

Earth Justice Initiative

For Immediate Release

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Calvert Divests Weyerhaeuser

Indigenous land rights conflict with Grassy Narrows Ontario cited

Toronto - Today Calvert Investments removed Weyerhaeuser (NYSE: WY) from the Calvert Social Index of sustainable and responsible companies due to Weyerhaeuser's failure to meet the Index's standards for Indigenous Peoples' Rights. [1] Weyerhaeuser, North America's largest lumber producer, has been engaged in a long term conflict with the Grassy Narrows First Nation in Northwestern Ontario over unwanted clear-cut logging on the Indigenous community's territory in the Boreal Forest. Calvert is the largest family of "responsible" mutual funds in the U.S. and the Calvert Social Index had an average market capitalization of approximately \$10.56 billion on Sept. 19 2008. [2] The de-listing requires four different Calvert funds to divest Weyerhaeuser.

"I commend Calvert's action. This sends a strong message to all companies that Indigenous rights must be respected," said Joseph Fobister, a Grassy Narrows business owner. [3]

Companies that fail Calvert's Indigenous Peoples rights criteria do so because "they do not respect the lands and rights of Indigenous Peoples, and have direct ongoing conflicts with indigenous communities regarding livelihoods, cultures, habitat, and environment." [4] In making their decision Calvert cited "strong concerns regarding Weyerhaeuser's influence on treaty implementation negotiations between Grassy Narrows First Nation and the Province of Ontario begun in May 2008." [5]

On Sept 20, 2007 Amnesty International Canada called for the Government of Ontario to halt all clearcut logging and other industrial development in Grassy Narrows Territory until free, prior and informed consent has been given. Amnesty called on Weyerhaeuser to voluntarily suspend logging in Grassy Narrows and to adopt and abide by a code of conduct consistent with the requirement for consultation and consent in national and international law. [20]

Weyerhaeuser stands as an increasingly isolated industry laggard on the Grassy Narrows issue. On June 3 of 2008 David Paterson, CEO of AbitibiBowater, then the largest newsprint producer in the world, informed the Ontario Minister of Natural Resources, Donna Cansfield, that the company would discontinue using wood from Grassy Narrows Territory and relinquish its license to log in the area. [6] The decision came shortly before a June 30 deadline set by Abitibi's major US purchaser, Boise, which on Feb. 28 2008 committed to "honor the request of

Chief Fobister to discontinue sourcing fiber from the Traditional Landuse Area of the Grassy Narrows First Nation.” Boise, a major paper supplier for Office Max and Grand and Toy, made their commitment less than a month after being targeted by over 30 protests at their retail outlets across North America by grassroots groups, coordinated by the Rainforest Action Network. [7]

AbitibiBowater’s withdrawal has suspended logging on Grassy Narrows Territory, but Weyerhaeuser has publicly stated that regaining access to wood from Grassy Narrows Territory for the Weyerhaeuser iLevel Timberstrand LSL mill in Kenora “remained the top priority” for the company. [8] In March of 2009 the Province unilaterally approved a contingency plan that identifies 27 areas to be clearcut on Grassy Narrows Territory, including 17 that will be more than 260 hectares in size. [9]

“We will now work to ensure that other investors follow Calvert’s example by divesting from Weyerhaeuser. There will be no certainty for industry until all levels of government respect the rights of Indigenous peoples over their traditional lands and resources,” said David Sone, Spokesperson for the Earth Justice Initiative.

Weyerhaeuser Company was added to the London based FTSE4Good US Index in March of 2002 [10] and to the Dow Jones Sustainability Index in October of 2007. [11] Weyerhaeuser’s poor track record on the human rights of Grassy Narrows has been brought to the attention of both major indexes who must now consider the issue in light of Calvert’s important precedent. Socially responsible investing is an increasingly powerful force. Between 2005 and 2007 assets under “socially responsible” professional management grew at six times the background rate and now total \$2.71 trillion, representing nearly one out of every nine dollars in managed assets. [12]

Across Canada Indigenous peoples are asserting their right to self determination by taking control of the traditional lands from which the health, wealth, and culture of their communities flow. Calvert’s announcement is proof of the power of communities who fight for their homes and their rights against hostile corporate interests.

“Calvert’s decision comes after years of campaigning for justice by the Grassy Narrows First Nation and its allies. The definition of sustainability for extractive industries requires respecting the basic human rights of the people who depend on the land; Calvert’s announcement is a victory for Indigenous rights worldwide,” said Jennifer Krill, Program Director of Rainforest Action Network.

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BACKGROUND

1873 - Treaty 3 sets out terms for co-existence and recognizes Grassy Narrows' ongoing right to hunt, fish and trap on their on million hectare territory. [13]

1970 – Widespread mercury poisoning is reported in Grassy Narrow originating from the effluent of a pulp mill upstream in Dryden Ontario. [14]

2000 - Community trappers launch a legal action challenging the jurisdiction of the Province to issue resource licenses on their territory and asserting that clearcut logging violates their rights to hunt and trap. The litigation is scheduled to be heard this fall. [15]

December 2002 - Grassy Narrows youth establish a peaceful blockade of a logging road near their community - now the longest standing action of its kind in Canada. [16]

January 2007 - Grassy Narrows renews its call for a moratorium on all industrial uses of its land occurring without its free, prior and informed consent. “We have been seeking for many years a constructive solution to this untenable situation, but the response has always been to talk and log. We cannot sit back and watch the demise of our way of life which disappears more every time more cutting areas are extended to Abitibi and Weyerhaeuser,” said Grassy Narrows Council Chief Simon Fobister. [17]

July 2007 – A group of 100 Grassy Narrows activists and supporters including the Rainforest Action Network shut down the Trans Canada Highway near Kenora for one full day, blocking the path of logging trucks hauling trees clearcut logged from Grassy Narrows Territory to Weyerhaeuser's iLevel Timberstrand LSL mill in Kenora. 22 activists are eventually charged for this event. [18]

Sept 13, 2007 – The UN Declaration on the Rights of Indigenous Peoples is adopted by the UN General Assembly recognizing the right to free, prior, and informed consent over landuse decisions on traditional lands. [19]

Sept 20 2007 - *The law of the land: Amnesty International Canada's position on the conflict over logging at Grassy Narrows* is released. Amnesty International calls for the Government of Ontario to halt all clearcut logging and other industrial development in the traditional territory until free, prior and informed consent has been given. The report calls on Weyerhaeuser to voluntarily suspend logging in Grassy Narrows and to adopt and abide by a code of conduct consistent with the requirement for consultation and consent in national and international law. [20]

May 11, 2008- The province of Ontario announces a memorandum of understanding (MOU) with the Grassy Narrows First Nation to enter into negotiations mediated by retired Supreme

Court of Canada Judge, Frank Iacobucci. In a press release Grassy Narrows underscores that “this new MOU in no way signifies consent to ongoing clear-cutting in its traditional territory.” [21]

January 30, 2008 – Rainforest Action Network coordinates over 30 protests by local grassroots groups urging Office Max and Grand and Toy to stop using Boise paper made from Grassy Narrows trees without consent. [22]

February 29, 2008 - Boise Inc., a major purchaser of wood from Grassy Narrows traditional territory, notifies AbitibiBowater that on June 30 it will cease purchasing wood fiber logged from Grassy Narrows land without the community’s consent on June. [7]

May 26-29, 2008 – Over 3,000 people participate in four days of demonstrations, ceremonies, and an occupation of the front lawn of the Ontario Legislature by Grassy Narrows activists, Kithenuhmaykoosib Inninuwug First Nation, Ardoch Algonquin First Nation, and dozens of environmental, labour, human rights, anti-poverty, student, and faith organizations. They call for respect for the right of Indigenous communities to say ‘no’ to unwanted industry. [23]

On June 3, 2008 David Paterson, CEO of AbitibiBowater, then the largest newsprint producer in the world, informs the Minister of Natural Resources, Donna Cansfield, that the company will discontinue using wood from Grassy Narrows Territory and relinquish its license to log in the area. Logging on Grassy Narrows territory is suspended. [6]

December 3, 2008 - Weyerhaeuser publicly states that regaining access to wood from Grassy Narrows Territory for the Weyerhaeuser iLevel Timberstrand LSL mill in Kenora “remained the top priority” for the company. [8]

March 25, 2009 - the Province unilaterally approves a contingency plan that identifies areas to be clearcut logged on Grassy Narrows Territory. The contingency plan calls for 27 clearcuts in 2010, including 17 that will be more than 260 hectares in size. [9]

SOURCES

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[2] <http://www.calvertgroup.com/newsArticle.html?article=13679>

[3] To speak with Joseph Fobister call David Sone at 416.532.7251

[4] <http://www.calvertgroup.com/sri-indigenous.html>

[5] <http://www.calvert.com/newsArticle.html?article=14727>

- [6] <http://www.thestar.com/sciencetech/article/437156>
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- [8] Kenora Daily Miner and News, Mike Aiken, Dec. 3, 2008.
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- [19] http://www.amnesty.ca/resource_centre/news/view.php?load=arcview&article=4436&c=Resource+Centre+News
- [20] http://www.amnesty.ca/resource_centre/reports/view.php?load=arcview&article=4054&c=Resource%20Centre%20Reports
- [21] http://ran.org/media_center/news_article/?uid=4759
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