionaries of the Philippines (RMP), Asian Peasant Coalition (APC) and participated in by Aliansi Gerakan Reforma Agraria (AGRA), Sawit Watch, RMIT Australia, Asia-Pacific Forum on Women, Law and Development (APWLD), Health Alliance for Democracy (HEAD) and Pangalasag. Alternative media outfits Bulatlat and Pinoy Weekly also went to cover the IFFM.

Over a five-day period, the IFFM conducted several activities, such as ocular inspection of A Brown's palm oil plantation located in the villages of Bagoceboc and Tingalan. The team interacted with the villagers through focus group discussions and individual interviews. The team paid particular focus on the issues of land grabbing, human rights violations, and health and environmental impacts brought about by the entry of the palm oil plantation. The IFFM also conducted dialogues with the concerned government agencies to gather additional information, as well as to lobby for the demands of the affected population. The communities' narratives were faithfully documented, and after due verification and analyses, the IFFM came up with recommendations that could be pursued further at the local, national, and international levels.

PETITION LETTER

To:

Walter W. Brown

Chairman

A Brown Company, Inc.

3301-A West Tower Philippine Stock Exchange Bldg, Exchange Road,

Ortigas Center, Pasig City 1605

Fax: (02) 638-6832

abrownco@pltdtssl.net

abrowncoinc@yahoo.com.ph

Dear Sir:

This is to express concern over the findings of an International Fact-Finding Mission (IFFM) that was conducted by Pesticide Action Network Asia and the Pacific (PAN AP), Peasant Movement of the Philippines (KMP), Asian Peasant Coalition (APC), Sentro Kitanglad, Kalumbay Regional Lumad Organization and other organisations in Opol, province of Misamis Oriental in Southern Philippines. I find it disturbing that the ancestral lands of the indigenous Higaonon tribe have been forcibly taken away by your palm oil plantation, and that they have suffered harassment and violence in the hands of your company and several conniving local government officials.

According to the Higaonons of Barangays Bagocboc and Tingalan in Opol, they have been occupying the contested lands since pre-Spanish colonisation era where their ancestors hunted animals, gathered honey and maintained small portions of land for agriculture. As an indigenous group, their ancestors practiced their unique culture and carried out rituals in certain areas they consider sacred.

In 2010, A Brown, with the help of certain government officials, established 520-hectare palm oil plantation without acquiring the Higaonons' free, prior and informed consent (FPIC). Some of the sites sacred to Higaonons were also destroyed by the palm oil plantation. More so, several farmers were shot at and arrested, and many continue to be subjected to various human rights violations to this day.

Furthermore, their health and environment is slowly being affected by the plantation's use of agro-chemicals, including carbofuran and glyphosate. Their coconut and banana trees—their only source of livelihood—have been slowly dying since the plantation's entry. A Brown is expected to use even more toxic agro-chemicals, in even larger doses, as the palm oil seedlings grow.

The IFFM found out, and the Department of Environment and Natural Resources (DENR) has confirmed, that A Brown does not yet have a permit to operate in the said area, and is thus violating existing forestry and environmental laws.

Given the circumstances cited above and in order to uphold the rights of the indigenous peoples, I would like to request you to immediately undertake the following measures in Opol:

- A Brown to immediately pull-out of Opol and respect the farmers' and indigenous people's right to

PETITION LETTER

their ancestral lands;

- All forms of human rights violations be stopped and the victims indemnified; and
- A Brown to clean-up and rehabilitate the contaminated areas and provide immediate economic relief to the affected population.

Finally, I am calling on A Brown to consider the inherent rights of the peoples in its pursuit to be one of the major players of the palm oil industry in the country.

I would very much appreciate it if you can keep me informed about the future development of this case.

Sincerely,

PETITION LETTER

To:

Hon. Benigno Simeon Aquino III

President

Republic of the Philippines

New Executive Building

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Hon. Ramon J.P. Paje, CESO I

Secretary

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Hon. Zenaida Brigida H. Pawid

Chairperson

National Commission on Indigenous Peoples

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Hon. Dexter B. Yasay

Municipal Mayor

Municipality of Opol

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Tel: +63 8822 754004

kadodong_opol@yahoo.com

Cc:

Mr. Roberto Oliva, *Undersecretary for Lands, DENR*

Atty. Roseanne Turingan, *Chief, Special Action and Investigation Division, DENR*

Atty. Edgardo Gerobin, *OIC-Director, Legal Service for Mindanao, DENR*

Atty. Mirla Lucasan, *Chief, Claims and Conflicts Division, DENR*

Mr. Joey Austria, *Chief, Indigenous Community Affairs Division, DENR*

Mr. Edgardo Callanta, *Provincial Environment and Natural Resources Officer, DENR-Misamis Oriental*

Hon. Cosme Lambayon, *Commissioner for Northern and Western Mindanao, NCIP*

Atty. Basilio Wandag, *Executive Director, NCIP*

Atty. Jonathan Adaci, *Ancestral Domains Office, NCIP*

Mr. Masli Quilaman, *Office of Empowerment and Human Rights, NCIP*

Atty. Pinky Grace Pabelic, *Regional Director for Northern Mindanao, NCIP*

PETITION LETTER

Dear Sir/Madam:

This is to express concern over the findings of an International Fact-Finding Mission (IFFM) that was conducted by Pesticide Action Network Asia and the Pacific (PAN AP), Peasant Movement of the Philippines (KMP), Asian Peasant Coalition (APC), Sentro Kitanglad, Kalumbay Regional Lumad Organization and other organisations in Opol, province of Misamis Oriental in Southern Philippines. I find it disturbing that the ancestral lands of the indigenous Higaonon tribe have been forcibly taken away by a palm oil plantation owned by A Brown Company, and that they have suffered harassment and violence in the hands of this company and several conniving local government officials.

According to the Higaonons of Barangays Bagooboc and Tingalan in Opol, they have been occupying the contested lands since pre-Spanish colonisation era where their ancestors hunted animals, gathered honey and maintained small portions of land for agriculture. As an indigenous group, their ancestors practiced their unique culture and carried out rituals in certain areas they consider sacred.

However, the indigenous lifestyle started to deteriorate and human rights violations to thrive in the 1950s when the Higaonons were displaced from their lands to make way for logging and grazing ventures of landlords. Still, the indigenous tribe kept coming back to their lands, making them productive. In 2010, A Brown, with the help of certain government officials, entered their 520-hectare land and started planting palm oil without acquiring the Higaonons' free, prior and informed consent (FPIC). Several farmers were shot at and arrested, and many continue to be subjected to various human rights violations to this day.

Furthermore, their health and environment is slowly being affected by the plantation's use of agro-chemicals, including carbofuran and glyphosate. Their coconut and banana trees—their only source of livelihood—have been slowly dying since the plantation's entry. A Brown is expected to use even more toxic agro-chemicals, in even larger doses, as the palm oil seedlings grow.

The IFFM found out, and the Department of Environment and Natural Resources (DENR) has confirmed, that A Brown does not yet have a permit to operate in the said area, and is thus violating existing forestry and environmental laws.

Given the circumstances cited above and in order to uphold the rights of the indigenous peoples, I would like to request you to immediately undertake the following measures in Opol:

- A Brown to immediately pull-out of Opol and respect the farmers' and indigenous people's right to their ancestral lands;
- All forms of human rights violations be stopped, the perpetrators punished, and the victims indemnified;
- Desecration of sacred sites must also be stopped; and
- A Brown, together with all concerned units and agencies of the Philippine government to clean-up and rehabilitate the contaminated areas, provide immediate economic relief to the farmers, and strictly follow the FPIC process that is mandated not only by Philippine law, but by international law as well.

Finally, I am concerned at how this incident of land grabbing violates people's food sovereignty, or the people's right to determine their own food and agriculture. Globally, the expansion of palm oil has been made possible through land grabbing, land use conversion, and rapid deforestation. Displaced farmers and indigenous peoples have been forced to become agricultural workers in palm oil plantations, where pesticide poisoning is also a growing concern. Palm oil expansion has in general brought about increased hunger and poverty.

Thus, I am calling on the Philippine government to rethink its thrust towards the expansion of the palm oil industry, bearing in mind the grave and incalculable social, environmental, and health costs already seen in palm oil-exporting countries Indonesia and Malaysia. I believe that only a few private interests stand to gain in the growth of an industry that is unsustainable and gaining notoriety for wantonly violating the most inherent rights of peoples.

I would very much appreciate it if you can keep me informed about the future development of this case.

Sincerely,

Endnotes

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Kalumbay Regional Lumad Organization is an alliance of different indigenous peoples' organisations from the provinces of Misamis Oriental, Bukidnon, Agusan del Norte and Agusan del Sur in Southern Philippines.

Peasant Movement of the Philippines (KMP) is a democratic and militant movement of landless peasants, small-scale farmers, farmworkers, peasant youth and peasant women advancing the peasant struggle against class exploitation and national oppression.

Rural Missionaries of the Philippines (RMP) is a national organisation, inter-diocesan and inter-congregational in character, of men and women religious, priests and lay people. RMP aims to empower the rural poor to live a decent life towards self-determination, and to freedom from oppression and all forms of exploitation.

Sentro Kitanglad is an information network of peoples' organisations that provides information and analysis on various socio-economic issues for advocacy, education, policy-making, development planning for CSOs, grassroots organisations, academic institutions, government agencies, and individuals in Northern Mindanao.

Pesticide Action Network Asia and the Pacific (PAN AP) is one of the five regional centres of PAN, a global network dedicated to eliminating the harm caused to humans and the environment by pesticides and promoting biodiversity-based ecological agriculture.

PAN AP's vision is a society that is truly democratic, equal, just, and culturally diverse; based on the principles of food sovereignty, gender justice and environmental sustainability. It has developed strong partnerships with peasants, agricultural workers and rural women movements in the Asia Pacific region and guided by the strong leadership of these grassroots groups, has grown into a reputable advocacy network with a firm Asian perspective.

PAN AP's mission lies in strengthening people's movements to advance and assert food sovereignty, biodiversity-based ecological agriculture, and the empowerment of rural women; protect people and the environment from highly hazardous pesticides; defend the rice heritage of Asia; and resist the threats of corporate agriculture and neo-liberal globalisation.

Currently, PAN AP comprises 108 network partner organizations in the Asia Pacific region and links with about 400 other CSOs and grassroots organisations regionally and globally.

EMPOWERING PEOPLE FOR CHANGE



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