

The Ecologist

CAMPAIGNS & UPDATES

March/April 1997

P&O proposes Indian port on ecologically fragile coast

P&O Ports, the Australian subsidiary of the UK-based shipping multinational, P&O, has proposed to the Indian state of Maharashtra to build a \$1 billion port at Vadhavan-Dahanu, north of Bombay. The 29-berth port, capable of handling 250 million tonnes of cargo (eight times that handled by the UK port of Liverpool) including oil, cement, coal, gas and other hazardous substances, would be constructed by Bovis McLachlan. According to World Bank sources, it would be financed in part by the Asian Development Bank.

Dahanu is the last green belt on the Maharashtra coast — 49% of it is tropical forest — and is home to some 175,000

unassimilated Warli tribal people. In 1991, it was designated an ecologically fragile area by the Ministry of Environment and Forests. Under the designation, no change is permitted in land use in the area and only 500 acres may be used for industrial activities. The proposed port would contravene both these restrictions.

The port would also violate a 1991 environmental notification which forbids any construction in India within 500 metres of the high water mark in eco-fragile regions. P&O says that the law has a special provision for ports; opponents argue that the company is misreading a law specifically intended to prevent the development of ecologically fragile coastal areas.

The port would also contravene a 1996 Supreme Court ruling which ordered the Maharashtra government to draw up and implement a regional plan for Dahanu aimed at protecting the eco-fragile habitat of the Warlis. This plan does not include a port.

P&O has announced that the port will supply coal to a power plant funded by the World Bank and run by a private power company, the Bombay Suburban Electric Supply (BSES), even though the Supreme Court has ordered this plant to switch from coal to gas.

WRITE TO Mr Mitsuo Sao, President, Asian Development Bank, PO Box 789, Manila Central Post Office, 0980 Manila, PHILIPPINES, Fax: +632 636 2444.

Lord Sterling of Plaistow, Chairman, P&O, 79 Pall Mall, London SW1Y 5EJ, UK. Fax: +44 (0)171 930 8572.

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Poisoned S. African workers win damages

Twenty South African workers poisoned by mercury accepted £2.1 million in April in settlement of a High Court damages action against British Multinational Thor Chemicals Holdings.

The men, all Zulus, sued the company after they fell ill in 1992 while working at its plant in Natal. Four of the workers have since died; the others all suffer from brain and neurological damage.

Thor transferred its mercury operations to Natal in 1987 from England after criticism about its working practices and exposure of workers to mercury.

The solicitors acting for the workers

said "This company tried to exploit these black workers by adopting working practices that would never be acceptable in Britain. Let this be a lesson for other British multinationals that they cannot ride roughshod over workers in the developing world and get away with it".

Two other British companies, RTZ and Cape Asbestos, are being sued in London in similar cases; RTZ by a worker who claims to have contracted lung cancer through working in a Namibian RTZ uranium mine, Cape by several workers who allegedly contracted mesothelioma while working for the company's subsidiaries.

"Conservation" threatens Philippine tribes

Various conservation initiatives on the western Philippine island of Palawan are threatening the survival and rights of the Batak and Tagbanwa tribal peoples.

The 5,300 hectare St Paul's Subterranean Park, founded in the 1970s, is within Batak ancestral land. Since the park became a debt-for-nature swap site in 1989, security guards have barred the Batak from hunting there. Tribal farmers report arrests and intimidation. A ban and other restrictions on subsistence farming within their forested ancestral lands means that many tribal peoples are starving.

The Batak oppose government proposals to enlarge the park to some 75,000 hectares as part of a national scheme, backed by the World Bank, USAID, the European Commission and international conservation groups, which is designed to restrict access to "core" zones and to resettle tribal peoples in some cases.

WRITE TO Mayor Edward S Hegedorn, New City Hall, Rizal Av., Puerto Princesa City, Palawan, PHILIPPINES.

CONTACT Survival, 11-15 Emerald St, London WC1N 3QL, UK. Tel: 0171-242 1441; Fax: 0171-242 1771; E-mail <survival@gn.apc.org>

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The Ecologist

CAMPAIGNS & UPDATES

Send news, campaigns and updates for inclusion in CAMPAIGNS & UPDATES to: The Ecologist (Campaigns), Agriculture House, Bath Road, Sturminster Newton, Dorset DT10 1DU, UK. E-mail <ecologist@gn.apc.org> Fax: +44 (0)1258 473748.

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Independent Commission to review large dams

The World Bank has agreed to work with its critics to set up an Independent Commission to review the social, economic and environmental record of large dams.

The decision follows the rejection by a roundtable meeting of NGOs, industrialists and Bank officials, held in April in Glands, Switzerland, of an internal Bank review of 50 Bank-funded dams. The review, which concluded that the benefits of large dams "far outweighed" their costs, was widely criticized as misleading and flawed.

The proposed Commission will examine World Bank-funded dams and dams funded and executed by other agencies. Its members will be selected by October 1997 in a process coordinated by the International Union for the Conservation of Nature (IUCN), a co-sponsor of the Glands meeting.

The Commission is likely to be asked to propose international standards for dam construction and to assess the sustainability and equity of different methods of land and water management and of energy production. It is also

expected to examine reparations for those whose livelihoods have been affected by dams.

Once established, the Commission will have two years in which to receive submissions, hold hearings, commission studies and publish its conclusions.

CONTACT International Rivers Network, 1847 Berkeley Way, Berkeley, CA 94703, USA. Tel: +1 (510) 848 1155; Fax: +1 (510) 848 1008; E-mail <irn@irn.org>

- International NGOs have demanded that the World Bank release the findings of an eight-month independent investigation into allegations by Chilean environmentalists that the International Finance Corporation (IFC)—the Bank's private sector arm—failed to prevent the Chilean electricity utility, Endesa, from violating the Bank's environmental and social policies at the IFC-financed Pangué Hydroelectric Project on Chile's Bio Bio river.

In February, Bank President James Wolfensohn stated that he would make public the report, which is believed to be extremely critical of the IFC, but has yet to do so.

Endesa recently announced that it was pre-paying its IFC loans, thereby avoiding the need to observe the Bank's environmental and social policy directives.

- Over 100 community leaders and a local farmers' union in Brazil have demanded that the World Bank's Inspection Panel investigate the Bank-funded Itaparica Itaparica Resettlement and Irrigation Project on the São Francisco river.

The irrigation scheme was supposed to provide a livelihood for villagers forcibly evicted in the late 1980s to make way for the Itaparica dam, but those resettled claim that the project has failed them. Many do not even have access to water, their living standards have fallen dramatically and health problems are rife. Only one third of the planned irrigation systems have been completed.

The Inspection Panel will decide by the end of May if the claim is eligible and if Bank management has been negligent in implementing Bank policies for those displaced.

Dam-affected people call for end to large dams

In March, representatives of dam-affected people from 20 countries met in Curitiba, Brazil, and issued a call for an international moratorium on the building of large dams. The meeting—the first-ever international gathering of dam-affected people—also demanded reparations for the millions of people whose livelihoods have suffered because of dams.

A declaration issued by the meeting—the "Declaration of Curitiba"—states that no dam should be built without the approval of affected people "after an informed and participative decision-making process".

The Declaration also calls for the "restoration of environments damaged by dams—even when this requires the removal of the dams" and demands "a halt to all forms of violence and intimidation against people affected by dams."

The Declaration deems it "both

necessary and possible to bring about an end to the era of destructive dams" and argues for the implementation of "alternative ways of providing energy and managing our freshwaters which are equitable, sustainable and effective".

Opposition to large dams is growing, states the Declaration, and dam-affected people have already proved successful in stopping dams. "We have occupied dam sites and offices, marched in our villages and cities, refused to leave our lands even though we have faced intimidation, violence and drowning. We have unmasked the corruption, lies and false promises of the dam industry. We are strong, united and our cause is just... We have stopped dams in the past, and we will stop more in the future."

CONTACT International Rivers Network, 1847 Berkeley Way, Berkeley, CA 94703, USA. Tel: +1 (510) 848 1155; Fax: +1 (510) 848 1008; E-mail <irn@irn.org>

US nuclear tests

The US Department of Energy (DOE) has announced plans to conduct two underground nuclear weapons-related "experiments" in Nevada. They would involve high-level explosives and weapon grade plutonium and/or uranium.

Three pounds of plutonium will be exploded in the first test, scheduled for June this year, but the DOE claims the explosions fall short of the critical mass needed to trigger a chain reaction.

Activists are concerned that the "experiments" will set a precedent for the continuation of nuclear weapons research, circumventing the recently-signed Comprehensive Test Ban Treaty.

WRITE TO President Clinton, The White House, Washington DC 20500, USA. Tel: +1 (202) 456 1111/1414; Fax: +1 (202) 456 2883; E-mail <president@white.hous.gov>

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Toxic incineration challenged

Two residents living near lime kilns owned by Redland Aggregates, one at Thrislington, Durham, the other at Whitwell, Derbyshire, have been granted leave for Judicial Reviews of the Environment Agency's decision to authorize the kilns to burn solvent waste (See *The Ecologist*, Nov/Dec 1995).

The Environment Agency and Redland failed in a legal attempt to get this leave for Judicial Review set aside.

In addition, two residents near Castle Cement's plant at Ribblesdale, Lancashire, have been granted leave for a Judicial Review of a similar planning decision by Lancashire County Council.

The three Judicial Reviews are concerned with the procedures the Environment Agency and local planning authorities follow to ensure that local residents and the environment are not adversely affected when solvent waste is burnt in cement and lime kilns.

The cement industry in Britain is paid an estimated £60 million per year to dispose of solvent waste.

- The Environment Agency is to prosecute Castle Cement in respect of breaches of emission limits at its Ribblesdale site, alleged to have occurred over a three-week period in February.

In November 1996, Castle Cement was fined £5,000 by a magistrate in respect of a spillage of Cemfuel®, a fuel made from solvent waste, at its Ribblesdale plant in March that year, and ordered to pay £4,000 costs to the Environment Agency.

The spillage occurred when a storage tank was overfilled and a warning alarm failed to operate. The magistrate's court heard that Castle Cement had no routine testing or maintenance of the alarms and control systems, and that no action had been taken by the company to deal with problems with the high-level alarm which occurred two days before the spillage.

An Environment Agency representative said that "the Environment Agency was concerned that management had failed to take action when these problems were first identified. The company had neglected its responsibilities to take the

necessary measures to prevent a risk to the environment."

- The Environment Agency and other government departments have not published data, collected and given to them by electricity companies Powergen and National Power in October 1996, indicating that strands of the infective prions believed to trigger BSE can survive temperatures as high as 1,500°C. The data is based on trials carried out in two British power stations.

A few months before it received this data, the government recommended that bovine waste could be burnt in power stations, cement kilns and incinerators. This recommendation has not been changed.

It has been reported that Powergen itself is not prepared to burn such waste unless it is convinced that the process poses no risk to the public or to its workforce.

CONTACT Public Interest Consultants, Oakleigh, Wernfwrdd, Gower, Swansea SA4 3TY, UK. Fax: 01792 850056; E-mail <alan.watson@gn.apc.org>

Gene update

MPs of the European Parliament passed a resolution in April against the European Commission's authorization in December for genetically engineered maize and genetically engineered soyabeans.

The resolution condemned the Commission for authorizing the maize when only one of the 15 member states supported it. Only two Euro-MPs voted against the resolution.

A national petition in Austria has been signed by 1.3 million people, 20% of the electorate, calling for a total ban on genetically modified agricultural products and experiments with genetically modified plants outside the laboratory, and a prohibition for patents on genetically modified animals or plants.

As part of days of action in April, campaigners in Britain stacked up supermarket trolleys with a wide variety of food items, passed the items through the sales checkouts, but then refused to pay for items if they contained genetically modified organisms (GMOs).

Indian shrimp ban on hold

Farmers and environmentalists in India staged a hunger strike in April to protest government moves to overturn a landmark decision by the Supreme Court which would have banned intensive shrimp farms in coastal areas (CAMPAIGNS Nov/Dec 1996).

The Supreme Court ruling, issued in December 1996, required all large, intensive shrimp farms operating within 500 metres of the coast to be destroyed by 31 March 1997 and full compensation paid to workers who lost their jobs.

On 20 March, however, India's Upper House passed an Aquaculture Authority Bill legalizing all coastal shrimp farms set up since 1991. The Supreme Court has since stayed its demolition order on shrimp farms until 30 July, when a review hearing will be held.

In April, over 200 fisherfolk from Andhra Pradesh went on hunger strike in Delhi to protest against the Aquaculture Bill, which has still to be passed by the Lower House before it becomes law. The fisherfolk also demanded that the December Supreme

Court ruling be fully implemented and that government notifications granting exceptions to the ruling be withdrawn.

CONTACT Research Foundation for Science, Technology and Natural Resource Policy, A60 Hauz Khas, New Delhi 110 016, INDIA. Tel: +91-11-6968077; Fax: +91-11-6856795 / 4626699.

- Filipino fisherfolk have asked for international support to oppose planned new fisheries legislation which would permit the privatization of communal fishing grounds.

Under the proposed law — House Bill 7366 and Senate Bill 7108 — corporations would be granted the same rights as "municipal fishermen", thereby allowing large trawlers to enter coastal fishing areas from which they are currently excluded.

The proposed Bill would also grant fishpond owners permanent ownership over lands which they currently lease from the state.

CONTACT Nationwide Coalition of Fisherfolk for Aquatic Reform (NACFAR) PO Box 1390 QCCPO, 1153 PHILIPPINES. Fax: +632-920 5824; E-mail <nacfar@mnl.sequel.net>

World Bank weakens resettlement policy

International NGOs have accused the World Bank of attempting to dilute its Directive on Involuntary Resettlement which applies to all development projects funded by the Bank.

The Directive, which has been in place since 1980, is currently being "reformatted" as part of an "efficiency" drive to streamline Bank policies by converting mandatory Directives into a new set of policy "guidelines".

NGOs charge that the reformatting process has significantly weakened the content of the resettlement Directive, and will adversely affect the livelihoods of more than two million people currently slated for resettlement as a result of 148 Bank projects.

Under the existing Directive, which acknowledges the serious social impacts of resettlement, Bank staff are required to avoid or minimize involuntary resettlement; give preference to land-for-land resettlement strategies; and to ensure that those resettled have their living standards improved or restored to levels which existed before relocation.

The "reformatted" policy, however, seriously downplays the social impacts of resettlement; omits the preference for land-for-land exchanges; removes requirements that the land provided to oustees be equivalent to land they have lost; glosses over gender aspects of resettlement; excludes certain categories of affected people from being covered by the resettlement policy (for example, those

who are entitled to land or housing as a condition of their employment may be displaced or deprived of their livelihood as a result of privatization or retrenchment in the private sector); and makes no reference to an agreement by the Bank's management that the Bank will not fund large operations unless adequate legal and regulatory frameworks for resettlement are put in place.

Rather than being mandatory, any measures to protect oustees will, under the new guidelines, be left largely to the discretion of the implementing agency or Bank task manager. For example, it would no longer be a requirement for Bank staff to conduct socio-economic surveys prior to resettlement or to undertake environmental impact assessments of any proposed resettlement sites. Measures to protect the host community have also largely been made non-mandatory.

In a joint letter to Bank President James Wolfensohn, 30 NGOs from around the world have demanded that the Bank restore the mandatory status of those policies which have become non-mandatory.

In response, the Bank, which was severely criticized in 1994 for its failure to implement its existing Directive on Involuntary Resettlement, has denied "any backtracking on its commitment to poverty reduction and sustainable development."

CONTACT Bretton Woods Reform Project, PO Box 100, London SE1 7RT, UK. Tel: 0171-620 4444; Fax: 0171-620 0719; E-mail <bwref@gn.apc.org>

Rehabilitation demand for Coal India mines

A network of Indian and northern NGOs are lobbying the World Bank to ensure just and effective rehabilitation of all those affected by mining at 25 Coal India opencast coal mines.

The Bank approved a \$65 million "soft" loan in May 1996 to enable Coal India to mitigate the environmental and social impacts of operating 25 of its coal mines, but little appears to have been done.

The company is now seeking a further \$500 million loan to "rehabilitate" the mines, for instance, to buy heavy earth moving machinery.

Bank operational policies demand that borrowers such as Coal India provide

environmental management plans for each mine; rehabilitation and resettlement action plans for all "project-affected persons", including those who will not be resettled; and, in areas where indigenous people live, indigenous peoples development plans. In several places, however, these plans have not been drawn up.

The groups have called on the Bank to make known its criteria for judging the effectiveness of mitigation measures and have put forward their own benchmarks.

CONTACT MineWatch, Clubland Methodist Church, 54 Camberwell Road, London SE5 0EN, UK. Tel: 0171-277 4852; Fax: 0171-277 4853; E-mail <minewatch@gn.apc.org>

IN BRIEF ●●●●●

BAE AGM HALTED

At the April AGM of British Aerospace, some 150 shareholders from the group Campaign Against Arms Trade demanded that BAe stop selling Hawk ground attack aircraft to the Indonesian authorities. Other shareholders asked detailed questions, taking up all the meeting time.

BURMA PIPELINE

The Petroleum Authority of Thailand has begun laying the Thai section of the Yadana gas pipeline (*The Ecologist* Sept/Oct 1994). Pipe-laying in the 50-kilometre section through fertile forests at the Burma border will start at the end of the year.

MAI DELAYED

OECD endorsement of the MAI treaty, which would lift foreign investment restrictions across the 29 OECD countries, has been delayed until at least the end of this year (*The Ecologist*, Jan/Feb 1997).

CODEX LABELLING POSTPONED

At its April meeting, the Codex Committee on Food Labelling postponed until next year a decision on whether foods containing genetically engineered ingredients should be labelled or not (CAMPAIGNS Jan/Feb 1997). Lack of regulation enables genetically engineered foods to come onto the market unlabelled and untested for their long-term effects on human health.

SARAWAKIANS ARRESTED

Nine Ibans, who have been opposing the clearing of their customary land for an oil palm plantation, were arrested in April and ordered by a magistrate's court to execute a bond of peace for six months. Three refused to accept the bond.

MARCH FOR SOCIAL JUSTICE

About 20,000 people took part in a march for social justice in London in April, called by sacked Liverpool dockers and their families (CAMPAIGNS Sept/Oct 1996), Hillingdon Hospital and Magnet strikers and Reclaim the Streets. The march ended with a party in Trafalgar Square.