



## The Impact of the Privatization of SOCAPALM on Communities and the Environment in Cameroon:

### Briefing paper



Photograph 1 - © Isabelle Alexandra Ricq

**This report is the result of several field investigations performed by the associations SHERPA, CED and FOCARFE between 2007 and 2010 on the Kineke and Dibombari plantations, with the support of MISEREOR.**

**CED** <http://www.cedcameroun.org/>

The Centre pour le Développement et l'Environnement (CED) is an independent, non-partisan organization created in 1994. Its mission is to contribute to the protection of the rights, interests, culture and aspirations of local indigenous communities from the forests of Central Africa, via the promotion of environmental justice and sustainable resource management in the region.

**FOCARFE** <http://focarfe.org/>

The Fondation Camerounaise d'Actions Rationalisées et de Formation sur l'Environnement (FOCARFE) is a SCO created in 1991 in order to help and assist the poor in the villages and neighborhoods located in the national triangle, in conjunction and conformity with the Principle 1 of the June 1992 Rio Declaration. Focused on environment and sustainable development, the Foundation is built on the four pillars of agriculture, extractive industries, forests and urban development.

**SHERPA** <http://www.asso-sherpa.org/>

SHERPA is a not-for-profit association governed by the law of 1901; it was set up in 2001 to protect and to defend victims of economic crimes. SHERPA brings together legal experts and lawyers who are convinced that Law as a key role to play in ensuring fair and sustainable development.

**MISEREOR** <http://www.misereor.org/>

MISEREOR was founded in 1958 as an agency "against hunger and disease in the world". In its capacity as the overseas development agency of the Catholic Church in Germany, it offers to cooperate in a spirit of partnership with all people of goodwill to promote development, fight worldwide poverty, liberate people from injustice, exercise solidarity with the poor and the persecuted, and help create "One World".

This publication comes within the scope of the campaign [Rights for all, Rules for Multinational Corporations](#), which is coordinated at the European level by the ECCJ Coalition (European Coalition for Corporate Justice) and relayed in France by SHERPA and Les Amis de la Terre France with the support of the Forum Citoyen pour la Responsabilité Sociale des Entreprises (FCRSE).

**This project enjoyed the financial support of the European Commission's Directorate General for Development (EC - DG DEV). The opinions expressed in this report belong solely to the authors and do not necessarily reflect those of the European Commission.**

## TABLE OF CONTENTS

Foreword

Introduction

Overview of the problems posed by SOCAPALM

Who stands behind SOCAPALM's operations in Cameroon?

Our recommendations

Photographs' description



Photograph 2

## **FOREWORD**

This report focuses on the impact of SOCAPALM's presence on the communities and environment of the various regions of Cameroon where this agro-industrial company is implanted. The case hereby exposed is but one example of the issues raised by the multiplication of large industrial plantations and by the wide-scale granting of forest concessions in Cameroon and in various other Sub-Saharan African countries.

The Cameroonian State created industrial plantations during the first two decades following the country's independence. The goal was to ensure sufficient export volume in agricultural products in order to ensure the country would receive an important income, but also to encourage the development of cash crops production, in particular by providing agricultural inputs, by creating and maintaining a road network, and by collecting the farmers' production prior to transformation and/or exportation.

This social aspect, however, didn't survive the privatization wave imposed on Cameroon within the structural adjustment program of the IMF and World Bank in the late eighties. The foreign multinational corporations then progressively acquired vast land concessions, and a pure search for profits quickly became the only driving force for the development of the industrial plantations. Today, the local communities suffer all the drawbacks induced by the proximity of the industrial plantations, without any of the compensatory benefits of their presence.

This tendency toward the development of land concessions seriously impedes the development of Cameroon. Those in power seem to focus exclusively on the investments' macroeconomic fallouts, and do not commit enough to reducing local social and environmental costs, which are compensated neither by fiscal measures nor by jobs creations.

It is all the harder to understand the logic of land concessions when one realizes that food self-sufficiency remains a critical issue in Cameroon. It is urgent to counteract that trend, by developing an agriculture that will enable rural areas to feed the country once again, and possibly, neighboring countries as well; there is indeed such a potential. Such a move requires an in-depth reflection on the future of Cameroon's agriculture, on its financing and on its priorities. The food riots in February 2008, from that perspective, have acted as a powerful reminder of the cruel consequences of Cameroon's food dependency.

**Samuel Nguiffo,**

**Centre pour l'environnement et le développement (CED) - Director**

## INTRODUCTION

Created in 1968 by the Cameroonian government, SOCAPALM (Société Camerounaise de Palmeraies) is an agro-industrial company whose main activity is the production of raw palm oil.

In 2000, SOCAPALM was privatized: the PALMCAM Company (Palmeraies du Cameroun, a Cameroonian holding) became the majority shareholder with close to 70% of the shares, while the Cameroonian State retained control of 27%. The remaining 3% were attributed to SOCAPALM employees.

SOCAPALM owns five oil palm plantations: Mbongo (since 1969), Eseka (1970), Dibombaru (1974), Mbambou (1974) and Kienke (1978).<sup>1</sup> Located in the Coast, South and Center regions, the conceded lands cover a total of 78.529 hectares (303 sq mi). Since 2001, SOCAPALM also owns the Société des Palmeraies de la Ferme Suisse (SPFS) – Palm'Or, thus accounting for 5.000 additional hectares (20 sq mi).

With 25.998 exploited hectares in 2007, to which one must add 18.265 hectares of joint-managed village plantations, SOCAPALM, including the SPFS allotments, is the single biggest oil palm plantation in Cameroon.

Thanks to its four oil refining plants (total capacity 132 metric tons/hour); SOCAPALM is also the biggest producer of palm oil in Cameroon with around 42% market shares in raw oil.

Strengthened by its commercial performance and hoping to develop new activities (including rubber tree culture and bio-fuel production), SOCAPALM became listed on the Douala Stock Exchange in 2008.

\*\*\*

Prior to the arrival of SOCAPALM, the region was covered with a Guineo-Congolese rainforest with an exceptionally rich biodiversity.

The region was home to hunter-farmer Bantus, as well as to hunter-gatherer Bagyeli ("Pygmies") populations (in the Kienke region), both dependent to various degrees on the forest resources for their food, medicine and spiritual needs.

With the creation of the SOCAPALM plantation, thousands of hectares of arable lands were removed from local populations' access while numerous fishing zones became inaccessible to them because of their falling within plantation limits.

Local communities used to enjoy the rights to those various zones in agreement with Cameroonian law, rights which were lost without any compensation.

---

<sup>1</sup> This report will only consider the Kribi-Kienke and Dibombari plantations.

In the mind of the authorities, the nuisances imposed on the communities located in proximity with SOCAPALM were to be compensated by new public services as well as job and business opportunities offered by the new agro-industrial complex. However, and due to insufficient profitability, the public company never managed to effectively perform its public service missions.

The privatization of SOCAPALM, completed under the leadership of the IMF and World Bank as part of the structural adjustment program, was supposed to inject new life to the agro-industrial company and, *in fine*, to bring to local communities the promised compensations.

This scenario never materialized: far from appeasing the tensions between the company and the local populations, privatization only made those communities' situation worse.

The new profit-oriented logic of the privatized company does not seem to fit the needs and aspirations of the local populations. Among the locals, one can often hear: "For SOCAPALM, a palm tree is worth a lot more than a hundred men".



# OVERVIEW OF THE PROBLEMS POSED BY SOCAPALM

## Harm to local populations



## Worsening of local populations' conditions of living

Space and resources lie at the heart of the social organization of the communities located around the SOCAPALM plantations.

Those neighboring communities are mostly Bantus, although there are also a few "pygmy" Bagyeli communities in the Kienke area. Bantus' main occupation is agriculture (both subsistence and cash crops), to which they add hunting and fishing activities. The Bagyeli communities, on the other hand, rely almost exclusively on hunting and gathering of the resources from the forest.<sup>2</sup>

However, it appears that the expansions conducted by SOCAPALM in order to increase its exploitation area are often performed without coordination with the neighboring communities and without taking into account those communities' needs, so that many

---

<sup>2</sup> Lately there has been the introduction of limited subsistence farming, in order to compensate for the consequences of the decreased forest biodiversity on the food supplies of indigenous communities.

villagers find themselves deprived of their traditional means of subsistence (1).

Those villagers' situation is made all the more precarious by the fact that the actual compensations (2 & 3) remain far below the level promised by the privatization.

### (1) Damage to the villagers' vital space and deprivation of their traditional means of subsistence

According to article 6 h) of the lease agreement signed with the Cameroonian government, SOCAPALM cannot plant on the allotments located around the villages (for a total surface area of 250 hectares) without prior declaration by the administration that these allotments' are not part of the vital space of the local communities.

We do not know for certain if those expansions were performed in violation of this provision, but it has become obviously impossible to many villagers to seed a simple **home garden** close to their house.

Made even more acute by demographic growth, this rarity of land deprives the small farmers from their means of subsistence and becomes a major cause of conflict between local and exogenous populations. Indeed, the local population finds itself in competition for land use and access with the 'imported' workforce brought in by SOCAPALM to work in the plantations.



Photograph 3 - © Isabelle Alexandra Ricq

The Mbonio neighborhood was razed to the ground; only two houses remain, now surrounded by palm trees.

This growing pressure on land otherwise leads to a massive reduction in the duration of crops rotations, decreasing soil fertility and therefore to a collapse of agricultural productivity.

Regarding the **resources extracted from the forest**, those are logically of increasing rarity as the plantations' areas keep expanding. Here again, the clearings performed by SOCAPALM threatens the sustainability of local populations and in particular of the indigenous Bagyeli peoples who still rely mostly on hunting and gathering of forest resources.

It is regrettable that the neighboring communities are not fully associated to those operations, even though said operations are the cause of serious disruptions of their traditional ways of life, and deprive them of otherwise vital resources.<sup>3</sup>

---

<sup>3</sup> We must add that even when performed in areas that do not belong to SOCAPALM, fishing activities are also limited by water pollution or by the security patrols of Africa Security, the security company mandated by SOCAPALM to guard the plantations.

## (2) Very few opportunities

The neighboring populations, who pay the highest social and ecological toll to the nearby plantations, are still underrepresented in SOCAPALM's workforce. The privatized company seems to rely mostly on workers imported from other parts of the country.

A census of the population of the Pongo Aviation village (close to the Kienke plantation) completed in June 2010 revealed that barely 8% of the active population of the village was employed by SOCAPALM.

Those policies tend to self-perpetuate, since the managers eventually favor hiring workers from their own villages (their "little brothers").

## (3) Lack of support for village planters

According to article 8.4.2 of the cession agreement signed with the Cameroonian state, SOCAPALM has the legal obligation to support the development of village plantations.<sup>4</sup> It is further specified (paragraph 3 of the provision) that the private buyer shall purchase and collect "the total production of the village plantations within a 60km (37 miles) radius around the SOCAPALM plantations."

This support mechanism, which was put into place at the time of the creation of the company, had allowed the creation of several thousand hectares of village palm groves; those plantations had quickly become a powerful economic force in the communities around the industrial plantations.

---

<sup>4</sup> Village plantations are exploited by village planters. They are located around SOCAPALM's industrial plantations.

Thanks to this system, small planters could enjoy decreased transport costs and less strenuous work, all the while generating an income sufficient to fulfill their basic needs.



Photograph 4 - © Isabelle Alexandra Ricq

Although the issue of the purchase price of the palm bunches seems to have been settled<sup>5</sup>, the **issue of collection** remains problematic.

First of all, it appears that SOCAPALM is not performing its collection duties on a systematic basis.

Also, those of the small planters who would be capable of transporting their production to the refinery by their own means cannot effectively do so, due to a lack of maintenance of the collection tracks.

Those breaches of the agreement are limiting the small planters' ability to process their production since most of them do not have the technical means to transform the palm bunches into oil.

---

<sup>5</sup> Following the raising prices of palm oil on the world market, the purchase price for palm bunches went from 32.5 to 38.5 F/kg (2007), before reaching 45 F/kg (2008), thereby regaining pre-privatization levels.

Questioned on this issue during a meeting with the neighboring populations on June 8th 2007, SOCAPALM's Director General declared: "Maintenance of the collection tracks and roads is an urgent matter, and SOCAPALM is injecting money when and where it can expect maximum volume of palm bunches". This answer constitutes not only a blatant violation of the commitments taken in the cession agreement<sup>6</sup>, but also a display of the utter contempt in which local populations are held by SOCAPALM directors. This answer also expresses in very clear terms the deep shift of the company's policy, and its new-found finality of profit at all costs.

### Damage to the environment

The field investigations have revealed that the waste products from SOCAPALM's oil refineries are being poured into the rivers and waterways located in proximity to the villages.



Photograph 5

A mix of mud and chemical waste products, those waste oils emits an intolerable stench

---

<sup>6</sup> According to article 8.4.1 of the cession agreement, the buyer has the obligation to ensure public service missions « at the very least to the same extent and at the same conditions as before the property transfer » and to « perpetuate and take the responsibility for the corresponding financial charge.»

Two samples collected in July 2010 in waterways located close to the Nkapa refinery confirm spectacularly the toxicity of these effluents.

The first sample, sent to the Centre Pasteur, was collected in a river whose source is located in the Dibombari plantation. The conclusions reached by the Centre Pasteur are unambiguous: the said sample is considered to be "Hors-Classe" (ungradable) due to "elevated chemical and biochemical demands in oxygen". The analysis report also specifies in tall letters: "TO BE TREATED BEFORE DISPOSAL". These effluents later migrate to other rivers or waterways, including ones located outside the plantation, and further pollute those areas. Indeed, and as confirmed by the analysis of a second sample collected near villagers' homes, water there is of mediocre quality, "only suitable for irrigation, cooling and navigation. Fish life can potentially subside, without guarantee".

Those rivers and waterways are important fishing and recreation zones for the local populations (water consumption, baths...) Because of the industrial effluents, the populations are not only deprived of a good part of their fish supplies, but are also exposed to health risks.

### **The security company's rule of terror**

For a time, plantation surveillance had mostly been performed by the villagers themselves, under contract with SOCAPALM. Recruited and paid by the company to fight palm nut trafficking, village watchers were patrolling the plantations while maintaining a constant dialogue with populations they knew well.

For a few years, however, SOCAPALM has been reinforcing its surveillance system by hiring personnel from Africa Security Cameroun SARL.<sup>7</sup> Founded by Patrick TURPIN, a former French Army officer, Africa Security functions and operates like a genuine private militia.

Africa Security personnel are known to perpetuate a climate of terror by performing random searches wherever villagers spend time fishing, or by raiding homes in search of palm nuts.

Although it is clear, considering the material conditions under which local communities live, that some can be tempted to steal palm bunches that belong to SOCAPALM, many others produce their own oil from palm bunches harvested on their own land.

Either way, we strongly regret the muscled methods, to say the least, used by Africa Security agents: sabotage, beatings of villagers found with palm nuts, home destructions, and cases of rape and murder have also been reported by villagers. On March 12, 2010, the local papers reported that Africa Security agents had beaten a man to death for having allegedly attempted to steal palm nuts. This violation, one too many, has led to popular upheaval.<sup>8</sup>

\*\*\*

From what has just been explained, it is clear that the local populations suffer heavily from SOCAPALM's presence: deprived of their lands, they cannot benefit from the job and

---

<sup>7</sup> We must add that this company is also in charge of the security of CAMRAIL, another of Groupe Bolloré's properties in Cameroon.

<sup>8</sup>[http://www.quotidienlejour.com/index.php/201004191988/index.php?option=com\\_content&view=article&id=1477:dizangue-des-vigiles-dafrika-security-accuses-de-meurtre&catid=75:actualites&Itemid=142](http://www.quotidienlejour.com/index.php/201004191988/index.php?option=com_content&view=article&id=1477:dizangue-des-vigiles-dafrika-security-accuses-de-meurtre&catid=75:actualites&Itemid=142)

business opportunities brought by the plantation, nor can they live under decent conditions, or at the very least, under conditions comparable to those in effect before the company privatization.

The oil wastes released into the rivers are permanently altering the quality of their environment and constitute a serious health hazard.

Local populations also live under the constant threat of Africa Security patrols.

Under these conditions, one can legitimately ask: **what benefits exactly do the populations enjoy from SOCAPALM's presence?**

According to the terms of the cession agreement, the buyer has the obligation to perpetuate the service public missions formerly performed by SOCAPALM "at the very least at the present levels and conditions" and to "take the responsibility for the corresponding financial charge".<sup>9</sup>

In addition to supporting village plantations, SOCAPALM is also notably supposed to perform public service missions in the fields of public health, education and housing. However, in this case as well, SOCAPALM's failure to comply seems blatant.

Most of the villages surrounding SOCAPALM have no access to running water or electricity. Similarly, and with the exception of a few families who work directly for SOCAPALM, villagers have no access to medical facilities.

---

<sup>9</sup> This type of formulation is often found in land concession agreements. Obviously the Cameroonian government, by endorsing so vague a phrasing, is possibly despite itself serving SOCAPALM's interests.

Although the schools located on the plantations are theoretically open to everyone, many children have *de facto* no access to them because their parent's material situation does not allow for the payment of tuition fees.

The bottom line is that the benefits enjoyed by the village populations due to SOCAPALM's privatization are tenuous at best. The final assessment tastes all the more bitter when one compares it to the company's profitability figures.

### Violations of fundamental labour rights



From a general perspective, workers are treated in a barely better way than villagers. One must distinguish between at least two categories of employees on SOCAPALM sites: those who have signed an employment contract with the company directly, and those lent to SOCAPALM by its subcontractors. The latter are more numerous, and have particularly difficult working conditions.

Besides having to stand deplorable working and housing conditions, SOCAPALM employees are also deprived of the benefits of the shares held for them by the company.

In several instances, workers went on strike in order to express their disapproval, but SOCAPALM seems not to grant them much attention.<sup>10</sup>

## Working conditions

### (1) Security and health

It appears from the various investigations conducted on the field that most SOCAPALM employees do not receive the required protection gear. Workers are thus exposed to all the natural, chemical or mechanical hazards encountered on industrial plantations (snake bites, contamination by toxic chemicals, etc...)



Photograph 6 - © Isabelle Alexandra Ricq

The **workers' transport conditions** probably constitute the most blatant example of SOCAPALM's contempt for security rules: for instance, in order to reach the palm groves in the morning, workers are packed in containers originally designed for bulk good transport; treated like cattle while carrying their work tools, they often injure themselves during transport.

In the evening, they must walk for miles to reach their homes in the heart of the plantations.

Despite those numerous health risks, most medical facilities are aged and underequipped.

### (2) Remuneration and social security

After SOCAPALM was privatized, the company put in place a **subcontracting system** involving dozens of contracting companies whose employees were sent *de facto* to work for SOCAPALM. One can thus read on a contract signed with a subcontractor that Mr. X "is hired by INTERIMA and placed at the disposal of SOCAPALM", and reading further: "the continuation of this contractual bond is subordinated to the criteria decided by SOCAPALM, INTERMINA merely registering SOCAPALM's desire to keep employing [Mr. X] or not". This system allows SOCAPALM to save considerable amounts of money on social costs without impeding production activities.

It also appears that SOCAPALM's subcontractors tend to multiply **temporary contracts** so that those workers do not benefit from any social protection.

Workers thus find themselves in an extremely precarious situation, one which the **salary** paid by the subcontractors does not permit to compensate. Salaries are often entirely spent when payday arrives, and are sometimes paid several months late.

The workers directly under contract with SOCAPALM don't seem to enjoy a much better status though, as is shown by the way the family of an employee who died at work was treated.

<sup>10</sup> <http://www.liberation.fr/economie/010176109-les-camerounais-exploites-des-palmeraies-de-bollere>

A SOCAPALM driver was killed in a traffic accident while working for the company on Sunday Feb. 20, 2005, as attested by a police report filed by the Gendarmerie Nationale in Kribi. However, on the death certificate signed by the doctor attached to SOCAPALM's medical service, the date of the accident is said to be Monday Feb. 21st 2005. Upon finding out about this discrepancy, the Centre Départemental of the Caisse Nationale de Prévoyance Sociale [social services] refused to qualify the accident as a work accident, thus forfeiting any rights the victim's widow would have had to compensations. **Mere material error, or purposeful manipulation?** The authors of the report have no definite answer, but one might ask why no measure was taken by SOCAPALM so as to take care of the issue and to allow the entitled beneficiaries to be compensated.

### (3) Collective Negotiation

SOCAPALM appears to display extensive contempt toward their employees' representative organs and the issues raised by their delegates.

On January 6th 2010, delegates of SOCAPALM personnel in Dibombari transmitted to the plantation director the full transcript of their meetings in 2009. Among the many demands submitted to the company's executives, less than 20% were effectively taken into account. For all answer, the plantation director simply stated on the demand book that "delegates' function is not to make demands".

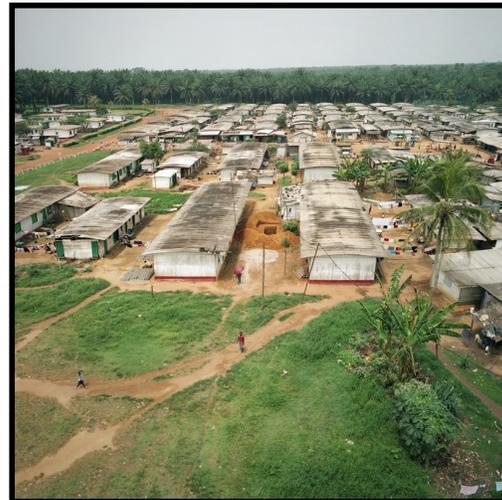
In a new letter sent on April 12th 2010, delegates of SOCAPALM personnel of the Dibombari plantation expressed their disappointment at the lack of consideration they receive.

They wrote: "Workers feel themselves to be the victims of a slaver management toward which they have only obligations and no rights".

\*\*\*

In the final analysis, the sanctions code applicable to SOCAPALM employees undoubtedly constitutes the best possible example of the unbalance that exists between company executives, who enjoy all the rights while remaining deaf to their employees' demands, and a powerless workforce. The sanction code is not devoid of a several aberrations: how can one punish workers for not wearing their security gear when none is provided for them?

### Housing conditions



Photograph 7 - © Isabelle Alexandra Ricq

SOCAPALM workers are housed along with their families in camps located within the palm groves. The housing conditions there are deplorable: overpopulation, aging buildings<sup>11</sup>, frequent power failures, non-working water pumps...

<sup>11</sup> As far as we know, no improvement / overhaul were performed on the camps since their construction in 1968.

## **Failure to retrocede the shares reserved to SOCAPALM personnel**

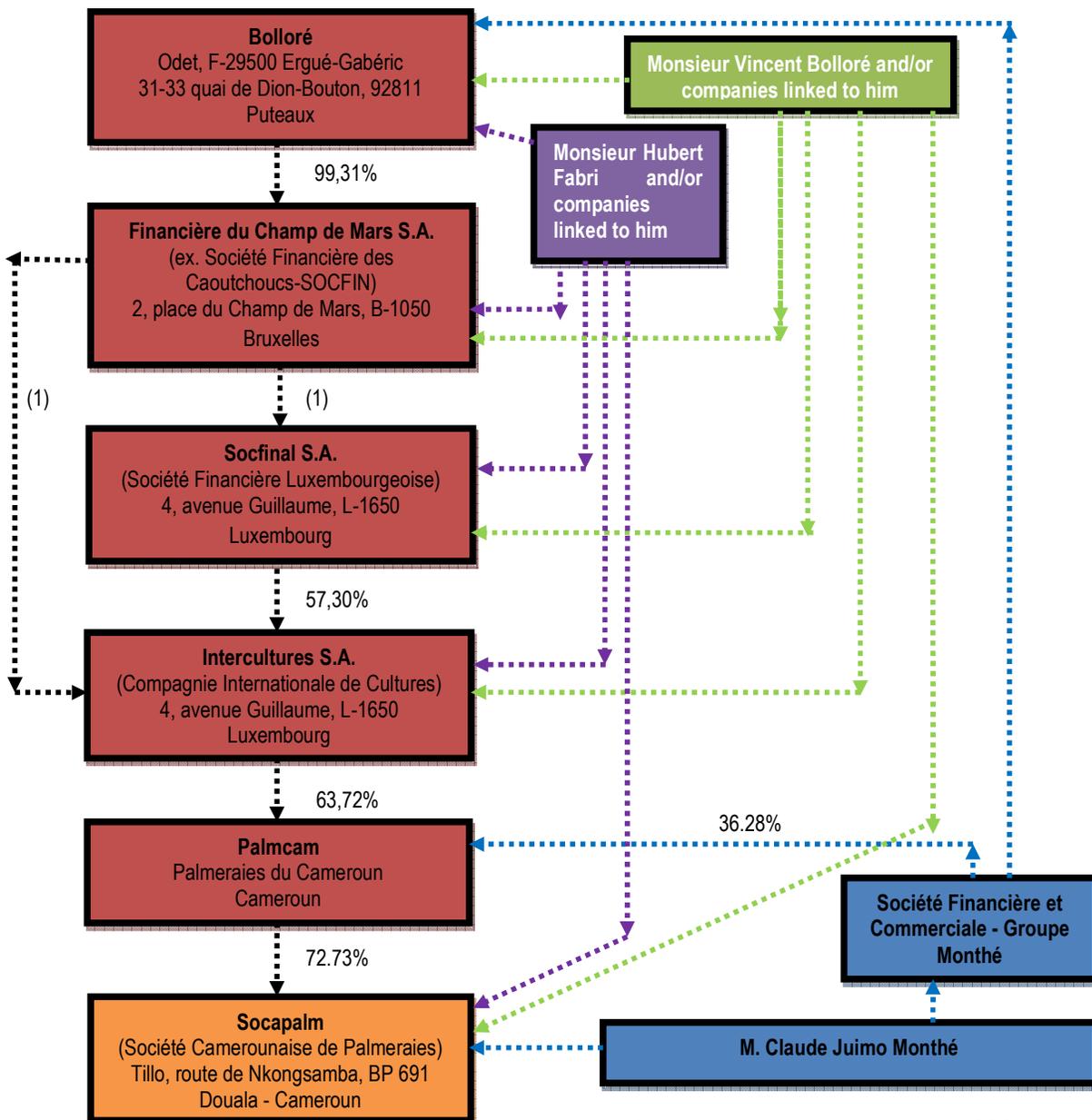
At the time of SOCAPALM's privatization, it had been decided to grant 3% of the stock to the employees who had a valid employment contract at the date of June 30th 2000 (Article 4.2 of the cession agreement). In order to complete the retrocession operation, it had been decided that the employees would finance in advance their part in the company's capital by direct deduction on their salaries. A unit trust had been established for that purpose.

However, and although the workers had already started paying for their shares, Mr. SPELIER DE RAAD, then Director General of SOCAPALM, declared on Sept. 18 2000 that the said shares would after all be ceded for free. This announcement was confirmed by his successor, Mr. Patrick CAILLAU in an information memo sent to all the employees on March 29th 2001; the money already invested by members of the personnel in the unit trust was thus reimbursed, and the trust itself disbanded.

Today, 10 years after the privatization, no concrete measure has yet been taken in order to allow SOCAPALM employees to acquire their rightful shares. As of today, those employees are still deprived of the profits from the dividends.

# WHO STANDS BEHIND SOCAPALM'S OPERATIONS IN CAMEROON?

SOCAPALM's juridical structure involves at least 5 holding companies localized in 4 different countries.



Sociétés holding

Control

(1) According to the memo published by SOCAPALM at the time of its listing on the Douala Stock exchange: « INTERCULTURES is a subsidiary of the Société financière des caoutchoucs « SOCFIN », located in Luxembourg under the name Socfinal SAH... »

As shown by the organization chart, the company groups Bolloré (France), Financière du Champ de Mars (Belgium), SOCFINAL (Luxemburg) and Intercultures (Luxemburg) exert joint control over SOCAPALM's operations in Cameroon.

- All four companies are linked by complex financial set-ups whose nature is quite perplexing:

At the top of the chart we find the Bolloré SA Company. This company is notably administered by Mr. Vincent Bolloré and Mr. Hubert Fabri and/or companies linked to them.

Both of them, either in their own name or through companies directly linked to them, are also shareholders and members of the Board of the various companies found on the organization chart.<sup>12</sup>

- ✓ Both of them and/or companies linked to them are shareholders of the Société Financière du Champ de Mars (formerly SOCFIN) as well as members of the Board of the same company; Mr. Bolloré is also the acting chairman.
- ✓ Both of them and/or companies linked to them are shareholders of SOCFINAL as well as members of the board of the same company; Mr. Fabri is also the acting chairman.

✓ Both of them and/or companies linked to them are shareholders of Intercultures as well as members of the Board of the same company; Mr. Fabri is also the acting chairman.

✓ Both of them and / or companies linked to them are shareholders of SOCAPALM as well as members of the Board of the same company.<sup>13</sup>

- The four companies claim to have implemented social and environmental policies which are in complete opposition with the conditions of SOCAPALM's operations in Cameroon:

The Bolloré group claims on its website to be committed to “reconciling on a daily basis its economic performances with its social and environmental mission”. The group notably proclaims its desire to “perform its job all the while taking special care of the value systems, both cultural and political, of each territory where it operates”. The group also commits to “performing its job while protecting natural spaces and biodiversity”, by enforcing “a rigorous respect of the sites it occupies”, not only within Bolloré SA but also “in each and every subsidiary”.

In a similar fashion, one can read on SOCFIN's web site:” The SOCFIN group is convinced that one of the most effective ways to help support sustainable development is by doing business in a socially aware and responsible manner, helping to create and share wealth, invest in local economies, develop people's skills and

---

<sup>12</sup> We have no information regarding the PALMCAM holding's Board composition, but we know that Intercultures controls more than 73% of PALMCAM. Both Mr. Bolloré and Mr. Fabri and/or companies linked to them hold key positions within Intercultures.

---

<sup>13</sup> Mr. Claude Juimo Monthé, the acting chairman of the Board of SOCAPALM, is also a board member of Bolloré S.A and owns, via the Société Financière et Commerciale (SFC), 36.28% of PALMCAM's stock.

spread expertise across borders. SOCFIN firmly believes in an environmental responsible management and cares about its social responsibilities". The company is otherwise known as a founding member of RSPO (Roundtable on Sustainable Palm Oil – <http://www.rspo.org>): a private initiative whose object is to set and enforce standards in the sustainable production of palm oil.

- All four companies are located on the European territory and profit abusively from the lack of a legal framework for the regulation of multinational corporations.

To this day, "Corporate Social Responsibility" (CSR) relies mainly on voluntary commitments by corporations, and thus lacks any legally binding measures. Indeed, and because of the corporate veil, it is extremely difficult, not to say impossible, to hold a multinational corporation responsible for the activities of one of their subsidiaries, should they be located either in Europe or abroad.<sup>14</sup>

---

<sup>14</sup> For further information : « Comprendre les obstacles à la mise en œuvre de la responsabilité des entreprises transnationales » ; SHERPA, Oct. 2009, publication available at : <http://www.asso-sherpa.org/nos-programmes/gdh/nos-publications-ii>

## OUR RECOMMENDATIONS



Because it is the duty of European states to protect the victim-populations of crimes committed abroad by their multinational corporations, ECCJ advises the EU institutions to implement the following 3 series of measures:

- 1 - Better accountability:** European multinational corporations must be held legally responsible for any damage caused by them or their subsidiaries to people and to the environment, in Europe and elsewhere;
- 2 - Better transparency:** European transnational corporations shall be obliged to report defined information in respect of their human rights, environmental and social liabilities, risks and impacts.
- 3 - Better access to justice:** Any victim or citizen shall have the right to bring a lawsuit before EU courts against any European transnational corporation that violates human rights and environmental conventions and standards in and outside EU territories.

It also seems important to us that the EU helps developing countries so as to strengthen their control over multinational corporations by contributing to the reinforcement of their judicial institutions, but also of their administrations in charge of environment, social issues and taxation.

## **PHOTOGRAPHS DESCRIPTIONS**

**Photograph 1:** MANJOA Régine, Bidou village III, Feb. 2009

**Photograph 2:** SOCAPALM plant in Kienke, June 2010

**Photograph 3:** MBANGO Olive, Mbonjo village, Mar. 2009

**Photograph 4:** KOTTO MBELLE François, village chief and independent planter, Yapaki (Dibombari), Feb. 2009

**Photograph 5:** Kienke, May 2010

**Photograph 6:** Workers, SOCAPALM plantation, Kienke, Feb. 2009

**Photograph 7:** Workers camp, SOCAPALM plantation, Kienke, Feb. 2009

**Photograph 8:** Kienke, May 2010



Photograph 8