

Salahudin Yaacub
Roundtable on Sustainable Palm Oil
Bangsar
Kuala Lumpur
Malaysia
October 1st, 2012

Mr. Salahudin

We extend to you our esteemed compliments and kindly bring to your attention that we are members of the indigenous Butaw Kru tribes as well as inhabitants from several local communities within the proposed Golden Veroleum 220,000 ha oil palm concession in Liberia representing several chiefs, elders, women and the youth from those communities.

Specifically, we are local inhabitants of towns and villages identified with in the proposed Golden Veroleum project, which according to the Environmental and Social Impact Assessment (ESIA) covers about Thirty three thousand Hectares (33,000 ha) of land located in Greenville, Butaw, & Kpanyan Districts of Sinoe County, Republic of Liberia and encompassing several towns & villages, including: Plusunnie, Pynes Town, Kilo Town, Dejila, Solo Village, Bukrah, Saklahoh, Bloh,Pluoh,Farley town, Soweh, Jaryenneh, Tuoh, Teah Town, Klay Tow,Butaw Compound, Otis Village,

Mr. Salahudin we have researched and found out that Golden Veroleum is a member of the Roundtable on Sustainable Palm Oil (RSPO), with registration number TIN 426669005, membership number 1-0102-11-000-00 and membership approved since August 29th 2011 which requires members to adhere, comply with and implement the RSPO standards and procedures. We understand that some of those standards and procedures include rights of local communities to their customary land and their right to give or withhold their Free Prior informed consent to proposed developments on their land.

We have researched and found out that under the RSPO New Planting procedures, new oil palm plantings from 1st January 2010 are to be in accordance with the RSPO Procedures for New Plantings (NPP) which requires Public notification.

Said procedures requires that Golden Veroleum “ Conduct a comprehensive and participatory independent social and environmental impact assessment(s) of the area concerned and incorporate the results into relevant action plans (see RSPO criteria 5.1, 6.1, 7.1 & 7.4). The assessment(s) must include the identification of: (a) all primary forest, (b) any area required to maintain or enhance one or more High Conservation Values (HCVs), (c) all areas of peat soils and (d) local peoples’ land.

We are also aware that Golden Veroleum is under obligations to integrate and incorporate the results from the SEIA and HCV assessments into the planning and management for the new plantings and related development that this must be based upon the (a) free, prior and informed consent of any local peoples whose lands are affected (see RSPO criteria 2.2, 2.3, 6.4, 7.5, 7.6), (b) provides for the maintenance or enhancement of all identified HCVs (see RSPO criteria 5.2 & 7.3) (c) excludes all identified primary forests from clearance (see RSPO criterion 7.3)

Finally Mr. Salahudin, Golden Veroleum is under obligation to provide public notification for a minimum of 30 days prior to land preparation (including associated development), after Free Prior Informed Consent (FPIC) has started and Strategic Environmental Impact Assessment (SEIA) and HCV assessments are completed.

Such obligations also require and mandate that a summary of the assessment, a summary of the plan and the verification statement, shall be posted on the RSPO website for a period of 30 days.

Under the RSPO New planting procedures “Grower shall not commence any land preparation, any new planting or infrastructure development, prior to the expiry of the minimum 30-day period.”

We have visited the RSPO website including the New Planting Procedures webpage as well as Golden Veroleum’s own website and have not seen any public notification of a summary of the assessment, a summary of the plan and the verification statement posted including a request for comments with in the period of the 30 days as required by the NPP. The last visit to the RSPO website prior to the submission of these complaints was on September 30th 2012.

Mr. Salahudin through this medium we write to formally complain and bring to your attention that Golden Veroleum is currently engaged in active land clearing, infrastructure development, planting of new oil palm including the massive establishment of an oil palm nursery on our customary land without our free prior informed consent as well as violating the RSPO New planting procedures which requires Golden Veroleum to provide public notification for a minimum of 30 days prior to land preparation and clearing.

Golden Veroleum is also in violations of the NPP because as a registered grower whose membership was approved since August 29th 2011 which requires members to adhere, comply with and implement the RSPO standards and procedures, Golden Veroleum has commenced land preparation, planting of new oil palm, nursery establishment and infrastructure development without providing public notification for a minimum of 30 days prior to land preparation and clearing. Under the RSPO New planting procedures ***“Grower shall not commence any land preparation, any new planting or infrastructure development, prior to the expiry of the minimum 30-day period.”***

Mr. Salahudin in addition to not providing public notification consistent with the New Planting Procedures, we write to formally complain and bring to your attention that Golden Veroleum is currently forcefully taken away our customary land and facilitating our forceful eviction and without our free prior informed consent and in violations of both the RSPO Principles and Criteria and the RSPO New planting procedures.

In instances and occasions where some of our people have made inquiries and requested that Golden Veroleum, consult more directly with us and our local community leaders and obtain our Free Prior Informed Consent prior to proceeding with their planting and clearing operations, Golden Veroleum has usually referred those community members and some of our leaders to the local Government authorities who have used threats, intimidation, harassments and threat of arrest and detention to forcefully take away our customary lands, crops and farmlands without our Free Prior Informed consent.

In a very specific incidence of threats, intimidation, harassments and illegal detention and arrest supported and facilitated by Golden Veroleum, on August 16th 2012 around 18 hours GMT, a Golden Veroleum 4X4 pickup truck assigned to

Vigy Ponnudurai , Golden Veroleum Senior Vice President for Operations and driven by a driver named Abu entered one of our local communities carrying three police officer who without any writ from a judge entered the home of a community leader Mark Pattern and illegally arrested and detained him.

Similarly on the 17th of August 2012, Benedict Manawah, another community leader who had raised concerns about the manner in which Golden Veroleum was forcefully grabbing their land, destroying crops and destroying drinking water sources was also illegally arrested and detained by the Police. In these two instances not a single charge was brought against these two community leaders and not a single writ of arrest authorized by a judge was presented to them.

Mr. Salahudin, we are living under constant fear of threats, harassments, and intimidation and arrest because we have refused permission for Golden Veroleum to take away our customary lands left to us by our ancestors. As a result we lived in constant fear and are worried about our safety and security. This month after we organized ourselves to engage with Golden Veroleum the local authorities and the Government of Liberia on the operation of Golden Veroleum on our land, our Co-Chairman, Teah Dormah, who had travelled to Monrovia ,the Capital City of Liberia, along with other community leaders, , youth, Chiefs, elders and women groups , to inform the relevant Government authorities and the People of Liberia about the impact of the Golden Veroleum land clearing and planting operation, was illegally arrested and detained upon his return home to Butaw, Sinoe County. He was imprisoned for more than five days without charges and without being given any opportunity to obtain bail and secure his freedom and liberty.

Furthermore, Chief Teah Bloh, Town chief for Butaw compound town who travelled with other community leaders, youth representatives, Chiefs, elders and women representatives to Monrovia to inform the relevant Government authorities and the People of Liberia about the impact of the Golden Veroleum land clearing and planting operation was illegally suspended from his position as a Chief upon his return to his town by a local Government official who is the Commissioner.

Additionally, Golden Veroluem's land clearing and planting activities have led to the destruction of our crops and farm lands without adequate compensation. Instead a compensation scheme has been imposed upon us with threats,

intimidation, harassments and sometime illegal detention and arrest of our people by the police and the local government officials supported and facilitated by Golden Veroleum.

Furthermore Golden Veroleum's land clearing and planting operations have led to the damming of our creeks and streams, filling in of our swamps, destructions of grave sites and burial grounds, destruction and pollution of our drinking water sources and the forceful displacement of our people without adequate compensation

Mr. Salahudin, Golden Veroluem's land clearing, nursery establishment and planting of oil palm on our customary land is endangering our culture, custom traditions and jeopardizing our livelihood as a people. They are taking our land, destroying our crops without informing us and humiliating us by desecrating our sacred shrines including the burial grounds and the grave sites of our ancestors. We were not consulted, not by the government or by Golden Veroluem.

We have gathered evidence and are prepared to show you places where crops were destroyed, shrines were desecrated, villages uprooted and burial grounds and graves sites denigrated. We are also prepared to take you on a transect walk and field visit to verify sites and areas where crops have been destroyed by Golden Veroleum, spots where towns and villages have been swept-away to grow oil palm, sites where burial grounds ancestral graves sites and sacred sites were dishonoured using bull dozers.

In addition to the above, there are several sites where wetlands including rivers, marshlands, swamps, streams and creeks have been dammed or diverted and polluted. The swamps and several wetlands were a source of food, proteins through fishes, crabs, snails, crayfish, clams, and molluscs, palm wines, wild fruits, berries, palm oil.

The swamps were also a source of building and constructions materials through straws for roofing, clay, vines, twines, round poles and barks for structural building construction, as well as roots, barks, leaves, stems, flowers and stems for medicinal plants.

It was a fertile ground for growing vegetables and other food staples to complement our local food basket. All of these are no more. All of the swamps within our communities have been filled in to make way for oil palm. We barely

have fuel wood to cook our meal and some of our people now have to purchase charcoal for cooking our food.

What is even more horrendous is that Golden Veroleum has done little to improve alternative livelihood and living conditions for our people and our communities that have been affected by their operations.

We now pay more for locally produced fufu (pounded and fermented porridge from Cassava, Manioc), bush meat, palm wine (sap from indigenous palm use as beverages), palm thatch and round poles for constructions and palm oil.

Mr. Salahudin we have very strong evidence that Golden Veroluem is operating in violation of the RSPO Principles and Criteria and in violation of the RSPO's New Plantings Procedure by:

- 1) not providing public notification for a 30 day period consistent with the New Planting Procedures,
- 2) By commencing land preparation new planting and infrastructure development prior to the expiry of the minimum 30-day period
- 3) By not conducting a comprehensive and participatory independent social and environmental impact assessment(s) of the area concerned and incorporate the results into relevant action plans (see RSPO criteria 5.1, 6.1, 7.1 & 7.4) including the identification of: (a)all primary forest, (b) any area required to maintain or enhance one or more High Conservation Values (HCVs), and (d) local peoples' land.
- 4) Grabbing our lands without respecting our customary rights and without the free, prior and informed consent of the customary land owners as represented through representative organizations of their choice (P&C 2.2, 2.3, 7.5 and 7.6)
- 5) Forcibly evicting the people from their lands (7.5 and 7.6)
- 6) Clearing lands prior to the new plantings procedure (NPP).

Through this medium we request the RSPO Secretariat to urgently:

- a. inform Golden Veroleum about this complaint,
- b. requires Golden Veroleum to halt all land acquisition, land preparation and new planting operations in Liberia while the current situation is investigated and resolved,
- c. instigates a process to resolve the current land conflict in full compliance with the RSPO Principles and Criteria through a transparent and participatory process agreeable to the affected parties (2.2, 2.3, 6.4, 7.5 and 7.6)

We look forwards to confirmation that this complaint has been received and what actions the RSPO Secretariat will now undertake to address the concerns raised.

We believe this complaint, being both about a violation of the RSPO's New Plantings Procedure and a serious violation of the RSPO's Principles and Criteria should therefore activate both the NPP complaints and the grievance procedure simultaneously.

From our point of view the important thing is for the RSPO to require Golden Veroleum to immediately freeze its operations on our lands until our rights are respected and secured in line with the RSPO P&C.

Finally, through this medium, we seize this opportunity to inform you and have you put it on your official record that Green Advocates and Alfred Lahai Gbabai Brownell Esq; are our community advisors and legal Counsel respectively. Mr. Brownell contact details are:

Alfred Lahai Gbabai Brownell sr, ESQ
Green Advocates International
Crown Hill Cinema Building
Corner of Broad and Macdonald Street
Box 5643
Monrovia, Liberia
Email: alfredbrownell@gmail.com.
Tel: +231886444472

Respectfully Submitted:

Golden Veroleum Affected Communities in Sinoe County

Committee name A-BLOTEH (Butaw, Du-Wolee/Nyannue Township and Nimopoh, Kpanyan Districts)

Sinoe County

Republic of Liberia

NAME	Township/Location	Position	Contact Numbers	Signature
1. C. KOFA SEBEH	Du-WOLEE & NYANNUE TOWNSHIP - Kpanyan	CHAIRMAN	0776008753	
2. Abel B. Doe, Sr.	✓ ✓ ✓	SECRETARY	0886-647731	
3. Cecelia Sebeh	DUMNDICE ✓	Member	-	C. S.
4. Elijeh Teah	Kpanyan	Member	-	S. T.
5. Stephen B. Braume	Du-wolee Nyannue	Member	0880664452	
6. Roosevelt K. Deedo	Nimopoh County/Du	Advisor	0886266848	
7. NATHAN CLARKE	Du Wolee Nyannue	Financia Secretary	077048794	
8. Mark N. Patten	Town Butaw Dist	Member	0880816970	
9. Sola Wilkerson	Nimopoh County	Member	0886 284188	
10. RUDOLPH TEAH	CHEATOWN Butaw	member	0880651396	Rudolph Teah
11. SOVEN TEAH	SOWEAT Butaw	Treasure		
12. Twiah Taploh	Du-wolee ^{Township} Nyannue	Chaplain	0880546616	
13. C. Teah Doregah	Sanki/Butaw	Co-Chairman	0886636908	
14. Henry Jaryenah	Jaryenah ^(Butaw) Township	member		