

# Open letter calls for the Suspension of Supply Contracts with Brazilian Palm Oil Giant linked to Violence and Land Grabs

Sept 2023

To: Consumer Goods Forum

CC: Government Agencies and Financial Institutions

Dear Consumer Goods Forum,

On the eve of the Amazon Summit in Belém, Brazil, where the heads of state of the Amazon Cooperation Treaty Organization were set to discuss a sustainable future for the Amazon, Brasil Biofuels (BBF) security guards and the Military Police are accused of having shot four indigenous Tembé people<sup>1</sup> in an escalating land conflict.

BBF claims to be the largest palm oil producer in Latin America<sup>2</sup> with most of its operations located near Tomé-Açu, just 100km south of Belém. Several Consumer Goods Forum members source from the company<sup>3</sup>.

The land conflicts between BBF and Indigenous peoples and local communities are long standing as its plantations are located on land claimed as traditional lands by indigenous peoples and local communities, including the demarcated Indigenous lands of Turé Mariquita I and II of the Tembé Indigenous people and lands claimed by the Nova Betel Quilombola communities<sup>4</sup>.

A Global Witness report<sup>5</sup> from last year states that “BBF are accused of waging violent campaigns to silence Indigenous and traditional communities defending their ancestral lands”. It also reports that BBF has been accused of using torture and physical abuse<sup>6</sup>, criminalizing Indigenous, Quilombola and Riverine communities from the region by filing over 500 police reports<sup>7</sup> against them and of intimidating community members with armed security guards<sup>8,9</sup>.

Last year, one person was killed and three more were wounded in an attack by gunmen on an indigenous Turiwara village, which villagers attributed to security personnel of BBF<sup>10,11</sup>.

On August 4th, Indigenous Tembé leaders reported that they were attacked by security guards from BBF and that a 19-year-old member of their community was shot. In response, a delegation of the

1 <https://reporterbrasil.org.br/2023/08/atentado-a-indigenas-no-pa-e-novo-capitulo-de-conflito-com-industria-que-quer-plantar-combustivel-de-aviao-na-amazonia/> ; <https://amazoniareal.com.br/segurancas-da-bbf/>

2 <https://www.brasilbiofuels.com.br/nossos-negocios/agronegocio/>

3 <https://www.globalwitness.org/en/campaigns/environmental-activists/amazon-palm/>

4 <https://www.globalwitness.org/en/campaigns/environmental-activists/amazon-palm/>

5 <https://www.globalwitness.org/en/campaigns/environmental-activists/amazon-palm/>

6 <https://dol.com.br/noticias/para/675213/agricultores-sao-espancados-por-funcionarios-da-biopalma?d=1>

7 <https://www.mpf.mp.br/pa/sala-de-imprensa/noticias-pa/mpf-aponta-risco-de-violencia-em-conflito-entre-bbf-e-comunidades-indigenas-e-quilombolas-no-para>

8 <https://g1.globo.com/pa/para/noticia/2022/03/12/tensao-entre-segurancas-da-bbf-e-indigenas-tembe-e-acirrada-por-vala-cavada-em-area-de-disputa-no-pa-video.ghtml>

9 <https://amazoniareal.com.br/mp-pede-prisao-do-dono-da-brasil-biofuels-por-tortura/>

10 <https://g1.globo.com/pa/para/noticia/2022/09/24/indigenas-denunciam-ataque-de-pistoleiros-que-deixou-3-mortos-e-1-ferido-no-para.ghtml>

11 We note that BBF denies these claims.



National Council for Human Rights (CNDH in Portuguese), with UN representatives, traveled to the region on Monday, 7th, to investigate the situation. Moments before the delegation was set to arrive, three more community members were shot as they approached the company's headquarters. The CNDH delegation faced a road block preventing them from visiting the company's plantations and headquarters. In a letter to the governor<sup>12</sup>, the CNDH attributes the violence to private security guards that work for BBF, and suggests that the attacks on Monday were in response to the CNDH visit.

In September 2022, Global Witness contacted BBF, and, in response, the company acknowledged the existence of an ongoing conflict in the region, which it claims it is trying to solve. BBF believes it is rather the victim of criminal actions against its employees, which the company has reported to the police. BBF denies causing or intending to cause physical harm to community members. It stated that its hired armed security is instructed to act peacefully, respectfully, and in accordance with current legislation.

In August 2023, after the incidents described above happened, BBF sent a note with the company's position to Brasil de Fato:

The BBF Group (Brasil BioFuels) clarifies that the Tomé-Açu Complex, privately owned by the company - i.e. the Agrovila, General Administration and Infrastructure Areas -, was invaded once again, in the morning of Monday (7). Company's equipments were burnt and buildings destroyed by Indigenous invaders.

Around 30 armed invaders threatened and attacked company workers, before setting fire to dozens of tractors, agricultural machinery and company buildings. The company's private security team was able to contain the criminal activity of the invaders and protect the lives of the workers who were at the site.

The BBF Group emphasizes that it has taken the appropriate legal measures in the judiciary and requested support from the public security bodies of the State of Pará. Thus, it awaits a quick solution to the case.

Given this recent escalation of the violent, and long standing, human rights violations committed by BBF against Indigenous and local communities, we urge your company, and all members of the Consumer Goods Forum to take note of the recommendations made by the CNDH<sup>13</sup>, and , to:

- Immediately suspend sourcing from Brasil Biofuels (BBF) until the company takes action to end all forms of violence and intimidation against the community and until harms have been compensated and fully remedied to the satisfaction of the aggrieved communities;
- Make a public statement denouncing the human rights violations that have been committed against the communities;
- Make a public statement on the measures you are taking in response to the human rights violations being suffered by the communities including how you are using your leverage to end the rights violations and ensure redress is provided;
- Demand, as a condition for potential restarting of any sourcing from BBF, that the company urgently takes steps to end all violence and intimidation against the community and prevents any further harms to members of any community within or surrounding their palm plantations, including by withdrawing

12 <https://drive.google.com/file/d/1VmBHC4InDkpyvUdDkF9qLfg98QR6OuZs/view>

13 <https://drive.google.com/file/d/1wnF9BhpUe3LalDxhD8Y1SsJYUA5oXY8d/view?usp=sharing>



armed security guards, and ensuring employees and contractors act in accordance with the law and that they do not in any way threaten the safety and security of the communities. Failure to do this should lead to the termination of contracts with BBF;

- Adopt policies and procedures to require all suppliers ensure Zero Tolerance for violence against, intimidation of, and criminalization of environmental and human rights defenders;
- Implement human rights due diligence policies and procedures, as described in the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises, to ensure that palm oil (and other commodities) is only sourced from suppliers who respect the rights of indigenous peoples, including their rights to their lands and territories and to give or withhold their free, prior and informed consent in relation to what activities can take place on those lands and territories. Where there are existing supplier relationships, the due diligence must include identifying any existing or past human rights violations and engaging with the aggrieved rightsholders directly to understand what actions they want the downstream buyer companies to take to address those violations (e.g. providing financial support for rightsholders to engage legal or other support in pursuing redress, suspend and/or terminate business relationships etc). In particular, this includes exercising your leverage to address the international human rights violations allegedly committed on disputed land or by BBF contractors.

Sincerely,

## List of signatory organisations

1. African Law Foundation (AFRILAW) Abuja-Nigeria
2. Agency for Turkana Development Initiatives (ATUDIS), Kenya
3. Aid Environment
4. Asia Indigenous Peoples Network on Extractive Industries and Energy (AIPNEE), Asia
5. Ação dos Jovens Indígenas de Dourados Brazil (AJI), Brazil
6. Aldeia Marakanã, Brazil
7. Ambiente, Desarrollo y Capacitación, (ADC), Honduras
8. AMIGA
9. Andrew Lees Trust, UK
10. Articulação das Pastorais da Ecologia Integral do Brasil, Brazil
11. Asociación Interamericana para la Defensa del Ambiente, Americas
12. Asociación ProPurús, Peru
13. APROMOVA
14. Both ENDS, International
15. Business and Human Rights Resource Centre (BHRRC), International
16. Catholic Agency for Overseas Development (CAFOD), International
17. Community of Arran Seabed Trust (COAST), Scotland
18. Comitê de Defesa da Vida Amazônica na bacia do Rio Madeira (COMVIDA), Brazil
19. Conselho Nacional das Populações Extrativistas (CNS), Brazil
20. CPDA
21. Environmental Justice Foundation, International
22. Estuário Serviços Consultorias Ecosociais, Brazil



**Green Development Advocates**

*For a Green Congo Basin*



23. Federación de Comunidades Nativas Fronterizas del Putumayo (FECONAFROPU), Peru
24. Federación de Comunidades Nativas del Ucayali y Afluentes (FECONAU), Peru
25. Federación por la Autodeterminación de los Pueblos Indígenas (FAPI), Paraguay
26. Forest Peoples Programme (FPP), International
27. Fundación Ecuémica para el Desarrollo y la Paz (FEDEPAZ), Peru
28. GAPK, Brazil
29. Global Witness. International
30. Green Development Advocates (GDA), Cameroon
31. Greater Whange Residents Trust, Zimbabwe
32. Grupo de Pesquisa em Etnopolítica, Pensamento Administrativo e História do Estado e das Instituições (EPAHEI), Brazil
33. International Service for Human Rights (ISHR), International
34. Lawyer's Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP), Nepal
35. Pastoral da Ecologia Integral - Movimento Laudato Si, Brazil
36. Proyecto sobre Organización, Desarrollo, Educación e Investigación (PODER), Latin America
37. Rainforest Action Network (RAN), International
38. Rede de Mulheres das Marés e das Águas do Litoral do Pará, Brazil
39. Resguardo Indígena Cañamomo Lomapieta (RCMLP), Colombia
40. Roots2Justice, International
41. Socio-Ecological Union International, International
42. South Durban Community Environmental Alliance (SDCEA), South Africa
43. Star Kampuchea, Cambodia
44. Swedwatch, International
45. The Marginalised Mirror, Namibia
46. Washington Office on Latin America (WOLA), Americas

### List of signatory individuals

1. Flavio Protasio Ceccon
2. Nhek Sarin
3. Natália Octaviano Eyer



South Durban  
Community  
Environmental  
Alliance

