



A non-profit organisation | Registration No. 1997/004896/08 | Fundraising No. 005-294 NPO | PBO No. 130003729  
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2 November 2021

Mr David Matsinhe and Mr Richard Pearshouse  
Amnesty International, International Secretariat  
Peter Benenson House, 1 Easton Street  
London WC1X 0DW  
UNITED KINGDOM

By e-mail: [REDACTED]

Dear Messrs Matsinhe and Pearshouse,

**AMNESTY INTERNATIONAL'S RESEARCH INTO ALLEGED CASE OF UNLAWFUL USE OF FORCE BY BANHINE NATIONAL PARK RANGERS**

Thank you for your letter dated 15 October 2021 and offering Peace Parks Foundation an opportunity to reply to the statements made therein. We appreciate the opportunity provided to us, as it is evident from your letter that you do not have the correct facts regarding the most regretful incident that took place on 3 November 2020 ("the incident").

At the outset Peace Parks Foundation denies that any Banhine National Park ranger used any unlawful force, shot at unarmed and peaceful local residents and/or failed to provide assistance and medical aid to the individuals that were injured during the incident.

Your letter references the UN Guiding Principles on Business and Human Rights ("UN Guiding Principles"). The purpose of this letter is not to respond to or express any view on the content of the UN Guiding Principles, or its relevance or applicability to Peace Parks Foundation and/or the incident. Peace Parks Foundation reserves its rights to respond in detail on this issue should it become necessary to do so in future.

We do note that part of the methodology adopted in your research involved interviews with residents living in the applicable region as well as the review of certain documents published by Mozambique's government and other organizations, media reports and academic papers. No mention is made that, as part of the methodology, interviews were held with ANAC, any park rangers, members of the State Police or the Natural Resources and Environment Protection Police unit. We do deal with this in more detail below.

As stated above, it is not the purpose of this letter to respond to or comment on the correctness, applicability, or relevance of any of the documents, media reports or academic papers reviewed by you to Peace Parks Foundation and/or the incident. Peace Parks Foundation reserves its rights to respond in detail on this issue should it become necessary to do so in future.

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We turn now to respond to the incorrect factual allegations made in your letter:

- 1) The boundary changes that were made to Banhine National Park was done through Decree 90/2013 and approved by the Council of Ministers of Mozambique. The realignment was made specifically to accommodate the existing rights of people that were residing within the original boundaries of the park. This was an initiative implemented by ANAC and financed by the World Bank, with no involvement from Peace Parks Foundation. Copies of the consultative meetings with the communities can be obtained from ANAC.
- 2) Park rangers have the full right, as provided in the Conservation Law 5/2017 and the Regulation of the Conservation Law, approved by Decree 89/2017 of 29 of December, to prevent charcoaling from taking place inside the boundaries of a national park and in a buffer area of five kilometres outside the park, without a permit, whilst the police have full jurisdiction inside and outside the park boundaries to enforce the law.
- 3) The incident took place outside the boundary of Banhine National Park where the rangers do not have jurisdiction.
- 4) The incident took place when a large group of people from the local community who were armed with sticks, stones and machetes physically blocked the road and attacked a vehicle convoy consisting of law enforcement officers of the State Police, the Natural Resources and Environment Protection Police and rangers of Banhine National Park.
- 5) The community members ambushed the vehicle convoy of the law enforcement officers and attempted to free 25 people that were arrested for illegally producing charcoal inside the boundary of the Banhine National Park whilst they were being transported to the police station.
- 6) The group of people acted unlawfully by physically blocking the road to try and stop the law enforcement officers from doing their duty and had put their own lives and those of the law enforcement officers at risk by doing so.
- 7) When the incident took place, the Special Police were driving the vehicle at the front of the convoy, were in command of the convoy and were the ones that first came into contact with the community members. The Special Police decided to defend themselves by using their firearms. There was no evidence that the park rangers, who were in the last vehicle in the convoy, was responsible for injuring anyone during the incident.
- 8) Although the law enforcement officers did not offer immediate assistance and medical aid to those people injured, as they were under attack and tried to leave the area as quickly as possible, they did notify medical services who were dispatched to attend to the people that were injured during the altercation. Six people were injured. Four with minor injuries were taken to a local clinic and two with more serious injuries were taken the hospital at Chokwe. All six were discharged from the clinic and hospital.
- 9) Peace Parks Foundation do not have a cooperation agreement with the Special Police, do not finance their activities, do not control their actions and have no say about where, when and how they operate, whether it is inside the Banhine National Park or not.





- 10) Peace Parks Foundation had no grounds or mandate to investigate the actions of the Special Police and the statement by Amnesty International that Peace Parks Foundation has failed to respect human rights by implying that it can somehow be held accountable for the actions of the police force of a sovereign nation is patently flawed and denied.
- 11) Peace Parks Foundation accordingly denies that:
- a) Any of Banhine National Park's rangers used any force which was neither necessary nor proportional;
  - b) Any of Banhine National Park's rangers acted unlawful under international human rights laws;
  - c) The community members were unarmed and did not pose a threat to the rangers and the police;
  - d) No assistance and medical aid were provided immediately after the incident; and,
  - e) Peace Parks Foundation failed to meet its responsibility to respect human rights in its role as advisors to and supporters of the Banhine National Park.
- 12) There are no outside organizations involved in Banhine National Park law enforcement activities other than Mozambique government bodies consisting of the Special Police, Natural Resources and Environment Protection Police, ANAC and Peace Parks Foundation. All security activities are determined and carried out by Banhine National Parks' head ranger who is employed and governed by ANAC. The head ranger is supported by a co-ordinator employed by Peace Parks Foundation who advises on operations and provides infield training and logistics. The Banhine National Park's field rangers follow the national laws of Mozambique and the code of conduct set out by ANAC (see Annexure A) alongside the Human Rights training curriculum during operations and arrests.
- 13) Peace Parks Foundation terminated its relationship with the DAG Conservation Trust / Environmental Management and Conservation Trust (EMCT) on 31 May 2021. At the time of the incident, EMCT did not have any staff members deployed in Banhine National Park and furthermore did not have anyone from EMCT deployed in Banhine National Park before the incident took place either. At the time of the incident Peace Parks Foundation had directly contracted a technical advisor, which was in no way affiliated to DAG Conservation Trust or EMCT, to provide anti-poaching support in Banhine National Park.
- 14) Peace Parks Foundation has a well-developed Social and Environmental Safeguards Policy (please refer to Annexure B). To ensure that this policy is adhered to, Peace Parks Foundation contracted the Southern African Wildlife College to undertake human rights training in all the parks where it provides on the ground support to the conservation agencies, throughout its footprint in Southern Africa. All the rangers in the parks in Mozambique supported by Peace Parks Foundation, were trained in Human Rights. The rangers in Banhine National Parks received training over the period 25 to 28 May 2021. Please refer to Annexure C of the Human Rights training course undertaken that is also independently assessed and accredited.
- 15) In addition to adhering to the policies and procedures of the countries where it provides support to Government Conservation Agencies and adherence to its own Environmental and Social Safeguards, Peace Parks Foundation has also set up an independent hotline to report on the work of Peace Parks Foundation that is directly linked to an external auditing firm, Deloitte. Since the Ethics Hotline has been in operation (see link <https://www.peaceparks.org/contact/ethics-hotline/>) with a dedicated reporting line for Mozambique, there has never been a single incident reported.



- 16) Peace Parks Foundation is not aware of any incidents of alleged unlawful use of force by any of its staff or by any of the rangers in Banhine National Park since it started to support the park in 2018.
- 17) Peace Parks Foundation currently employs 14 anti-poaching technical advisors, three of which have military backgrounds each with an established track record of credibility, being involved in conservation and protection of wildlife for many years after military service before commencing to work for Peace Parks Foundation.
- 18) Peace Parks Foundation's support to Banhine National Park over the period 2018 to date, was limited to law enforcement and the provision of water to adjacent communities. During the height of the COVID pandemic, Peace Parks Foundation also mobilised funding and employed 120 members of the local communities through a cash for work programme and distributed personal protective equipment to the communities around the park. Peace Parks Foundation has however secured a significant grant to also extend its support to various community development initiatives (See link [Peace Parks community development support](#)). Peace Parks Foundation has implemented a highly successful community-based livestock management programme in Limpopo National Park (See [themiltonpartnership.com/difference-v2/](http://themiltonpartnership.com/difference-v2/) ) and plans to commence with this programme in 2022 to provide alternative livelihoods support to the communities surrounding Banhine National Park.
- 19) To provide an alternative to the communities to rather protect their forest than unsustainably producing charcoal, a REDD+ feasibility study undertaken by Peace Parks Foundation and BioCarbon Partners has commenced on 1 October 2021, which will entail an extensive community consultative process as the end beneficiary and implementer of the programme will be the communities themselves. Currently the largest REDD+ Community Based Carbon Forest Project in Africa is implemented in Zambia by BioCarbon Partners with support from Peace Parks Foundation directly benefitting over 170,000 people (See link [Peace Parks and BCP partners](#)). It is hoped that, if viable, the community-based forest management programme will also provide similar benefits to the communities around Banhine as a sustainable and viable alternative income stream that will be further augmented with the Herding for Health livestock management programme in addition to the existing regulations for communities to receive a 20% share in Banhine National Park revenues.

We understand an investigative approach to the truth behind philanthropic work in volatile environments. In the same vein, we invite anyone to scrutinize our work and finances. We however also wish to remind Amnesty International that an extensive network of organised crime exists around illegal charcoal production and logging and that these syndicates have made repeated attempts to side-track and discredit the work of government conservation agencies and NGOs for them to continue with their lucrative illegal businesses. This of course does not mean that any human rights abuses may take place and the rights and safety of anyone should be compromised, especially vulnerable and poor communities that are exploited by these criminals for their own personal gains. A healthy relationship with communities surrounding conservation areas is seen by Peace Parks Foundation as critical for the long-term co-existence, within the laws of the country, and mutual beneficiation which is why Peace Parks Foundation is invested in the sharing of park revenues with communities and community development programmes around protected areas that it supports, including Banhine National Park.

We wish to advise and caution Amnesty International to obtain formal positions and/or reports from all the relevant government entities, that oversee the public security sector, as well as from the senior leaders of the community in order to confirm the community's version of the incident, as part of a full and thorough investigation, before compiling or publishing any reports on this matter and implicating Peace Parks Foundation in any way that is false and not factually correct.





Our aim with this response is twofold. Firstly, we wanted to set the record straight and provide more context. Secondly, we wish to establish two-way communication with Amnesty International based on integrity and mutual respect. Our doors are always open to journalists and investigators and we value relationships with members of the media community.

We welcome your feedback and comments on our correspondence.

Cordially yours



**WERNER MYBURGH**  
Chief Executive Officer

cc Mr Mateus Mutemba, Director General, ANAC

Enclosures:

- Annexure A: Manual for the application of the Conservation Act
- Annexure B: Social and Environmental Safeguards Policy
- Annexure C: SAWC Human Rights training manual and report



