

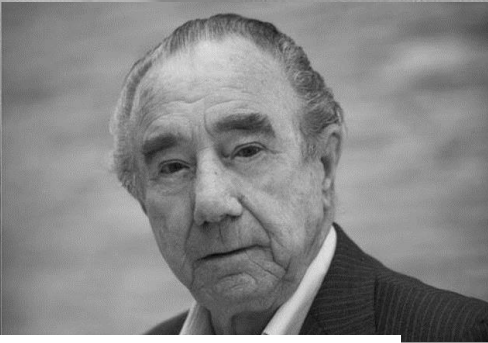


ethecon Stiftung Ethik & Ökonomie
Fundación Ética & Economía Foundation Ethics & Economy

ethecon Dossier

german **english** spanish french edition

International ethecon Dead Planet Award 2019 to Wesley Mendonça Batista and Joesley Mendonça Batista (major shareholders) as well as José Batista Sobrinho (CEO and vice-president) / of the world's largest meat-company JBS S.A. (Brazil)



José Batista Sobrinho/Vorstand



Joesley Mendonça Batista/Großaktionär



Wesley Mendonça Batista/Großaktionär



About the Cover Picture

The cover picture shows the persons who are named and shamed with the International ethecon Dead Planet Award 2019: José Batista Sobrinho (company founder, vice-president and CEO), Joesley Mendonça Batista (major shareholder and former chairman) and Wesley Mendonça Batista (major shareholder and former chairman).

About this Dossier

This dossier was published for the first time on the occasion of the ethecon public awardshow on November 23rd, 2019 in Berlin. ethecon named and shamed those mentioned above with the infamous International ethecon Dead Planet Award 2019 after the denouncing on the international Day of Peace on September 21st, 2019.

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(Association of German Foundations)



ethecon is a member of the network
of alternative and progressive political
foundations



ethecon is a member of the World
Association for Political Economy
(wape)



” With adequate profit, capital is very bold.

A certain 10 percent will ensure its employment anywhere;
20 percent certain will produce eagerness;
50 percent, positive audacity;
100 percent will make it ready to trample on all human laws;
300 percent, and there is not a crime
at which it will scruple, nor a risk it will not run,
even to the chance of its owner being hanged.

Thomas J. Dunning
Economist and trade unionist (1799 - 1873)
published in the Quarterly Review
London 1860



ethecon Stiftung Ethik & Ökonomie

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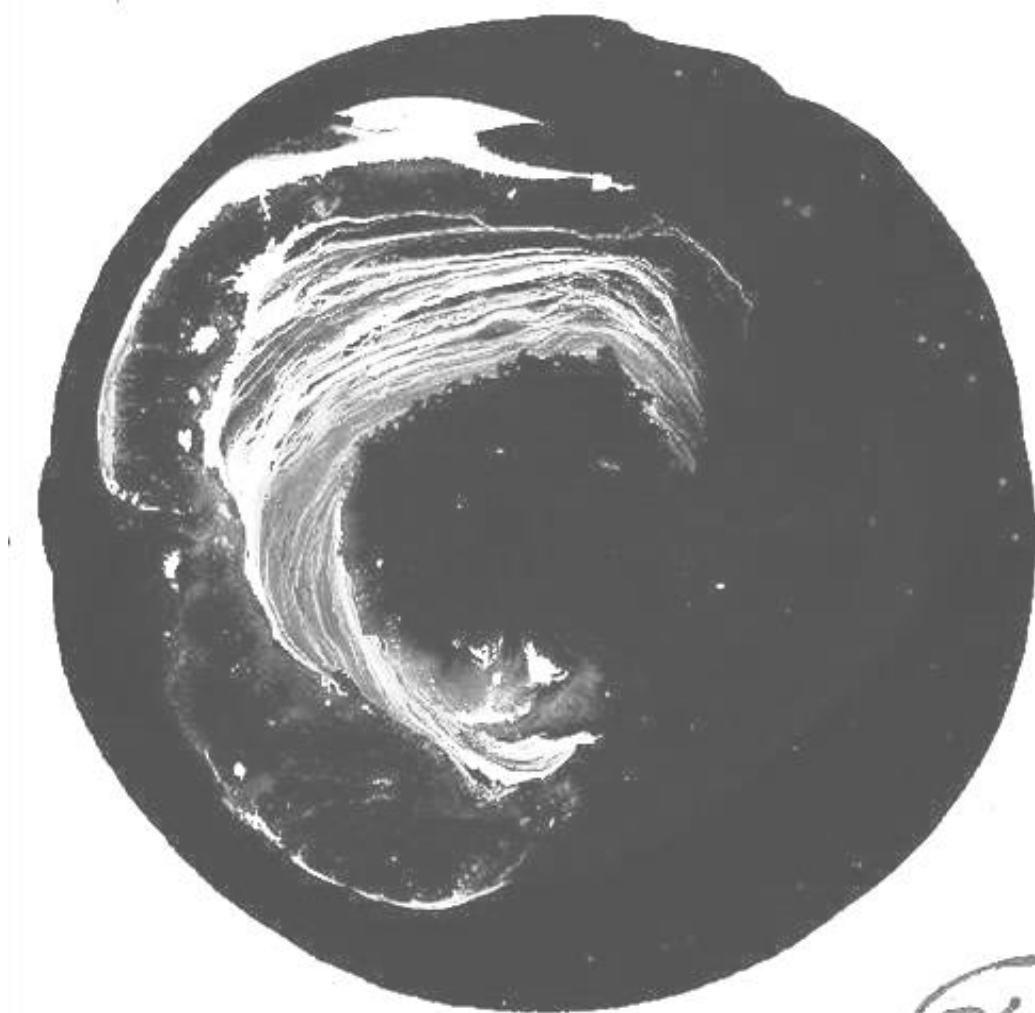


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Pieno

*¡El planeta azul debe mantenerse verde!
Keep the Blue Planet green!*

Der Blaue Planet soll grün bleiben!



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Regarding the image on the previous side

The picture shows the „Blue Planet“ by the ZERO-artist Otto Piene who died in 2014. The motto of this artwork was the base of the cooperation between the world-famous artist and the ethecon foundation since 2005 with the International ethecon Blue Planet Project. This project is still active and includes for example the annual presentation of two international awards since 2006: The International ethecon Blue Planet Award honours persons, who are protecting and rescuing the Blue Planet, the International ethecon Dead Planet Award names and shames persons, who are ruining and destroying the Blue Planet to a dead, uninhabitable Planet. From 2006 to 2009 Otto Piene painted the artwork on glas as an annual unique copy for the annual trophies for the Blue Planet Awards.



International ethecon Dead Planet Award 2019

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At First

The International ethecon Blue Planet Project¹ and the two International ethecon Awards (by Axel Köhler-Schnura/Founder²)

The two international ethecon prizes Blue Planet Award and Dead Planet Award (former "Black Planet Award") have been conferred by ethecon – Foundation Ethics & Economy since 2006. Today they belong to the most well-known anti-globalisation prizes worldwide.

What are these prizes all about? What is the presentation of these two ethecon Awards all about?

My foundation members, supporting members of the ethecon foundation, the donors and of course also I, together with my co-founder Ms. Rehmann, are involved in ethecon because we do not want to stand by and watch how fundamental principles of ethics are being trampled underfoot, just so that the rich and powerful of this world can become even richer and more powerful. And this while there has been already done vast damage by humans and ecology with the danger of a full social and ecological ruin of humanity. We are convinced that the reason for our social and ecological downfall of our Blue Planet is the profit principle and the associated destruction of fundamentally ethical principles caused by our economy. We are in favour of establishing ethical principles in economy and of a reorientation of a profit-based system to a solidarity-based system. Saving the planet will be only possible if we crash the profit principle.

The idea to promote efforts to preserve and rescue fundamental ethical principles with a foundation prize already came up during the foundation year in 2004. There were and are many prizes that award achievements in various sectors of society. However, there are not many prizes that honour resistance against abuse and ruin of ethics and moral that has the consequence of destruction of the environment, war and exploitation.

Our idea corresponded to the cycle of works "Blue Planet" of the artist Otto Piene (born 1928/deceased 2014)³. He belonged to the big artists of the 20th century. Together with Mack and Uecker he

¹ Detailed information about the International ethecon Blue Planet Project in the form of a brochure may be ordered free of charge from ethecon.

² Axel Köhler-Schnura, Dipl.Kfm., Düsseldorf/Germany, born in 1949, married, four children (one deceased); studied business administration, sociology, computer science, various languages: Until 1976 economic sociology research within the Deutsche Forschungsgemeinschaft/DFG (German Research Institute). After that various positions in private industry, the last position in the executive management of a polygraphical company. Since 1988 owner of companies in the field of ecology. Substantially involved in the founding of organizations as Dachverband der Kritischen AktionärInnen (Association of the Critical Shareholders), Pestizid Aktionsnetzwerk (Pesticide Action Network Germany/PAN) and the Coordination gegen BAYER-Gefahren (Coalition against BAYER-Dangers/CBG). Active as a volunteer on the board the international network of the Coalition against BAYER-Dangers. Founding donor and chairperson of the board of directors of the International ethecon Foundation Ethics & Economics; formerly in the German Coordinating Circle of the European Social Forum. Frequent publications. Awarded with the Business Crime Award 1998, the Prize for Civil Courage 2000 and the Henry Mathews Award in 2011; in 2008 nominated for the Alternative Nobel Prize. (Quoted from inter alia Who's Who/Edition for Germany on Wikipedia/Germany)

³ More information about Prof. Otto Piene and his work can be found in the ethecon brochure entitled "Blue Planet Project" (available on request free of charge).

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created the epochal ZERO art and is responsible, amongst other, for SkyArt. With the mentioned work Piene demanded: "Keep the Blue Planet green!" Piene's credo was simple as well as astonishing: "Yes, I dream of a better world. Should I dream of a worse one?"

Piene launched together with ethecon the International ethecon Blue Planet Project in 2005 and it was based on the idea to have an international prize. However, the discussion process about this prize quickly showed that it is not enough to just honour actions that fight for ethics and moral. It showed that it is equally important to denounce misdeeds against ethics and moral. Finally, the idea emerged to have two linked together ethecon prizes: The positive ethecon prize Blue Planet Award and the negative ethecon prize Dead Planet Award.

Both ethecon prizes are one unit, two sides of the same medal. Together they reflect the state of the ethical principles that shape our world. At the same time, they illustrate the vision of ethics and moral that enables a world without exploitation and oppression. The two ethecon prizes outlaw ruthlessness, greed, war and destruction of the environment. And they follow the ideals of solidarity, peace, environmental protection and justice. They demand resistance, change and commitment in the interest of the ideals; stand for a liveable future for this, our world.

The first prize, the International ethecon Blue Planet Award, awards commitment to preserve and rescue the Blue Planet and calls attention to the pressing scope of actions and opportunities. The second prize, the International Dead Planet Award, denounces the desecration of our world or the danger of a dead, uninhabitable Planet and it condemns indifference and ignorance.

The two international ethecon prizes together show: There is hope. The force is in us, in every single of us.

The two international ethecon prizes fundamentally only award people and no institutions. Like that growing and targeted anonymization of decisions are supposed to be opposed. Especially in the events of negative developments the responsible people like to hide themselves behind the facades of any institution. They like to refer to alleged constraints and blame decisions that were sort of taken automatically. However, whether it is positive or negative, it is always the same: They are always people who take decisions and bear responsibility.

The presentation of the two international ethecon prizes usually takes place once a year. At the beginning of every year an internationally widespread call is initiated in which about 10 thousand recipients are asked to make proposals for award winners – for the International ethecon Blue Planet Award as well as for the International ethecon Dead Planet Award. After a thorough advisory and decision-making process the award winners are announced on the occasion of the international anti-war day, on September 21st. The international public is informed in detail in two extensive dossiers in at least three languages about the reasons why certain winners were chosen – one for the Dead Planet Award and



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one for the Blue Planet Award. The two ethecon prizes are awarded every third weekend of November of each year at a public, big ceremony in Berlin.

Many actors from all over the world are involved in the activities to present the awards. However, we deliberately do not involve actors from the prevailing circles and institutions but actors from resistant movements who fight for peace, ecology and justice. Like that the inseparable connection of the two awards and the meaning of these prizes to support our aim are supposed to be stressed and become visible.

The recipients of the International ethecon Blue Planet Award are invited to a ceremony in Berlin. After a detailed presentation of reasons (laudation) the prize will be handed over in person. We offer the recipient the possibility then to cooperate with ethecon and the network of the foundation.

This is different for the ethecon Dead Planet Award though. The awarding of this negative prize will only be justified with a diatribe at the ceremony. The prize winners are only informed of this awarded infamous prize by an "Open Letter" that is published in three languages. However, the presentation of the award in person does not take place during this public ceremony. But also for this awarding people and organisations of international, social movements are involved.

When the two International ethecon Awards were born in 2005, a process to find prize trophies was created. Otto Piene spontaneously offered to create the trophy for the International ethecon Blue Planet Award and since 2006 he designed the annual prize trophy for the International ethecon Blue Planet Award as a unique, valuable sculpture that is made out of glass and wood. Until 2009. He asked then – now 82 years old – for reasons of age to be released from this responsible task.

With Katharina Mayer⁴, the great photo artist and Becher student (Born in 1958), we found someone who worthily continued the Blue Planet Project that was established by Piene and ethecon and who further developed the character of this project. From 2010 until 2018, the prize trophy of the International ethecon Blue Planet Award was not designed with a brush, but with the help of photo art.

In 2019 we entered new territory again and made a mural in the streets of Düsseldorf, with help of the street art collective "Farbfieber". By this mural, the ethecon Blue Planet Award became something new and interactive entirely, bringing the story of our awardee to pedestrians.

The prize trophy of the International ethecon Dead Planet Award is created in a completely different way. This trophy is a plastic globe that is industrially manufactured under exploitative and environmentally unfriendly conditions that is designed annually as a Dead Planet by young people. The artistic alienation is deliberately not carried out by the artist who creates the annual positive prize but by a young

⁴ More about the person and works of Prof. Katharina Mayer in the ethecon brochure „Blue Planet Project“ (can be obtained free of charge)

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person who is randomly chosen. In doing so, it is avoided to create the infamous trophy of the International ethecon Dead Planet Award as an art of work of high quality. It is guaranteed that in our world that is oriented towards usability no new precious objects are created. Especially for someone who does not deserve this appreciation – in the truest sense of the word. At the same time the young person is a symbol for the endangered future of the Blue Planet, for those who are threatened by a dead, uninhabitable Planet. It is the youth whose future is destroyed by the ecological, social and martial ruin of the world.

It is significant and important to mention that the denounced people who are awarded with the International ethecon Dead Planet Award generally despise this award trophy. Down to the present day not one of the reviled persons has accepted the award personally and has laid him/herself open to criticism by the public. The prize trophy could be handed over to a delegate at the best, such as to an employee of a press office. However, most of the times we could observe how the prize was destroyed by security guards.

ethecon Foundation Ethics & Economics is a foundation from the bottom. The foundation has emerged from global movements against globalisation and big corporations that fight for environmental protection, peace and justice; supported by activists who fight against corporate power, exploitation, war and environmental destruction; globally networked, connected with principles of international solidarity. ethecon is a foundation that sees itself as being responsible for future generations.

The International ethecon Blue Planet Project that comprises the two international ethecon prizes wants to express this solidarity and these principles. Searching and finding the annual recipient on the basis of the mentioned principles, the annual presentation of the ethecon prizes during a ceremony that has a different topic every year in the context of the responsibility to sustain a liveable world, the presentation of the International ethecon Dead Planet Award in the context of broad international actions – that is the International ethecon Blue Planet Project.



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Excerpt

**from the statement of ethecon justifying the bestowal
of the International ethecon Dead Planet Award 2019
to the CEO, vice president and company founder José Batista Sobrinho
and the major shareholders Wesley Mendonça Batista and Joesley Mendonça Batista
of the world's largest meat company JBS S.A. (Brazil)⁵**

...

First and foremost responsible for decisions and actions of the world's largest meat company JBS SA (Brazil) are the executives and major shareholders, led by José Batista Sobrinho (executive board, vice president and company founder) and his sons Wesley Mendonça Batista (major shareholder) and Joesley Mendonça Batista (major shareholder). The company belongs to you in essential parts. You lead the company decisively. The ruin of human health and the destruction of the environment on a grand scale, and even the deaths of many people, go to their account. They pose not only a threat to peace and human rights, but also to democracy, ecology and humanity as a whole. They act for the benefit of personal power and personal enrichment. To do so, they trample on morality and ethics and accept the demise of Earth as a dead, uninhabitable planet.

ethecon sees the actions of executives José Batista Sobrinho (executive director, vice president and company founder), Wesley Mendonça Batista (major shareholder) and Joesley Mendonça Batista (major shareholder) of meat group JBS SA (Brazil) as a shocking contribution to ruin and destruction of our Blue planet. For this frightening disregard and violation of human ethics, ethecon Foundation Ethics & Economy disgests the named persons responsible of JBS SA with the International ethecon Dead Planet Award 2019.

...

Berlin, International Day of Peace, 21st of September 2019⁶

⁵ You will find the complete Justification on Page 29 in this document.

⁶ ethecon announces the nominees on the 21st September, since it is considered the international Day of Peace.

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Background

on the bestowal of the

International ethecon Dead Planet Award 2019

to CEO, vice president and company founder José Batista Sobrinho

and the major shareholders Wesley Mendonça Batista and Joesley Mendonça Batista of the world's largest meat company JBS S.A. (Brazil)

The JOSÉ BATISTA SOBRINHO SOCIEDADE ANÔNIMA (abbreviated JBS in this document) is a food company based in São Paulo (Brazil) and Dallas (USA). It is Latin America's largest meat processor and the world's largest beef exporter. JBS is listed at the Brazilian stock exchange Bovespa in São Paulo.⁷ JBS sells more than US\$50 billion worth of steaks, chicken drumsticks and pork chops every year. This requires, amongst other things, 235,000 workers to cut up more than 50,000 cows per day⁸, which are then exported to 150 countries.⁹

Amongst the company's own brands are MATORATTA, SWIFT, FRIBOI, SEARA and ANGLO.

The investment holding group J&F INVESTIMENTOS, which the property of the founding family, the Batistas, is consolidated with, also owns a bank, an electricity enterprise, a cellulose production plant, a dairy product processor, a manufacturer of cleaning products and a waste disposal company.¹⁰ This allows the Batistas to add the production of animal foods, leather and dairy products, hygiene products, synthetic resins, aluminium containers, bio diesel and glycerine to the manufacture of meat products. They also trade in soya, palm oil, tallow and real estate.¹¹

With an annual turnover of more than US\$51.1 billion, JBS takes rank at 199th place out of the most lucrative groups in the world.¹² Next on the list of the largest meat producers are the slightly smaller US companies TYSON and CARGILL.¹³

It was in 1953 that José Batista Sobrinho, then 20 years old, started his first abattoir in Anápolis, in the Brazilian federal state of Goiás. Five cows per day could be slaughtered and cut up at the new plant.

⁷ <https://www.marketscreener.com/JBS-SA-6499588/calendar/>.

⁸ Some sources even claim that it was 90,000 heads of cattle per day. See: <https://corpwatch.org/article/beef-brazil-jbs-faces-allegations-amazon-deforestation>.

⁹ See Busch, Alexander (2017) „Brasilien wie ein Fleischkonzern eine Staatskrise auslöste.“ <https://www.wiwo.de/politik/ausland/brasilien-wie-ein-fleischkonzern-eine-staatskrise-ausloeste/19846452.html>.

¹⁰ See *ibid*.

¹¹ https://en.wikipedia.org/wiki/J%26F_Investimentos.

¹² See: <https://fortune.com/global-500/2018/search/>.

¹³ TYSON FOODS and CARGILL are also family companies owned by the third generation. TYSON FOODS president and CEO John Tyson is the grandson of the company founder and one of the most important supporters of the religious right in the US. CARGILL, which has a group turnover of US\$107 bn., is considerably more diversified in the food industry and is dominant especially in grain trade. The three meat enterprises are strongly connected and vertically and horizontally integrated. All of them do research and produce bio diesel, that is, food-stuffs being used as industrial energy sources. See: <https://www.iatp.org/blog/leaders-global-meat-komplex>.



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In 1957 he had orders placed to deliver beef for the construction workers involved in building the new capital, Brasília. This caused the number of slaughters to increase enormously.

During the Years of Lead, the Fascist military dictatorship in Brazil¹⁴ from 1964 to 1979, José Batista Sobrinho purchased one new abattoir in 1968 and another in 1970. This caused the number of slaughters to increase to 500 cows per day.

In 1970, Batista Sobrinho also began to sell frozen products. For this purpose, he founded FRIBOI LIMITED, the most widely spread chain of frozen goods in South America today.

In the 1980s, José Batista Sobrinho's eldest son, José Batista Júnior, became the new Chief Executive Officer and took over the business operations of the family company JBS, which takes its name from the company founder's initials. In addition to expanding the butchery business, José Batista Júnior went into manufacturing hygiene and cosmetics products, largely reusing the waste products from the abattoirs.

In 1997, the company began to collect public subsidies from the state-owned development bank BNDES. This state money was used to buy further abattoirs in the federal states of Mato Grosso and São Paulo. Exports of the FRIBOI brand began.¹⁵

By the end of the 1990s, JBS had become the leading oligopoly on the Brazilian agricultural market.

The rise of the Brazilian family company to a powerful global player, however, did not begin until 2005, when Batista Júnior stepped down and handed the management of the business over to his younger brothers, Wesley and Joesley Mendonça Batista. They consolidated the entire business in the new JBS Ltda. The company capital, however, was still held by the family alone.

In his position as a Chairman and Global Chief Executive Officer, Joesley Batista, a school dropout, showed especially remarkable negotiation skills and, more importantly, considerable criminal intent, such as in terms of bribing politicians.

The new management turned the JBS group into the world's largest meat processor within a few years. The company's growth abroad was unprecedented in the sector, considering that about 80% of JBS's current turnover is created abroad.

This spectacular expansion began in 2007 when JBS became the first Brazilian cattle company to have its shares traded at the stock exchange and changed into an S.A. (Sociedade Anônima or Anonymous Society, roughly equivalent to a public limited company).

The financial means for this expansion came from state-affiliated financial institutions, especially state-owned banks and pension funds, which supported JBS with US\$4 billion.

¹⁴ For more on the history of Brazil's military dictatorship, see: <https://www.amnesty.de/journal/2014/april/bleierne-jahre/>.

¹⁵ See: Deptwire: Shareholder Profile: Batista family fights to stay atop as scandals deepen. March 2018.

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The World Bank also supported JBS by granting it particularly advantageous loans.¹⁶

The fact that the Brazilian government and representatives of international finance capital worked so much in favour of the meat company was based on personal issues: close connections of the Batistas to the Social Democratic Presidents Luiz Inácio Lula da Silva and Dilma Rousseff as well as the neoliberal putschist Michel Temer and the current Fascist President, Jair Messias Bolsonaro. Irrespective of their political orientation, they all received bribes from JBS.

Between 2007 and 2015, JBS merged with a Brazilian competitor, BERTIN, giving the Bertin family a minority stake.

JBS also took over the majority stakes of SWIFT, SMITHFIELD and PILGRIMS PRIDE in the US and TASMAN in Australia and 50% of INALCA SPA in Italy. In connection with this, the group of companies was changed into the JBS SWIFT GROUP, which is currently the leader in the global meat market.

In Russia, JBS became the largest supplier for MCDONALDS.

In 2010, J&F INVESTIMENTOS, a holding company that is in control of the Batista family's property, also entered the paper and cellulose business by founding ELDORADO BRASIL CELULOSE S.A .

The fact that state pension funds were involved in this company brought Joesley and Wesley Batista to the attention of the public prosecution services for the first time during the 'Greenfield Investigations'. They were suspended from their positions for six days until they could eventually continue their business operations after a small initial fine.¹⁷

In late 2017, the brothers Wesley and Joesley Batista were briefly arrested for bribery (they had bribed more than 2,000 Brazilian politicians, including then President Michel Temer, Agriculture Minister Blairo Maggi and 167 deputies) and illegal share transactions. Altogether, the company had given €137 million to politicians. Joesley Batista had the proceedings stopped by paying an equivalent of €65 million and making incriminating statements in the case against President Temer.¹⁸

Both during the 'Greenfield Investigations' and during the bribery investigations, the company founder and member of the supervisory board José Batista Sobrinho briefly resumed the function of a CEO. Joesley temporarily moved to the US immediately after paying for the court case to be ended. JBS paid an equivalent of US\$3.2 billion. This is the largest sum any enterprise has ever paid for corruption – and yet it is only 5.6% of their annual turnover.¹⁹

¹⁶ See: <https://corpwatch.org/article/beef-brazil-jbs-faces-allegations-amazon-deforestation/>

¹⁷ See: Deptwire, page 2. /

¹⁸ See: Georg Ismar: Der Fleischkönig als Königsmörder?. https://www.swp.de/politik/inland/joesley-batista_-der-fleischkoenig-als-koenigsmoerder_-23490833.html/.

¹⁹ See: Alexander Busch, 2017. 'Brasilien wie ein Fleischkonzern eine Staatskrise auslöste.' <https://wiwo.de/politik/ausland/brasilien-wie-ein-fleischkonzern-eine-staatskrise-ausloeste/19846452.html/>.

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Unlike other oligarchs such as Marcelo Odebrecht, André Esteves and Eike Batista, who received jail sentences during the same bribery scandal in early 2017, Joesley and Wesley Batista did not initially receive a prison sentence as a consequence of the corruption case.

Their lucky streak, however, ended in September 2017 after new prosecutorial investigations for inside trading. After incriminating recordings of Michael Temer's conversation with Joesley Batista were published, share prices at the Brazilian stock exchange temporarily dropped by up to 12%; accordingly, the Brazilian currency, the Real, plummeted. JBS had clearly been expecting this, since the company invested an equivalent of a billion US dollars in Real in derivatives markets shortly before the recordings were published. J&F INVESTIMENTOS also sold its JBS shares immediately before their value dropped. These two transactions alone are thought to have earned the Batistas US\$ 300 million.²⁰

Wesley was released in February 2018. Joesley left prison in March of the same year; however, his passport was confiscated to prevent another move to the US.²¹

Even now, the corruption scandal is not finished with. The Batista's management control remains tenuous as long as they are at risk of receiving jail sentences.

As recently as late 2018, the Supreme Federal Court of Brazil opened new investigation proceedings against the newly designated President, Bolsonaro, and members of what was to become his cabinet. Onyx Lorenzoni, Bolsonaro's Chief of Staff in 2019, as well as today's Agriculture Minister Tereza Cristina, had each received a sum worth €33,000 of illegal campaign donations from JBS. Bolsonaro himself received twice that amount.²²

According to statements Joesley Batista made as a state witness in the 2017 corruption trial, Lorenzoni had received as much as US\$52,000 earlier as a deputy.²³

Investigative proceedings were also started against Bolsonaro's Minister of Economy, Paulo Guedes, because the former banker was allegedly involved in the preferential treatment of numerous Brazilian concerns through state pension funds. As mentioned before, JBS was, of course, amongst those who received preferential treatment.

The fact that the 'Bancada Ruralista' is financed by agricultural companies is an open secret in Brazil.

²⁰ See: Alexander Busch, 2017. 'Brasilien wie ein Fleischkonzern eine Staatskrise auslöste.'

²¹ See: [https://g1globo.com/politica/noticia/justica-de-brasilia-manda-soltar-joesley-batista.ghml./](https://g1globo.com/politica/noticia/justica-de-brasilia-manda-soltar-joesley-batista.ghml/)

²² See: Jörg Kronauer: EU-Mercosur-Deal steht. Junge Welt of 3rd July 2019.

²³ See: Georg Stein, 2018 -> <https://amerika21.de/2018/12/219063/brasilien-korruption-bolsonaro-regierung/>.

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That group, the mixed 'Parliamentary Front' of agricultural enterprises, consists of 200 people, almost half of the 513 deputies of the Brazilian Parliament. It was formed in 2014. Also, there is a far larger number of congress members who accept discreet donations from JBS.²⁴

In February 2019, a book called 'Traitors to the Home Country' was published. It summarised the corruption affair of the Batista Brothers in 87 pages and was sent to selected deputies. The book was supported by a business partner who competes with the Batistas for control over ELDORADO CELULOSE.²⁵

In March 2017 it was revealed that the largest Brazilian meat companies, headed by JBS, had relabelled and sold spoiled meat. Even pig heads were processed into sausages. Carcinogenic chemicals were mixed into the meat to hide the smell of decay in the tainted meat and make it look more attractive.²⁶

The EU took protective measures and briefly stopped the entire import of meat from Brazil.²⁷ Because of the slump in its exports, JBS temporarily closed a substantial number of production plants²⁸ and dismissed 33 food inspectors.²⁹ In the course of the 'Carne Fraca' (Bad Meat) investigations, a total of 38 managers and inspectors were temporarily arrested.³⁰

Only four months later, in July 2017, it became known that more than 200 inspectors were being bribed with monthly 'salaries' of up to US\$6,000. JBS admitted those payments openly, trying to pass them off as overtime bonuses. Eumar Novacki, then State Secretary in the Ministry of Agriculture, legalised the bribes by, from that point onwards, having the inspectors paid through a state-controlled institute that was financed by JBS.³¹

²⁴ The 'Bancada Ruralista' and its anti-Indigenous, corporate-friendly media are supported by JBS, but also by groups such as CARGILL or MONSANTO. See: Thomas Kuller: „Keine Invasion sondern ein Recht!“ – Indigene in Brasilien kämpfen um ihr Land. 14th December 2015. At: <https://blog.misereor.de/2015/12/04/keine-invasion-sondern-ein-recht-indigene-in-brasilien-kaempfen-um-ihr-land/>.

²⁵ This conflict arose from the sale (agreed in 2017) of ELDORADO BRASIL CELLULOSE from the Batistas' property to the Dutch PAPER EXCELLENCE GROUP, owned by the Indonesian mogul heir Jackson Widjaja. At the time, the Batistas urgently needed money for their penalties. The deal, with an expected value of US\$4 bn, was cancelled by the Batistas in September 2018, when PAPER EXCELLENCE had bought 49.4% of ELDORADO. The intention was to keep Widjaja's company at a minority stake, allowing the Batistas to continue to control the Brazilian cellulose business. ELDORADO's CEO is 25-year-old Aguinaldo Ramos Filho, a nephew of the Batista Brothers and a member of JBS's supervisory board. PAPER EXCELLENCE was unsuccessful in an arbitration process and approached the writer Paulo Tadeu with material that allowed him to write the book 'Traidores da Pátria – As Maracutaías dos Irmãos Batista na JBS' (Traitors to the Home Country – The Swindles of the Batista Brothers of JBS). See: <https://www.bloomberg.com/news/articles/2018-10-17/billionaire-versus-billionaire-meat-kings-clash-with-pulp-heir>.

²⁶ See: <https://www.topagrar.com/management-und-politik/news/bestechung-gammelfleisch-mit-krebserregenden-stoffen-in-brasilien-gefunden-9589052.html>.

²⁷ See: Alexander Busch, 2017. „Brasilien wie ein Fleischkonzern eine Staatskrise auslöste.“

²⁸ See: <https://www.lebensmittelzeitung.net/suche/schlagworte/Gammelfleisch/>.

²⁹ See: <https://www.welt.de/wirtschaft/article162969091/Gammelfleisch-mit-krebserregenden-Stoffen-gefunden.html/>.

³⁰ See: <https://www.handelsblatt.com/unternehmen/handel-konsumgueter/fleischskandal-in-brasilien-bis-zu-6000-dollar-fuer-schmierige-steaks/20066710.html?ticket=ST-10248791-n9en14QNihsich25Xb7-ap3/>.

³¹ <https://www.handelsblatt.com/unternehmen/handel-konsumgueter/fleischskandal-in-brasilien-bis-zu-6000-dollar-fuer-schmierige-steaks/20066710.html?ticket=ST-10248791-n9en14QNihsich25Xb7-ap3/>.

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Breeding and slaughtering animals industrially and on a large scale causes them intense suffering throughout the breeding and slaughtering process. Many associations for the welfare of animals all over the world protest against it. Breeding, keeping and slaughtering animals for profit is a far worse violation of animal welfare than any type of pre-capitalist production of animal-based foodstuffs. The stress on the animals is so intense that outbreaks of epidemics are common. Antibiotics, which are preventively added to their feed, cause resistances (also in human consumers) and put human health into increasing danger by leading to influenza epidemics and measurable significant hormone loads in the water table, especially in regions with a focus on factory farming.

The mental and physical suffering of workers in abattoirs is not less intense or less dangerous. The monotonous assembly-line work of slaughtering and processing cattle causes tendinitis, rheumatism and faster mental ageing.³² The constant handling of knives, saws and other slaughtering tools, especially in adverse temperatures, leads to high injury risks. Fatal accidents are common.³³

In 2010, a court closed down an abattoir in Naviraí after the workers fell ill because of high temperatures and fainted by the score during work. In the first half of 2011, 496 of 1,850 employees of the Barretos abattoir fell ill. In 2012, a worker in Campo Grande lost his leg in a work accident. After the abattoir in Presidente Epitácio had been closed down, JBS dismissed 1,300 employees without any prior negotiations, causing them and their community immense economic damage.

None of those events are isolated incidents. Between January 2005 and April 2011, there were 142 accidents in the Barro do Garcas abbatoir alone, one of a total of 150 slaughtering facilities. JBS workers had to go to court for even the most basic industrial safety provisions such as the right to breaks or eight-hour-days.³⁴

The excellent documentary 'To the Bone' showed the appalling working conditions in the Brazilian meat industry, presenting a large number of shocking accident reports and descriptions of people's injuries. The investigative project was continued by a team of the NGO 'Repórter Brasil'.³⁵

On 28th June 2019, after 20 years of negotiations, the heads of the European Union and Mercosur, a federation of South American states³⁶, decided upon a free trade agreement. It will especially increase the profits of the major shareholders of Germany's car industry and other industrial sectors on one hand and those of Brazil's meat industry on the other hand.

³² See: Michael Falkenstein: Altern, kognitive Funktionen und Arbeit. Leibniz-Institut für Arbeitsforschung an der TU Dortmund, 2010.

³³ See: slaughteringpeople.org/#lat=-23.418672793536686&lng=-50.716624427246245&zoom=5/.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Mercosur is the name of a South American market union that was founded in 1991 and consists of the states of Argentina, Brazil, Paraguay and Uruguay today.

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According to the agreement, meat producers from Mercosur – this means JBS most of all – will be allowed to import 99,000 tons of beef into the EU at reduced custom duties of 7.5%.³⁷ The other industries in Mercosur, however, are in danger of being ruined by the direct competition from Europe.

This, to an even higher degree than before, makes South America a resource and food provider for the inhabitants of the rich European countries, as well as a sales market for European companies. The umbrella organisation 'Coordinadora de Centrales Sindicades del Cono Sur', an association of 20 trade unions from Argentina, Brazil, Chile, Paraguay, Uruguay and Venezuela, criticised that this would reinforce colonial power structures.³⁸

At the beginning of April 2019, the Food and Agriculture Organization of the United Nations (FAO) in Rome and the International Grain Council (IGC) in London announced to the world that in the agricultural year 2018/2019 the amount of grain consumed was almost 30 million tons higher than the amount produced. Such a grain deficit had also occurred in the agricultural year 2012/2013.³⁹

The two most important reasons are the continuing drought – caused by climate change – and the fact that most of the grain is used as feed in factory farming. This can be expected to lead to famine and widespread deaths in the global south.

Meat consumption uses up to ten times as much grain as the direct utilisation of plant foods and also multiple times the amount of water and energy.⁴⁰ If that grain were used as a foodstuff, rather than for the profitable meat market, predictable hunger catastrophes could easily be prevented, and millions of people could be saved from poverty and death.

Not only is JBS directly involved in causing hunger through this waste of food; it also massively contributes to climate change. In 2016, JBS, the largest meat producer and exporter, emitted 280 million tons of CO₂, the greenhouse gas that is the one that accelerates global warming most in terms of quantity.

JBS and its competitors TYSON and CARGILL together produced 484 million tons the same year. That is more CO₂ than the amount emitted by all of France or even the oil giant BP.⁴¹

³⁷ See: Jörg Kronauer: EU-Mercosur-Deal steht. Junge Welt of 3rd July 2019.

³⁸ See: Jörg Kronauer: Gewerkschaftliche Kritik. Junge Welt of 3rd July 2019.

³⁹ <https://www.jungewelt.de/artikel/352557.glober-verbrauch-steigt-d%C3%BCre-dr%C3%BCckt-getreideernte.html/>.

⁴⁰ <https://albert-schweitzer-stiftung.de/aktuell/1-kg-rindfleisch>. Last accessed on 1st August 2019.

⁴¹ See: <https://www.iatp.org/supersized-climate-footprint/>.

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In April 2018, the Institute for Agriculture and Trade Policy in London stated that even an immediate stop of fossil fuels would not be enough to prevent irreparable damage to the global climate, unless global meat consumption were also drastically reduced.^{42 43}

Again, those consequences of meat crimes mostly affect poor people in the global South, who do not have the means required to flee from rising sea levels or adapt their cultivation methods.

Another factor driving climate change is the cutting down of the rain forest. In addition to the hunt for rare resources such as tropical wood and aluminium, one of the main reasons for the largest rain forest area in the Amazon being cleared fast is the desire to make space for farming cattle and planting their feed.⁴⁴ Around the turn of the millennium, 28,000 square kilometres of rain forest were destroyed per year – this is an area approximately the size of Belgium.⁴⁵

The study 'Slaughtering the Amazon' showed up the connection between JBS and the destruction of the rainforest as early as 2009, the year it was published. Consequentially, the group's partner companies that bought its meat and leather (including shoe manufacturers such as ADIDAS, CLARKS, NIKE and TIMBERLAND, as well as major meat product sellers) pledged to observe stricter regulations. As a result, JBS and its smaller competitors MARFRIQ and MINERVA also pledged in October 2009 not to buy cattle bred on areas that had been cleared illegally (the so-called cattle moratorium).⁴⁶

Wishing to profit from cleared grazing areas anyway, JBS repeatedly broke the law and bribed politicians. In 2012, politicians who had been bribed by JBS passed the so-called forest law, which made it possible to legalise areas that had been cleared illegally.⁴⁷ While there was a formal requirement for large companies to reforest equivalent areas, the law allowed loopholes for smaller farmers with less than 400 hectares of land. JBS bought more and more of its cattle from hundreds of those small farms.⁴⁸

Despite JBS's pledge and contrary to the impression the company created, a total of 300 square kilometres of rain forest in the federal state of Pará were cleared for JBS's cattle breeding between 2012

⁴² This estimate refers to the United Nations' aim of limiting global warming from greenhouse gases to less than 2 centigrades. There is a consensus in climate research that even a warming of 1.5 to 2 degrees would cause the polar caps and perma-frost soil to melt, leading to the release of such large amounts of greenhouse gases that the Earth could be heated to up to eight degrees above the current average temperature within a hundred years. In this scenario, large parts of our blue planet would become uninhabitable.

⁴³ See: <https://www.iatp.org/blog/leaders-global-meat-complex/>.

⁴⁴ See: Oliver Salge, Greenpeace. Stand: 02.04.2014. <https://www.greenpeace.de/themen/waelder/urwaelder/regenwald-und-rinder-wirtschaft/>.

⁴⁵ See: <https://www.domradio.de/themen/schöpfung/2016-12-13/waldgesetz-brasilien-laut-kritikern-zerstoerend/>.

⁴⁶ As evidenced by, for example, the deforestation scandal in which Agriculture Minister Maggi was involved, the connection between JBS and illegal cutting down of trees continued even after the moratorium: JBS found ways and means to maintain deforestation for cattle breeding. Last accessed on 1st August 2019.

⁴⁷ See: <https://www.domradio.de/themen/schöpfung/2016-12-13/waldgesetz-brasilien-laut-kritikern-zerstoerend/>.

⁴⁸ See: https://wald.greenpeace.at/amazonas-abholzung/?utm_source=email&utm_medium=organic&utm_campaign=foa_eng&utm_content=planned08a&?field_salutation_prefill=Frau&field_forename_prefill=Christa&field_surname_prefill=V%C3%B6lk&field_email_prefill=base64:ZGlha2F0ZUBtbnV0LW1haWwuzGU%3D%27. Last accessed on 1st August 2019.

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and 2015. JBS and Agriculture Minister Maggi transferred €2.7 million to a middleman. Maggi himself profited from the crime through his agricultural enterprise AMAGGI. In August 2016, the prosecution service of Pará opened investigations against AMAGGI for illegal clearing.⁴⁹

In 2017, more than a billion trees were cut down in Pará. This reduces the function of the Brazilian rain forest as a 'green lung of the planet' that absorbs a large part of the global CO2 emissions and transforms it into oxygen. Its destruction threatens the balance of the global atmosphere. In a document published in 2018, the Pope called for preserving the fragile Amazon eco-system, pointing out the importance of the Amazon region as the 'Earth's Green Lung'.⁵⁰

In the same year, the Fascist Jair Bolsonaro announced before he was even elected President of Brazil that he would speed up deforestation even more during his term.⁵¹ Only half a year after he took office, deforestation had risen by 60% compared to the year before.⁵² Following his election, the share prices of those enterprises that profit from the destruction of the rain forest skyrocketed – JBS's first of all. The German bank Deutsche Bank celebrated Bolsonaro as 'the markets' preferred candidate' before the election.⁵³

Apart from damaging the climate and biodiversity, the growing grazing areas also contribute to indigenous peoples being driven out of their traditional living spaces. The head of the Catholic Church criticised those evictions as well.⁵⁴ Bolsonaro's murderous intentions towards Brazil's indigenous peoples were publicly known long before his election, and they played into the hands of concerns like JBS.⁵⁵

JBS obtains most of its cattle from the Amazon biome region, where, in violation of all of its promises about checking its supply chains, it bought from farmers who illegally occupied and cleared land

⁴⁹ See: Brasilien: Zerstörung des Regenwaldes wird aus Steueroasen finanziert. 24th August 2018. <https://amerika21.de/2018/08/210468/steueroasen-investitionen-soja-amazonas>. Last accessed on 1st August 2019. The article refers to the following study, which investigated the cashflows behind destructive investments in the Amazon: <https://www.nature.com/articles/s41559-018-0497-3>. Last accessed on 1st August 2019.

⁵⁰ Ulrike Bickel: Papst fordert stärkeren Einsatz der Kirche für Indigene und Amazonasregion. 12th June 2018. <https://amerika21.de/2018/06/203469/papst-sorge-amazonas-indigene>. Last accessed on 1st August 2019.

⁵¹ See: https://wald.greenpeace.at/amazonas-abholzung/?utm_source=email&utm_medium=organic&utm_campaign=foa_eng&utm_content=planned08a&?field_salutation_prefill=Frau&field_forename_prefill=Christa&field_surname_prefill=v%C3%B6lk&field_email_pre-fill=base64:ZGlha2F0ZUBtbnV0LW1haWwuZGU%3D%27. Letzter Zugriff am 01.08.2019.

⁵² <https://www.spiegel.de/wissenschaft/natur/brasilien-rekord-abholzung-im-regenwald-hochster-wert-seit-drei-jahren-a-1275652.html>. Last accessed on 1st August 2019.

⁵³ <https://www.fr.de/kultur/deutsche-bank-nennt-bolsonaro-wunsch kandidat-maerkte-10970766.html>.

⁵⁴ Ulrike Bickel: Papst fordert stärkeren Einsatz der Kirche für Indigene und Amazonasregion. 12.06.2018. <https://amerika21.de/2018/06/203469/papst-sorge-amazonas-indigene>.

⁵⁵ In 1998, Jair Bolsonaro publicly praised the genocide of North America's indigenous nations: 'It's a shame that the Brazilian cavalry was not as effective as that of the Americans, who exterminated their Indians.' See: Correio Braziliense, 12th April 1998. Translation based on: <https://www.survivalinternational.de/artikel/3542-bolsonaro>. Last accessed on 1st August 2019.

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belonging to indigenous people and forced people to work as slaves.⁵⁶ The landgrabbing happens in reservations such as Apyterewa, the country of the Parakana, or in Maraiwatsede, home of the Xavante. A Greenpeace report from 2011 states that

'The Xavantes can no longer fish because the rivers have run dry or are contaminated due to the destruction of forests... plus extensive use of agrochemicals. Now 85 percent of the forest has been cut down and the Xavante people's reports to the authorities describe substantial conflict with farmers accused of attempted murder and destruction of property.'⁵⁷

The land conflict is indeed being fought with increasing direct violence on the farmers' side in the interest of JBS. The Comissão Pastoral da Terra⁵⁸ reported a total of 70 murders of rural leading people in 2017, the highest number since records began in 2003.⁵⁹ In 2018, there were 108 murders stemming from land conflicts, with 15 of the victims being activists from the MST (Movimento dos Trabalhadores Sem Terra, Landless Workers' Movement). Those acts of violence were explicitly based on the conflict arising from illegal clearing of grazing land for cattle breeding.⁶⁰

Bourgeois interpretations of economics and bourgeois media celebrate the violent process of landgrabbing as a form of utilising land and increasing productivity. Landgrabbing, a key phenomenon of capitalist exploitation, concentrates property in just a few hands in the name of progress:

'The discourse about economic growth in the rural areas based on agriculture obscures the fact that land ownership is increasingly concentrated on just a few owners and that pressure is being put on the farmers and their communities, indigenous people and quilombolas.⁶¹ Nowadays, the area that is being used for agriculture is 16.5 million hectares larger than it was only ten years ago. The land was changed from the original family-based farming system to areas for the agricultural industry. Monocultures such as soya, maize and cane, but also pinewood and eucalyptus, are grown in those areas. Livestock farming also plays an important part. Nowadays, great land owners are in control of

⁵⁶ See: CorpWatch Blog: Beef from Brazil: JBS Faces Allegations of Amazon Deforestation, 2012. <https://corpwatch.org/article/beef-brazil-jbs-faces-allegations-amazon-deforestation/>.

⁵⁷ Ibid.

⁵⁸ The Comissão Pastoral da Terra is affiliated with the Catholic Church and has been working for a land reform in the Amazon area since 1975 through public education and documentation, collaborating with the Landless Workers' Movement (MST).

⁵⁹ See: Ana Alvarenga de Castro / Camila Nobrega R Alves: Monokultur – Macht – Medien. Die Agenda 2030 in Brasilien. Ein kritischer Blick auf die Verbindung der Land- und Medienwirtschaft. Eine Broschüre des Allerwelts Haus lateinamerika, 2018. Page 2.

⁶⁰ Constanze Lemmerich: Brasilien. Jahresbilanz der Landlosenbewegung MST. 15th January 2019 <https://amerika21.de/blog/2019/01/220394/brasilien-jahresbilanz-der-mst/>.

⁶¹ The term 'Quilombolas' has been used in Brazil since the time of Portuguese colonial rule to refer to communities of escaped African slaves who settled in remote areas of the Amazon. By the middle of the nineteenth century, more than five million Africans had been abducted and taken to Brazil by European slave traders.

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116,000 hectares out of 350,000 hectares that are being used for agriculture. All in all, just under 1% of the land owners own 45% of Brazil's land area.'⁶²

At the same time, modern industrial agricultural production – whether it is factory farming or feed production – is destroying millions of jobs in agriculture. Instead of manpower, it relies on monocultures and pesticides.

'Further consequences of the intensive extension of monocultures and agrobusiness are the decline of the number of rural workers and hence their jobs, as well as intense pesticide usage. The number of rural workers fell by 1.5 million between 2006 and 2017. Brazil is also the country with the highest usage of pesticides.'⁶³

The mass impoverishment of small farmers also means a loss of knowledge about traditional cropping systems that offered many advantages to the indigenous populations. While smallholder agriculture is more labour intensive, it is also more sustainable and more resistant against climate fluctuations, and it allows the local communities control over their subsistence. In the meat industry, on cattle farms and on soya plantations, few jobs are created and production is usually for export purposes. The 'Via Campesina', an international platform of farmers' organisations, therefore demands that land ownership be redistributed and smallholder cropping methods be strengthened. It summarises those goals under the term 'food sovereignty'.⁶⁴

All in all, the profits of the JBS group are made at the price of mass suffering, famine, eviction, animal suffering, unjust working conditions, destruction of the planet... The list goes on. They are also made in a highly criminal manner – for the benefit of a few major shareholders.

38% of JBS is owned by the investment company J&F INVESTIMENTOS, in which the brothers Joesley and Wesley Batista have consolidated their property. Their shares of J&F INVESTIMENTOS make the Batista Brothers two of the richest billionaires in Brazil and in the world. FORBES estimates their private fortunes at US\$2.3 billion each.⁶⁵

Besides JBS, they own considerable shares of adjacent economic sectors through their investment company, e.g. in milk and leather processing and feed production. The Batistas have announced that they have long-term plans to change J&F INVESTIMENTOS into an investment company traded on the stock exchange.⁶⁶

⁶² Ana Alvarenga de Castro / Camila Nobrega R Alves: Monokultur – Macht – Medien. Die Agenda 2030 in Brasilien. Ein kritischer Blick auf die Verbindung der Land- und Medienwirtschaft. Eine Broschüre des Allerweltshaus lateinamerika, 2018.

⁶³ Ana Alvarenga de Castro / Camila Nobrega R Alves: Monokultur – Macht – Medien. Die Agenda 2030 in Brasilien. Ein kritischer Blick auf die Verbindung der Land- und Medienwirtschaft. Eine Broschüre des Allerweltshaus lateinamerika, 2018.

⁶⁴ See: https://en.wikipedia.org/wiki/Food_sovereignty/.

⁶⁵ <https://www.forbes.com/profile/wesley-batista/#2607766f721a/>.

⁶⁶ See: https://wikivisually.com/wiki/J%26F_Investmentos



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Wesley Mendonça Batista was the CEO of JBS USA INC. from 2005 to 2017 and the President of the South America department from 2017 to 2018. Joesley had the title of Global CEO until he was arrested.

While the direct leadership of the management in JBS and its numerous subsidiaries is questionable after the two brothers' brief investigative custody from September 2017 to February 2018 and March 2018 and because of numerous preliminary proceedings, the brothers are the undisputed owners of the holding company J&F INVESTIMENTOS, making them dominant major shareholders of JBS, holding 38.3%.

JBS's second largest investor after J&F INVESTIMENTOS is the holding company BNDES PARTICIPACOES S.A. of the Brazilian Development Bank, which owns 21% of JBS. The banker Gustavo Montezano has been President of the holding company since 17th June 2019.

Besides a large public float of 36.2%, JBS is also controlled by well-known, influential individual shareholders such as the large asset managers CAPITAL RESEARCH MANAGEMENT (4.31%), BLACK ROCK FUND ADVISORS (1.57%), VANGUARD GROUP INC. (1.24%) and DIMENSIONAL FUND ADVISORS LP (1.08%).

Amongst the relevant executives and members of the inner circle of the management are the following⁶⁷:

- > José Batista Sobrinho, vice president and CEO. Despite having transferred his possessory titles to his sons and having mostly retired from active management, the company founder has been back in the central leading role in the company since his sons were temporarily arrested in the 2017 corruption proceedings;
- > Jeremiah O'Callaghan, Chairman of the Board of Directors. He has been active in the Brazilian meat industry since 1983 and in the management of JBS since 1996. After 10 years as the head of the Investor Relations department, he began representing the interests of the investors in the Board in 2019;
- > Wesley Mendonça Batista Filho; Director and CEO of EXCELSIOR ALIMENTOS S.A. and of JBS's regional department for South America;
- > Aguinaldo Gomes Ramos Filho, Director of ELDORADO CELULOSE E PAPEL S.A. and its CEO since 2017;
- > Gilberto Meirelles Xandó Baptista, Director and CEO of food processing company VIGOR ALIMENTOS S.A.;

⁶⁷ In accordance with Brazilian company law, the Board of Directors consists of seven members, who are elected by the shareholders during the annual general meeting. They are the group's highest executive organ and control the management of all divisions and subsidiaries. See: <https://jbss.infoinvest.com.br/static/enu/conselho-de-administracao.asp?idioma=enu>. Last accessed on 30th July 2019.

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José Batista Sobrinho's three sons and three daughters all had leading positions in the company. The third Batista generation is also strongly involved.

JBS management staff are not only responsible for causing unimaginable harm to human health (including millions of deaths) and immeasurable animal suffering, but also for irreparably damaging the environment – first and foremost the climate – with devastating consequences for humanity and the planet.

That is why ethecon has decided to present the International ethecon Dead Planet Award 2019 to the major shareholders Wesley Mendonça Batista and Joesley Mendonça Batista as well as the CEO, vice president and company founder José Batista Sobrinho, exposing their crimes to the global public.

ethecon's Board and Board of Trustees summarise their decision to present the Dead Planet Award 2019 to Wesley Mendonça Batista, Joesley Mendonça Batista and José Batista Sobrinho as follows:

'The main responsibility for decisions and actions of the world's largest beef company JBS (Brazil) lies with said executives and major shareholders. They own a considerable part of the company. They run the company and wield decision-making power. They are to blame for the ruin of human health and large-scale destruction of the environment, immeasurable animal suffering, even the death of many people. They present a danger, not only to peace and human rights, but also to democracy, the environment and humanity itself. Acting in the interest of personal power and private gain, they ride roughshod over morals and ethics, risking the Earth's demise as a dead planet.

ethecon considers the actions of Wesley Mendonça Batista, Joesley Mendonça Batista and José Batista Sobrinho a shocking contribution to the ruin and destruction of our blue planet. Because of their appalling disregard for and violation of human ethics, ethecon Foundation Ethics and Economy has decided to shame the aforementioned JBS executives with the International ethecon Dead Planet Award 2019.'

International ethecon Dead Planet Award 2019
to Wesley Mendonça Batista and Joesley Mendonça Batista (major shareholders)
as well as José Batista Sobrinho (founder, CEO and vice-president)
of the world's largest meat-company JBS S.A. (Brazil)

Contact Details

José Batista Sobrinho
Vorsitzender des Vorstands

Joesley Mendonça Batista
Großaktionär

Wesley Mendonça Batista
Großaktionär

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International ethecon Dead Planet Award 2019
to Wesley Mendonça Batista and Joesley Mendonça Batista (Major Shareholders)
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of the world's largest meat-company JBS S.A. (Brazil)

Selected Weblinks

[Slaughteringpeople.org/#lat=-23.418672793536686&lng=-50.716624427246245&zoom=5](https://slaughteringpeople.org/#lat=-23.418672793536686&lng=-50.716624427246245&zoom=5)

Verstöße gegen Arbeits- und Menschenrechte bei JBS

<https://www.iatp.org/blog/leaders-global-meat-complex>

Anteile am globalen Fleischmarkt

<https://www.iatp.org/supersized-climate-footprint>

Ökologischer Fußabdruck der Fleisch-Industrie

<https://jfinvest.com.br/who-we-are/global-presence/?lang=en>

Globale Investitionen der J&F Beteiligungsgesellschaft

International ethecon Dead Planet Award 2019
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Selected Non-Governmental Organisations

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Fax +1 510 281 9021
Fon +1 510 394 2041
eMail moira@amazonwatch.org
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Fon +49 - 30 - 420248-0
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eMail info@amnesty.de
Internet www.amnesty.de
- > Brasilieninitiative Freiburg e.V.
Walter-Gropius-Straße 2
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Germany
Fon 07615562572
eMail tatu@brasilieninitiative.de
- > Campanha Permanente Contra os Agrotóxicos e Pela Vida
(Permanente Kampagne gegen Agrargifte und für das Leben)
eMail alan@contraosagrototoxicos.org
Internet <https://contraosagrototoxicos.org>

International ethecon Dead Planet Award 2019
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Internet www.german-foreign-policy.com

International ethecon Dead Planet Award 2019

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- > Institute for Agriculture & Trade Policy
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c/o PowerShift
Haus der Demokratie & Menschenrechte
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eMail info@kooperation-brasilien.org
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International ethecon Dead Planet Award 2019
to Wesley Mendonça Batista and Joesley Mendonça Batista (Major Shareholders)
as well as José Batista Sobrinho (founder, CEO and vice-president)
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3097 Liebefeld
Swiss
eMail info@multiwatch.ch
Internet www.multiwatch.ch
- > Pesticide Action Network North America
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Oakland, CA 94612
USA
Fon +1 - 510 - 788 9020
Fax +1 - 415 - 981 1991
Internet www.panna.org
- > Repórter Brazil
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Brasil
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eMail contato@reporterbrasil.org.br
Internet www.reporterbrasil.org.br
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International ethecon Dead Planet Award 2019
to Wesley Mendonça Batista and Joesley Mendonça Batista (major shareholders)
as well as José Batista Sobrinho (founder, CEO and vice-president)
of the world's largest meat-company JBS S.A. (Brazil)

Justification

on the bestowal of the

International ethecon Dead Planet Award 2019

to CEO, vice president and company founder José Batista Sobrinho

and the major shareholders Wesley Mendonça Batista and Joesley Mendonça Batista of the world's largest meat company JBS S.A. (Brazil)

ethecon Foundation Ethics & Economics names and shames - in consistent addition to the International ethecon Blue Planet Award 2019 as well as in the sense of the goals of ethecon –

José Batista Sobrinho (CEO, vice-president and founder),

Wesley Mendonça Batista (major shareholder) und

Joesley Mendonça Batista (major shareholder)

of the world's biggest meat company JBS SA / Brazil

with the International ethecon Dead Planet Award 2019.

The ethecon Slander Award names and shames those awardees because, in the area of tension between ethics and economics, they trample on fundamental ethical and moral principles in an outstanding manner, thus ruining the Blue Planet and putting it in danger of becoming a dead, uninhabitable planet. They are frighteningly responsible for repression, exploitation, human rights abuses, destruction of nature and social misery.

José Batista Sobrinho, Wesley Mendonça Batista and Joesley Mendonça Batista act recklessly, driven by low motives and only for personal gain. For their power and profit interests, they undoubtedly accept human lives and the downfall of the planet as a dead, uninhabitable planet. They show what is commonly called ruthlessness and selfishness.

They are in a world increasingly oriented to profit as the sole criterion of any decision and development, as few powerful against the interests of humanity. Diverse preferred, integrated into global networks and based on large capital. Always well secured and protected, autocratic and increasingly subject to no laws and jurisdiction. They are among those to whom humanity owes war, exploitation and environmental destruction.

The winners will be reviled and personally branded with the 2019 International Dead Planet Award. Representing all those who endanger the "blue planet" or conjure its downfall to a dead, uninhabitable planet. Her abuse should be a warning and a deterrent to herself and to us all.

Accordingly, the International ethecon Dead Planet Award 2019 also sees itself as a mobilization for the commitment to peace, justice and environmental protection and for the resistance to warmongering, exploitation and environmental destruction. It should sensitize and alert the public, uncover the

International ethecon Dead Planet Award 2019
to Wesley Mendonça Batista and Joesley Mendonça Batista (Major Shareholders)
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connections and those responsible, and strengthen resistance to environmental destruction, war and injustice.

The ethecon Board of Trustees and Board of Directors relied on news releases, on publicly known facts, on information gathered by journalists around the world, on public records, on investigations by government officials, activists, social movements in different countries and last but not least the materials published by JBS SA itself.

In principle, it can be assumed that the justification for the decision would have been even more consistent and extensive, had all information, including those that had been kept secret or otherwise closed and possibly even destroyed within the company and elsewhere, been comprehensively available.

From the plethora of intel on the nominees for the 2019 ethecon Dead Planet Award José Batista Sobrinho (executive director, vice president and company founder), Wesley Mendonça Batista (major shareholder) and Joesley Mendonça Batista (major shareholder) of Meat Group JBS SA (Brazil) the following researched facts are exemplary:

The Mendonça Batista brothers are proven to be responsible for the bribery of at least 167 Brazilian MPs, including Ministers of Agriculture and Presidents. They circumvented all climate protection measures, sabotaged the state authority, legalized grubbing-up by loopholes or revealed illegal clearing of impunity. They undermine the democracy of Brazil and sacrifice its rainforest of their cattle and feed production.

José Batista Sobrinho and his sons created the conditions under which slash and burn, violence against indigenous people and violence against environmentalists.

The rise of JBS to become the world's largest meat company was funded by the Mendonça Batista brothers, formerly senior executives and directors, with over \$ 4 billion in Brazilian taxpayers', pension and development funds and millions of people pensions and other government benefits.

They are betting against the Brazilian currency and an illegal stock market at the expense of the population and ridiculed the judiciary, which repeatedly, in order not to be able to, saw to curb their drifting.

JBS poisoned its customers with rotten meat and carcinogenic chemicals and ordered food inspectors to cover up the export of rotten meat.

Their business model is based on factory farming and industrial slaughter, which means immeasurable animal suffering. Preventive antimicrobials in feeds increase their meat products' resistance and increase the risk of global epidemics.



International ethecon Dead Planet Award 2019

to Wesley Mendonça Batista and Joesley Mendonça Batista (major shareholders)
as well as José Batista Sobrinho (founder, CEO and vice-president)
of the world's largest meat-company JBS S.A. (Brazil)

The working conditions in your slaughterhouses lead to mental and physical disturbances and possible mutilations of their workers, were repeated for protest and legal intervention.

Contrary to their better knowledge, they cling to this destructive business model and deceive the world public about the extent of this destruction. They counteract all these crimes with baseless propaganda, bribe politicians, and buy media that gloss over JBS SA's business as environmentally, fairly, and sustainably rather than investing their money in a truly green business model.

It shall be mentioned that ethecon's Board of Trustees and Board of Directors base their decision to name and shame José Batista Sobrinho (executive director, vice president and company founder) and Wesley and Joesley Mendonça Batista (major shareholders) of the meat corporation JBS SA (Brazil) on the 1994 Permanent Peoples' Tribunal (PPT) proposal for an International Charter on "Human Rights and Industrial Health Hazards" and the United Nations Charter of Universal Human Rights.

ethecon's Board and Board of Trustees announce:

First and foremost responsible for decisions and actions of the world's largest meat company JBS SA (Brazil) are the executives and major shareholders, led by José Batista Sobrinho (executive board, vice president and company founder) and his sons Wesley Mendonça Batista (major shareholder) and Joesley Mendonça Batista (major shareholder). The company belongs to you in essential parts. You lead the company decisively. The ruin of human health and the destruction of the environment on a grand scale, and even the deaths of many people, go to their account. They pose not only a threat to peace and human rights, but also to democracy, ecology and humanity as a whole. They act for the benefit of personal power and personal enrichment. To do so, they trample on morality and ethics and accept the demise of Earth as a dead, uninhabitable planet.

ethecon sees the actions of executives José Batista Sobrinho (executive director, vice president and company founder), Wesley Mendonça Batista (major shareholder) and Joesley Mendonça Batista (major shareholder) of meat group JBS SA (Brazil) as a shocking contribution to ruin and destruction of our Blue planet. For this frightening disregard and violation of human ethics, ethecon Foundation Ethics & Economy disgests the named persons responsible of JBS SA with the International ethecon Dead Planet Award 2019.

At the same time, ethecon, together with national and international anti-corporate and anti-globalization movements, is actively working to ensure that these and all other responsible managers and major shareholders are responsible for their crimes against human ethics and for environmental, health and environmental protection -, financial, social and other damages as representatives of the group and also personally taken into liability, held accountable and possibly also punished.



International ethecon Dead Planet Award 2019
to Wesley Mendonça Batista and Joesley Mendonça Batista (Major Shareholders)
as well as José Batista Sobrinho (founder, CEO and vice-president)
of the world's largest meat-company JBS S.A. (Brazil)

The International ethecon Dead Planet Award 2019 to José Batista Sobrinho (Chief Executive Officer, Vice President and Company Founder) and Wesley and Joesley Mendonça Batista (Major Shareholders) of Meat Group JBS SA (Brazil) together with the International ethecon Blue Planet Award 2019 The human rights activist Rachna Dhingra and Sambhavna Trust (India) will be awarded in a public ceremony in Berlin on November 23rd, 2019.

Berlin, International Day of Peace, 21st of September 2019⁶⁸

⁶⁸ ethecon announces the nominees on the 21st September, since it is considered the international Day of Peace.



International ethecon Dead Planet Award 2019
to Wesley Mendonça Batista and Joesley Mendonça Batista (major shareholders)
as well as José Batista Sobrinho (founder, CEO and vice-president)
of the world's largest meat-company JBS S.A. (Brazil)

Open Letter

**to CEO, vice president and company founder José Batista Sobrinho
and the major shareholders Wesley Mendonça Batista and Joesley Mendonça Batista
of the world's largest meat company JBS S.A. (Brazil)**

Mr. José Batista Sobrinho,
Mr. Wesley Mendonça Batista,
Mr. Joesley Mendonça Batista

today, November 23th 2019, the International ethecon Dead Planet award 2019, announced by the ethecon foundation - Ethics & Economy, was presented in Berlin on a public event.

Since 2006, ethecon – foundation Ethics & Economy has presented two international awards annually – the International ethecon Blue Planet Award and the International ethecon Dead Planet Award.

The International ethecon Blue Planet Award honours people, who protect and defend human ethics in the area of conflict around ethics and economy in an outstanding way, and who campaign for the survival and rescue of our Blue Planet.

The International ethecon Dead Planet Award denounces people, who spurn human ethics in a shocking way and carry out ruin and destruction of our Blue Planet towards a dead, uninhabitable Planet.

The International ethecon Blue Planet Award and the International ethecon Dead Planet Award are one unit, two sides of the same coin. Both reflect the condition of our Blue Planet. In both cases, the definition „Blue Planet“ describes the whole alive and lifeless world.

The two ethecon awards sensibilise the public and indicate, they uncover connections, call responsables by their name. They activate to commit for peace, justice and environment protection and motivate for the resistance to warmongering, exploitation and environmental damage.

Each year's January, coinciding with the World Economic Forum in Davos, a request internationally spread, invites to pass in nominations for the International ethecon Blue Planet Award and the International Dead Planet Award. During a thorough selection procedure the awardees will be appointed.

International ethecon Dead Planet Award 2019
to Wesley Mendonça Batista and Joesley Mendonça Batista (Major Shareholders)
as well as José Batista Sobrinho (founder, CEO and vice-president)
of the world's largest meat-company JBS S.A. (Brazil)

Mr. José Batista Sobrinho,
Mr. Wesley Mendonça Batista,
Mr. Joesley Mendonça Batista

as the result of each year's international selection procedure by ethecon, you were nominated for the International ethecon Dead Planet Award 2019 on September 21st 2019, the International Day of Peace.

The International Dead Planet Award 2019 – as a consequent supplement to the International ethecon Blue Planet Award 2019 and with respect to the aims of ethecon foundation Ethics & Economy - will be addressed to you, because you spurn essential ethical principles in an outstanding way and endanger the Blue Planet.

ethecon is denouncing you with the International ethecon Dead Planet Award 2019, since you have to take responsibility for nature's destruction, exploitation, human rights abuse and social hardship.

You act ruthless, sly, shaped by low motives and solely for your own ends. For your interests in power and profit, you will accept the planet's ruin as dead, uninhabitable Planet without hesitation. You show, what is generally called unscrupulousness and selfishness.

You belong to those, who destroy ethics and turn the Blue Planet into a dead, uninhabitable Planet.

In a world, increasingly oriented to profit as the only criterion of any decision and development, you stand as few strong men against the human interests. Widely preferred, integrated to global networks and leaned on large capital. Always secure and well protected, egomaniac and increasingly not submitted to any laws and jurisdiction. You are among those, who mankind owes war, exploitation and environmental damage to.

You will be personally denounced by the Dead Planet Award 2019, representative for all, endangering the Blue Planet or evoking its ruin up to becoming a dead, uninhabitable Planet. Your denouncement shall be a warning and deterrent example for you and all of us.

The board of trustees and the management of ethecon based their decision on news messages, on facts, which have been known to the public for years, on information conveyed by journalists all over the world, on showcased documents, on investigations of government bodies and social movement or organisations in different countries and last but not least on particulars published by VOLKSWAGEN AG.

It can be assumed, that the reason for the decision would have been more detailed, if all information, including the internal, and the ones shut away elsewhere or hushed up and possibly yet destroyed, had been available.



International ethecon Dead Planet Award 2019

to Wesley Mendonça Batista and Joesley Mendonça Batista (major shareholders)
as well as José Batista Sobrinho (founder, CEO and vice-president)
of the world's largest meat-company JBS S.A. (Brazil)

From the wealth of facts researched in the course of the selection process of the International ethecon Dead Planet Award 2019 to you, we now present only a few examples:

The Mendonça Batista brothers are proven to be responsible for the bribery of at least 167 Brazilian MPs, including Ministers of Agriculture and Presidents. They circumvented all climate protection measures, sabotaged the state authority, legalized grubbing-up by loopholes or revealed illegal clearing of impunity. They undermine the democracy of Brazil and sacrifice its rainforest of their cattle and feed production.

José Batista Sobrinho and his sons created the conditions under which slash and burn, violence against indigenous people and violence against environmentalists.

The rise of JBS to become the world's largest meat company was funded by the Mendonça Batista brothers, formerly senior executives and directors, with over \$ 4 billion in Brazilian taxpayers', pension and development funds and millions of people pensions and other government benefits.

They are betting against the Brazilian currency and an illegal stock market at the expense of the population and ridiculed the judiciary, which repeatedly, in order not to be able to, saw to curb their drifting.

JBS poisoned its customers with rotten meat and carcinogenic chemicals and ordered food inspectors to cover up the export of rotten meat.

Their business model is based on factory farming and industrial slaughter, which means immeasurable animal suffering. Preventive antimicrobials in feeds increase their meat products' resistance and increase the risk of global epidemics.

The working conditions in your slaughterhouses lead to mental and physical disturbances and possible mutilations of their workers, were repeated for protest and legal intervention.

Contrary to their better knowledge, they cling to this destructive business model and deceive the world public about the extent of this destruction. They counteract all these crimes with baseless propaganda, bribe politicians, and buy media that gloss over JBS SA's business as environmentally, fairly, and sustainably rather than investing their money in a truly green business model.

In their decision to name and shame José Batista Sobrinho, Mr. Wesley Mendonça Batista, Mr. Joesley Mendonça Batista the board of trustees and management of ethecon expressly refers to the 1994 proposal of the Permanent Peoples' Tribunal (PPT) for an international Charter on "Human rights and industrial risks" and the UN Charter of the Universal Declaration of Human Rights.

International ethecon Dead Planet Award 2019
to Wesley Mendonça Batista and Joesley Mendonça Batista (Major Shareholders)
as well as José Batista Sobrinho (founder, CEO and vice-president)
of the world's largest meat-company JBS S.A. (Brazil)

Mr. José Batista Sobrinho,
Mr. Wesley Mendonça Batista,
Mr. Joesley Mendonça Batista

as leading managers and important major shareholders, you are primarily responsible for decisions and actions of the world's largest meat-company JBS SA (Brazil). The company is yours for the most part. You manage the company decisively. You are to blame for the ruin of human health and the destruction of the environment on a grand scale, yes, even for the death of many. Not only do you represent a danger for ecology and human rights, but also for democracy and the human race overall. You are in pursuit of personal power and private enrichment only. You spurn ethics for it and accept the fall of the earth as a dead, uninhabitable Planet.

ethecon sees a shocking contribution to ruin and destruction of our Blue Planet in your behaviour, Mr. Mendonça Batista, Mr. Mendonça Batista and Mr. Batista Sobrinho. For this alarming defiance and violation of human ethics ethecon – foundation ethics & economy denounces you with the International ethecon Dead Planet Award 2019.

The International ethecon Dead Planet Award 2019 was addressed to you during a public ceremonial act in Berlin on November 23th 2019, while the International ethecon Blue Planet Award 2019 was handed over to Rachna Dhingra (India), an activist for Justice. Compared to you, Mr. Mendonça Batista, Mr. Mendonça Batista and Mr. Batista Sobrinho, who harm and ruin our Blue Planet in an irresponsible way, Rachna Dhingra responsibly campaigns the remain and saviour of our Blue Planet and their residents. When she resigned from big business to campaigning for the survivors of the Bhopal gas-catastrophe, she followed her conscience and moral values instead of her financial interests.

We ask you to learn from people like Rachna Dhingra for your personal commitment. Put an end to exploitation and ruin of man and environment through JBS. Ensure social justice, safety and human rights within the company itself and within its field of activity. Preserve the environment and peace. Use your money for ethic investments and solidary projects, as demanded by the overwhelming majority of the world's population, instead of chasing profits

Combined with the denouncement with the International ethecon Dead Planet Award 2019, this is the plea of ethecon – foundation Ethics & Economy to you, responsible managers and shareholders of the world's largest meat company JBS.

At the same time we demand and actively campaign – in cooperation with the national and international movements, critical of enterprises and globalisation – for you to assume liability, also personally, for the damage caused to environment and health, any financial, social and other



International ethecon Dead Planet Award 2019
to Wesley Mendonça Batista and Joesley Mendonça Batista (major shareholders)
as well as José Batista Sobrinho (founder, CEO and vice-president)
of the world's largest meat-company JBS S.A. (Brazil)

damages caused by your activities and your company. We also campaign for you to be brought to justice and if so be punished.

Berlin, 23.11.2019

Axel Köhler-Schnura (Managing board)

Angela Beutler (Kuratorium)

International ethecon Dead Planet Award 2019
to Wesley Mendonça Batista and Joesley Mendonça Batista (Major Shareholders)
as well as José Batista Sobrinho (founder, CEO and vice-president)
of the world's largest meat-company JBS S.A. (Brazil)

Greeting

by **Shefali Sharma**⁶⁹

Institute for Agriculture and Trade Policy

From 2007 to 2013, Brazil's development bank, BNDES, implemented the so-called "national champions" policy. The idea was to select certain companies and transform them into large transnational corporations that bring home significant revenues. The beneficiaries included JBS-Friboi (known globally as JBS), Marfrig and Brasil Foods (BRF) and absorbed two-thirds of the allocated BNDES resources. They received large volumes of publicly-funded resources, not only through subsidized loans, but also through the purchasing of debentures and company shares through BNDES's investment arm, BNDES Participações (BNDESPAR). As a result, JBS is now the world's largest producer and exporter of meat, selling to over 150 countries. It is the leading processor of beef, pork and lamb in the U.S.; the leading beef producer in Canada; and the largest cattle-feeder in the world!

In March 2017, all four Brazilian beef majors—JBS, BRF, Marfrig and Minerva—were embroiled in a major food safety scandal that reverberated around the globe. "Operation Weak Flesh"—as the Brazilian government's probe was called—revealed that these global players had bribed health officials into approving the sale and exports of contaminated meat. It was reported that food safety inspectors were bribed to allow exports of tainted meat products—including practices such as adding chemicals to meat to conceal rotting odor, adding pigs' heads to sausages, and adding cardboard to processed poultry as filler.

Several regions, including China and the EU, temporarily banned products entering their markets and company shares took a dive. Even as JBS was struggling to move past this scandal, in May 2017, JBS's controlling shareholders Josely and Wesley Batista reportedly admitted to Brazilian special prosecutors that they paid bribes to nearly 1,900 politicians (including the current and past Brazilian presidents) to acquire companies worth up to 20 billion USD in assets. They reached a record-breaking leniency deal agreeing to pay 3.2 billion USD in fines. In the ensuing months, JBS sold its assets in Paraguay, Uruguay and Argentina to pay for the fines, while Brazilian producers saw the biggest decline in cattle prices in 20 years.

In September 2017, the two Batista brothers were arrested because they were found to have engaged in insider trading in the run up to the leniency deal. JBS then named Jose Batista, the 84 year-old founder and father of the two criminals, as the new CEO.

⁶⁹ Shefali Sharma is a known expert on Big Meat. See: Sharma, S. et al 2017. Rise of Big Meat: Brazil's Extractive Industry. Online: <https://www.iatp.org/the-rise-of-big-meat>.



International ethecon Dead Planet Award 2019

to Wesley Mendonça Batista and Joesley Mendonça Batista (major shareholders)
as well as José Batista Sobrinho (founder, CEO and vice-president)
of the world's largest meat-company JBS S.A. (Brazil)

However, this is not the only area of illegal activity associated with the world's biggest meat processor. A first of its kind peer-reviewed study published in 2015 tracked purchasing behavior of JBS slaughterhouses before and after signing zero-deforestation agreements in the state of Para. These agreements, whether signed between the companies and the government or NGOs such as Greenpeace, stipulate that the meatpackers would no longer buy from suppliers that continue to deforest in Brazil after the agreement. The companies would be required to enlist with the Rural Environmental Register, which tracks properties through satellite technologies. The researchers found that cattle was often "laundered" through the supply chain, meaning that cattle from suppliers that were deforesting was moved to suppliers that were in the environmental register. As a result, even though many more suppliers were registered and the rate of deforestation decreased dramatically from these registered suppliers, the overall impact on deforestation was limited.

A 2015 case study by Repórter Brasil corroborates such practices. It found that JBS continued to source from a supplier that not only practiced slavery, but who was also cited by the Ministry of Forests and the Environment for environmental crimes, including deforestation. To continue both slave labor and deforestation, this supplier simply transferred the property into the name of relatives not on any of the government's "dirty lists" of suppliers engaged in illegal behavior.

JBS has also been repeatedly associated with egregious labor practices. In 2014, JBS was fined for forcing employees to work up to 20 hours a day and serving maggot-infested meat to them. In addition, Reporter Brasil has documented slave labor conditions in JBS's poultry supply chain. A team of about ten workers catches more than 50 thousand chickens a day—often working 12 to 17 hours traveling from location to location. They documented horrendous living conditions and the evidence of wages being withheld from workers.

In 2018, GRAIN and IATP published our report Emissions Impossible: how big meat and dairy are heating up the planet which documented the emissions of the world's largest meat and dairy processors. JBS's 2016 emissions were the largest of all other processors at 280 metric tons CO2 equivalent, while Tyson (the second largest processor) were at 118 mmt CO2eq. We also analyzed what these companies were reporting as their total emissions. JBS's own calculations of their emissions were 2000% lower than what we calculated. The graph below shows that while several companies have underreported their emissions, JBS seems to have most dramatically underreported its emissions given the scale at which it operates.

From corruption, food safety scandals, criminal activity which includes deforestation and slave labor, to egregious under reporting of their greenhouse gas emissions, JBS is implicated in all of these activities and therefore merits this award.

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Greeting

by Jörg Kronauer⁷⁰

German Foreign Policy

When the agreement was made known to the public, the share price shot up. The agreement was the settlement of the negotiations about the free trade agreement between the EU and the South American confederation of states, Mercosur, about which the public got informed by leading politicians of both sides at the G20 summit in Osaka end of June 2019. After almost 20 years after the start of their talks, they had succeeded in concluding a deal which permitted both the EU and Mercosur to hope for new profits. Among the lines of business which could reckon on particular chances of profit were the Brazilian exporters of beef. Especially their market leader JBS looked forward to a next increase of profit due to the agreement. His share price rose immediately about 5.5 percent at the stock exchange of Sao Paulo; until mid September it was constantly rising to new records.

The sales of Brazilian beef to the EU is in an upturn again, after the losses of 2017 which had been caused by a scandal about stale meat. In January 2019 the association of Brazilian exporters of meat, the Associacao Brasileira das Industrias (ABIEC), published their new statistics of export. According to that, the trade could increase their global exports about 11 percent to a record volume of 1.64 million tons as a whole. Their third biggest purchaser was the EU, which bought more than 118.000 tons. The turnover amounted to 728 million US dollars. Round 55.000 tons came from JBS.

The free trade agreement now provides that meat producers from the Mercosur can deliver up to 99.000 tons of beef yearly at reduced customs duties of 7.5 percent to the European Union. 42.5 percent of the meat are supposed to come from Brazilian abattoirs. The trade is heading for a new boom – not least of all JBS, whose wholesale business is already getting the lion's share of the export of beef to the EU.

Has JBS exerted its influence on the free trade agreement? Well, the negotiations have mainly been accompanied by the ABIEC – it is their job to represent the interests of the exporters of meat. When in September 2017 the EU offered to import up to 70.000 tons of meat yearly from the Mercosur at reduced customs duties, the president of the ABIEC, Antonio Jorge Camardelli, did not refrain from saying, "That is not possible"; as an ultimatum he declared that the Mercosur exporters of meat would not be satisfied by such a low volume. JBS is not only a member of the ABIEC; persons who used to work for thi company are now in leading positions of that association – the ABIEC executive director Liege

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Vergili Nogueira, for example, who, before she got this position in 2016, had been employed by JBS. The same is true for the president of the ABIEC, Camardelli.

In the JBS company Camardelli used to be responsible for their strategy and had a significant influence on its orientation. And he has helped in a specific manner to create the political framework to realize their strategies. JBS officials admitted that the company had bribed more than 1.800 politicians and in that way had distributed almost a quarter of a billion US dollars. Doing so they used different channels. In October 2018 one of the main persons at JBS responsible for bribing, Ricardo Saud, gave evidence that Antonio Jorge Camardelli – in the mean time president of the ABIEC – had helped him handing over the money. He testified that, for example, Camardelli had given an amount of 200.000 Reais – at that time about 66.000 Euros – to the representative of the federal state of Rio Grande do Sul, Onyx Lorenzoni, who then was standing for re-election. Saud's evidence drew a lot of public attention: Lorenzoni was a close counsellor for Jair Messias Bolsonaro; today he acts as chief of staff of the Brazilian president.

The ways are short between the offices of the JBS group headquarters and of the ABIEC to the headquarters of state in Brasilia. During the negotiations of the free trade agreement, the EU was exposed to pressure of the meat exporting trade and their market leader. The EU have given in: JBS will probably be able to bluntly increase its sale to the EU. This is, however, not an inevitable development which might come in useful to all those who are involved. On the contrary, it is a decision favouring some and putting others at a disadvantage.

Among the beneficiaries are besides the agricultural companies like JBS the industries of the EU because, when exporting to the Mercosur countries, they will pay lower customs duties. Among those who are at a disadvantage are the rather weak South American industries which risk to be run over by the exports of the extremely efficient European competitors. That is why Mercosur trade unions warn that the free trade agreement will do harm to the industrial development of the subcontinent. According to them it will reinforce the unequal balance between modern industrial countries and the former colonies, which then will go on acting as suppliers of raw materials and markets.

However, losers cannot only been found in the Mercosur countries, but also in the EU. The opening of the Mercosur for industrial products from the EU is first of all useful for groups which today already deliver goods on a large scale to South America, being mainly – statistics proves it -

German companies. In their interest Brussels has opened the EU market for JBS & Co. With their meat mountain they will particularly outdo French and Irish producers – thus Brussels has almost rendered an inevitable service in return for the Mercosur elite. First of all the French government does not want to rule out the possibility of refusing the ratification of the agreement.

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However the argument about that will end: The opening for JBS – a group whose practices are being criticised harshly all over the world – is of particular interest to the German exporting industry concealing, certainly not only in this case, behind the EU policy. Not least of all the industrial development of the Mercosur is left behind. The CEOs of JBS, though, do not mind, as long as their cash register is correct.

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Draft

by the international Permanent Peoples' Tribunal (PPT)⁷¹ for a Charter on „Human Rights and Industrial Hazards“⁷²

About the draft

A Tribunal of five international judges held in London from 30 November to 2 December 1994 marked the tenth anniversary of the Bhopal disaster. The Permanent People's Tribunal (PPT) on „Human Rights and Industrial Hazards“ heard evidence and recommendations from professionals, victims' organisations, public interest groups and individuals on the impact of hazardous production on workers, communities and the environment, and the lack of redress for victims. This was the fourth and final of the PPT Tribunals on Industrial Hazards and Human Rights, which contributed to the development of a Charter on Industrial Hazards and Human Rights.

The world has now acquired ample experience of industrial and environmental hazards. Lessons must be learned from these experiences so that those who have died and suffered will not have done so entirely in vain. Judgement of the PPT held in Bhopal, October 1992

Formed because of devastating industrial disasters such as: Seveso (1976) Italy, Bhopal (1984) India and Chernobyl (1986) Ukraine, the Permanent Peoples' Tribunal (PPT / Permanent Court of Peoples) started to work (1991-1994) to address the lack of legal and medical protection of affected workers, residents and collateral and environmental local industrial risks.

Issues of civil protection, liability of operators, international law and many other problem areas of industrial production were addressed. The PPT was constituted on the 10th anniversary of the Bhopal disaster as a proposal for a "Human Rights and Industrial Hazards" Charter ("Industrial Hazards and Human Rights").

Nearly five years in drafting, the Charter is based on a series of public hearings held by the Tribunal in New Haven, USA (1991), Bangkok, Thailand (1991), Bhopal, India (1992), and London, UK (1994).

⁷¹ The Permanent Peoples' Tribunal (PPT), based in Rome, was formed in 1979 as the successor to the Bertrand Russell Tribunals on crimes against humanity. The PPT is an independent forum that examines violations of the rights of peoples, and suggests remedies for such violations. It is composed of over 60 members from all parts of the world who are eminent as jurists or in other fields including the arts, culture, science and politics. A number of judges are Nobel prize winners. The Tribunal submits its findings to the Secretary General of the United Nations, to other United Nations organisations as appropriate, and to other national and international bodies. The Tribunal attempts to fill gaps in international law, which it seeks to influence by elaborating on such documents as the Universal Declaration of Human Rights (United Nations), the Nuremberg principles, United Nations General Assembly resolutions on de-colonization and the new international economic order. Hearings are initiated by aggrieved groups, and are normally heard by a bench of 3 to 11 sitting tribunal judges. Accused parties are invited to present their case at the hearings. If they do not attend, the PPT appoints legal counsel to represent their case in a rigorous manner. The PPT applies principles of international law, and is bound by the Algiers Declaration of the Rights of Peoples as well as its own statutes.

⁷² The ethecon founder Axel Köhler-Schnura participated in the final deliberations of the Human Rights Charter "Health, Safety and Environmental Rights" in 1994 in London, where he presented the case study of the "BAYER Group".

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People from many different countries presented evidence. The Tribunal heard testimony from the survivors of industrial hazards, from concerned community groups, and from workers. At the same time, doctors, lawyers, scientists, engineers, and other experts provided information on the origins and effects of industrial hazards.

Despite their diverse backgrounds and experiences, the people who testified told a common story. Industrial hazards are proliferating on a global scale, and they pose a serious threat to human life and health. Moreover, the existing economic, legal, and medical systems are not responding adequately to this feature of globalisation. Victims' groups voiced a common demand for a system which protects them from death, injury, and persistent insecurity. Expert testimony highlighted instances of best practice, but also described the main features of an international order in which hazards are promoted, traded, and protected without effective controls.

The Tribunal held its fourth and final session in London from 28 November to 2 December. The judges heard expert testimony for three days. The Indictment was presented by Graham Reid, Barrister at Law and the Defence was presented by Andreas O'Shea, Barrister at Law. The evidence was heard by six judges: Francois Rigaux, Professor of Law, Catholic University of Louvain, Belgium and President of the Permanent Peoples' Tribunal (Chairman)

Dr. Rosalie Bertell, President, Institute of Concern for Public Health, Canada

Salak Siveraska, Santi Pracha Dhamma Institute, Thailand

Justice Subhan, former Judge, Bangladesh Supreme Court

Tina Wallace, Development Administration Group, University of Birmingham

Dr. Timothy Weiskel, Director, Harvard Seminar on Environmental Values

The judges were assisted by: Dr. Gianni Tognoni, Epidemiologist at Mario Negri Research Institute, Milan and Secretary General of the Permanent Peoples' Tribunal

Joe Verhoeven, Professor of International Law, Catholic University of Louvain, Belgium The judges pronounced their findings and judgement at a press conference at the House of Commons on 2 December, hosted by Harry Cohen MP and John Hendy QC.

The Charter

The Permanent Peoples Tribunal on Industrial Hazards and Human Rights,

Having convened four Sessions in New Haven, Bangkok, Bhopal and London since 1991 to receive testimony and deliberate on issues relating to the right to life, occupational health and safety, environment protection, risk management and damage reduction in the wider global context of hazardous production;

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Having drafted over a period of four years a charter of rights designed to reflect the views and concerns of persons injured and distressed by industrial hazards, and having issued on the second day of December 1994 a Draft Charter for comment and discussion among individuals and non-governmental organisations, including trade unions;

Following the Universal Declaration of the Rights of Peoples, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women, the United Nations Convention on the Rights of the Child, the Vienna Declaration and Programme of Action of the World Conference of Human Rights, the Beijing Conference on Women, the Programme of Action of the World Summit for Social Development and other relevant international human rights instruments;

Guided by the Rio Declaration on Environment and Development, Agenda 21, the Draft Declaration on Principles on Human Rights and the Environment, the Draft Declaration on the Rights of Indigenous Peoples and other relevant instruments for prevention of industrial and environmental hazards;

Guided further by International Labour Organisation conventions and recommendations, including the Convention on Freedom of Association and Protection of the Right to Organise, the Convention on the Right to Organise and Collective Bargaining and the Convention Concerning the Prevention of Major Industrial Accidents;

Gravely concerned by the widespread diffusion of hazardous products and processes resulting in industrial practices which cause human, social and environmental destruction, threatening in particular the habitat, life, economy, society and culture of indigenous peoples;

Deeply concerned by the frequency of small-scale but harmful hazardous events, as well as the magnitude and nature of major industrial accidents, including the incidents in Seveso, Chernobyl, Bhopal, Basel and elsewhere;

Concerned by the ineffectual national and international system of hazard prevention, post-disaster relief, medical and legal assistance and legal accountability which in their current forms have failed both to adequately prevent occupational and environmental hazards and to bring to account those responsible for world-wide deaths and injuries;

Noting that urgent action is needed to prevent future degradation to human life, animal life and the environment, and to adequately remedy the harms caused by industrial hazards;

Recognising that the personal experience and repeated demands of community members and workers affected by hazards provide the most sound basis for the enunciation of rights;

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Cognizant of the inherent limitations of national and international law, as well as the vital role of community organisations and people's movements in preventing and ameliorating industrial hazards;

Convinced that new national and international systems of prevention, relief and legal accountability must be formulated and established;

Declares the following:

Part I

Rights of General Application

Article 1:

Non-discrimination

1. Everyone is entitled to all the rights and freedoms set forth in this Charter without distinction of any kind, such as race, colour, sex, language, religion nationality, political opinion or affiliation, ethnic or social origin, disability, age, property, sexual orientation, birth, income, caste or any other status.
2. On account of the particular discrimination faced by women, both as waged and unwaged workers, attention should be given to the specific application of the rights stated below where women may be affected.
3. On account of their vulnerability and exploitation in the labour market, special protection should be accorded to children exposed to industrial hazards.
4. On account of the connection between low wages and hazardous working environments and the disproportionate impact of industrial hazards on racial and ethnic minorities, special protection should be afforded low-income groups and all minorities.

Article 2:

Relation to Other Rights

The rights in this charter and other human rights, including civil, political, economic, social and cultural rights, are universal, interdependent and indivisible. In particular, freedom from hazards, including the right to refuse hazardous employment and the right to organise against hazards, depends upon the full implementation of social and economic rights, including the rights to education, health and an adequate standard of living.

Article 3:

Right to Accountability

All persons have the right to hold accountable any individual, company or government agency for actions resulting in industrial hazards. In particular, parent companies, including transnational corporations, shall be liable for the actions of their subsidiaries.

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Article 4:

Right to Organise

1. All community members and workers have the right to organise with other local communities and workers for the purpose of seeking to ensure a working environment free from hazard.
2. In particular, the right to organise includes:
 - (a) the freedoms of expression, association and peaceful assembly;
 - (b) the right to form local, national and international organisations;
 - (c) the right to campaign, lobby, educate and exchange information;
 - (d) the right to form trade unions;
 - (e) the right to strike or take other forms of industrial action.

Article 5:

Right to Appropriate Health Care

1. All persons have the right to appropriate health care.
2. In particular, the right to appropriate health care includes:
 - (a) the right of individuals and groups to participate in the planning and implementation of health care;
 - (b) the right of equal access of individuals and families to health care the community can afford;
 - (c) the right to relevant health care services, including where appropriate access to hospitals, neighbourhood clinics, specialist clinics, as well as the services of general practitioners, other medical professionals and health care workers drawn from the affected community;
 - (d) the right to independent information on the relevance and reliability of health care services and treatments including allopathic, homeopathic, nutritional, physiotherapeutic, psychotherapeutic, indigenous and other approaches;
 - (e) the right to health care systems which recognise and take account of the different ways in which hazards affect women, men and children;
 - (f) the right to health education;
 - (g) the development of national, regional and international networks to facilitate sharing of information and experience.

Article 6:

Right of Refusal

1. All communities have the right to refuse the introduction, expansion or continuation of hazardous activities in their living environment.

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2. All workers have the right to refuse to work in a hazardous working environment without fear of retaliatory action by the employer.
3. The right to reject inappropriate legal, medical or scientific advice shall not be infringed.

Article 7:

Permanent Sovereignty Over Living Environments

1. Each state retains the right of permanent sovereignty over the living environments within its national jurisdiction. No state shall exercise this right so as to injure the health or living environments of its people, nor to cause damage to the environment of other states or of areas beyond the limits of national jurisdiction.
2. Each state has the right and the obligation to regulate and exercise authority over hazardous and potentially hazardous enterprises in conformity with the interests and well-being of its people and their environment.
3. No state shall be:
 - (a) refused external finance or assistance on the grounds of its refusal to import or establish hazardous products or processes;
 - (b) compelled to grant preferential treatment to foreign investments;
 - (c) made subject to external threats or coercive measures, whether military, diplomatic, social or economic, intended to affect regulations or policies regarding hazardous production;
4. Transnational corporations and multi-national enterprises shall not intervene in the internal affairs of a host state.
4. Transnational corporations and multinationals may not interfere in the internal affairs of the host country itself.

Part II

Community

Article 8:

Right to Living Environment Free from Hazards

1. All persons have the right to a living environment free from hazards. In particular, this right applies where hazards arise from:
 - (a) the manufacture, sale, transport, distribution, use and disposal of hazardous materials;
 - (b) any military or weapons application, regardless of national security.
2. Any person has the right to raise a bona fide complaint to the owner or occupier of an economic enterprise regarding activities of the enterprise which he or she believes are hazardous to the living environment.

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3. Any person living in an environment from which it is impossible to eliminate a hazard shall have the right to protective safety systems necessary to eliminate any such hazard as far as possible. The owners or occupiers of the concerned hazardous enterprise may not refuse to provide the most effective systems available on the grounds of cost or inconvenience.

Article 9:

Right to Environmental Information

1. All persons have the right to be given reasonable notice of any proposal to establish, expand or modify a hazardous industry in such location or in such a manner as may put at risk public health or the living environment. To achieve the full realization of this right, the following steps shall be taken:
 - (a) All states shall ensure that communities, individuals and non-governmental organisations have the right of access to full information regarding the proposal. This right shall be effective well in advance of official authorization and shall not be abridged by claims of commercial secrecy.
 - (b) All states shall ensure that prior to official approval of any hazardous enterprise, independent and thorough assessments of the impact upon the environment and public health be conducted in consultation with the community. The methods and conclusions of such impact assessments shall be made available for public debate.
2. All persons have the right to be informed, in their own language and in a manner which they are able to comprehend, of any possible hazards or risks associated with any product or process used by any enterprise with which they may come into contact.
3. All persons have the right to be informed of the safety record of any economic enterprises whose manufacturing or industrial processes could affect their living environment, including the number of accidents, the types of accidents that have occurred, the extent of injuries resulting from such accidents and any possible long-term adverse health effects.
4. All persons have the right to be informed of types and quantities of hazardous substances used and stored at the facility and emitted from the facility and contained in any final products. In particular, the right to information includes the right to regular toxic release inventories where appropriate. All persons living in the neighbourhood of hazardous facilities have the right to inspection of factory premises and to physical verification of hazardous substances and processes.
5. All persons who live in environments in which they may come into contact with materials or processes that are known to be seriously hazardous, and which emanate from the activities of an economic enterprise, have the right to be examined regularly by an independent medical expert provided by the owner or occupier of the enterprise.

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Article 10:

Right to Community Participation

1. All persons have the right to participate in planning and decision-making processes affecting their living environment.
2. All persons have the right to planning and decision-making proceedings which are:
 - (a) public and open;
 - (b) accessible to all in timing and location;
 - (c) widely advertised in advance;
 - (d) not restricted by literacy, language or format of contributions.
3. All persons have the right to express their concerns and objections relating to hazards associated with establishing, modifying or expanding any economic enterprise.
4. All persons have the right to participate in the design and execution of on-going studies to determine the nature of any hazards to the living environment resulting from an economic enterprise.

Article 11:

Right to Environmental Monitoring

1. All persons have the right to regular and effective monitoring of their health and the living environment for possible immediate and long-term effects caused by hazardous or potentially hazardous economic enterprise.
2. All persons have the right to be consulted on the frequency, character and objectives of environmental monitoring. The right to organise nonprofessional monitoring strategies, such as lay epidemiology, shall be protected. The rights of women, whose experience in providing health care may reveal otherwise unidentified consequences of hazards, are particularly affirmed.
3. Any person, who bona fide believes that his or her community environment is endangered by the actions of any economic enterprise, has the right to an immediate and thorough investigation, to be carried out by an independent agency at no cost to the person acting bona fide.

Article 12:

Right to Community Education

1. All persons have the right to the effective dissemination of information regarding hazards in the community. This right extends to instruction based upon the best available information and standards, drawn from both national and international sources.
2. States shall take effective steps to provide for:
 - (a) clear and systematic labeling of hazardous substances;

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(b) appropriate education of the community, including children, on hazardous products and processes;

(c) training of police, medical professionals and other service providers on hazardous products and processes.

Article 13:

Right to Community Emergency Preparedness Procedure

1. All persons have the right to an appropriate emergency preparedness procedure. Such procedure shall include warning systems for impending dangers and systems for immediate relief efforts.
2. All states shall take steps to provide communities with adequate emergency services, including the provision of police, fire fighting, medical and paramedical facilities and disaster management services,

Article 14:

Right to Enforcement of Environmental Laws

1. All persons have the right to have their local environment adequately and frequently inspected by a trained environmental inspector who will rigorously enforce the law and take punitive legal action when serious breaches have taken place.
2. All persons have the right to environmental management legislation in compliance with the precautionary principle, so that where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason to postpone cost-effective measures to prevent hazards and environmental degradation.

Article 15:

Rights of Indigenous Peoples

1. Indigenous peoples have the right to protect their habitat, economy, society and culture from industrial hazards and environmentally destructive practices by economic enterprises.
2. Indigenous peoples have the right to control over their land and to resource management of their land, which includes the right to assess potential environmental impacts and the right to refuse to allow environmentally destructive or hazardous industries to be set up on their land.

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Part III

Rights of Workers

Article 16:

Specific Rights of Workers

In addition to their rights as members of the community, workers have specific rights applicable to their working environments.

Article 17:

Right to Working Environment Free from Hazards

1. All workers, both waged and unwaged, have the right to a working environment free from any existing or potential hazard arising directly or indirectly from the activities of any economic enterprise in particular from manufacturing or other industrial processes.
2. Any worker has the right to raise bona fide complaints to the employer or any outside parties regarding conditions or practices in the working environment that he or she believes are harmful or hazardous without fear of retaliatory action or other discriminatory action by the employer.
3. Any individual working in an environment from which it is impossible to eliminate any hazard, shall have the right to have provided, fitted free of charge and maintained in fully effective order, protective safety devices, including personal protective equipment necessary to eliminate any such hazard as far as is possible. Employers may not refuse to provide the most effective equipment available on the grounds of cost or inconvenience.
4. All workers have the right to safe systems of work. All employers have the duty to devise, provide, maintain and regularly update safe systems of work based on the best available information at all times.
5. No worker shall be subjected to exposure to a chemical, product or process when a less hazardous one could be substituted.
6. Governments and employers are responsible for ensuring hazard-free working environments. The inaction by either employer or government shall not be an adequate excuse for a derogation of duty by the other.

Article 18:

Right to Health and Safety Information

1. All workers have the right to be given reasonable notice of any proposed changes to their working environments which may pose a threat to worker health and safety.

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2. All workers have the right to be informed in their own language, and in a manner they are able to comprehend, of any known health hazard associated with any substance, material or process with which they come into contact during the course of their employment.
3. All workers have the right to be informed of the safety record of the work environment in which they are employed, including the number and type of accidents that have occurred, the extent of the injuries resulting therefrom and any known long-term adverse health risks that result from the substances, materials and processes used by the employer. Workers have the right to be regularly informed of the safety records of any economic enterprise affiliated by common ownership to the economic enterprise in which they work, and which uses any similar substance, material or process to that used in their work environment.
4. All workers employed in hazardous work environments have the right to be examined by an independent medical expert provided by the employer at the commencement of employment, and thereafter at periodic intervals defined on the basis of the most conservative estimate of potential risks, but in any case not exceeding one year and to be furnished with the resulting medical information.

Article 19:

Right to Worker Participation

1. All workers have the right to participate effectively in management decision-making affecting health and safety.
2. All workers have the right to elect safety representatives. Such representatives have the right to participate in joint committees, composed of worker and management representatives in equal number, which meet regularly to address health and safety matters.
3. All workers have the right to participate in the design and execution of ongoing health and safety studies in their working environments to determine the nature of any risks to health and safety.
4. All workers have the right to establish and associate with community hazards centres and information networks. Governments and employers have a responsibility to support such organisations and programmes.

Article 20:

Right to Health and Safety Monitoring

1. All workers have the right to a work environment that is regularly and effectively monitored for possible harmful effects to the health and safety of the workers employed therein.
2. Notwithstanding the duty of employers to monitor working environments, the right of workers to seek independent or worker-based monitoring shall not be infringed. This right includes the right to regular monitoring for possible adverse, long-term effects which may result from contact with the substances, materials or processes used in the working environment.

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3. Any worker who bona fide believes that his or her health and safety is being or will be endangered by any substance, material or process used in the work environment has the right to an immediate and thorough investigation, to be carried out by the employer, an independent agency or by other means, at no cost to the worker.

Article 21:

Right to Instruction and Practical Training

1. All workers in contact with hazardous or potentially hazardous substances, materials or processes have the right to ongoing instruction and practical training regarding management of the hazard. The right to instruction and practical training based on the best available information, drawn from both national and international sources, is affirmed.
2. All workers and supervisors have the right to know and be fully instructed about the proper use and handling of any hazardous materials, the proper execution of any processes, the precautions necessary to protect health, safety and the living environment, and any procedures which should be followed in the event of an emergency.

Article 22:

Right to Workplace Emergency Preparedness Procedure

1. All workers have the right to an emergency preparedness procedure appropriate for the conditions or practices in their work environment which shall include warning systems for impending dangers and systems for immediate relief efforts, with full scale emergency preparedness rehearsals and desk top exercises to be held frequently.
2. Emergency preparedness procedures shall take account of the particular needs of individual workers, including those with visual, hearing or mobility impairments.
3. All workers have the right to adequate emergency services, including police, fire fighting, medical and paramedical facilities and disaster management.

Article 23:

Right to Enforcement of Health and Safety Laws

1. All workers have the right to have their work environments adequately and frequently inspected by a trained health and safety inspector who will rigorously enforce the law and take punitive legal action when serious breaches have occurred.
2. All workers have the right to adequate planning control legislation in compliance with the precautionary principle, so that where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason to postpone cost-effective measures to prevent hazards and environmental degradation.

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Part IV

Common Rights to Relief

Article 24: Right to Relief and Compensation

1. All persons injured or otherwise detrimentally affected by any hazardous economic activity have the right to swift comprehensive and effective relief. This right applies to all persons affected by hazards or potential hazards including persons not yet born at the time of injury or exposure, and those injured, bereaved or economically and socially disadvantaged, whether affected directly or indirectly.
2. This right includes the right to fair and adequate monetary compensation, paid to cover all costs associated with hazardous or potentially hazardous activities, including the costs of:
 - (a) drugs, tests, therapies, hospitalisation and other medical treatments;
 - (b) travel and other incidental costs;
 - (c) lost wages, bridging loans and other pecuniary loss;
 - (d) redundancy and unemployment in the case of plant shutdown;
 - (e) additional unwaged work including health care, born by family and community;
 - (f) any purchase, measure or lost opportunity caused directly or indirectly by hazardous processes or products;
 - (g) environmental rehabilitation.
3. All persons affected by hazards have the right to effective and innovative policies to reduce, abate or compensate for hazardous activities. To achieve the realization of this right, the steps taken by states and businesses shall include:
 - (a) plant shutdown;
 - (b) pollution abatements or cessation;
 - (c) guarantee by liable defendants to keep assets unencumbered;
 - (d) forced liquidation of the assets of a corporation whose liability is equal to or greater than its measurable assets;
 - (e) placement of corporate assets in annuity funds controlled by the persons affected or their representatives for the interests of persons affected;
 - (f) fair and adequate compensation for the costs of the medical monitoring of symptoms;
 - (g) other remedies that may be deemed to be necessary for the benefits of persons affected.
4. Funds shall be established adequately to satisfy the claims for the persons affected and of those affected in future.

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Article 25: Right to Immediate Interim Relief

1. All persons adversely affected by any hazardous economic activity have the right to immediate and adequate interim relief to alleviate their injuries and suffering during the time that liability and compensatory damages are being determined. States shall ensure that all hazardous or potentially hazardous enterprises provide financial resources, through insurance or other means, adequate to cover potential interim relief costs.
2. Where an economic enterprise fails to provide interim relief, it shall be the duty of the state to do so. Interim relief so provided will not be set-off against any final compensation allowed by the court.

Article 26: Right to Medical Information

All persons immediately or subsequently affected by hazardous activities, including persons unborn at the time of the exposure to hazard, have the right to obtain relevant documents pertaining to injuries, including medical records, test results and other information.

This right may be exercised at the earliest opportunity and may not be made subject to delay or non-compliance by either government or industry. Such disclosure shall not be made in a manner so as to prejudice the affected person's right of access to any service, insurance, employment or any social or welfare opportunities.

Article 27: Right to Professional Services

1. All persons adversely affected by hazardous activity have the right of access to effective professional services, including the services of lawyers, journalists, scientific experts and medical professionals.
2. Where questions of a scientific or medical nature are in dispute, all affected persons, or their representatives, have the right to genuinely independent advice, free from fear or favour. The right to seek independent or multiple advice is affirmed.
3. Professionals and experts shall refrain from:
 - (a) giving advice on the basis of inadequate information or expertise;
 - (b) obstructing the efforts of workers and communities to seek information, conduct research or gather data through lay epidemiology or other means;
 - (c) acting in concert against the interests of workers and communities.
4. All professionals having control of any information concerning the health of any injured or hazard-affected person shall have a primary duty of care towards the well being of that person. This duty shall at all times take precedence over any allegiance to any third party, including any government, professional organisation or commercial enterprise.

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Article 28:

Right to Effective Legal Representation

1. All persons adversely affected by hazardous activities shall have the right to employ Independent legal counsel.
2. All states shall provide free legal representation and legal assistance by an independent legal expert, in any case where the interests of justice so require.
3. In the determination of any suit, the persons affected shall be entitled to consolidate the claims under:
 - (a) the auspices of a workers' or community organisation; or
 - (b) class action laws in which the rights of any persons affected are determined in one action.
4. All persons bringing or attempting to bring legal action have the right to inspect any relevant legal files held by their legal representative.

Article 29:

Right to Choice of Forum

1. All persons adversely affected by hazardous activities have the right to bring law suit in the forum of their choice against alleged wrongdoers, including individuals, governments, corporations or other organisations. No state shall discriminate against such persons on the basis of nationality or domicile.
2. All states shall ensure that in the specific case of any legal claims arising from the effects of hazardous activities, any legal rule otherwise impeding the pursuit of such claims, including legislative measures and judicial doctrines, shall not prevent affected persons from bringing suit for full and effective remedies. In particular, states shall review and remove where necessary, legal restrictions relating to inconvenient forum, statutory limitations, limited liability of parent corporations, enforcement of foreign money judgments and excessive fees for civil suits.

Article 30: Right to Pre-trial Documentation

All persons adversely affected by a hazardous activity and their representatives, have the right to seek and receive relevant documents, records or other information for submission in court or other independent tribunal or forum, for establishing individual, corporate, organisational or governmental liability during litigation.

Article 31: Right to Fair Procedure

All persons adversely affected by hazardous activities shall have the right to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Included in this right is the right to the due process of law, including;

- (a) the right to opt out of class actions;

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- (b) the right to a reasonable notice and communication before an out-of-court settlement in a civil suit is reached;
- (c) the right to bring lawsuit notwithstanding the period of limitation set by administrative, legislative or judicial or any other means.

Article 32:

Right to Freedom from Fraud and Delay

All persons adversely by hazardous activities shall have the right to be protected against fraud by corporations, government or other organisations. Also prohibited is intentional delay or obstruction of the legal process, including:

- (a) declaration of bankruptcy;
- (b) abuse of the legal process to prolong adjudication;
- (c) fabrication of evidence.

Article 33:

Right to Enforcement of Judgments or Settlements

All persons adversely affected by hazardous activities and their representatives, shall have the right to enforce any judgment or settlement against the assets of the liable or settling party in any other countries and it shall be the duty of each state to provide under domestic law such comprehensive instruments as assist any of its citizens so affected.

Article 34:

Right to Shift the Burden of Proof

1. Where there is prima facie evidence that death or injury was caused by an industrial hazard, the hazardous economic enterprise has the burden of proving that it was not negligent.
2. No person adversely affected by hazardous activity shall be subjected to excessive documentation requirements or strict standards of proof in establishing that the hazardous activity caused their illness or symptoms. The link between hazards and illness shall be presumed if the affected persons establish
 - (a) they suffer from symptoms commonly associated with any harmful substance, or any component thereof, which contaminated the environment; and
 - (b) either
 - (i) they were present within the geographical area of contamination during the period of contamination; or
 - (ii) they belong to a group of persons commonly identified as secondary victims, including the siblings, partners, children or close associates of the original victims of the hazard.

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Article 35:

Right to Corporate or State Criminal Accountability

1. All persons, who have suffered injury or death from industrial hazards, have the right to a full criminal investigation into the conduct of the economic enterprise, any concerned government officials and any other concerned individual or organisation. The investigation shall be both immediate and rigorous and shall include an assessment of whether potential criminal offenses, including homicide or manslaughter, have been committed. Where sufficient evidence exists prosecution shall be pursued promptly and vigorously.
2. Where criminal liability of a company and or individual is proved, such fines and or prison sentencing are to be imposed as to have a punitive, exemplary and deterrent effect.

Article 36:

Right to Secure Extradition

Where a person accused of a criminal offense in connection with hazardous activities resides or is located in a state other than that in which the trial is being or will be conducted, the right to demand and secure the extradition of the accused to the trial state is hereby affirmed.

Part V

Implementation

Article 37:

Corresponding Duties

All persons, individually and in association with others, have a duty to protect the rights set out in this Charter. Employers and government officers are under a strict duty of care in vigilant application of the rights. Special responsibility for the realization of the provisions of this Charter lie with trade unions, community groups and non-governmental organisations.

Article 38:

State Responsibilities

All states shall respect and protect the rights of workers and communities to live free from industrial hazards. Accordingly, they shall adopt legislative, administrative and other measures necessary to implement the rights contained in this Charter.

Article 39:

Non-State Action

The absence of state action to protect and enforce the rights set out in this Charter does not extinguish the duties of employers, trade unions, non-governmental organisations and individuals to protect and assert these rights.

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Hall of Fame / Hall of Shame

The international ethecon awards

Both International ethecon Awards are given only to persons and not to institutions in order to counteract the anonymisation of decisions which has been increasingly and systematically practised in the realm of social processes. In both the positive and negative ways it is always humans who bear responsibility. Especially when it comes to negative developments, the responsible love to hide behind the facade of some institution, to blame (alleged) "practical constraints" and "(unavoidable) inherent necessities" for (forcing) their decision.

Both International ethecon Awards have been assigned since 2006. Each year, in spring, an international call is sent out to up to 10,000 organisations and people all over the globe, in which ethecon - foundation for ethics and economy - asks for submission of proposals for the recipients of the two awards. From all the proposals received the prize-winners are then determined in a well-defined procedure.

ethecon's international Blue Planet Award is presented within (the framework of) a festive celebration and handed over to the award winner, who is invited and usually (if possible) present in person or takes part in the ceremony.

ethecon's international Black Planet Award is accorded in the same ceremonial act, but handed over at a later point in time. For this purpose, shareholders' meetings, corporate headquarters or the residences of those vilified are paid a visit; always accompanied by public protests by international social movements and wide-ranging media work. It is quite symptomatic that until now not a single one of those vilified by the International ethecon Black Planet Award has accepted the prize in person and publicly faced the critique.

Internationaler ethecon Blue Planet Award

Hall of Fame

2018

Mary Ann Wright (human rights and peace activist/ USA)

2017

Hanna Poddig (environmentalist and peace activist / Germany)

2016

Huberto Juárez Núñez (activist of the trade union and workers movement / Mexico)

2014/2015

Tomo Križnar (human rights and peace activist / Slovenia)

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2013

Esther Bejarano (survivor of the fascist extermination camp Auschwitz, musician
anti-fascist and peace activist / Germany)

2012

Jean Ziegler (anti-globalisation activist / Switzerland)

2011

Angela Davis (civil and human rights activist / USA)

2010

Elias Bierdel (refugee- and human rights activist / Austria)

2009

Uri Avnery (peace and human rights activist / Israel)

2008

José Abreu (engineer / Venezuela) and Hugo Chavez (revolutionary / Venezuela) – under the name of
"El Sistema" they set up a worldwide unique and widely publicized program against poverty, drugs,
social negligence and crime that guarantees every child in Venezuela the right to learn
to play a musical instrument

2007

Vandana Shiva (peace and environmental activist / India)

2006

Diane Wilson (environmental and peace activist / USA)

Internationaler ethecon Black Planet Award**Hall of Shame****2018**

Herbert Diess (Chairman of the Administrative Board and CEO), Hans Dieter Pötsch (Chairman of the
Supervisory board) as well as the major shareholders Wolfgang Porsche (PORSCHE HOLDING SE) and
Stephan Weil (prime minister of lower saxony) of the world's largest carmaker VOLKSWAGEN (Ger-
many)

2017

Armin Papperger (Chairman of the Administrative Board and CEO), Ulrich Grillo (Chairman of the Su-
pervisory Board) as well as the major shareholders Larry Fink (BLACKROCK) and Paul Manduca of
arms manufacturer RHEINMETALL (Germany)

2016

Muhtar Kent (Chairman of the Board and CEO), James Quincy (President and COO) as well as Warren
Buffett and Herbert A. Allen (major shareholders) of the beverage corporation COCA COLA (USA)

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2014/2015

Andrew N. Liveris (CEO) and James M. Ringler (member of board) as well as the major shareholders of the chemical group DOW CHEMICAL (USA)

2013

Anshu Jain and Jürgen Fitschen (CEOs) as well as the major shareholders of the finance company DEUTSCHE BANK (Germany)

2012

Ivan Glasenberg (CEO), Simon Murray (Chairman), Tony Hayward (Senior Independent Non-Executive Director; Environment, Health and Safety Committee) and major shareholders of the commodity trading company DEUTSCHE BANK (Germany)

2011

Tsunehisa Katsumata (chairman), Masataka Shimizu (former president), Toshio Nishizawa (president) and other accountable executives and major shareholders of the energy company TEPCO (Tokyo Electric Power Company / Japan)

2010

Tony Hayward (CEO), Bob Dudley (CEO-designate), Carl-Henric Svanberg (chairman of the board) and major shareholders of the oil- and energy company BP (Great Britain)

2009

Owner family Wang and Lee Chih-tsuen (CEO) of the chemical, genetic engineering and electronics company FORMOSA PLASTICS GROUP (Taiwan)

2008

Erik Prince (owner) , Gary Jackson (president) and Chris Bertelli (spokesman) and other accountable executives of the service provider for the military BLACKWATER (for reasons of public reputation re-named to Xe Services LLC) / (USA)⁷³

2007

Peter Brabeck-Letmathe (CEO) and Liliane Bettencourt (major shareholder) and other responsible managers and major shareholders of the food and GE-company NESTLÉ (Switzerland)

2006

Shareholders and the management of the agriculture, genetic engineering company and producer of chemical warfare agents MONSANTO (USA)

⁷³ After negative headlines in 2008 the company changed its name to XE. Since then, it has changed its name several times.



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Act now!

The ethecon Foundation

Our blue planet is in serious danger. This is no longer denied, not even by politics and science.

But the underlying cause continues to be ignored: the greed for profit connected with the worldwide dominant economic system.

This profit-based system is responsible for injustice, exploitation and ecological destruction. The lust for profit is becoming more and more the sole motivational force in our society and in our management of the environment. The devastating consequences of this development may no longer be overlooked: massive unemployment, the breakdown of the health-, education- and social security systems, destitution, poverty and homelessness, egoism, crime and ruthlessness, weapons production and war, climate change and the collapse of ecological systems.

A different world, a just world, may only be achieved through the development and the implementation of ecologically-sound and humane economic and social models not based on profit maximization. To reach this goal, we must start at the roots, that is, within the competing interests of ethics and economics. We must stand up against those who profit from the globalization process and social decay. For the good of ecology and society, the primacy of ethical principles over economics must be asserted. The rescue of our planet will only be possible when the supremacy of the profit principle is replaced by an economic system based on ethical principles.

The transformation of our society in the direction of a just and fair social system with an intact environment and the overcoming of the profit principle cannot be achieved overnight. This requires perseverance and endurance. In order to achieve this necessary change, broad social movements must be established and fragmented forces united. However, good ideas and voluntary commitment alone are not enough. They must be backed by sufficient financial means.

This is where "ethecon - Foundation Ethics & Economics" comes in. Whereas other groups and organizations – in a historical context – are active for a short time only, ethecon follows the insight, that successful work for the implementation of ethical principles in the interest of ecology and society must be designed to operate on a long-term basis, continuing past the current generation. The legal form as a foundation was deliberately chosen in order to ensure the necessary on-going financial basis for the securing and defence of the principle of solidarity as opposed to the principle of profit.

In order to bequeath future generations with a strong foundation, ethecon needs further endowment contributions, donations and sustaining members. Founded in 2004, the foundation was able to in-



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crease its initial capital of 85,000 Euros fourfold through the aid of subsequent endowment contributions (the latest figures may be found in the foundation's brochure "For a World without Exploitation and Oppression" or on <http://www.ethecon.org>).

ethecon seeks people who, in light of the current devastating ecological and social developments, wish to use their financial resources in a responsible way. Many people want not only to talk about a just world, but to find ways to realize it, always with the goal of a sound environment, peace and humane working conditions for coming generations.

Act now

Here is where you can help. If you agree that the prevailing profit-defined conditions must be opposed on a long-range basis, beyond the current generation, then please support ethecon – Foundation Ethics & Economy. If an endowment contribution (from 5.000 Euros) is not possible, your donation or, even better, your sustaining membership (from 60 Euros per year) would be greatly appreciated. It is now possible to make an endowment contribution over a longer period of time, with monthly payments starting at 20 Euros.

All contributions are tax-deductible (national laws may differ on this point). In Germany, the tax-exemption limit is much higher than for regular donations and also more advantageous than for donations to political parties.

Please act now! ethecon needs you, as an endowment contributor, donor or sustaining member.

You may reach ethecon Foundation Ethics & Economy on the internet at www.ethecon.org or here:

Axel Köhler-Schnura (Board of directors)

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