

### **Negative impacts of Smurfit Kappa on human rights and the environment in Colombia**

Smurfit Kappa, a giant multinational company that is one of the biggest producers of paper and cardboard in the world, has been operating in the southwestern Cauca region of Colombia for more than three decades.

In the last two years, local communities and environmental organisations have denounced how the company's operations have caused vast environmental damage, pushed people off their ancestral lands, and exacerbated serious violations of human rights.

#### ***Smurfit Kappa's Impact on the Environment***

Smurfit's operations are harmful to the region's soil, water and biodiversity. Examples of the company's environmentally destructive activities include:

- Planting fast-growing, non-native species like pine and eucalyptus, which destroy the local ecology. Eucalyptus has a deeper root system than other native trees, which means it soaks up the water, dries out other trees, and makes the landscape prone to fires. Pine leaves decompose very slowly, accumulating to prevent the passage of sunlight and the surface runoff of water, altering the organic matter necessary for sowing, and generating erosion.
- Building industrial plantations in the forest. These demand immense amounts of water and damage the composition of the soil<sup>1</sup>.
- Polluting water sources, drying up aqueducts and reducing the availability of water<sup>2</sup>.
- Violating Colombia's environmental laws. Colombian environmental legislation establishes that a 100 metre buffer must be preserved around water sources and a strip of up to 30 metres on each side of water sources. But in many places in the central and western mountain range you can see that the Smurfit Kappa's plantations are right up to the edge of the water, in the springs and in the ravines. In Seville, Valle del Cauca, people tell how the springs and creeks disappeared<sup>3</sup>.

#### ***Smurfit Kappa's Impact on Human Rights***

Besides causing ecological harm, Smurfit Kappa has a long history of dispossessing local, Indigenous communities, pushing them out of their homes and off their lands. The ancestral territory of the Misak, Nasa and Campesino people largely coincides with the territory where the company is now operating, forcing the communities to move. The Indigenous and Campesino people who live in that region claim the right to take back their ancestral lands, now illegitimately controlled by Smurfit Kappa, which has become one of the largest landowners of fertile land in Cauca<sup>4</sup>.

<sup>1</sup><https://www.jstor.org/stable/j.ctv1pbwvfr>

<sup>2</sup><https://www.eko.org/media/indigenous-leader-slams-one-of-worlds-biggest-packaging-manufacturers-for-destroying-rainforest-and-displacing-indigenous-communities/>

<sup>3</sup> <https://cuestionpublica.com/el-lado-oscuro-del-carton-en-colombia/>

<sup>4</sup> <https://lac.landcoalition.org/es/noticias/el-despojo-como-origen-del-conflicto-por-la-tierra-en-el-cauca/>



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The Communities have been facing episodes of violence in their efforts to recover their lands, including the killing of community leaders opposed to the company's activities. Community calls for independent investigations and accountability for these episodes haven't been met yet.

Despite having a Forest Stewardship Council certificate and being bound by the Colombian regulatory framework, the company does not seem to comply with either.

### **What now?**

**The signatory organisations support the environmental and human rights of the affected communities, and wish to bolster their demands.**

#### **To Smurfit Kappa:**

- Return the traditional lands to the communities to whom they belong.
- Stop planting pine and eucalyptus in an area that has already been damaged by the industrial plantations.

#### **To the Republic of Ireland:**

- Ensure the safety and protection of communities in Colombia that are facing harm for exercising their rights. Ireland is a party to the Aarhus Convention, the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, which establishes that "Each Party shall ensure that persons exercising their rights in conformity with the provisions of this Convention shall not be penalised, persecuted or harassed in any way for their involvement."

#### **To the Republic of Colombia:**

- Apply the United Nations Declaration on the Rights of Indigenous Peoples, which specifies that "States will provide effective mechanisms for the prevention and reparation (...) of any act that has the object or consequence of dispossessing them of their lands, territories or resources".

#### **To the European Union:**

- Oblige Smurfit Kappa, a company based in the European Union, to respect Free, Prior and Informed Consent, as detailed in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
- Include human right defenders as key stakeholders for the Forthcoming EU Directive on Corporate Sustainable Due Diligence, as is detailed in this briefing from Front Line Defenders using the Colombia case study as an example<sup>5</sup>.

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<sup>5</sup> [https://www.frontlinedefenders.org/sites/default/files/final14\\_04\\_csdd.pdf](https://www.frontlinedefenders.org/sites/default/files/final14_04_csdd.pdf)



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### Signatory organisations

Abibinsroma Foundation, Ghana	Global Justice Ecology Project, USA
Advocates for Public Interest Law, South Korea	Green Longjiang, China
ARA, Germany	Hutan Kita Institute, Indonesia
Australian Forests and Climate Alliance	Istituto Maira, Brazil
AXIAL, Naturaleza y Cultura, Paraguay	Latin America Solidarity Centre
Biodiversity Conservation Center, Russia	Movimiento por un Uruguay Sustentable, Uruguay
Biofuelwatch, UK/USA	Nature Nova Scotia, Canada
Biomass Action Group, Australia	Päästame Eesti Metsad, Estonia
Blue Dalian, China	Pro Natura, Switzerland
Colectivo Ecofeminista Dafnias, Uruguay	Profundo, The Netherlands
Colectivo Viento Sur, Chile	ProWildlife, Germany
Denkhaus Bremen, Germany	Quercus, Portugal
Dogwood Alliance, USA	Rainforest Action Network
Earth Action, Inc., USA	Rainforest Information Centre, Australia
Ekō	Rettet den Regenwald, Germany
Environmental Paper Network	RobinWood, Germany
Extinction Rebellion, Ireland	Scholar Tree Alliance, China
Fern, Belgium/UK	Snow Alliance, China
Forest Peoples Programme, Netherlands / UK	The Corner House, UK
Forum Ökologie & Papier, Germany	We Kimün, Chile
Friends of the Siberian Forests, Russia	



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