

act:onaid

RESIST, ENGAGE, CHANGE

Women and their communities in Bangladesh protect their livelihoods from land-grabs by a coal-fired power plant.

SEPTEMBER 2020

5 YEARS

**ActionAid's Fair, Green
and Global programme:
highlights and lessons
learned from 8 countries**

**'WHY CORPORATE
ACCOUNTABILITY
MATTERS FOR HUMAN
RIGHTS AND WOMEN'S
LIVES EVERYWHERE'**

Bangladesh • Cambodia • Kenya • Mozambique • Netherlands • Uganda • Zambia • Zimbabwe



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INTRODUCTION

In the last decade there has been increased attention for the adverse impact of global trade and corporate conduct on the full realisation of human rights, gender equality and the Sustainable Development Goals.

For many people around the world, global trade and the influx of foreign interest and investment in their countries has meant displacement from their lands, pollution of water and air and human rights abuses. The imbalance of power between communities living in poverty and the multinational corporations taking their land and polluting their water is often stark. Governments oftentimes stand powerless against the might and riches of these corporations. A lack of international legislation to regulate increasingly complex supply chains means these human rights violations by corporations are met with absolute impunity, as they hide behind complex company structures to avoid the consequences for their actions.

The adverse economic and social consequences of the current global economic system are felt, first and foremost, by those who are most marginalised. In particular, they disproportionately affect women. When land is grabbed and families are displaced, for example to make room for a sugarcane plantation or mining activities as we will see in later chapters, it is women who bear the responsibility of sustaining their families and themselves. When tax revenue in developing countries is siphoned off by multinationals' aggressive tax planning and the lenient tax structures of tax havens, leaving less government income available for public services, it is women who take on invisible unpaid care and domestic work.

Governments around the world have made strong commitments to the 2030 Sustainable Development Goals agenda, and to upholding human rights and gender equality. International and national efforts have been made to better regulate corporate conduct and gain insights into corporates' complex and opaque value chains. These efforts have led to the unanimous adoption of standards such as the United Nation's Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises, clarifying the role of governments to protect human rights and those of businesses to respect human rights.



FOR MILLIONS OF PEOPLE, HUMAN RIGHTS VIOLATIONS REMAIN EVERYDAY ISSUES THAT REQUIRE STRUCTURAL SOLUTIONS.

However, for millions of people around the world, corporate human rights violations remain tangible, everyday issues that require structural, long-term solutions. Therefore, the need of communities to be able to resist remains as urgent as ever. In order to realise the Sustainable Development Goals, a strong, international regulatory framework is needed to bridge the governance gap and grant those affected an instrument to finally hold corporations to account and demand justice from their governments.



BY STRENGTHENING COMMUNITIES' CAPACITY AND KNOWLEDGE ON THEIR SOCIO-ECONOMIC RIGHTS, THEY GAIN THE RESILIENCE TO DEMAND A BETTER PRESENT AND EVEN BETTER FUTURE.

ActionAid has seen, over the last 10 years of being part of the Fair, Green and Global Alliance, that when women and communities take matters into their own hands, they can make great gains towards improved corporate conduct and the protection of human rights. By strengthening communities' capacity and knowledge on their socio-economic rights, they gain the resilience to demand a better present and even better future. By supporting communities with obtaining the tools and backing they need to engage in lobby and advocacy strategies, affected communities can fight injustices by holding governments and corporations accountable. The support of the Dutch Ministry of Foreign Affairs to fund and partner on this essential work has been an important asset, to ActionAid and to the communities we serve.

The following pages focus on Bangladesh, one of the eight countries in which ActionAid has implemented the Fair, Green and Global programme. The report delves into one case study that portrays the ways in which women and their communities, supported by ActionAid and its partner organisations, have addressed corporate human rights violations.

BOX 1: THE FAIR, GREEN AND GLOBAL ALLIANCE: DIALOGUE AND DISSENT PARTNERSHIP WITH THE DUTCH MINISTRY OF FOREIGN AFFAIRS

Since 2010, ActionAid has been one of six member organisations of the Fair, Green and Global Alliance. ActionAid works together with more than 300 CSOs all over the world to build socially just, inclusive and environmentally sustainable societies. Women's rights are central to all our work. In January 2016, ActionAid began its second five-year programme under the 'Dialogue and Dissent' framework, a strategic partnership with the Dutch Ministry of Foreign Affairs. Within this framework, ActionAid and the other members have worked relentlessly to increase the voice of civil society and strengthen the resilience of communities, their organisations and movements. When addressing poverty and inequality, the Fair, Green and Global Alliance focuses on three interlinked areas of work: **1.** Improved corporate conduct **2.** Improved trade and investment and **3.** Improved tax and financial systems. Corporate accountability plays a pivotal role at the core of these three areas of work.

BANGLADESH

Bangladesh is a country with a unique socio-economic reality. Its 161 million citizens make it one of the most densely populated countries in the world, with a labour force that is largely semi-skilled and unskilled. The country is also prone to natural calamities and is predicted to be one of the worst victims of climate change.



Over the last few years, the economy of Bangladesh has been growing steadily, with a consistent GDP growth of over 6% during the past decade. Since 2015, it has been classified as a lower-middle-income country, as defined by the World Bank.¹ Aiming at becoming a middle-income country by 2021 and an upper-middle-income one by 2030, the Bangladeshi government has pursued economic policies in line with this ambition. These policies include Vision 2021, Vision 2041, the 7th and 8th five-year plans, the Power Sector Master Plan 2016 and the Bangladesh Delta Plan 2100. These strategies, dubbed as 'growth-led development', essentially require large-scale infrastructure development in both the public and private sectors. In order to support this, the government is raising foreign funds and foreign direct investment (FDI) on a large scale. Within the country, the World Bank, the Asian Development Bank, the Asia Infrastructure Investment Bank and many bilateral donors and financiers, especially from China, Japan and India, have increased their financing in strategic sectors such as power and energy, Special Economic Zones, transport and high-tech parks.

This desired economic development often comes at great cost for society's most marginalised groups, with many communities, for example, displaced from their land due to the arrival of these large-scale development projects, further reducing arable land and increasingly damaging the environment. Women are disproportionately affected, due to existing gender inequality.

This situation is made even more complicated by the high political sensitivity that surrounds large-scale development projects and increasingly shrinking civic space in Bangladesh, which makes criticism difficult and dangerous. Many civil society actors and human rights defenders have experienced reprisals and threats in recent years. In order to make sure that human rights defenders and affected communities continue to be able to resist these large-scale infrastructure projects and the human rights violations connected to them, ourselves and our partners in the Fair, Green and Global Alliance have worked relentlessly to strengthen the voice and capacity of these actors. Community-based partners have lobbied the Bangladeshi government at a local, national and international level for land acquisition reform, fair compensation and resettlement-related policies, as well as safeguarding measures regarding foreign investment projects.



**DESIRED ECONOMIC DEVELOPMENT
OFTEN COMES AT GREAT COST FOR
SOCIETY'S MOST MARGINALISED
GROUPS.**

Bangladesh continues to expand its power generation capacity through mega-power projects, such as the Matarbari project discussed below. At least 29 coal-fired power projects are currently either in the construction or pre-construction phase. Without strong human rights and environmental safeguards and redress mechanisms, instances of human rights violations connected to these large-scale projects will continue to grow.



THE MATARBARI COAL-FIRED POWER PLANT

People are forcibly evicted from their land to make way for a new power plant. Community mobilisation leads to some compensation and regaining of jobs.

FACTS & FIGURES

- **Number of people affected:** 90,000
- **Impact:** destruction of villages, loss of livelihoods, pollution
- **Type of company and sector:** Government-owned power company financed by development bank
- **Strategy applied:** community mobilization, direct engagement with companies, partnerships with other (international) NGOs
- **Current status:** ongoing, some rights violations were addressed, some compensation awarded and some jobs regained; the communities continue to advocate for full compensation for damages suffered.

WHAT HAPPENED AND WHY?

The small offshore island of Matarbari was, until 2012, rather untouched by modern development. With just 27km² of land, 10km² of water and 4km² of forest, this densely populated island is home to roughly 100,000 people.

Then Matarbari was identified by the Bangladeshi government as a critical hub for economic development. Over the past nine years, foreign companies have arrived in ever-greater numbers. In 2012, community members first heard rumours of plans for a coal-fired power plant. However, when two initial scoping meetings between the government-owned Coal Power Generation Company Bangladesh Limited and the investor, the Japan International Cooperation Agency (JICA), were held in 2012 and 2013, the local community was not told about them.

In 2013, with no official announcement, JICA started conducting a partisan Environmental Impact Assessment for the Matarbari Ultra-Super Critical Coal Power Plant project. A year later, JICA also conducted a project feasibility study. With assessments still pending, the power plant was approved by the Executive Committee of the Bangladeshi National Economic Council on August 12, 2014. Project implementation was planned between July 2014 and June 2024, at a total cost of more than €4 billion. Political leaders and government officials frequently



visited Matarbari and assured people that the community would benefit from the project.

In 2014, the Coal Power Generation Company forcibly acquired 1,608 acres of land to start building. They also later acquired an additional 1,212 acres for another coal-fired power plant. There are now plans, under phase 2, for three more coal-fired power plants, as well as a new economic zone. A coal jetty would also be developed into a deep seaport, along with a transmission line, a connecting road and a township for staff.

IMPACT ON THE COMMUNITY

Many people in Matarbari have been affected, directly or indirectly, by the large-scale forced land acquisition by the Coal Power Generation Company.

- In total 2,820 acres of land, crucial to local communities for salt production, fish and shrimp farming, were acquired. As a result, more than 20,000 landowners, salt, shrimp, fish and crab farmers, traders and labourers lost their income.
- Forty-five families were physically evicted, to this date living in temporary and rented houses.
- Housing, access to clean water, health facilities, education and food have all been compromised.
- People have been forced to migrate away, looking for new ways to sustain themselves and their families.
- Reports suggest that gender-based violence has been increasing, mostly due to disagreements on how to best overcome the situation.
- The fracture of the domestic fabric has also led to an increase in unpaid care work for women, further reducing their already limited socio-economic abilities.
- Several pregnant women have been suffering from a lack of nutrition and maternity-related medical treatment.

Significantly, most of the families who suffered forced evictions have yet to see any compensation for the damages suffered. According to Bangladeshi law, titleholders eligible for compensation are required to go to the district Land Acquisition Office to collect their money. This means people in Matarbari paying around BDT1,000 (€11) per journey, plus accommodation for up to five days. The few who have managed to get reparation had to wait years, and often ended up receiving only 50% of the total amount.

In addition to the serious social consequences, the project has been the cause of great environmental damage. It is worth noting that Matarbari is an area already subject to often extensive monsoon flooding.

- Between 2016 and 2018 the area flooded on three separate occasions, the last one severely. This flooding was caused by sediment from the power plants blocking the drainage system and silting the Kohelia river. Eight sluice gates and the central canal used for water drainage have been clogged by construction works. Twenty-



two out of 31 villages were inundated, affecting more than 10,000 people.

- At least two children drowned, and two infants died during childbirth due to the absence of medical facilities.
- The environmental damage resulted in an overall impoverishment and displacement of at least 300 families. One woman reported: “We don’t even have a place to bury our dead.”
- According to a government report, 1,100 toilets and 700 mud houses have been either completely or partly obliterated.²
- The floods also heavily disrupted the road network. The lack of effective transport links and loss of local production had serious impacts on the price of food.
- Schools and clinics closed.
- Homes were flooded and latrines started to overflow into stagnant water around the villages, compromising health.
- Livestock and poultry drowned or contracted waterborne diseases.

STRATEGY AND RESULTS

Since 2017 CSOs have been working on land and human rights while giving significant support to inform, organise and mobilise the community so they can defend themselves from corporate human rights violations. Community-based organisations have organised workshops, meetings, campaigns, consultations and training on land property, environment and human rights issues.

- As a result, the community started forming their own Community Land Rights Groups. More than 1,200 community members organised themselves into 34 groups, led by women and with women’s participation of more than 70%.
- Community Land Rights Groups and human rights defenders also formed a People’s Safeguard Committee, aimed at safeguarding people’s land, social and environmental rights. These groups have taken several actions to claim their rights, including organising several issue-based human chains, courtyard meetings, roadblocks by displaced people, memorandums to the water development board, a seminar with government and non-government actors and press conferences.
- At the same time, national, regional and international organisations started raising their voices. One ally, the Japan Center for Sustainable Environment and Society, collected evidence in Matarbari and raised the issues with both JICA and the Japanese government. CSOs also engaged, nationally and internationally, with mass media, who started to extensively cover the situation in Matarbari.
- Following the advocacy provided by the Japan Center for Sustainable Environment and Society, in September 2018 JICA requested a meeting. Here, CSOs highlighted data detailing the suffering endured by the people of



Matarbari. Subsequently, a high-level JICA team visited the island and met with the affected community and local government. The community submitted a six-point demand note to JICA.

- As a result, both JICA and the Coal Power Generation Company have taken action to resolve community suffering. These commitments were however deemed insufficient by the community, who felt frustrated and affronted.
- In April 2019, JICA and the Coal Power Generation Company organised another consultation in Matarbari, where the community submitted a further seven-point demand note. While both organisations vowed to do better towards the community, implementation of their commitments was poor.
- In September 2019, JICA and the Coal Power Generation Company organised a third community consultation. The community, discouraged by the inaction, submitted a new 15-point demand. At the same time, Japan Center for Sustainable Environment and Society kept meeting JICA in Japan, consistently providing and updating them with evidence from the ground.
- As a result, 14 houses and compensation of BDT\$3,000 (€33) were handed over to some of the 45 displaced families. The remaining families, as of December 2019, have yet to receive compensation.
- In addition, 1,128 individuals who lost their livelihoods have been promised compensation of BDT\$280,000 (€3,020) each. Of these, 620 have received it.
- Landowners have been repaid for their loss, with 400 out of 2,100 compensated BDT\$220,000 (€2,405). Importantly, the Coal Power Generation Company has reviewed land value for more than 800 landowners (out of 1,608). Their compensation has now increased up to three times compared to the original sum. Of these 800, 300 have received the money.
- The local government and administration provided emergency support, such as food, to 430 affected individuals during the 2019 flood.
- Much-needed sources of income have now been assured to some community members. 42 families can now rely on employment opportunities within the project, and more than 1,200 individuals are now employed by the construction companies involved.
- There has been an attempt to restore the environment for the benefit of the community. Two pipelines to manage water flow have been installed. The Japanese contractor has repaired the main road to Matarbari, which was damaged by heavy vehicles. Additional construction works for an alternative road have also started, while free transport between Matarbari and Dholghat is being provided.
- In January 2019, the Coal Power Generation Company banned the community from producing salt in 1,200 acres of unused land, which had been acquired for another coal power plant. The community has been lobbying to use the area for their economic activities until project works started. At last, in February the company has opened the land for salt farming and shrimp production.

TIMELINE

2014
August-December
The Coal Power Generation Company acquires land for the **Matarbari Ultra-Super Critical Coal Power Plant** project. The community organises a protest rally.

2018
January
The community raises their issues during the PM's inaugural **videoconference**. The company revises the compensation price of grabbed land.

2018
May-October
Floods affect 10,000 people and 22 villages in Matarbari Group

2018
August
The company pays for a **pipeline** for water drainage.

2019
April
Human rights defenders and CSOs form a **People's Observation Committee** to monitor the project.

2019
December
The company organises a **compensation fair** to provide a one-stop service to affected people, but it is not successful.

2015
January
The project is approved as a **Fast-Track Project**, falling under direct supervision of the Prime Minister.

2018
February
The Japanese ambassador to Bangladesh visits Matarbari. **Local human rights defenders** and journalists highlight the issues. Residents form the **CBO Amra Matarbarir Sontan** (We Are the Sons of Matarbari!).

2018
July
ActionAid conducts a **joint needs assessment** on water logging.

2019
January
The company forces the community to stop using the land needed for the **Kohelia Ultra Super Critical Coal-Fired Power Plant**.

2019
September
The company hands over **rehabilitated houses** to 10 displaced families.



**HER
STORY**



**WHAT CAN WE DO TO SURVIVE IF WE CANNOT
PROTECT THE FUTURE OF OUR CHILDREN?**

... is the question Honufa Kahtun*, 25, asked of representatives of JICA and the Coal Power Generation Company during the community consultation meeting in April 2019. She and her family were evicted in 2014. Before the eviction, they sustained themselves using their own vegetable garden as well as her husband's salt farming.

Following eviction, she has been living in a rented mud house close to the main gate of the power plant, together with her husband and children. During this period, in which they were heavily affected by the floods, she gave birth to two children. Honufa and her family have struggled for shelter, employment, food, water and healthcare. Thanks to Fair, Green and Global Alliance-funded training, Honufa became more aware of her rights and was chosen as a leader of a Community Land Rights Group. Since then, she has been the leading organiser of several protests and roadblocks.

*not her real name

LESSONS LEARNED

The case in Matarbari informs us on how best we can overcome human rights violations. Two central strategic elements have led to its success. One is the great power of a mobilised community. What we saw in Matarbari is that, despite the shrinking civic space, affected communities can organise, resist and bring tangible change. The other is the importance of building capacity at an international level. The alliance with the Japanese NGO, Japan Center for Sustainable Environment, was key to our success as it enabled us to influence public opinion in Japan. Moreover, direct engagement with the companies involved has proved almost always fruitful and as such, the Fair, Green and Global programme will keep on building pressure through mutual engagement.

The resolution process has been made even more difficult by the poor quality of engagements with the companies involved. When, for instance, JICA and the Coal Power Generation Company created a grievance redress committee, they failed to include any community members.

While the case is still ongoing, we see that following the Fair, Green and Global Alliance's intervention, community livelihoods have improved. Most people affected by the land grab and project construction have received or are due to receive compensation. Some who lost their source of income can now rely on employment within the project. Steps have been taken to avoid future floods, which previously caused a traumatic situation for Matarbari residents.

Despite the improvements, the future construction of the Kohelia Ultra Super Critical Coal-Fired Power Plant poses additional risks to the community and more still needs to be done. A report by Greenpeace estimates that pollution caused by the power plant might cause the premature deaths of more than 14,000 people within 30 years.³ The extent of the project suggests that the livelihoods and health of local people, as well as biodiversity and the environmental integrity of the area, run a great risk of being further compromised.

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