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BONSUCRO SUSPENDS TATE & LYLE OVER CAMBODIA LAND-GRABBING

UK sugar company accused of profiting from land-grabbing; Cambodian villagers pursue lawsuit in UK after parent company American Sugar Refining pulls out of U.S. mediation process

JULY 17, 2013 – Yesterday the board of **Bonsucro**, a responsible sugar initiative, announced its decision to suspend **Tate & Lyle Sugars (TLS)** over complaints that the UK sugar giant profits from land-grabbing by buying sugar from a plantation in Koh Kong, Cambodia, that was illegally taken from local villagers. Coming on the heels of complaints to the U.S. Government and the European Commission, as well as a lawsuit in the UK, this development increases the pressure on TLS to provide justice to the affected communities.

The Koh Kong plantation land was forcibly and in some cases violently confiscated from over 450 families in 2006 and given to politically-connected companies controlled by **Khon Kaen Sugar Ltd.**, a Thai sugar producer, which has an exclusive sales contract with TLS. The land grab has been documented by numerous independent experts, including a U.N. office in Cambodia. “This land meant everything to these families, who have been struggling to survive without their source of food, income, and security,” said **Sorphonney Ny**, a lawyer with the **Community Legal Education Center (CLEC)** who represents the villagers in Cambodian court and supports the U.K. litigation. “They will continue to pursue their rights in all available forums.”

Bonsucro works with its members to improve the sustainability and environmental impacts of sugarcane production. CLEC and **Equitable Cambodia (EC)** filed the complaint with Bonsucro two years ago. The Board’s decision came after TLS declined to cooperate in the complaint resolution process, failed to provide information, and ignored a request to review compensation that has supposedly been paid to some of the Cambodian landowners. “We wish that Tate & Lyle had cooperated to correct this injustice, but we are pleased that the board acted to uphold the integrity of Bonsucro and its Code of Conduct,” said **Eang Vuthy**, EC’s Executive Director.

TLS’s parent, **American Sugar Refining (ASR)**, also decided not to cooperate in a dispute resolution process that the villagers launched last year with a U.S. State Department office that promotes the OECD Guidelines for Multinational Enterprises, an international code of corporate conduct. While the office found the villagers’ complaint to be “substantiated” and offered to mediate, ASR pulled out of the process when the villagers refused to drop their lawsuit against TLS. The State Department’s Final Statement in the dispute resolution process, issued in June, calls on ASR to “conduct a corporate human rights policy review process.”

Declining to engage has not halted TLS’s legal worries, however. The villagers’ lawsuit in the U.K. courts against TLS is moving forward after a preliminary attempt at mediation failed on July 5. The lawsuit seeks the value of the sugar produced on the communities’ land.

“Every time the communities have tried to engage with Tate & Lyle and ASR, their efforts have been rebuffed,” said **Jonathan Kaufman**, an ERI attorney. “The company could be reinstated to Bonsucro if it gave the villagers restitution or fair compensation. Otherwise, it will be up to the British courts to decide whether Western companies can profit from land theft in Cambodia.”

The villagers and their supporters have sought dialogue with the companies and have brought their case to the Cambodian and U.K. courts, a European Union investigative body, the U.N. High Commissioner for Human Rights, and the National Human Rights Commission of Thailand.

- Bonsucro’s statement is at: <http://bonsucro.com/site/about/complaints/>
- The State Dept’s statement is at: <http://www.state.gov/e/eb/oeed/usncp/links/rls/210970.htm>
- More information on the campaign is available at: <http://www.boycottbloodsugar.net/>

CLEC is a Cambodian legal resource non-governmental organization (NGO) that specializes in land and natural resources, public interest legal advocacy, labor and good governance. More information on CLEC is available at <http://www.clec.org.kh/>.

ERI is a NGO with offices in Southeast Asia, the United States and Peru specializing in protecting human rights and the environment, and corporate and government accountability. More information on ERI is available at <http://www.earthrights.org>.

EC is a Cambodian NGO that works to transform the national development model into one that respects, protects and progressively fulfills the human rights of the Cambodian people. More information on EC is available at www.equitablecambodia.org.