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## **MEMORANDUM** **ON A MATTER OF URGENT CONCERN**

**To:** The European Union Commission

**Attention:** Mr. Jean Claude Juncker

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**From:** The Executive Director, Rainforest Resource and Development Centre

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**Date:** January 2017

**Subject:** **THE BIOFUEL POLICY OF THE EUROPEAN UNION (EU)**  
**AND THE THREAT OF POVERTY ESCALATION AND**  
**ENVIRONMENTAL DEGRADATION IN SUB SAHARAN**  
**AFRICA.**

**The Biofuel Policy of the European Union (EU)** is established to rely on imports of millions of tons of raw materials to serve its industrial needs. This will definitely trigger the demand for palm oil exponentially and palm oil companies are increasingly looking towards Africa for land to establish new plantations. It is the view of the Rainforest Resource and Development Centre (RRDC), an NGO on Environment, Development and Information Delivery, based in Cross River State of Nigeria that the **EU biofuel policy** is certainly going to exert serious economic and environmental footprints on Africa and other developing countries.

The demand for palm oil in order to meet the supply of the need for the Biofuel industry in EU is bound to be very excessive. For instance, in 2015, the use of palm oil for biofuel production in EU was estimated at 3.35 million tons of palm oil. Such a huge demand as cited above has induced multinational companies to move into sub Saharan Africa scrambling for forest and indigenous peoples' lands in order to set up monoculture palm oil plantations. In 2012, Wilmar International, one of the world's largest palm oil conglomerates, with headquarters at Singapore, arrived in Cross River State of Nigeria with the declared intention of setting up 50,000 hectares of oil palm plantations. In the course of this endeavour, various communities are poised to lose their forest lands and means of livelihoods, resulting in increased scenarios of poverty aggravation in a region where poverty alleviation ought to be the ultimate GOAL. In the case of Wilmar, the excessively aggravated quest for land is demonstrated by the fact that the conglomerate is already implicated in issues pertaining to massive encroachment on the Oban Hills Division of the Cross River National Park and the Ekinta Forest Reserve. The Park, which is contiguous with the Ejagham Forest Reserve and Korup National Park in the Cameroon Republic and currently under serious threats of extinction by this encroachment is long recognized as one of the 25 biodiversity hotspots of global importance. Please refer to the following publications:

- 1) Biodiversity hotspots for conservation priorities. *Nature*, 403:853-845: By Myers, N., Mittermeier, R.A., Mittermeier, C.G., DaFonseca, G.A.B. and Kent, J. (2002);
- 2) Africa's Gulf of Guinea Forests: biodiversity patterns and conservation priorities. Conservation International and the Wildlife Conservation Society. By Oates, J.F., R.A. Bergl and J.M. Linder (2004).

In conclusion, it can be seen that the EU Biofuel Policy actually will have the undesirable effect of energizing multinational companies into massive land grab of community forest lands belonging to poor indigenous communities and therefore further aggravating the poverty by removing their means of livelihoods. It is also already energizing multinational companies that are interested in monoculture oil palm plantation development into grabbing lands that have been placed under conservation as it is presently the case of Wilmar International and the Oban Hills Division of the Cross River National Park, the largest block of intact, primary, lowland moist forest in Nigeria with a presence of high levels of endemism over a wide range of taxa (Oates et al. 2004; Gartshore, 2005; Bergl et al. 2007). Please also refer to the following publications:

- i) NCF-WCS Biodiversity Research Programme - An Amphibian Survey of the Oban Hills Division of the Cross River National Park. By Abiodun O (2005):.

- ii) NCF-WCS Biodiversity Research Programme: More Amphibian surveys in the Oban Hills and Obudu Hills, Cross River State. By Abiodun O (2007):
- iii) WCS ANNUAL REPORT: 2015 CROSS RIVER NATIONAL PARK (OBAN DIVISION) – by Peter ABANYAM & Inaoyom IMONG [www.wcsnigeria.org](http://www.wcsnigeria.org).
- iv) Herpetofaunal Surveys on Obudu Cattle Ranch and Okwangwo Division of Cross River National Park. Preliminary Summary Report. In Appendix 7.3: A year-end report submitted to the John D. and Catherine T. MacArthur Foundation by WCS - Gartshore (2005).
- v) Notable bird observation from Nigeria, including the first records of Spot-breasted Ibis *Bostrychia rara* and Yellow Longbill *Macrosphenus flavicans*. *Malimbus* 25:8594: By Demey, R.F., Dowsett-Lemaire and Dowsett, R.J. (2003).
- vi) The Mammals of Nigeria. Oxford University Press, Oxford. 402 pp. 5. By Happold, D. C. D. (1987). Hutterer, R. & Happold, D. C. D. (1983).
- vii) The Shrews of Nigeria. By Bonn zool Monogr., 18: 1-79. 6
- viii) Herpetofaunal Surveys on Obudu Cattle Ranch and Okwangwo Division of Cross River National Park. Preliminary Summary Report. In Appendix 7.3: A year-end report submitted to the John D. and Catherine T. MacArthur Foundation by WCS; Gartshore (2005).

In view of the scenarios described above, the creation of the EU Biofuel Policy at this time of global emergencies in food security and environmental sustainability, is highly disturbing. It is therefore the passionate plea of the Rainforest Resource and Development Centre (RRDC) that EU should kindly review its Biofuel Policy since it is prone to cause widespread poverty and food security issues in *the* sub Saharan Africa, as well as global environmental concerns. Already, the grabbing of indigenous peoples lands in Cross River State of Nigeria has compelled a corresponding response from landlord communities in defense of their rights to their ancestral lands and the protection of their source of livelihoods, their natural and cultural heritages.

The Photograph (1) below shows members of the indigenous community of IBIAE in Biase Local Government Area in Cross River State of Nigeria demonstrating against the sale of their ancestral lands to WILMAR International without their free, prior and informed consent. Photo 2 & 3 below also shows the indigenous tribal peoples of Ekong-Anaku community who have been

dispossessed of their only remaining ancestral forestland at Ekinta Forest Reserve since 2002. A massive stretch of ten thousand hectares (10,000 ha) of their forestland has been taken away from them compulsorily and sold to Wilmar International for the establishment and expansion of their IBAD Estate. The communal landowners were not consulted, nor have compensations been paid to them as provided by the Laws of the Federal Republic of Nigeria under the Land Use Act (CAP. 202) 1978. As a result, they have been deprived of their farmlands and source of subsistence in violation of their Constitutional Rights, and their rights as firmly established in the United Nations Charter and African Charter on Human and Peoples' Rights. The Wilmar oil palm plantation at IBAD is clearly established in defiance of due democratic process, the rule of law and respect for all human rights and fundamental freedoms. To the forest communities, the forestlands are fundamental to their social, cultural, spiritual, economic and political survival as distinct peoples. Presently, they are desperately in need of farmlands to meet their food security and livelihood needs.



**Photo 1**

Photo 1 shows members of Biase community in Akamkpa Local Government Area that have completely lost their land to Wilmar International for the establishment of oil palm plantation and expansion. They were not consulted neither were they paid any form of compensation for their land.



*Mathias Rittgerott, Rainforest Rescue – Germany*

**Photo 2**



*Mathias Rittgerott, Rainforest Rescue – Germany*

**Photo 3**

Photo 1 & 2 shows Ekong Anaku community in Akamkpa local government area of Cross River State of Nigeria who have forcefully been dispossessed of their farmlands for the establishment of the Wilmar – IBAD oil palm plantation, also without their free, prior and informed consent.