



**ELAW**

SPRING 2017

**advocate**

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Connecting Communities  
Protecting the Planet

## Defending the Defenders

### IN THIS ISSUE:

#### Defending the Defenders

(pgs. 1-4)

#### 2017 ELAW Annual International Meeting

(pg. 5)

#### Protecting Communities & the Environment in Nepal, Democratic Republic of the Congo, and Bangladesh

(pgs. 6-7)

#### Support ELAW Fellows

(pg. 8)



**Alfred Lahai Brownell**

PHOTO: Todd Cooper, Eugene Weekly

**"The valuable insights, exciting and hopeful stories that I gathered from you all provided me with renewed vigor and strength in the face of the overwhelming challenges."**

**Gerthie Mayo-Anda**

Executive Director of the Environmental Legal Assistance Center  
PHILIPPINES

ELAW partners work on the front lines of environmental justice, challenging environmental abuses and defending human rights. This puts them at odds with powerful corporate and government interests, and at risk for harassment and attacks. For example, ELAW partners in **Liberia** were ambushed by armed militia in a remote area near a controversial palm oil operation. A partner in **Mexico** was harassed and jailed for his work representing indigenous communities who challenged a destructive mine.

ELAW's Defending the Defenders Program is an urgent response to the rise of attacks on environmental and human rights defenders around the world. Global Witness reports that in Honduras alone, more than 120 people have been killed since 2010 for standing up to companies that grab land and trash the environment ("Honduras: The Deadliest Country in the World for Environmental Activism"/31 Jan 2017).

At this year's ELAW Annual International Meeting (see pg. 5), ELAW partners from 47 countries shared their experiences and gained new tools to protect themselves, their organizations, and the communities they represent.

Gerthie Mayo-Anda, Executive Director of the Environmental Legal Assistance Center in the **Philippines**, arrived for the Annual Meeting just one week after her colleague Mia Manuelita Mascarinas-Green was shot dead, in front of her children.

On her return home, Gerthie wrote:

*"I arrived in Manila early this morning, feeling inspired and very thankful for having all of you as part of this ever-growing family of advocates and champions.*

*The valuable insights, exciting and hopeful stories that I gathered from you all provided me with renewed vigor and strength in the face of the overwhelming challenges."*

We are inspired by the good work and tremendous courage of ELAW partners.

Read more about threats to ELAW partners and our response in excerpts from a report by Camilla Mortensen in the Eugene Weekly: "Under Fire: Environmental attorneys face attacks" (pp. 2-3).

## Defending the Defenders

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The Environmental Law Alliance Worldwide (ELAW) helps communities speak out for clean air, clean water, and a healthy planet. We are a global alliance of attorneys, scientists and other advocates collaborating across borders to promote grassroots efforts to build a sustainable, just future.

The ELAW Advocate is a publication of the ELAW U.S. and does not represent the views of ELAW partners around the world.

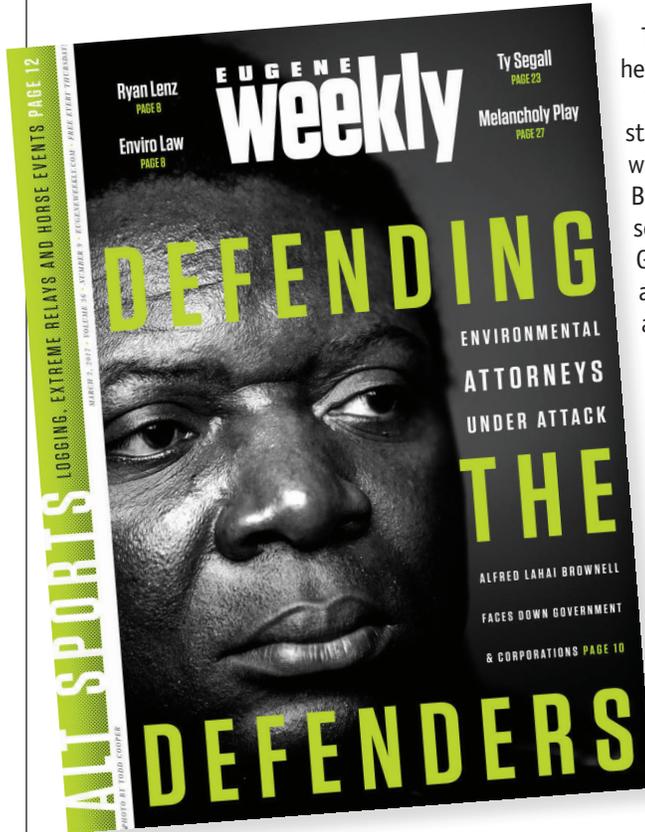
EDITOR: MAGGIE KEENAN  
NEWSLETTER LAYOUT: HELIOS CREATIVE  
PRINTED BY: CENTRAL PRINT

USING: **SOY BASED INKS**  
**UNBLEACHED 100% POST-CONSUMER RECYCLED PAPER**

# Under Fire: Environmental attorneys face attacks

By Camilla Mortensen

(Excerpted from Eugene Weekly, March 1, 2017)



They said they wanted to cut off his head and tear his heart out of his chest.

The car **Alfred Lahai Brownell** was traveling in was stopped by a roadblock and surrounded by 150 men wielding guns and machetes, “all kinds of weapons,” Brownell remembers. The men were members of a security force allegedly hired by palm oil company Golden Veroleum Liberia. They were drunk, had lit a fire and were dancing around the vehicle, breaking into it and slashing its tires.

“I prayed to God,” Brownell says, reliving the nightmare that occurred in his native Liberia in 2014...

Brownell has been working with ELAW since the early 2000s. He formed the nonprofit group Green Advocates while still in law school as a response to then-Liberian president Charles Taylor’s exploitation of the West African country’s land and resources. Brownell later helped put into place Liberia’s first framework environmental law.

After 14 years of civil war in which Brownell says more than 300,000 Liberians were killed, Brownell and others saw Ellen Johnson Sirleaf, elected president in 2005, as a beacon of hope. But Brownell says Sirleaf, a Noble Prize laureate, soon began to roll back environmental protections.

Brownell and Green Advocates took on the case of an indigenous community in the Butaw district of Liberia. Thousands of acres of land were being destroyed for oil palm cultivation through concessions — lands conceded by the government to corporations to use, often without, Brownell says, the consent of the villagers.

Palm oil is used in anything from baked goods and candies to shampoo, cosmetics and cleaning agents.

Everything from crops to rivers were laid waste, Brownell says, and not just the environment. Burial grounds and livelihoods were gone, “obliterating everything. It was a desert of oil palm,” he says.

Brownell and Green Advocates took on the case for the people of Butaw, and filed a complaint with the Roundtable on Sustainable Palm Oil (RSPO), a voluntary group of growers, processors and nonprofits that certifies the production of palm oil to make sure it is a sustainable crop. They complained first to the Liberian government, Brownell said, which ignored them. But the RSPO complaint was found to have merit...

**"What fuels this," Brownell says of the attacks, "is consumerism." He points to products like Pringles and companies like Nestlé and says, "You have to ask questions."**

The attack on Brownell in the car in Liberia came after a daylong fact-finding investigation on the complaints about the oil palm plantation. He had stayed back to talk to the community in the concession.

A local chief informed the attackers that he would not allow Brownell to be killed in his village, and one of the drunken men hit the chief.

## Defending the Defenders

“It was like a miracle,” Brownell says. The village youth were insulted by the attack on the chief and a brawl began. The young people pulled the roadblock apart and the car was able to drive to a village not far away.

Brownell says the Government of Liberia never investigated the incident.

And the threats and attacks didn’t end there...

Brownell turned down an offer to work on a government team providing legal support to prosecute the former head of the Oriental Timber Company.

After he refused, the government requested a subpoena for Brownell to appear in court. Though no subpoena was served, Brownell says the government asked that he to be found in criminal contempt of court. Men in plain clothes claiming to be security officers came to the offices of Green Advocates while Brownell was at his mother-in-law’s funeral. When Brownell couldn’t be found, a massive manhunt ensued, he says.

The arrest warrant originally targeting Brownell was extended to include the entire Green Advocates staff, leading to the closure of the office and to the entire staff’s going into hiding to avoid prosecution.

Brownell is currently living in the U.S. with his wife and children.

**“Because these people are advocates for the community, they tend to think, ‘I’m not the target, the community is the target and it minimizes the threats to the advocates,’” ELAW Associate Director Lori Maddox says. But she says if just one advocate is silenced by a lawsuit or a physical attack, they are silencing thousands of voices.**



**Eduardo Mosqueda Sánchez**  
PHOTO: Todd Cooper, Eugene Weekly

In July 2015, **Eduardo Mosqueda Sánchez** of the environmental group Instituto de Derecho Ambiental (IDEA), in Mexico, was beaten and put in jail for 10 months in connection to his work on a dispute between the Nahuá people in Jalisco and an iron mining company, Consorcio Minero Benito Juárez Peña Colorado. The company was destroying land and water, and, Sánchez says, “didn’t respect the human rights of the community.”

The community filed a constitutional petition asking the court to recognize their rights over the land. A judge issued an injunction suspending the mining company’s use of the lands and allowing the community access until the case was resolved.

But Sánchez says the mining continued, and when he and group of community members toured the area, the police were called in. Sánchez, as well as local women and children, were assaulted, and 34 people including Sánchez were jailed. The other 33 were soon released but Sánchez was held for almost a year.

ELAW jumped into action to help Sánchez and IDEA, contacted the United Nations special rapporteur on the situation of human rights defenders and called in ELAW’s extensive network to agitate to free Sánchez, who was held despite a judge’s finding no merit to the charges. He was finally freed in May 2016.

The mining continues, as does Sánchez and IDEA’s work to stop it, but Sánchez points out that when he was in jail and one of his colleagues in exile due to threats, “part of the strategy is to disrupt the work.” Law firms are forced to stop work, or work on cases with a skeleton crew while trying to free their partners...

**But, Sánchez says,  
“even with all the money and the power,  
they are losing.”**

# Defending the Defenders

ELAW is collaborating with Front Line Defenders and Hermes Global Communications to protect ELAW partners, their organizations, and the communities they represent from attack.

## Our 5-Point Strategy:

1. Rapid response when an environmental defender faces a crisis.
2. Improving the security of communications and data.
3. Challenging legislative and regulatory efforts to cripple civil society.
4. Documenting attacks, identifying early warning signs.
5. Helping ELAW partners take steps to prevent and deter attacks on themselves and their organizations.

Many thanks to Marion Sweeney, the Wallace Global Fund, and the Protectors Fund of RSF Social Finance for their support of ELAW's Defending the Defenders Program.



Hermes Global Communications

**"Thank you so much to ELAW. I returned to Uganda inspired and encouraged to continue with environmental activism!"**

Samantha Atukunda Kakuru, Greenwatch, UGANDA



Left to Right: ELAW is collaborating with **Lottie Cunningham Wren** (Nicaragua), **Haydeé Valey Sis** (Guatemala), and **Paulo Celso de Oliveira** (Brazil) to defend customary land rights of indigenous communities. Lottie has received death threats for her work defending Miskitu, Sumu-Mayangna, and Rama communities on the Atlantic Coast of Nicaragua. She expressed sincere gratitude for the solidarity and support she received from her colleagues at the 2017 ELAW Annual International Meeting who sent letters to President Ortega demanding a response to the threats made against Lottie and her organization, CEJUDHCAN.

# 2017 ELAW Annual International Meeting



The world's leading grassroots advocates traveled to Eugene in February to collaborate with ELAW to chart a greener future. Partners from 47 countries participated in the 2017 ELAW Annual International Meeting and side events (February 26 – March 2) followed by the Public Interest Environmental Law Conference (March 2 – 5) at the University of Oregon.

Participants collaborated across borders to help communities around the globe speak out for clean air, clean water, and a healthy planet.

On his return to Argentina, ELAW partner **Juan Picolotti** sent a message that captures the sentiments of many who participated in this year's meeting:

**"Many thanks for the opportunity to share with this extraordinary group of people. Our countries have different economic, political, and social challenges, and it is difficult to maintain our struggle for a better and more just world. The ELAW family strengthens our ideals and helps us overcome obstacles. Thanks for everything!"**

**Juan Picolotti**

Center for Human Rights and the Environment (CEDHA)  
ARGENTINA

## Protecting Communities & the Environment in Nepal,

ELAW Fellow  
Ram Charitra Sah

NEPAL  
Nov. 7–13, 2016



ELAW partner Ram Charitra Sah collects a hair sample from a woman who works in a metal-plating factory, as part of bio-monitoring for mercury contamination.

**Ram Charitra Sah** has worked with ELAW for more than 10 years to protect communities in **Nepal** from persistent organic pollutants (POPs), pesticides, PCBs, heavy metals, and other toxic compounds that resist degradation and can persist in the environment for decades.

Ram is Executive Director of the Center for Public Health and Environmental Development (CEPHED, cephed.org.np), based in Kathmandu. He traveled to Eugene in November to work one-on-one with ELAW Staff Scientist Mark Chernaik before attending the 2016 Global Meeting of the International POPs Elimination Network (IPEN) in San Francisco.

In January, Ram sent good news:

Effective January 16, the Government of Nepal enacted a comprehensive mandatory standard for children’s toys, prohibiting the import, sale, distribution, storage and use of children's toys contaminated by 12 toxic chemicals, including cadmium, mercury, arsenic, phthalates, and lead.

"Thanks to guidance from ELAW Staff Scientist Mark Chernaik, our new standards include effective monitoring and testing mechanisms," says Ram.

Nepal's new standards are now in line with those of Europe and the U.S., and Nepal’s citizens, especially children, will enjoy better health.

ELAW Fellow  
Erick Kassongo

DEMOCRATIC  
REPUBLIC OF  
THE CONGO  
Nov. 30 –  
Dec. 14, 2016



Erick Kassongo (second from right) with fishermen at Lake Mai-Ndombe.

The **Democratic Republic of the Congo** proposes building an enormous hydropower scheme for the Congo River, known as the Grand Inga. The first phase of the project, Inga 3, would include a dam and hydroelectric plant at Inga Falls. Inga 3 threatens to displace 30,000 people in seven villages, jeopardize public health, and disrupt local ecosystems.

**Erick Kassongo**, a Congolese attorney and Chair

of the Congolese Center for Sustainable Development (CODED), traveled to Eugene to collaborate with ELAW Staff Attorneys and Scientists on his work to educate Congolese communities about Inga 3, what is at stake, and how citizens can make their voices heard. He returned to Eugene to collaborate with colleagues from Africa and around the world at the 2017 ELAW Annual International Meeting.

## Democratic Republic of the Congo, and Bangladesh

### Cleaning Up One of the Most Polluted Places on Earth HAZARIBAGH, BANGLADESH



Children near tannery operations in Hazaribagh.

PHOTO: Mark Chernaik, ELAW

ELAW congratulates its partners at the Bangladesh Environmental Lawyers Association (BELA), who have won a big victory after more than 20 years working to protect the residents of Hazaribagh from toxic tannery emissions.

Every day, the tannery industry in Hazaribagh dumps tens of thousands of cubic liters of toxic waste into the Buriganga, the city's main river and water supply. Hazaribagh is home to 95% of Bangladesh's leather tanneries, which export leather goods around the world.

A photo essay in *The Guardian* featured unfathomable living conditions, with children playing near Hazaribagh's polluted canals ("The river runs black: pollution from Bangladesh's tanneries – in pictures," October 23, 2015).

On March 6, BELA won yet another victory to shut down the polluting tanneries and clean up the Buriganga.

BELA filed the original case in 1994 when more than 1,000 polluting tanneries and other industries were dumping untreated waste into the Buriganga.

ELAW Staff Scientist Mark Chernaik traveled to Dhaka in 1996 to meet BELA Executive Director and Goldman Prize winner **Rizwana Hasan** and her team. He toured the tanneries in nearby Hazaribagh and confirmed that tannery operations were highly polluting and far below internationally-accepted standards.

In 2001, the High Court ordered the tanneries to install pollution control devices. Industry was slow to respond. In 2009, BELA won another court order, directing tannery owners to relocate to an industrial estate in Savar, far from communities.

Relocation efforts have been slow.

On March 6, the Supreme Court ordered authorities to immediately close the tanneries at Hazaribagh that have not relocated and sever their utility connections.

We applaud the perseverance of our partners at BELA!



BELA Executive Director and Goldman Prize winner Rizwana Hasan.

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# ELAW

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## Environmental Law Alliance Worldwide

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## Support ELAW Fellows

ELAW U.S. enjoyed hosting Hungarian lawyer **Tamás Börösök** (right) for his recent 10-week ELAW Fellowship. He is shown here on the Oregon Coast with his ELAW Host Family, Bruce Newhouse (left) and Peg Boulay.

Tamás is a volunteer lawyer at the Environmental Management and Law Association (EMLA), based in Budapest, and a PhD candidate in International and EU Law at the University of Pécs, Hungary.

Tamás worked one-on-one with ELAW Staff Attorneys and Staff Scientists to advance his work protecting communities and the environment back home. He was awarded a Director's Distinction Scholarship from the University of Oregon's American English Institute (AEI) where he completed the Intensive English Program. Tamás speaks great English. Thank you AEI!

Many thanks to Peg and Bruce for providing Tamas with housing in his initial weeks, and to Erika and Fredi Leaf for providing the Fredi Leaf ELAW Fellows House. Thanks also to ELAW Fellows Program volunteer Peggy Dame and to the Trust for Mutual Understanding for making Tamás' ELAW Fellowship possible.

For more information on how you can support the ELAW Fellows Program, please contact: **Maggie Keenan, ELAW Fellows Program Coordinator**, [maggie@elaw.org](mailto:maggie@elaw.org).



## THINK GLOBALLY. ACT GLOBALLY.

**Charity Navigator** and **GuideStar** give ELAW their highest rating for fiscal management, accountability, and transparency. To support our high impact work defending the environment and human rights in communities around the world visit [www.elaw.org/give](http://www.elaw.org/give) to make a secure, online gift. Call Ashley White at **541.687.8454 x105** for more ways you can help ELAW protect the planet.