



environmental
investigation
agency

THREE BASINS, THREE BATTLEGROUNDS

Examples of frontline
communities defending their
rights and rainforests against
the onslaught of extractives in
DRC, Indonesia, and Brazil

October 2023

CONTENTS

The Extractive Industries Threat to Forests

1

Fighting the Tyranny of Extractives: Three Case Studies

2

Democratic Republic of Congo
Indonesia
Brazil

2
3
5

Moving Forward in the Three Basins

6

References

6

ABOUT EIA

The Environmental Investigation Agency (EIA) is an award-winning nonprofit, internationally renowned for its use of pioneering innovative investigative techniques. For over three decades, EIA has exposed environmental crimes around the world, amplified frontline voices, and made the emergence of more equitable and sustainable management of the world's natural resources possible. Our organization has confronted the world's most pressing environmental problems, instigated systematic changes in global markets, supported communities' resistances, and promoted precautionary policies that protect the natural world from oppressive, neo-colonialist, and unfair exploitation.

ACKNOWLEDGMENT

The contents of this publication are the sole responsibility of EIA-US and do not necessarily reflect the positions of any donors.

© Environmental Investigation Agency, Inc. 2023.

Unless otherwise noted, the source for the report are EIA's internal investigative reports, photos, audio and video evidence collected during the investigation.

EIA US
PO Box 53343
Washington DC 20009
USA
T: +1 202 483-6621
E: info@eia-global.org
us.eia.org

EIA UK
62/63 Upper Street
London N1 0NY
UK
T: +44 (0) 20 7354 7960
E: ukinfo@eia-international.org
eia-international.org

THE EXTRACTIVE INDUSTRIES THREAT TO FORESTS

Tropical forests in Latin America, Congo Basin and Southeastern Asia are vital. They are the most diverse biomes on the planet and host at least two-thirds of the world's flora and fauna.¹

They are also global centers of terrestrial carbon storage - Earth's forests absorb around a quarter of anthropogenic carbon emissions each year - and regulate hydrological regimes.² Importantly, rainforests are also home to some of the most economically, politically, and culturally marginalized communities on the planet.³

As demand for commodities - particularly from the Global North - increases, rainforest countries have become focal areas for extractive industries' expansion in the hunt for oil, gas, and minerals like gold, bauxite, copper, and iron ore.⁴ This expansion has in turn necessitated unprecedented growth of supporting infrastructure such as roads, railways and pipelines into some of the world's remaining intact tropical forests.⁵ Although the direct footprint of extractive industries on forests appears to be moderate, the sector is the fourth-largest driver of deforestation and forest degradation globally when accounting for related infrastructure.⁶ Approximately 20 percent of tropical intact forest landscapes are designated as extractive concessions, presenting an enormous threat to these forests, in particular in Brazil and Democratic Republic of Congo (DRC).⁷

Across the three rainforest basins, Indigenous Peoples and local communities are standing up against destructive mining projects, opposing the displacement

20 percent of tropical intact forest landscapes are designated as extractive concessions, presenting an enormous threat to these forests, in particular in Brazil and Democratic Republic of Congo



Source: MJPE

Figure 1
MJPE shares information about the oil auction with communities from the Cuvette Centrale

of communities, and proposing alternatives that will conserve their way of life and the forests they call home. If governments of the Global North and South alike are serious about respecting human rights and addressing the climate and biodiversity crises, listening to these voices and answering their demands is paramount.

The business model of the extractive sector reflects a susceptibility to economic and environmental crime due to the opacity of the industry, the considerable financial flows involved, and the often vulnerable ecosystems in which it operates.⁸ Building on 35 years of cutting-edge and impact-focused investigations, the Environmental Investigation Agency (EIA) is committed to exposing the sector's illegalities, supporting communities' struggle, and proposing ground-truthed regulatory innovations. The next section highlights three cases that offer a glimpse into the current threats posed by extractive industries and how Indigenous Peoples and local communities are resisting.

FIGHTING THE TYRANNY OF EXTRACTIVES: THREE CASE STUDIES

Democratic Republic of Congo

In July 2022, the DRC announced the contentious auctioning of licensing rights for over thirty oil and gas blocks located in some of the most intact tropical forests in the world.⁹ Thirteen of the blocks overlap with protected areas. Three of the oil blocks include parts of the Cuvette Centrale peatlands, the world's largest terrestrial carbon sink, storing the equivalent of three years of global fossil fuel emissions.¹⁰ Hundreds of communities live today in the auctioned areas or depend on the integrity of the ecosystems they overlap with.¹¹

As local civil society has pointed out, the auction process has also flouted several national laws. No environmental impact assessments have been carried out or at least

made public, and the blocks have been drawn up in the absence of a national-level land use plan.¹² Independent research shows that the populations living within the designated blocks have not been informed, let alone consulted in this regard.

In response, Mouvement des jeunes pour la protection de l'environnement (MJPE) in DRC has worked to elevate the concerns of communities affected by the country's proposed oil block auction or entry into carbon markets. Over the course of 2023, MJPE carried out field missions to inform communities around sensitive peatland areas in the provinces of Equateur and Tshuapa of various proposed projects that would affect their lands and livelihoods; to understand their concerns around ongoing issues such as tenure insecurity; and to build communities' capacity to engage effectively with the state and private sector.

In October, MJPE brought together Indigenous, local community, and civil society leaders from affected communities in the city of Bolomba to facilitate communities' articulation of a shared vision for engagement around any projects that would affect their lands and livelihoods. The forum, which brought together some 50 community leaders, underscored that communities in the region are categorically opposed to oil exploitation on their lands, and gravely concerned that the government will fail to ensure the respect for their territorial and human rights. As a statement put out by leaders attending the workshop noted, "it is regrettable to see the government negotiating in Kinshasa with these companies without taking into account at least the opinion of the population... If the government cannot in the least control small forestry companies, how will it deal with multinational oil companies?"¹³

The forum provided Indigenous and local community leaders with an opportunity to articulate the fundamental importance of communities' lands to their lives and identities. As one community leader explained to local media, "We won't accept being displaced from our villages no matter what. Our parents were born and buried here, and we ourselves live here".¹⁴

"It is regrettable to see the government negotiating in Kinshasa with these companies without taking into account at least the opinion of the population"



Indonesia

The O Hongana Manyawa, which means "forest people" in Tobelo Dalam, is one of the last remaining nomadic Indigenous groups in Indonesia. They live within the forest in Halmahera Island of North Maluku and are the smallest of the six remaining bands still practicing the traditional nomadic lifestyle, which mirrors the migratory patterns of animals and the growing seasons of forest fruits.^{15,16}

Apart from facing discrimination due to perceptions that their lifestyle is primitive and backward, the O Hongana Manyawa now are facing a new threat. Massive, multi-billion-dollar nickel mines and smelters are encroaching onto their lands. It appears that social and environmental impacts have been crudely downplayed and left largely unaddressed by the Indonesian government, as the global demand for nickel is soaring and projected revenues are skyrocketing.

Figure 2
Tupa, a member of one of the last remaining nomadic Indigenous group in Indonesia

"Trees are gone and replaced with the big road, where giant machines go in and out making noise and driving the animals away," said Tupa, a member of a small band who lives within the Akejira forest in Central Halmahera District, North Maluku. For her, the forest is more than just a provider of food and shelter; it is also a home, and "the bridge" for all O Hongana Manyawa to connect with the spiritual world.

Tupa's band and their traditional way of living are threatened by the PT Indonesia Weda Bay Industrial Park (IWIP), one of two mega-nickel integrated mining and smelter projects in Indonesia.¹⁷ IWIP is the first integrated industrial estate in Indonesia which is intended to facilitate the mineral production and processing of electric vehicle battery components. The

project started two and half years ago and so far it has benefitted from approximately US \$5 billion from Chinese investors.

Tupa, her band members, and numerous allies have tried to halt the mining expansion. However, the Indonesian government has continually refused to heed their concerns. Moreover, authorities have attempted to silence the voices rising from the forests. Two members of the groups were arrested and falsely charged with killing, despite a clear lack of evidence.¹⁸ The O Hongana Manyawa have one simple ask: the guaranteed protection of their remaining forest. This will only be possible if the Indonesian government halts the mining expansion and takes serious action to respect the nomads' forest territories.



Figure 3
The Munduruku people of the Brazilian Amazon have taken the initiative of monitoring their territories

Brazil

Illegal artisanal gold miners and their multiple political, technical, and financial enablers are responsible for the massive invasion of indigenous territories such as the Yanomami and Munduruku in the Brazilian Amazon. These illegal operations have resulted in increased deforestation, severe health impacts as water and food sources are contaminated by mercury, and threats and violence against community members and leaders speaking out against the invasions.¹⁹

On one hand, some of the gold is exported and is making its way into the supply chains of some of the world's largest tech companies, despite the illegal nature of this production and its severe impacts on human rights and the environment.²⁰ On the other hand, the mercury, which is used by illegal gold miners to amalgamate the gold particles as part of the extraction process, is imported in breach of Brazilian laws and the international Minamata Convention on Mercury, as mercury traffickers explained to EIA investigators.²¹

Many Indigenous People have already taken the matter into their own hands in order to defend their territories, with well-documented success.²² Their engagement is

"As soon as the law enforcement operation stops, they [illegal miners] start working the next day. In reality, it doesn't stop. It slows down, but it doesn't stop."

not without serious risks, with for instance numerous Munduruku leaders and community members facing direct threats, and their capacity to combat illegal trafficking networks can't replace the government's responsibilities.²³

The new Brazilian government has taken promising initial action to crack down on illegal miners in Yanomami and Munduruku territories, as well as other hotspots of illegal gold mining in the Amazon. According to EIA's investigation, these operations have had an immediate impact on the quantity of illegal gold produced and illegal mercury consumed in the region. Nevertheless, as a gold and mercury trafficker told EIA investigators, this victory might be short lived: "As soon as the law enforcement operation stops, they [illegal miners] start working the next day. In reality, it doesn't stop. It slows down, but it doesn't stop."²⁴ In order for the impact to last, it is vital for the authorities to maintain permanent monitoring and enforcement in these contested territories.

Another set of threats continues to loom over the Indigenous lives of the Brazilian Amazon - the expansion of megaprojects. The government has supported the "Ferrograo" rail project, recently put on hold by the Brazilian Supreme Court over potential impacts on the rainforest, which would cut through and open up intact rainforests and Indigenous territories.²⁵ Alessandra Korap, an Indigenous leader of the Munduruku people who recently won the Goldman Environmental Prize for work that included battling the encroachment of mining into Munduruku territories, has already called on the Brazilian president to do more to prevent the emergence of new megaprojects that threaten the Amazon rainforest and Indigenous and traditional communities.^{26,27}

MOVING FORWARD IN THE THREE BASINS

In order to stop the tyranny of extractives and strengthen forest governance from the ground up, EIA recommends:

CO-DECISION:

While each country and its peoples have the sovereign right to decide on the fate of their natural resources, a fundamental truth remains: forest communities are the first victims of extractive industries' expansion. It is imperative that Indigenous Peoples and local communities are not simply "consulted" but that their rights are fully recognized and they are able to shape the decisions and policies that will affect their existence and survival.

TRANSPARENCY:

Purposeful involvement of Indigenous Peoples, local communities and other stakeholders depends primarily on the level of transparency regarding all aspects related to exploration, exploitation, mineral processing, and closure. Independent monitoring of extractives projects by civil society experts is one of the ways to drastically fight opacity.

LEGALITY:

No extractive expansion should happen at the expense of the rule of law. As the case studies exemplify, government-led processes or government-supported projects are not de facto legal. Authorities break and bend laws, as private companies do. It is for instance paramount that laws that protect Indigenous Peoples' territories are unfailingly upheld.

SHARED RESPONSIBILITY:

Demand-side countries have a direct role in driving forest- and climate-destroying commodity supply chains. As such, they should be held accountable to act decisively on their end, including mandatory measures to regulate their commodity imports, and support (politically, technically, and financially) positive changes in rainforest countries.

REFERENCES

1. Martin J.P. Sullivan et al., 2017, "Diversity and Carbon Storage across the Tropical Forest Biome".
2. Sean L. Maxwell et al., 2019, "Degradation and Forgone Removals Increase the Carbon Impact of Intact Forest Loss by 626%".
3. José J Campos Arce, 2019, "Forests, Inclusive and Sustainable Economic Growth and Employment".
4. Michael B.J. Harfoot et al., 2018, "Present and Future Biodiversity Risks from Fossil Fuel Exploitation", Moritz Kramer et al., 2023, "Extracted Forests".
5. Hedley S. Grantham et al., 2021, "The Emerging Threat of Extractives Sector to Intact Forest Landscapes", Chris J. Johnson et al., 2019, "Growth-Inducing Infrastructure Represents Transformative yet Ignored Keystone Environmental Decisions".
6. Peter Potapov et al., 2017, "The Last Frontiers of Wilderness".
7. Op. Cit.
8. UN Economic and Social Council, 2019, "Combating Transnational Organized Crime and Its Links to Illicit Trafficking in Precious Metals and Illegal Mining, Including by Enhancing the Security of Supply Chains of Precious Metals".
9. New York Times, July 24, 2022, "Congo to Auction Off Oil and Gas Blocks In a Step Back for Climate Change".
10. The Guardian, November 2, 2022, "Carbon Timebomb: Climate Crisis Threatens to Destroy Congo Peatlands".
11. Rainforest Foundation UK and Earth InSight, 2022, "Congo in the Crosshairs".
12. 2022, "Note de Position de La Société Civile Environnementale Relative Aux Appels d'Offre Sur l'Attribution Des Droits d'Hydrocarbures En République Démocratique Du Congo".
13. 7sur7.cd, October 17, 2023, "Équateur: Les communautés de Bolomba appellent le gouvernement à miser sur le marché carbone pour leur développement".
14. Op. Cit.
15. Earth Journalism Network, November 26, 2021, "Global Race for Electric Car Components Is Threatening Indigenous Peoples in Indonesia".
16. Op. Cit.
17. Southeast Asia Globe, November 14, 2019, "Mining Greed Could Doom Indonesian Forest People".
18. Project Multatuli, October 21, 2022, "They Have Nothing Now".
19. Reuters, December 17, 2021, "Amazon Tribe Suffers Mercury Contamination as Illegal Mining Spreads".
20. Reuters, July 25, 2022, "Illegal Brazil Gold Tied to Italian Refiner and Big Tech Customers".
21. EIA, 2023. Unpublished findings.
22. For example, see Mongabay, March 14, 2022, "In Brazil, Indigenous Ka'apor Take Their Territory's Defense into Their Own Hands"; Celso H.L. Silva Junior et al., Nature, April 10, 2023, "Brazilian Amazon Indigenous Territories under Deforestation Pressure".
23. Agência Brasil, February 26, 2023, "Indigenous Leaders in Brazil Fear Retaliation from Miners".
24. EIA, 2023. Unpublished findings.
25. Reuters, June 1, 2023, "Brazil court upholds suspension of forest reduction for Ferrograo grain railway".
26. AP, May 7, 2023, "Brazil's Amazon megaprojects threaten Lula's green ambitions";
27. Goldman Environmental Prize, 2023, "2023 Goldman Prize Winner: Alessandra Korap Munduruku".



**environmental
investigation
agency**

EIA US

PO Box 53343
Washington DC 20009 USA

T: +1 202 483-6621
E: info@eia-global.org

us.eia.org

EIA UK

62-63 Upper Street,
London N1 0NY UK
T: +44 (0) 20 7354 7960
E: ukinfo@eia-international.org

eia-international.org

