

EVICTED FOR CARBON CREDITS

NORWAY, SWEDEN, AND FINLAND DISPLACE UGANDAN FARMERS FOR CARBON TRADING



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The Oakland Institute

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The Oakland Institute, 2019



Green Resources' pine plantation in Kachung © Kristen Lyons / The Oakland Institute

The Kachung tree plantation established by the Norwegian firm Green Resources in Uganda has had a devastating impact on the local people and the environment. Eviction notices released along with this report are evidence that the project was established on land grabbed from local communities. The three Scandinavian governments that finance the project and the international certification bodies that have verified that Green Resources is adhering to social and environmental standards are aware of the land grab. And yet, they have chosen to turn a blind eye to the actions of Green Resources.

Beyond the need for accountability, this report raises questions about the functioning and the true purpose of the whole carbon economy.

In Uganda, Green Resources, a Norwegian plantation forestry and carbon offset company, has a 50-year lease in two forest reserves from which it sells carbon credits to the Swedish Energy Agency (SEA). According to the company, the objective of the 11,864 ha tree plantation project is to “contribute to climate change mitigation...to sustainable development, socio-economic development and environmental conservation” in Africa.¹

Green Resources has received funding from several private investors as well as public development institutions, including Norfund (Norway) and Finnfund (Finland), which today are the main shareholders of the company.² The project is certified by several international bodies, including the United Nations' Clean Development Mechanism (CDM), the Forest Stewardship Council (FSC), and the Climate, Community, and Biodiversity Standard (CCBS).³

Planting trees to fight climate change sounds like a good idea, but as made evident by the Oakland Institute's

previous reports, a number of questions remain around Green Resources' Ugandan project's credibility as a response to climate change.⁴ Whereas Green Resources claims that the project is a “reforestation operation,”⁵ the non-native pine trees,⁶ planted to sell carbon credits, are later harvested and sold as timber. Worse still, thousands of rural Ugandans were evicted to make room for the plantation.⁷ The livelihoods of people living in the villages adjacent to Kachung Forest Reserve in the Dokolo District – one of the areas where Green Resources is operating – have been severely jeopardized as they lost access to the land they used for farming, grazing, as well as for the collection of wild food and firewood. The government of Uganda does not recognize land rights of the evicted population and bars subsistence activity on the concession awarded to the company.⁸ Over the years, the food security of the local villagers has severely deteriorated in the absence of any meaningful response from the company, its partners and financiers, or the government.





“No grazing” sign at Green Resources’ plantations in Uganda © Kristen Lyons / The Oakland Institute

Evidence of the Evictions

Focused on the expansion of a global carbon economy, partners, funders, and certification bodies have all turned a blind eye to the impact of the Green Resources project in Uganda on the local population. The eviction notices obtained by the Oakland Institute confirm our 2014 exposé – revealing the eviction of thousands of villagers from the land they relied on for their food and livelihoods to make way for the plantation.⁹

NFA
National Forestry Authority
Plot 10/20 Spring Road, P.O. Box 70863 Kampala, Uganda. Tel: 031-264035/36 Fax: 041-340683

JEDUBICA IMUL
ADEB
ADBU
Date: 7/4/2010
No. 2386

Dear Sir/Madam,

NOTICE

You have been illegally cultivating/grazing/residing/operating in KAUTUNG Central Forest Reserve in KAUTUNG Sector, ADBU Zone without statutory and contrary to Section 32 of the National Forestry and Tree Planting Act, 2003. You are also illegally taking forest produce, which includes..... You are hereby instructed to vacate the said Central Forest Reserve within 120 days with effect from date of receipt of this notice. You are warned that failure to heed this notice will lead prosecution in the court of law and eviction from the Central Forest Reserve.

Issuing Officer
Name:
Signature:
Title/Position:
Date:
Official Stamp

EVICTEE
Name: JEDUBICA IMUL
Signature: JEDUBICA
Title/Position: FARMER
Date: 7/4/2010

WITNESSES
Name and Signature (Sub-County Chief).....
Name and Signature (LC3 Chairman).....
Date:.....
Official Stamps

Duplicate: Resident District Commissioner..... District (Please specify)
TriPLICATE: The LC3 Chairperson..... LC 1 (Please specify)
Quadruplicate: To remain in the Book

NFA
National Forestry Authority
Plot 10/20 Spring Road, P.O. Box 70863, Kampala, Uganda, Tel: 031-264 035, 031-264036, Fax: 041 340 683

3397
SANTER EBONG...
APEFIBU...VILLAGE...
APE-PARISH...
Dear Sir/Madam,

NOTICE

You have been illegally cultivating / grazing / residing / operating in KAUTUNG Central Forest Reserve in KAUTUNG Sector, ADBU Zone without statutory authority and contrary to Section 32 of the National Forestry and Tree Planting Act 2003. You are also illegally taking forest produce, which includes CULTIVATION...IN THE FOREST LANDS. You are hereby instructed to vacate the said Central Forest Reserve within 90 days with effect from date of receipt of this notice. You are warned that failure to heed this notice will lead to prosecution in the courts of law and eviction from the Central Forest Reserve.

Issuing officer
Name:
Signature:
Title/Position:
Date:
Official stamp

EVICTEE
Name: Santer Ebong
Signature: On
Title/Position: Apuse
Date: 16/04/2010

WITNESSES
Name and Signature (Sub- County Chief).....
Name and Signature (LC3 Chairman).....
Date:.....
Official Stamps

Duplicate: Resident District Commissioner..... District (Please specify)
TriPLICATE: The Chairperson..... LC 1 (Please specify)
Quadruplicate: To Remain in Book



The Oakland Institute obtained letters sent by Green Resources – who also trade under a number of local names, including Kachung Plantation Project and Lango Forestry Co. – to local farmers who were growing food within the plantation. The letters such as the one below threatened those involved in subsistence agriculture as being engaged in “illegal cultivation,” indicating that the company would not be held responsible for damages to their crops.



KACHUNG PLANTATION PROJECT

P. O. BOX 386, LIRA

23/03/2009

M. Ecir George
Apeti “B” Village
Adok Parish

RE: ILLEGAL CULTIVATION ON FOREST LAND

We have confirmed that you are still digging in the forest reserve where we have planted trees despite the fact that last year you pledged not to continue cultivating in the reserve.

This is to warn you to **STOP** the practice immediately. We shall not be held responsible for any damage on your crops during the course of our activities in the forest reserve.
Your cooperation on this matter shall be appreciated.

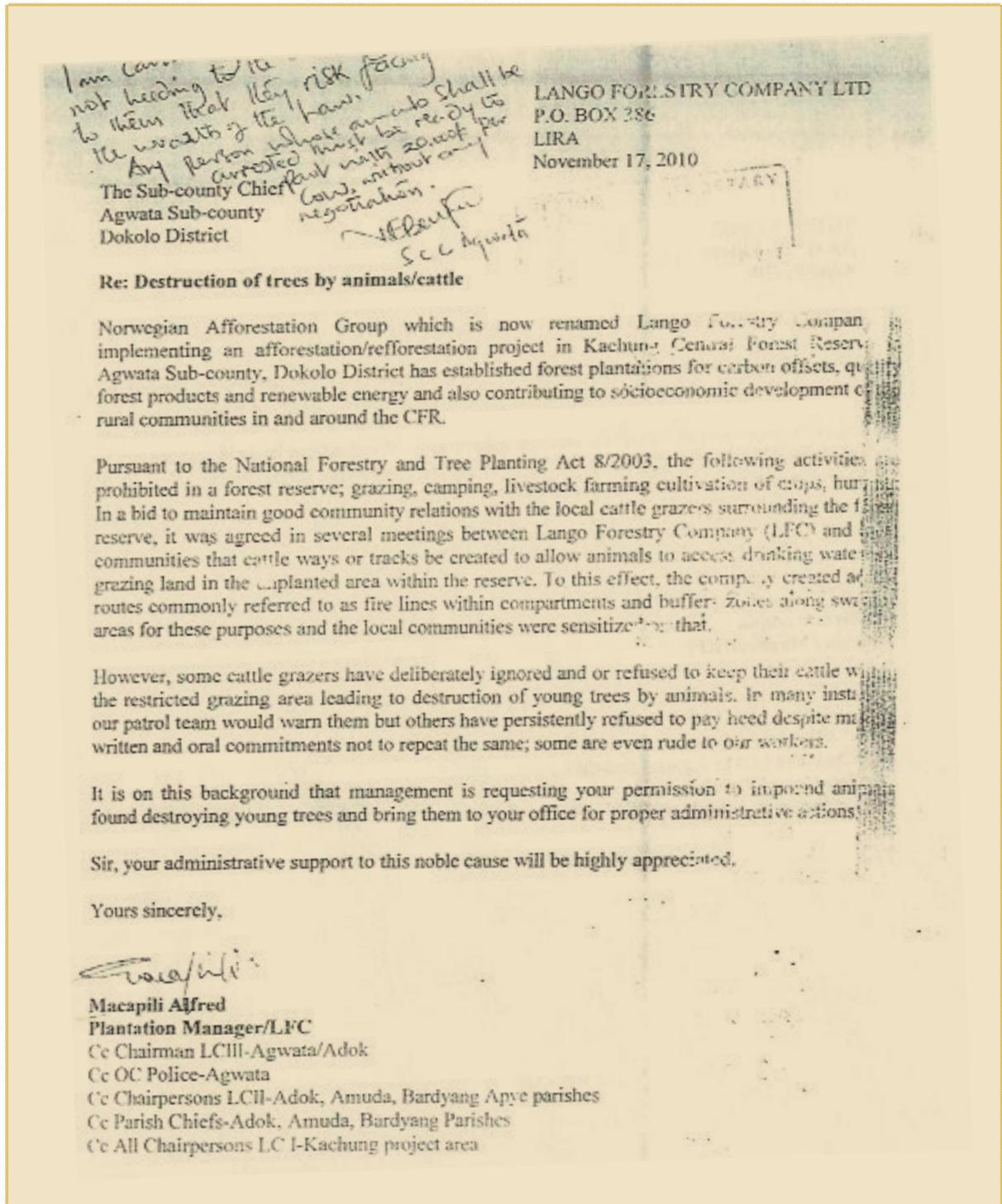
Yours truly,

Alfred Macapili
Project Manager/KPP

Cc Chairman LC1 Apeti “B”
Cc Chairman LC11 Adok Parish
Cc Parish Chief Adok
Cc Chairman LC111 Agwata Sub-County
Cc Sub-County Chief Agwata
Cc OC Police Agwata Station



Green Resources also sought the support of the Ugandan government to prevent locals from grazing their cattle on the plantation and complained about the rude behavior of some locals. In the letter below, the company asked the local administration for permission to impound animals found within the plantation.



Sweden, Norway, and Finland: Enablers of a Land Grab in Uganda

Green Resources could not operate in Kachung without the financial support it receives from the Swedish, Norwegian, and Finnish governments – all complicit in this land grab.

The state-owned Swedish Energy Agency (SEA) is the only carbon credit buyer of Green Resources, with a US\$ 4 million deal based on sequestration of 365,000 tons of carbon.¹⁰ The due diligence report that the SEA commissioned in 2011¹¹ documented that local communities had been using the land licensed to Green Resources for many years and

that the National Forest Authority “used force to take people out” of the concession.¹² The SEA, however, chose to ignore this information and publicly claimed that the land was “unused bushland.”¹³ After media reports corroborated the Oakland Institute’s findings on the detrimental impacts of the project,¹⁴ the SEA announced suspension of payments to Green Resources in 2015.¹⁵ However, in November 2018, the recently appointed Director General Robert André, denied having ever suspended payments to the company.¹⁶



SEA's representative Urika Raab was asked in a 2015 interview why the SEA falsely claimed that the Kachung site was on “unused bushland”¹⁷

After the Oakland Institute’s first exposé, *The Darker Side of Green*,¹⁸ Phaunos Timber Fund Ltd. – a shareholder in Green Resources with 14 percent of shares – divested entirely from the company citing concerns over the “high risk or non-yielding assets.”¹⁹ Financial troubles and cash flow restraints have plagued Green Resources since,²⁰ including a lawsuit between the company’s ex-CEO and founder, Mads Aspren, and co-shareholder Edvin Austbø of Nordic Property Holdings over unpaid loans and accusations of “speculation in shares with the creditors’ money.”²¹ Unable to secure adequate private resources,²² Green Resources was rescued by major financing from Finland and Norway.²³

Today Norfund, Norway’s development finance institution, is the main financier of the project, with Green Resources’ project being the oldest and largest investment in its food and agribusiness portfolio.²⁴ In recent years, instead of heeding the serious concerns raised about the project, Norfund double-downed on its investment to keep Green Resources afloat. From an initial loan of the NOK 202.7 million (US\$ 23 million),²⁵ in July 2018, Norfund became a majority shareholder with a 51 percent stake after exercising warrants for 147 million shares.²⁶ By December 2018, its investment had reached NOK 243.6 million (US\$ 27.8 million),²⁷ and by May 2019, Norfund said that it controlled 67 percent of the shares.²⁸





Green Resources' Board of Directors meeting in Tanzania, February, 2019. From right to left: Lars Ellegård (CFO), Michal Brink (Former Director of SGS Qualifor), Mikko Kuuskoski (Finnfund), Hans Lemm (CEO), Lasse D. Nergaard (Norfund), Frode Alhaug (Chairman), Ilkka Norjamäki (Finnfund)²⁹

Norfund announced in 2016 it would initiate an “independent monitoring process” that would include biannual audits.³⁰ However, what this entails remains unclear, and no reports have been made public to date. Norfund’s indefectible support to Green Resources and recent takeover of the project is hard to comprehend given the economic failure of Green Resources, lack of development outcomes, and devastating impact on the local villagers.³¹

The Finnish government’s development financier, Finnfund, has also played a key role in resurrecting the financial lifeline of Green Resources. Finnfund’s initial loan of US\$ 10 million to the company in 2012 increased by 50 percent to reach a total of US\$ 14.77 million in 2018.³² Together with Norfund, Finnfund converted Green Resources’ debt into equity and took majority ownership in the July 2018 financial shift.³³

Finnfund has stated that their ongoing support to the tree plantation is in service of their goal to “support and promote responsible business that will produce development effects such as jobs and wellbeing.”³⁴ Like Norfund, Finnfund has dismissed the evidence that demonstrates the failure of Green Resources in fulfilling its stated goal. In 2017, Finnfund rejected allegations against Green Resources that were raised in two media stories by the Finnish Broadcasting Company (YLE)³⁵ asserting that they “contained several factual errors” and that “most of the land disputes were no longer pressing problems.”³⁶ This denial of evidence is largely enabled by the complicity of several certification schemes and auditing companies that have been systematically misrepresenting the impact of the project.



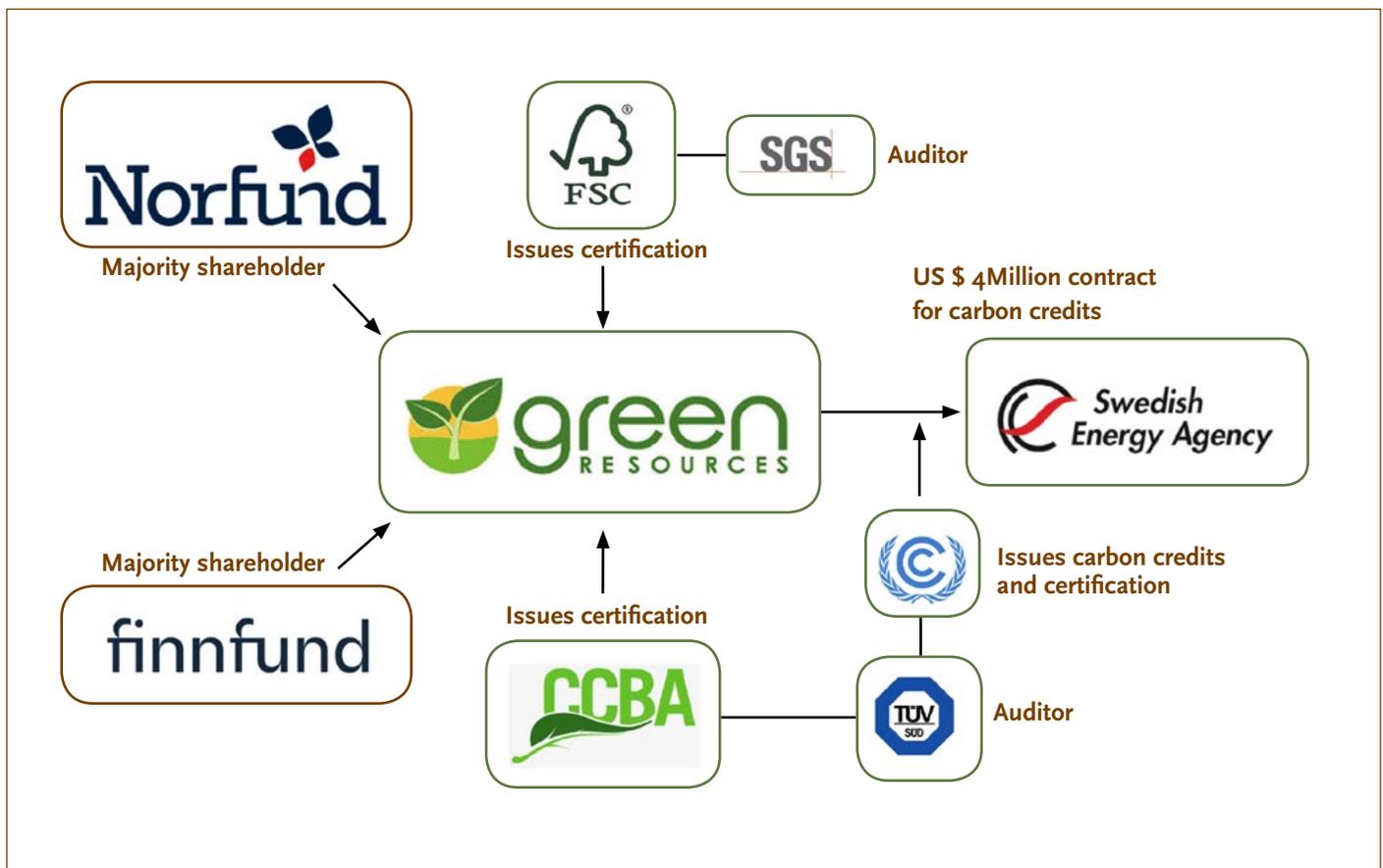
Complicit Certification Schemes

Green Resources has received accreditations from three bodies: the Forest Stewardship Council (FSC), the United Nations' Clean Development Mechanism (CDM), and the Climate, Community, and Biodiversity Alliance (CCBA).³⁷

The FSC is considered the premier standard for “responsible” forest management. It requires annual field assessments to certify that companies are effectively addressing environmental and social issues.³⁸ Green Resources’ operations in Kachung are monitored by SGS Qualifor on behalf of the FSC. SGS Qualifor is a South African-based

forest certification program affiliated with the international inspection and verification company SGS.³⁹ Kachung’s FSC certification was last renewed in May 2019,⁴⁰ following an on-site surveillance report released in November 2018.⁴¹ The report states that there are no “current unresolved disputes over tenure and use rights,”⁴² and that there are “effective dispute and grievance procedures that is accepted in the community.”⁴³ SGS Qualifor also claims that boundary issues have been addressed, and that there is no record of complaints over the three surveillance periods from 2011 to 2018.⁴⁴

INTERNATIONAL DONORS AND CERTIFICATION AGENCIES IN THE GREEN RESOURCES SCHEME



Screenshots from the SGS Qualifor's 2018 Certification Report

Nr	Comment	Response
	<p>Noted that they have a good working relationship with company and have regular community policing and sensitisation meetings with BFC staff. They also work with company in addressing illegal activities like cattle grazing and cultivation of crops. Noted that local people are grateful to the company for allowing them to access firewood, tree seedlings and cattle grazing in older trees. Noted that previous issues such boundary encroachment and conflicts that strained the relationship between the company and local people were addressed. Noted the company has also trained local people in the construction and use fuelwood energy cook stoves. Other benefits accruing to people from the company include trainings in group formation to engage in income generating activities, firewood access for the bereaved families, employment of local people and equipping medicines in the health units that are freely accessed by locals.</p>	Positive comments acknowledged

RECORD OF COMPLAINTS

Nr	Detail		
	Complaint:	Date Recorded >	22/8/2016
None			
Objective evidence obtained:			
Close-out information:	Date Closed >	dd MMM yy	

The report does not mention any of the incidents and serious grievances that the Oakland Institute has documented,⁴⁵ and which were corroborated by several independent media investigations.⁴⁶ More surprising is that this surveillance report blatantly contradicts another audit, the EOH performance audit commissioned by the SEA in March 2017 to assess the “social issues and impacts arising” from the project.⁴⁷ The audit urged the company to find a solution “as soon as possible” to several ongoing court cases related to land ownership disputes.⁴⁸ SGS Qualifor appears to have missed that since 2008, a group of 300 villagers has been in protracted court cases against Green Resources demanding compensation for the loss of land.⁴⁹ And despite the EOH performance audit recommendation to expedite outcomes of this and other legal cases, it remains outstanding over two

years after the reports release. The auditing firm also states that “no person had been displaced or evicted” and that the company did not acquire “Kachung land forcefully.”⁵⁰ The eviction notices and letters released with this report make it clear that these claims are false. Such blatant contradictions between SGS Qualifor’s reports, the audit commissioned by the SEA, and reports by independent organizations and media demonstrate the failure of FSC towards its responsibility in allowing and renewing the certification of the project.

Another accreditation organization that omits or downplays concerns about the Kachung plantation is the Clean Development Mechanism (CDM) – the United Nations body operating under the UN Framework Convention on Climate Change (UNFCCC). The CDM’s monitoring focuses



mostly on the calculation of carbon emissions/reductions related to the project. Shortsightedly, the CDM considers farming, grazing, and collection of firewood by locals as carbon “leakages.”⁵¹ The CDM monitoring report for 2011-2017 discusses Green Resources’ community involvement, yet fails to identify important flaws with the project. For instance, it mentions an initiative that aimed to train people to build energy-saving cooking stoves.⁵² However, the Oakland Institute’s research has shown that this attempt

to mitigate the effects of the dwindling firewood supply was very limited in time, had very minimal uptake, lacked follow-up support, and was irrelevant to improving the lives of locals.⁵³ The plantation also has exacerbated food insecurity in the area by reducing the available land,⁵⁴ but the gravity of the situation goes unmentioned in the CDM report. Instead, it highlights the company’s “food security program,” though it was only run on a small scale to provide some of the households with agricultural inputs and training.⁵⁵

SCREENSHOT FROM THE CDM’S 2018 MONITORING REPORT⁵⁶

The promotion of efficient energy saving cooking stove technology in communities surrounding Kachung Central Forest Reserve has been implanted in collaboration with the NGO, Agency for Rural Transformation (ART). The purpose of the project was to empower communities around the project with the skills to build efficient cooking stoves. The main outcomes being to ease the burden of fuelwood collection and minimise fuelwood consumption thus, promoting environmental conservation and eventually mitigating the effects of climate change. It targeted households in 14 Villages surrounding Kachung Central Forest Reserve in Agwata and Adok sub-counties; these villages are Te-amon, Abenyonya’A’, Abenyonya ’B’, Acuna, Apeti’A’, Apeti ’B’, Agolowelo, Okile, Aputi, Agengi, Tetugo, Okwor, Omukuceke and Bung.

The project was developed for six months, from Nov 2011 until April 2012 and focused mainly on the following activities:

- Community mobilisation and sensitisation in the 14 villages surrounding the project area to popularise the stove project
- Public awareness on the current status of environmental degradation

A third complicit institution is the Climate, Community, and Biodiversity Alliance (CCBA), which validates initiatives that “simultaneously address...climate change, support local communities and smallholders, and conserve biodiversity.”⁵⁷ The Climate, Community, and Biodiversity Standard (CCBS) certification that the Kachung project obtained in 2011⁵⁸ was based on a validation report, which acknowledged

some land disputes and the displacement of grazing and cropping activities.⁵⁹ However, the report claimed that the net positive impacts of the plantation would outweigh the negative costs. It also justified relocating the “illegal” activities (grazing and cropping by family farmers) as “the continuation of prevailing practices will continue to degrade the land and reduce soil fertility.”⁶⁰

SCREENSHOT FROM THE CCBA’S 2011 MONITORING REPORT⁶¹

CM.2. Offsite Stakeholder Impacts					
CM.2.1. Identify any potential negative offsite stakeholder impacts that the project activities are likely to cause.	2	DR	The major negative impact under the project scenario is the displacement of illegal activities from the project area (cattle, cropland).	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
CM.2.2. Describe how the project plans to mitigate these negative offsite social and economic impacts.	2	DR, IV	The mitigation measures are foreseen in the implementation of the community development plan oriented to provide livelihood initiatives, including apiary, fish farming, poultry and agroforestry. Other activities oriented to increase community benefits are described.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
CM.2.3. Demonstrate that the project is not likely to result in net negative impacts on the well-being of other stakeholder groups.	2	DR, IV, FV	As described above, the project is more likely to provide positive impacts rather than negative.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>



Time for Accountability

The devastating impact of the Kachung plantation on thousands of people's lives has been consistently ignored by the three Scandinavian governmental agencies as well as the international bodies that certify socially and environmentally responsible projects.

Norfund, Finnfund, and the Swedish Energy Agency have not only ignored evidence of misconduct and adverse impact on the local people but also expanded their support to Green Resources overtime. Norfund and Finnfund are now the main owners of this failure.

Based on flawed audits, the accreditation Green Resources received from the Forest Stewardship Council, the Clean Development Mechanism, and the Climate, Community, Biodiversity Alliance calls into question the commitment of these international certification bodies to social and environmental standards. In the name of fighting climate

change, these institutions consider that a large-scale plantation of non-native pine trees, which are to be cut and sold as timber, is preferable to the subsistence activities of African farmers.

As thousands of Ugandan villagers struggle to survive after the loss of their land and natural resources to the plantation, the institutions and government agencies that enable Green Resources to operate must be held accountable for their wrongdoings and their complicity in this land grab.

Beyond the need for accountability, that such a flawed project could run with the backing of three European governments, several international bodies and specialized private auditing firms, raises serious questions around the true motives of these institutions as well as the purpose and the functioning of the whole carbon economy.



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