

My way or the highway!!! Where corporations and conservationists meet

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I would like to make clear at the outset that this is a personal account. I have been involved with sea turtles in India for two decades and in Orissa for nearly ten years. Here, I present my experience and observations of the debate over the construction of the port at Dhamra, and IUCN's involvement with the project.

Olive ridley turtles nest en masse at several beaches in Orissa, mainly Gahirmatha, Rushikulya and Devi River Mouth (Bustard, 1976; Shanker *et al.*, 2003). As much as fishery related mortality has hogged the headlines on turtle conservation, it is far from being the only threat, and conservationists have had to deal with a variety of other problems, particularly development (Pandav, 2000; Sekhsaria, 2004a, b; Shanker *et al.*, 2003, Shanker & Kutty, 2004). Starting with a missile testing range, followed by fishing ports, ridleys in Gahirmatha have been threatened by development since the 1970s and 1980s (Das, 1986; Das, 1997). There have been several appeals and articles published in the Marine Turtle Newsletter (Mrosovsky, 1983a b), several letters written to various authorities, and resolutions passed during this time (Anon., 2000). Some of these plans have been thwarted, others temporarily averted, and some have been completed, resulting in impacts to coastal habitats and sea turtles.

During the last three decades, the nesting population at Gahirmatha has been alternately and sometimes simultaneously referred to as the 'world's largest' (from Bustard, 1976 to Patnaik *et al.*, 2001) and as 'highly endangered' (from Davis & Bedi, 1978 to Patnaik *et al.*, 2001). Other commentators have warned of the danger of creating hype (Frazier, 1980 to Mrosovsky, 2001) and the negative impacts of conservation rhetoric in Orissa (Shanker & Kutty, 2004). Well, the turtles are still here. So are the threats, the conservationists, and remarkably, so are the same arguments. Despite the vastly different

policy and development environment, has nothing changed for the turtles?

A brief history of the port at Dhamra

The Dhamra Port has been in the pipeline for over a decade now. Clearance to build a port was granted in 1997 taking advantage of an amendment to the Coastal Zone Regulation (CRZ) Notification that allowed the expansion of minor ports (Dhamra is a notified minor port) with clearance from the Ministry of Surface Transport rather than the Ministry of Environment and Forests (MoEF). The power to clear such projects has since returned to the MoEF. The port was to be built by International Seaports (India) Private Limited under an agreement with the Government of Orissa. At that stage, International Seaports (India) comprised Larson and Toubro (L&T) and two other companies (Manoj, 2004). The Environment Impact Assessment Report prepared for this project was critiqued by some of us at the Wildlife Institute of India. Resolutions were passed at the Annual International Symposium on Sea Turtle Biology and Conservation (in 2000) against the port development project and these were submitted to the state and central Governments (Anon., 2000). It is debatable whether these had any impact, but the plans for the port construction by that particular consortium are believed to have been shelved due to economic reasons.

Even a few years ago, it was becoming clear that this was only one of several coastal development projects to worry about. The Orissa government had signed more than forty MOUs with companies to establish steel plants as part of the state's development plan (Hegde, 2005; Rao, 2006). As part of this, they had planned 3 – 4 major ports along the coast, which could affect all the mass nesting beaches in the state, including one near the Devi River mouth mass

nesting beach to be built by POSCO, the Korean Steel company, along with a 12 million tonne steel plant (Hegde, 2005; Handique, 2007); there have been local protests surrounding the construction of this port, mainly over acquisition of land (Anon., 2008a).

Tata tries to get advice from conservationists

In 2004, Tata steel and L&T agreed to develop the port as a 50:50 joint venture through the Dhamra Port Company Limited (DPCL) (Manoj 2004). Tata Steel is a part of the Tata Group, a multinational company which works in several different sectors and companies (www.tata.com). According to the website, the DPCL was awarded a concession by the Orissa Government to build the port; it is supposed to be the deepest port in India and close to the mineral belts in nearby states (www.dhamraport.com). Although the characteristics of their port proposal vary from that of International Seaports Limited, the environmental clearance granted to the earlier proposal was used. The opposition to this port from the angle of the impacts to sea turtles picked up again about 2 years ago, with Greenpeace being its most outspoken critic. Based on interactions with some conservationists and media reports, representatives of Tata & DPCL then contacted several sea turtle biologists around the country and requested that we conduct studies (offshore distribution studies of olive ridley turtles with satellite telemetry) to see if sea turtles would indeed be adversely affected by the port. Additionally, Tata (unlike the government and other corporations) seemed willing to share many details about the port development project, the rationale for the selection of the site, as well as other sites along the coast.

Some of us (a group of turtle biologists and conservationists representing academic institutions and NGOs) attended a meeting in Mumbai with Tata Steel to discuss the port project in April 2006. Tata & DPCL expressed their keenness to initiate studies but did not agree that they would halt port construction. They stated that they would be willing to take required measures to mitigate impacts, and would not rule out abandoning the project at a later stage if studies showed impacts on sea turtles. At that time, however, they were only interested in asking whether sea turtles were present in the offshore waters of the port development site

(which is some 15 km north of Gahirmatha) or not.

I advised them that any study should be collaborative and consultative and involve multiple stakeholders, otherwise the results would not be accepted by different interest groups. I also offered to conduct or help conduct these studies, but only if it had the endorsement of local conservation groups and other non-government organizations (NGOs). However, since neither the company nor conservationists held a consultation on this issue, there was never an opportunity to share perspectives and to try to arrive at a consensus of any sort. The Coastal Programme at ATREE had also made it clear that we were not interested in conducting a study with too narrow a scope that only sought to ask whether turtles were present in those waters or not. We tried to emphasize to both conservationists and the company that we should ask a larger question on whether the port would negatively impact sea turtles and their habitats in the region. We were willing to engage with this proposal, but through a consortium of NGOs and individuals. Since this situation did not emerge, the Coastal Programme and I decided not to get involved in any study at that point.

The corporation conservationist standoff

In 2006, a grant was received by the WWF India, but then returned when other NGOs protested about the narrow terms of reference of the study. Subsequently, the Bombay Natural History Society agreed to coordinate the project but also retracted when petitioned by their members and other NGOs. In every interaction with Tata & DPCL, and with individuals and organisations wanting to work with the port, NGOs demanded that Tata/DPCL stop construction until studies were completed. They pointed out that if construction were to continue, the company would eventually claim that there had been too much investment to stop even if studies were to show negative impacts on turtles.

In an ideal world, this would indeed have been the appropriate sequence. The NGOs also assumed that the studies would have unequivocal results. However, considering that requisite clearances were already obtained by Tata and they insisted on carrying on with the construction, perhaps conservationists should have continued to work together to engage with

the company on various issues. These NGOs also insisted that any attempt to work with the corporation would ‘greenwash’ the port and have long-term negative consequences for sea turtles, usually dramatically stating that it would lead to the extinction of olive ridleys from Orissa. I campaigned unsuccessfully with the NGOs that we should engage with Tata in participation and consultation with local conservation organisations.

The corporation conservationist deal

Tata/DPCL began a dialogue with IUCN, who in turn approached their specialist group, the Marine Turtle Specialist Group (MTSG), in 2006 (recorded in a series of emails from the Co-Chairs to me). At this time, I served as the Regional Co-Chair of the MTSG, but at no time was I (or any of the other members in India) formally consulted by the IUCN or MTSG Co-Chairs. Asked for an informal opinion by the Co-Chairs over email, I suggested that IUCN not get involved in this project “without a consensus from local partners and groups.” I did not believe then and do not believe now that the entry of an international NGO and outside consultants unequivocally helps the cause of marine turtle conservation, especially when developed in a manner that was not transparent and excluded local partners. On several occasions, the MTSG membership in India was assured that if and when the IUCN and MTSG did get involved, we would be given full information and asked for our advice and opinion. Several points at which local members could have been involved, but were not, include:

- a) the first scoping mission to Dhamra by the MTSG and IUCN
- b) advice on involvement in the project
- c) reviewing the project document and terms of the contract between IUCN and Tata/DPCL
- d) taking a decision on what (if anything) should be done in the best interests of marine turtle conservation with regard to engaging the Tata/DPCL

Throughout this period, IUCN insisted that they were being advised and supported by the MTSG. However, the MTSG members who were aware of the situation in India opposed the involvement of IUCN in this project (see letter from R. Whitaker, B. Tripathy and B. Pandav; 25 March 2008; posted on CTURTLE 27 March). IUCN

presented the project to their membership in India in August, 2007. WWF India and Wildlife Protection Society of India protested strongly, while other members raised concerns; though these concerns were noted, IUCN signed the contract with DPCL in November 2007. Members also raised concerns and protested IUCN's involvement at a meeting in February 2008, but were construed as a minority (Belinda Wright, pers. comm.). It is not clear if even a single member was strongly in favour of this engagement. IUCN also ignored the protests of many conservation NGOs that were completely against their involvement with Tata and DPCL (Anon. 2008b). Finally, several members of IUCN in India and most MTSG members sent a joint letter to IUCN on 7 May 2008, outlining these issues (see earlier in this IOTN issue). IUCN has since responded, clarifying their position and role (see earlier in this IOTN issue).

Where conservationists mirror corporations

The role of large international NGOs in conservation has been questioned in recent years (see Chapin 2004; Dowie, 2005; Frazier, 2005). Greenpeace, WWF and IUCN are all large international NGOs. Tata is a large multinational corporation. Generally, corporations are self-perpetuating by definition, conservationists are self-righteous in their rhetoric. But are they fundamentally different; specifically, did they act differently with regard to sea turtle conservation in Orissa?

In the first round, both the corporation and the NGOs largely stuck to their agendas. Tata and DPCL refused to acknowledge problems with the EIA and clearly intended to proceed with port construction while exploring mitigation strategies, rather than re-examine the port project itself. The NGOs and individuals against the port did not consider the very real prospect that some number of ports would be built on the Orissa coast with no environmental safeguards for turtles or for conservation. Tata's willingness to accept some environmental safeguards may have been (and still be) an opportunity to mainstream some of these as regulations in port and coastal development. In the long term, this may have net positive impacts for the coast and marine turtles.

Both conservationists and corporations were remarkably similar in their singular approach to meet their mandates. If anyone, the corporation

seemed more ready to negotiate. In their obsession with marine turtles, the big conservation NGOs largely ignored a range of other issues such as impact on social development, environmental consequences of social change, fisheries, introduction of invasives through bilge water disposal, etc. Thus, if studies were indeed to show that sea turtles were not found in the port area, or would not be adversely affected, all opposition to the port project would collapse. Also, if the port does get built, and sea turtle populations do not decline, the current positions taken by groups such as Greenpeace would seem alarmist in the extreme, leading to loss of credibility, as has happened before (Davis & Bedi, 1978; Frazier, 1980).

Thus, it would seem that IUCN's involvement was seeking this important middle ground. However, securing the contract, they largely left aside many principles that they claim to abide by, namely the precautionary principle, transparency and democracy. For many of us, the main objection is not that IUCN or MTSG engaged with a company, but that the process was not transparent and in many ways, insulting to the entire local membership.

The middle road

Large conservation organisations and corporations do seem to have much in common, particularly their 'my way or the highway approach' to addressing a problem. If there is at all a middle ground for sea turtle conservation in Orissa, I have the following suggestions to move forward in our search for it:

a) Tata is, *relatively speaking*, an environment-friendly company and my interactions with them were very positive. We must allow for a diversity of approaches, and if some groups can work with companies to mitigate impacts, we must allow them to do so. Of course, others have the same freedom to be critical of such collaborations and resulting studies.

b) The port at Dhamra may not even be the

biggest problem in Orissa for marine turtles. The state government is believed to be planning 4-6 ports, and other major constructions (POSCO at Jatadhar) and expansions (Paradip port) are already in the pipeline. We need to be working to counter the large scale uncontrolled economic growth model – that places little or no importance on negative environmental and social impacts – that the government is proposing, not addressing each issue piecemeal.

c) If large international membership based organisations like IUCN truly value the opinion and expertise of their members, they must learn to consult them in an active and transparent manner, and to base actions on their inputs rather than on whatever other agendas may drive these NGOs.

In concluding, I have three observations to emphasize and one question to pose. Conservation in Orissa has been driven more by rhetoric than action. Conservationist organisations have a lot more in common with corporations than they would like to believe, particularly in the way that they like to use information selectively. And large international conservation organisations also have much in common with corporations (Frazier, 2005), especially in the way they function and make decisions. If nothing has indeed changed in the thirty odd years of sea turtle conservation in Orissa, could it possibly be because all the players (the state, conservationists, corporations, academics, fishers) intentionally or institutionally continue to pursue agendas and strategies that are geared to helping mainly themselves regardless of whether it helps sea turtles in the long run or not?

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