

2ND PERMANENT PEOPLES TRIBUNAL ON TRANSNATIONAL CORPORATIONS



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JOHANNESBURG

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DISMANTLING CORPORATE POWER



CASES

**Parmalat and small scale
dairy farmers (Zambia)**

**Mphanda Nkuwa Dam
(Mozambique)**

**The Prosavana Programme
(Mozambique)**

**Paladin Uranium Mining
and illegal imprisonment
of lawyers and activists**

**Monsanto and Farmer
Input Subsidies Programme
(Malawi)**

**Madagascar Resources and
ilmenite mining
(Madagascar)**

**Illicit financial flows and
tax evasion (Mauritius)**

The effort to unify Southern African struggles is one part of a major global campaign to fight the exploitation of our lands, our eco-systems, our labour and our bodies by big corporates acting together with powerful states. These mega transnational corporations have created a blanket of impunity - getting away with their crimes unpunished and without repercussions - through the dismantling and systematic violation of laws and the signing of international trade and investment agreements, which award investors more rights than citizens. As a result, peoples' rights have been systematically violated, the Earth and its resources destroyed, pillaged and contaminated, and resistance criminalized, while corporations continue committing economic and ecological crimes with total impunity.



7 CASES

SOUTHERN AFRICAN CAMPAIGN TO DISMANTLE CORPORATE POWER

This Tribunal session involves cases that fall within the greater theme of land, food and agriculture. We want to go beyond seeing this theme as only about the immediate impact that TNC's have on farmers and food supply, but also to look at the different elements of corporate abuse that ultimately impact detrimentally on the global and Southern African food system, and especially on women. These elements include destruction of seed sovereignty, undermining of small-scale farmers by monopoly TNC's, uranium mining, criminalization of dissent, pollution of water sources and devastation of forests and the livelihoods which they provide to indigenous peoples.

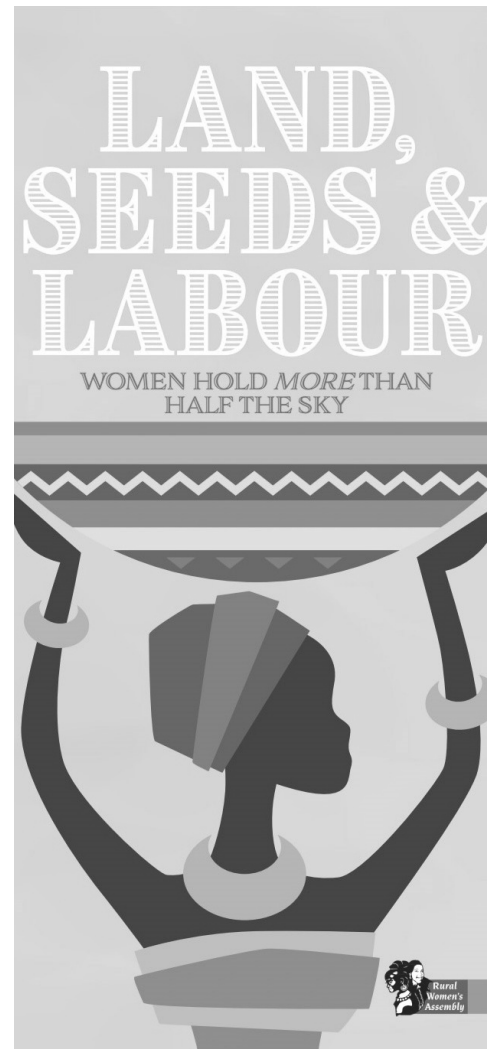
CASE SUMMARIES

1. Rural Women's Assembly

PARMALAT AND SMALL SCALE DAIRY FARMERS (ZAMBIA)

Parmalat and small scale dairy farmers (Zambia) Small scale farmers are being detrimentally impacted by the undermining of their work by Italian corporation Parmalat, and the worst affected are women farmers. Parmalat is the largest supplier of dairy products to Zambia, however, does not pay small-scale farmers enough for them to continue supplying the company. The company is instead buying its milk from larger scale farmers. While Parmalat previously purchased milk from small-scale farmers, making the company their biggest and ultimately only customer, they have not raised the payment, even though the price of feed for cattle and seeds, as well as food products, have increased dramatically in general. This is even though the price of Parmalat's products in store have increased by 300%. Farmers can no longer keep their cattle, who are dying from hunger, and they themselves are living in severe poverty. When the affected people have complained to Parmalat the response has been that the company cannot afford to pay more for the milk because they are not making any profit.

ained in psychoanalysis – the importance of emotional investment in creative writing:





2. Justica Ambiental

MPHANDA NKUWA DAM (MOZAMBIQUE)

The Mphanda Nkuwa dam is expected to cost over US\$2.3 billion, with the capacity to produce about 1,300 MW of electricity. But at least 85% of the power generated is to be sold outside Mozambique, to South Africa, and not for rural electrification. Mphanda Nkuwa's reservoir will displace around 1,400 households, and it is estimated that around 200,000 people living downstream of the dam will be affected by the dam operation system.

The dam is going to exacerbate the impacts of the other dams in the Zambezi river (such as Cahora Bassa) and will be the last nail in the coffin that will destroy the Zambezi river ecosystem and its delta, that is life to millions of people and listed as a 'Wetland of International Importance' by the Ramsar Convention. When the local population was informed about the dam in 2000, they were given no right to free prior informed consent, not even to where they will be relocated.

3. No to Prosavana Campaign

THE PROSAVANA PROGRAMME (MOZAMBIQUE)

The Prosavana programme was officially launched in April 2011, by the governments of Mozambique, Brazil and Japan; it is supposed to promote the development of agriculture in tropical savannas along the Nacala Development Corridor. However, almost all the land on the Nacala Corridor is occupied by peasants.

This is the most populated region of the country, where fertile soil and abundant rain allow millions of peasants to work and produce food in abundance. The Nacala corridor is considered the breadbasket of the region, providing food to the inhabitants of the northern provinces and enabling the survival of millions of families. The rationale and purpose of Prosavana promotes the usurpation of land and the expulsion of thousands of local farmers who depend on it. Prosavana was designed and decided at the highest political level, with no participation from civil society and still to date access to information is denied whereas agrobusiness corporation have been allowed to explore business opportunities.



4. Lawyers for Human Rights Tanzania

PALADIN URANIUM MINING AND ILLEGAL IMPRISONMENT OF LAWYERS AND ACTIVISTS (MALAWI AND TANZANIA)

In December 2016, eight Tanzanians went to Malawi for a study tour on uranium mining and its related impacts. They went specifically to visit the defunct Kayelekera mine once operated by Paladin, because the same thing is going to happen on their land in the Namtumbo Area with the development of Paladin's Mkuju River Project. The tour was co-organized by Caritas and a Malawian organisation but on the day after their arrival they were arrested by the police and taken to the police station, court and thereafter transferred to prison until April 2017.

At the Kayelekera uranium mine, issues of environmental abuses and crimes have well been documented. It is now public that the license holder has contributed to significant pollution of Lake Malawi. Radioactive contamination has also been detected.

The arrests and subsequent court case were highly political, the arrests were staged and the state could not substantiate the charges.

5. Rural Women's' Assembly

MONSANTO AND FARMER INPUT SUBSIDIES PROGRAMME (MALAWI)

This case is directly related to the RWA's FISP campaign. The case highlights the way government budgets and subsidies are captured by TNC's, and in this case specifically by Monsanto. Malawi is home to about 17 million people, more than 75% of whom are poor according to the World Bank in 2016. About 11 million Malawians engage in subsistence farming on small plots and Malawi has a FISP programme central to bolstering agriculture to grow the economy.

The FISP Programme was rolled out in 2004 by the late President Bingu wa Mutharika and started off well where farmers' subsistence farmers received hybrid seeds, legume seeds and fertilizer. However, the government continues to import more and more hybrid seeds when they should be implementing strategies to mitigate the impacts of climate change which have hit the farmers hard.

And another big problem with hybrid seeds is that they destroy the local seed systems. Women are worst affected, as female headed household receive a smaller quantity of FISP vouchers than male headed households, increasing the level of inequality between men and woman.



“*The Universal Declaration of Peoples Rights originated in Algier proposed a profound revolution of the role of law: from being the guarantor and instrument of those who have the power to be a flexible companion of the struggles of the marginalized majorities and minorities.*”

6. Research and Support Centre for Development Alternatives

MADAGASCAR RESOURCES AND ILMENITE MINING (MADAGASCAR)

The Madagascar Resources Company is about to commence operations on a large-scale ilmenite mining project in the southern region of Madagascar. The mining perimeter of this project covers the territories of 12 villages, and encroaches on the Mikea forest that is home to the Mikea indigenous group.

The Mikea Forest plays a vital role in the daily life of the Mikea people who are recognized as 'indigenous' peoples, which means that they are unique and culturally different from other Malagasy with distinct culture and ways of life dependent on land and forest resources. The impacts on the peoples will be restricted use of resources needed for livelihood and health related activities, especially for the women. The Manombo River will be polluted and no longer produce fish, and women would need to walk a long way to access clean water.

In this regard, it is also necessary to understand that companies usually enter into negotiations only with men, excluding women from the community decision-making process as well as from the compensation payments, and ignoring women's development interests and aspirations. In sum, mining is resulting in many specific impacts on women, who are losing out in almost all aspects related to the development of this activity. The experience with large-scale mining projects in Madagascar shows that these further push women into poverty, dispossession and social exclusion

7. Rezistans ek Alternativ

ILLICIT FINANCIAL FLOWS AND TAX EVASION (MAURITIUS)

The REA will present a case on Mauritius as a tax haven and illicit financial flows into the country.



JURORS:

SOUTHERN AFRICAN CAMPAIGN TO DISMANTLE CORPORATE POWER

Donna Andrews



Donna is an ecofeminist intellectual activist. Her area of focus is on capitalism and nature specifically on land, mining and fishing in post-apartheid South Africa. She is a South African who worked in the Jubilee South debt movement and trade and trade-related issues in the South. She is a political economist and a senior researcher in Food Politics and Cultures Project at the University of the Western Cape exploring the political and philosophical implications of food in the context of social subjects' relations to nature.

Lucy Edwards



Lucy teaches in the Department of Sociology at the University of Namibia. She has a history of political and gender activism. She teaches a number of courses on gender and sexuality, sociological theory and social research methods at both under -and post graduate levels. Her research interests include the socio-cultural aspects and gender aspects of HIV and AIDS, the political economy of AIDS, the effects of AIDS related mortality on family structures, Feminist theory and gender, social inequality and gender-based violence and masculinity and violence.

Nnimmo Bassey



Nnimmo is a Nigerian architect, environmental activist, author and poet, who chaired Friends of the Earth International from 2008 through 2012 and was Executive Director of Environmental Rights Action for two decades. He was one of Time magazine's Heroes of the Environment in 2009. In 2010, Nnimmo Bassey was named co-winner of the Right Livelihood Award, and in 2012 he was awarded the Rafto Prize. He serves on the Advisory Board and is Director of the Health of Mother Earth Foundation, an environmental think tank and advocacy organization.

Mireille Fanon-Mendes



Mireille is President of the Frantz Fanon Foundation, expert & former chairperson of the UN Working Group of Experts on People of African Descent; has been involved with the solidarity and struggle of Palestine, political prisoners and issue of reparation. She has also served as juror on a number of PPT Sessions. Ms. Fanon-Mendes-France has been a Professor at the University Paris V- Descartes in France and has worked on the issue of international law and conflict resolution. She has also worked for UNESCO and the French National Assembly. She has written several articles on human rights & humanitarian law, as well as on racism, racialization, discrimination and on coloniality of power, knowledge and Being. In 2009, she received the Human Rights Award by the Council for Justice, Equality and Peace.

Stefano Liberti



Stefano is an award-winning journalist and filmmaker. He is a contributor to many magazines—both Italian and international—including Internazionale, Le monde Diplomatique and Al Jazeera English. In 2008, he wrote the book *A sud di Lampedusa* (South of Lampedusa), which was awarded the Indro Montanelli prize for writing. In 2011, he wrote the book *Land grabbing: Journeys into the new colonialism*. As a documentary filmmaker, he directed many movies, both for television & for movie theaters.

Paolo Ramazzotti



Paolo Ramazzotti is a professor of Public Policy at the University of Macerata, Italy. He studied in Rome, Ancona (ISTAO) and at the University of Reading. His publications (in English and Italian) deal with: the social costs of modern capitalism; the relation between economic change and democracy; the scope for public policy; economics and institutions; industrial economics. He coordinates the research area on institutional change of the European Association for Evolutionary Political Economy and is deputy managing editor of the *Forum for Social Economics*. He has acted as a juror for the Permanent People's Tribunal in India (2011) and Mexico (2014).

PERMANENT PEOPLES TRIBUNAL

#STOPCORPPOWER

The Southern Africa Campaign to Dismantle Corporate Power invites you to participate in the Permanent People's Tribunal on Transnational Corporations. The Tribunal will bring affected peoples from Southern Africa together to make their problems visible, analyse them and collaborate and share experiences in order to strengthen our joint struggle.

PERMANENT PEOPLES TRIBUNAL

PART OF THE GLOBAL CAMPAIGN TO
DISMANTLE CORPORATE POWER

- 2** DAYS
- 7** CASES FROM SOUTHERN AFRICA
- 1** OBJECTIVE - TO BUILD PEOPLES POWER



**PEOPLES
MOBILIZATION**

Geneva 23-27 October 2017
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