

Open letter from Indigenous Peoples and civil society organizations re: concerns over attacks on indigenous communities and deforestation of the Ekuri Forest, Nigeria

May 2023

To: Mr Mohammed Hassan Abdullahi, Minister of Environment, Federal Government of Nigeria

CC: Ezemac International Company Ltd

CC: Mary Lawlor, United Nations Special Rapporteur on the situation of Human Rights Defenders, Francisco Cali Tzay, United Nations Special Rapporteur on the rights of indigenous peoples, United Nations Working Group on Business and Human Rights, Michel Forst, UN Special Rapporteur on Environmental Defenders (Aarhus Convention), Rémy Ngoy Lumbu, Special Rapporteur on Human Rights Human Rights Defenders and focal point for reprisals in Africa of the African Commission on Human and Peoples' Rights.

As representatives from Indigenous Peoples, civil society, scientific agencies, and community-based organizations around the world, we the undersigned are writing to you regarding ongoing harassment, criminalisation, human rights abuses, and deforestation in the Ekuri Forest, Nigeria.

On the 15th of April 2023, the 'Ezemac International Company Ltd', a Nigerian logging company, allegedly brought 30 army personnel and policemen to the indigenous Ekuri community. During the operation, the security forces advanced towards the village on motorbikes and opened fire indiscriminately creating fear and confusion and forcing the villagers to flee to safety. Fortunately nobody was injured.

This is the latest in a row of incidents of threats and intimidations the community has faced due to their actions to protect their land from illegal logging which has been taking place without the consent of the Ekuri community.

Located in Nigeria's Cross River State, the Indigenous Ekuri community is made up of 6,200 indigenous Nkokoli peoples, who manage a 33,600-hectare community tropical rainforest. The indigenous community's self-determined efforts to conserve and sustainably manage their forest were recognised by UNDP with the Equator Prize in 2004. The Worthy Association for Tackling Environmental Ruins (WATER), an NGO with focus on development and conservation issues, has facilitated Ekuri forest to register as Indigenous Community Conserved Area (ICCA) with the United Nations Environmental Programme and World Conservation Monitoring Centre and is at the forefront of community-led conservation, with the model being replicated in many communities across the region. The Ekuri forest was also a leading pilot site for the UNREDD program in Nigeria.

Since January this year, the Ekuri forest has faced unprecedented logging. The conservation efforts of the Ekuri community and their peaceful resistance to illegal deforestation has earned them the wrath of the 'Ezemac International Company Limited' a Nigerian logging company who deployed bulldozers and logging equipment into the forest without consent of the Ekuri community. The Ekuri community Eco-Guards, whose role it is to patrol, document, and denounce illegal logging in Ekuri community protected forests, observed the company illegally harvesting timber and decided to intercept two logging trucks, seizing the keys and handing



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them over to the Ekuri community. The Ezemac company representatives subsequently visited the Ekuri community to seek forgiveness. In recognition of the value of the timber already cut and as a warning against any future encroachment, the company was asked to pay a fine, which it did. The trucks' keys were handed over on the agreement that the company leave the protected area.

Rather than honoring this agreement, the company opened new logging routes and began deforesting in a more massive and destructive manner. On February 20, 2023, the company logged an estimated 5000 trees, the timber being removed before the community eco-guards caught up with them and managed to remove batteries from the bulldozers. Community members have since faced an escalation of reprisals from the company due to their legitimate, non-violent work protecting their territory from the illegal loggers, culminating in the incident on the 15th of April where the military and police came into their territory, firing their guns alongside the company who threatened to criminalise community members.

Given the serious ongoing human rights and environmental harms, the organisations signed below call on the authorities in Nigeria to put an end to any acts of harassment – including at the judicial level - and to ensure that the Ekuri community are able to carry out their legitimate human rights activities protecting their customary lands and resources without any hindrance or fear of reprisal.

We respectfully request that the Federal Government of Nigeria:

- Conduct an investigation into the actions taken against the environmental human rights defenders, and sanction those involved.
- Ensure the non-repetition of these actions.
- Ensure effective remedy for the affected communities and their defenders.
- Guarantee indigenous peoples' right to Free, Prior and Informed Consent (FPIC) in relation to any proposed activity by external actors on their customary lands.
- Ensure the immediate withdrawal of the company from the Ekuri forest to sustain climate change mitigation and livelihood efforts of Ekuri community in line with the SDGs.

We urge the Ezemac International Company Limited to:

- Refrain from criminalising the indigenous human rights defenders who manage the Ekuri community rainforest.
- Recognise and respect the human rights of human rights defenders, and the collective rights of indigenous peoples, and act to promote or support indigenous and/or community led development priorities.
- Take action to comply with the community demand to withdraw from Ekuri forest.

International companies must immediately suspend sourcing timber from the Ezemac company until conflicts between Ezemac and the Ekuri community are resolved, land deforested by Ezemac without consent has been regenerated and restored to community ownership, and compensation has been agreed upon and provided to affected communities.



List of signatory organisations and individuals

1. African Law Foundation (AFRILAW) Abuja-Nigeria
2. Agency for Turkana Development Initiatives (ATUDIS), Kenya
3. Buliisa Initiative for Rural Development Organization (BIRUDO), Uganda
4. Cambodia Indigenous Peoples Organization (CIPO)
5. Comisión Intereclesial de Justicia y Paz, Colombia
6. Dr Adeniyi Asiyani, University of British Columbia, Canada
7. Environmental Defender Law Center, USA
8. Facilitation for Peace and Development (FAPAD) - Uganda
9. Federación por la Autodeterminación de los Pueblos Indígenas (FAPI), Paraguay
10. Forest People's Programme, UK
11. Green Development Advocates (GDA), Cameroon
12. Indigenous Movement for Peace Advancement and Conflict Transformation (IMPACT) - Kenya
13. Indigenous Peoples Partnership, Myanmar
14. International Service for Human Rights, Switzerland
15. Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP)
16. Observatoire d'études et d'appui a la responsabilité sociale et environnementale (OEARSE) DR.Congo.
17. Oyu Tolgoi Watch Mongolia
18. Professor Gretta Pecl, Climate Change Ecologist & IPCC Lead Author, University of Tasmania
19. Project on Organizing, Development, Education, and Research (PODER), Mexico
20. Protection International Africa
21. Protection International Mesoamérica
22. Rainforest Action Network
23. Rivers without Boundaries Coalition
24. Sierra Leone Land Alliance
25. Snowchange Cooperative, Finland
26. The Marginalised Mirror, Namibia
27. Victims of Violence Support Africa, South Africa
28. Worthy Association for Tackling Environmental Ruins (WATER), Nigeria

