

# Democratic Republic of Congo Land Grabs: Plantation Company Pressures Farming Communities to Cede Land Rights

Feronia Inc., a Canadian-based Company Majority-owned by European and US Development Banks

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*Over the past few days, Feronia Inc., a Canadian-based company majority-owned by European and US development banks, has been pressuring local communities to sign a memorandum of understanding (MOU) that would endorse the company's continued operation and expansion of oil palm plantations within their territories.*

*Despite severe pressure and intimidation, the communities have rejected the MOU and are appealing for international support to demand that Feronia respect their decision.*

They are calling especially on the development banks or funds, which have a combined control of over 80 per cent of Feronia's shares, to respect their own internal guidelines regarding the free, prior and informed consent of communities. The development institutions with investments in Feronia include: the CDC of the UK; the AFD and Proparco of France; the AECID of Spain; OPIC of the US; BIO of Belgium; DEG of Germany; FMO of the Netherlands; and SECO of Switzerland.

## **The order of events**

On 8 March 2015, over 60 customary chiefs and other community leaders from across the district of Yahuma, where 90 per cent of Feronia's Lokutu plantations are located, gathered in the town of Mozité to call for the resolution of their longstanding grievances against Feronia. In a declaration, they stated that the company had never consulted them about the use of their lands and had no right to be there.

"We demand, first and foremost, the start of negotiations to reclaim our rights over the lands that have been illegally taken from us over the past 104 years", they stated in the declaration. "We want to be compensated, and only afterwards can we proceed to discussions over a memorandum of understanding".

Since then, several conflicts with Feronia have occurred, as the company has tried to send surveyors into the territories of the communities without their consent.

On 18 July 2016 a delegation of high level provincial authorities and elected officials was dispatched to Mozité to get the communities to agree to an MOU. One of the elected officials participating in this delegation was present during the 8 March 2015 meeting in Mozité and

received a copy of the community's declaration.

Sources within the delegation confirm that the objective of the delegation was to secure community consent to allow Feronia to resume with its land surveying activities. The sources also confirmed that the mission was paid for by Feronia and that the delegation was sent on orders from Kinshasa.

At the initial meetings with the delegation in the village of Mozité, the communities categorically rejected the proposed MOU. The delegation continued to pressure the communities to sign an MOU over the next days until 21 July 2015, when the communities once again refused to sign an MOU and the delegation finally abandoned its mission.

### **DFIs violate their guidelines**

The development finance institutions that effectively own Feronia have guidelines that the companies they invest in must follow in their negotiations with local communities over lands. The current efforts to pressure the communities in Lokutu to sign an MOU are in direct violation of these guidelines.

The development finance institutions should therefore take immediate measures to force Feronia to respect the rights and demands of the local communities and to stop pressuring the communities to sign an MOU. The DFIs must also take measures to ensure the security of community leaders who have been intimidated because of their opposition to the signature of an MOU with Feronia.

Feronia has yet to respect the community's clear demand that the company provide them with evidence of the legal rights that it claims to have to operate on their lands.

### **International support**

RIAO-RDC and its international partners support the demands of the communities for the return of their lands.

RIAO-RDC and its international partners call on the Government of the DRC to fulfil its responsibilities and ensure the security of the affected communities and their leaders who are now under threat of disappearance and other acts of intimidation and call on the provincial assembly in Kisangani to leave the communities to freely and peacefully seek their rights and to refrain from pressuring communities to sign agreements with companies that affect their control over their lands.

RIAO-RDC and its international partners are calling for an international fact finding mission to investigate and report on the situation of the communities living within the areas affected by the operations of Feronia Inc in the DRC.

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