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"IN DEFENCE OF THE PROPERTY OF THE COMMON"

By:

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BACKGROUND:

Cross River State has a unique and highly valuable environment which offers the needed safety, security and means of livelihood to the mainly rural population of about 1.8 million people who use the land and forest resources for farming, hunting and gathering.

An estimated annual royalty of \$2.338 million (N187.00 million) from Timber Forest Products (TFPs) - sustainably managed could be earned by the State Forestry Department. Also 700 Non-Timber Forest Products (NTFPs) have been identified. Only 430 of NTFPs are being harvested. It is difficult to estimate the total value of these NTFPs. However two of them (raffia and poles) give an estimated value of \$1.15 million (N92.00 million) annually.

Women are the main harvesters of the 430 NTFPs, in addition to their extensive involvement in agricultural production, agro processing and marketing. They use the proceeds from the forest to maintain their families and support their children in school.

Children below 15 years constitute about 50% of the rural population. They depend on the forest too. They join the women in the collection of NTFPs. Some finance their education through such efforts, and enhance family income.

About 72.2% of the people in the State (1.3 million) practice subsistence agriculture. They farm, hunt and gather from the forest to meet their basic need of food, shelter, energy, access roads, health and cash.

There is a near total dependence of the people on the forest. The food crops grown in the rural areas are transported to feed the urban population (0.5 m people) of the State and neighboring states. With the high population growth rate in the State more pressure is brought to the forest. Although they carry out about 90% of forest related activities, women and children are not bonafide owners of the forests - owned by male community members and traditional leaders, and they have thus little powers to prevent massive destruction of the forests.

HOW THE ENVIRONMENT IS PLUNDERED:

The high population growth, corruption, and destructive "development and industrialization" programmes are threatening the beautiful environment of the State. Fresh water, streams and rivers under serious threat of pollution due to the situating of factories by the bank of streams and rivers.

The TFPs and NTFPs are being harvested to a point of extinction. The big time timber logging companies are conniving to loot and destroy the forest. The Forestry Department of the State receives \$29.4 (N2,350,000.00) for every tree cut. Typically a company realizes net profit of \$625 (N50,000.00) from a sales income of \$1,000.00 (N80,000.00) and total cost of \$375 (N30,000) from one tree under existing agreements. When a company extracts 1000 trees from a forest concession (in a forest reserve) in a given community the royalty due government is \$29,375.00 (N2.35 million). However, the company earns up paying \$1,875.00 (N150,000) royalty to the government, instead of \$29,375 (N2.35 million), and 20% of this amount goes to the community i.e. \$375.00 (N30,000.00). From this transaction the company has made a whopping profit of \$6.25 million (N50,000,000.00), while the Forestry Department and Community receives only \$1,500 (N0.12m) and \$1,717 (N0.1454m) respectively. The total community public relations package from such transaction is valued at about \$1,437.5 (N115,000.00), and will contain cash, life cow, alcoholic drinks. The company make promises to construct an earth road and build temporary bridges across streams.

Usually, the bridges built collapse as company leaves the forest after the evacuation of its goods. The road, also eventually closes up. The environment is degraded - low soil fertility, heavy erosion and distortion of the ecosystem. This huge profit margin is responsible for the influx of big time timber logging companies in the State..

ENVIRONMENTAL PROTECTION EFFORTS IN THE STATE

In an effort to protect the State's rich and unique environment, some programmes have been put in place. Such programmes include the Cross River State National Park (CRNP), the ODA assisted Forestry Project, the Pandrillus and Cercopan (the last two are meant to protect the endangered species of drills and mona sclater's guenon through reclaiming and raising in captivity infants whose mothers have been killed by hunters). However the awareness about the benefits of these programmes is low. There has been no determined and organized effort to disseminate information on these issues.

In principle both the Federal Government of Nigeria and Cross River State Government have made attempts to protect the environment viz: The creation of the Federal Environmental Protection Agency (FEPA) and the Cross River Environmental Protection Agency (CREPA). Unfortunately, there are inherent contradictions about how these organs operate. For instance FEPA through the Environmental Impact Assessment (EIA) decree No. 86 of 1992 is supposed to compel all project promoters (individuals, companies and governments) to investigate the impact of their intended activities on the environment. Yet Western Metals Products Company Limited (WEMPCO) a foreign business group with Head Office in Hong Kong, has been given approval to construct a saw mill estimated at close to \$10 million by the bank of the river without compliance to the provisions of the decree. Also a State Government that has spent huge amounts of money on forest conservation and formulation of a Forest Management Strategy

is indiscriminately giving forest concessions to companies to log trees. In particular the granting of 3/4 of the forest reserve to a gigantic wood processing factory, which consumes about 50 trees per day (WEMPCO's factory).

It is in the fact of these glaring contradictions and associated issues that concerned NGOs came together to address the following:

- the issues of mindless degradation of the State's environment
- the unprecedented rate of timber logging in the State
- the littering of Calabar Sea Port with logs
- the health and environmental implications of situating a wood processing factory, by Western Metals Products Company (WEMPCO) Ltd., at the bank of the Cross River - a river that serves as the source of drinking water and recreation for about 300 communities in Cross River, Enugu, Akwa Ibom and Abia states.
- the unequitable distribution of benefits from forest products among the indigenous people.
- the failure of environmental projects, which have not created positive impacts on the lives of the people.

For instance the CRNP. The people see it as another white elephant project. There has been no impact on the people because they have not been involved in the programme. Some of them say "all we have been seeing, for five years of the project's existence is white men moving round in white land rovers".

In similar light the ODA - assisted programme has not impacted much on the people. All we have is a "A Forest Management Strategy" - a beautiful document left to gather dust in cup boards. The government lacks the political will to implement it and many highly placed officials have financial gains to make from its non implementation.

NGO COALITION FOR THE ENVIRONMENT - THE JOURNEY SO FAR

Precisely in April, 1995 six local active NGOs under the auspices of Women in Nigeria came together to form a coalition with a view to initiate actions that will safeguard health and economic welfare of rural communities which depend on the environment. Also of interest was the need to protect Nigeria's last tropical rainforest.

As an action oriented organization, NGOCE did the following:

- (1) Sent letters titled "Environment Alert" to the Military Administrator of Cross River State, and the Traditional Rulers Council of Cross River State asking them to intervene to safeguard our health and prevent the pollution and destruction of our unique environment.
- (2) Printed and distributed 10,000 copies of "ENVIRONMENT ALERT" to the general public, with an aim to sensitize the people to be environmentally conscious, at the same time drawing their attention to the reckless harvesting of the rainforest.
- (3) Paid a visit to WEMPCO's factory for an on-the-spot assessment of the situation, following pronouncement of a Cross River State Government's report of WEMPCO's "clean bill of health" and endorsement of continued construction of its saw mill.
- (4) Notified FEPA of our intention to take legal action against both WEMPCO and FEPA if they failed to act within the ambit of the law, by discharging their responsibilities as contained in the relevant laws.
- (5) NGOCE instituted a law suit against WEMPCO, asking that the company be made to comply with the statutory environmental regulations such as the mandatory conduct of an E.I.A. to cover both the situating of its factory and the intended logging activities. Although we received a lot of hostility in court and the case is not yet decided, WEMPCO has produced an interim E.I.A. (It must be noted that this is the second attempt to prepare an E.I.A. in Nigeria. The first was prepared in 1995 by promoters of the Liquified Natural Gas (LNG) a Federal Government owned project).
- (6) NGOCE was invited to a national review panel set up by FEPA to review WEMPCO's interim E.I.A. We made our contributions and went further to contact Professor David Okali (a distinguished forester and Executive Director of NEST) for his expert comments on WEMPCO's E.I.A. We have also obtained a proposal from NEST, for the conduct of an independent E.I.A. on WEMPCO's project.
- (7) NGOCE participated actively, through paper presentation and discussions in seminars held by Nigerian Field Society - Calabar Branch (NFS-CB) and Nigerian Environmental Study Team (NEST), in Calabar, (1995) so as to raise environmental awareness.

Also NGOCE's efforts/experience were sufficiently highlighted by one of the member organizations (Women in Nigeria - Cross River State Branch) in two workshops organized by the Constitutional Rights Project (CRP) and the British Council, at Owerri (March, 1996). The fall out from this is the offer from CRP to give legal aid to the Coalition.

- (8) We have carried out a sensitization/fact - finding tour of some rural communities such as Ekukuneala, Alesi, Okuni, Akam, Agbotai, Abijang, Etata, Eyéyong, Nsofang, Itaka, Alk, Bendeghe-Afi (in Ikom in LGA); Bòje Ebork, Buanchor, Okwango, Katabang, Irruan, Beebo - Bumaji (in Boki LGA), Edondon, Okukuori, Odonget, Isabang (in Obubra LGA) old Ekuri and New Ekuri (in Akamkpa LGA).
- (9) We made investigations into WEMPCO's activities in the Western part of Nigeria. Our conclusions are that the company poses a grave danger to the people of Cross River and its environment. We have evidence via media reports and photographs as per the destructive activities of WEMPCO through their Omo-Wood Industry Ltd, Abeokuta, Ogun State.
- (10) NGOCE featured in Cross River Radio Environment programme to mark the Earth Day (April, 1996).

EXPERIENCES

As worthy as our efforts are we have met with a lot of mixed reactions, some palatable others not. Commendations have been received, although they have mostly been given in private. Share of the unhealthy developments and attacks on NGOCE were not totally unexpected. Such as:

1. Shift of position by the traditional rulers of Ikom and Ikom Forum, (a CBO) from pro-environment stance to support for WEMPCO.
2. The granting of a clean-bill-of-health to WEMPCO and proclaiming it as a pollution free project by the Cross River State Government.
3. The annexation of WEMPCO's Factory site into the Ikom Industrial Estate by the Cross River State Government, while NGOCE was in court against WEMPCO.
4. Deflection of some members from a local NGO in Ikom, who were in the forefront in the campaign against WEMPCO to now be in the payroll of the company.
5. Sponsorship of adhoc and fake environmental groups, like the Contact Group for Environment, to place advertorials in local newspapers, to castigate environmentalists and pro-environment groups that are engaged in meaningful campaigns to enhance the quality of the environment.
6. The "endearment" of WEMPCO to the general public and the local communities through such programmes as:

- (i) the establishment of a football club (WEMPCO Football Club) to engage the services of youths from the local communities.
 - (ii) promises of bridges, roads, schools, etc. to communities in exchange for their forests.
 - (iii) disturbing questionable relationship with the level government officials and the top brass in the society.
 - (iv) WEMPCO's participation in community functions pretending it is pro-people and interested in their good.
 - (v) engagement of a public relations outfit to polish the company's image.
 - (vi) "pact" between WEMPCO and some journalists in the State to enhance unfettered access to the media.
- (7) The refusal of government owned media houses to entertain/publish rejoinders from NGOCE on issues raised by WEMPCO on the grounds that they are against government.
- (8) The statement by the Cross River State Secretary to Government, Ntufam Eyo Nsa Whiley, to the Executive Director of NEST, that the case in court by NGOCE against WEMPCO was against government.
- (9) Worry of family members of key NGOCE actors due to dangers surrounding the environment issue and fear for of personal safety.

However we are not blinded to the inherent dangers associated with this struggle. We are aware that we are up against the strong and powerful in the society in and outside government. But instead of getting deterred NGOCE is acquiring a greater potency to campaign for environmental protection, conservation and sustainable use of resources. This progressively draws the Cross River State environmental scenario to a dimension similar to that of Ogoni land in Rivers State leading to the execution of **Ken Saro-Wiwa** and eight other environmentalists. We know this is a dreadful situation.

CHALLENGES

There are a lot of developments in the State with environmental implications. For instance the Premier Export Processing Zone (EPZ) in Nigeria will be commissioned by July. This will significantly raise the level of industrial activities in the State and their attendant problems. The numerous factories to be built surely will increase environmental pollution. The drainage systems and the physical structures will grow from bad to worse except an environmental package is put in place to ameliorate the problems. Already erosion is a big menace at the EPZ site. Obviously there is the need for environmental NGOs to network, and strategize on how to meet these challenges posed by companies and the government.

Another dis-service to humanity that we are witnessing is the destruction of the yet to be researched rain forest in Cross River State. Whereas it might be possible to discover the natural products effective in the treatment of HIV/AIDS that is threatening the human race, a continuing destruction of the forest will reduce such chances. Already traditional healers depend largely for their practice on medicines derived from forest trees and fauna.

Thus, the biggest challenge before us is how to get the poverty stricken communities who depend on their forest to embrace conservation and concept of sustainability and participate effectively on the management of the environment. This depends on our ability to provide alternative sources of livelihood. A position by WEMPCO for instance, where deforestation is presented as development will be destructive except better understood and resisted by communities, who then will demand that their resources are better managed by all.

CONCLUSION

The environment in general and the rainforest in particular is our common property. What affects our rainforest is bound to affect us all in the world. I seek your support to NGOCE towards preventing the destruction of a part of this global treasure - in the Cross River State of Nigeria.

What NGOCE has now is a vision, drive and courage. Also, a membership that is concerned about environmental issues. But we lack proper education in environmental matters. There is no member in the group who has an environmental science background. Thus the need for a sound technical base in this area. We require skills for effective organizational building and capacity strengthening.

(NGO Coalition for the Environment)

(Kwaku Metals Products Company Limited)

Abigail

We need to be equipped with the necessary skills in:

- advocacy
- networking
- litigation
- community mobilization
- rural development
- participatory methodology
- team building
- information/communication

Money is another major constrain in our determination to carry out our programs as well as offer alternatives to the local people.

Another handicap is the lack of contacts with external organizations, institutions and individuals who are proficient in tackling these issues and whose participation would strengthen our work locally. We also have need of relevant materials like publications to help broaden our horizon in this area. I appeal to you to globalize this fight to save our environment and rain forests because the future depends on what we do today and your assistance.

Thank you.