

Salahudin Yaacub
Julia Malail
Roundtable on Sustainable Palm Oil
Bangsar
Kuala Lumpur
Malaysia
October 4th 2011

Dear Salahudin and Julia,

We write to inform you that we are members and inhabitants of the affected local communities including chiefs, elders, women and youth within the proposed Malaysian palm oil company, Sime Darby 220,000 ha oil palm concession in Liberia.

Specifically, we are local inhabitants of towns and villages which include a) Sije, b) Moore town, c) Kon town, d) Medina, e) Gayah Hill, f) Beafinie, g) Gbasomou, h) Dama, i) Bama, j) Gbar, k) Baaja, l) Claymontuah, m) Gobo, n) Zarmeyan, o) Vonzua, etc... identified by the Sime Darby Social and Environmental Impact Assessments (SEIA) and its ***Public Summary Report of New Planting Assessment, May 2011 reported on the RSPO website*** for the proposed 10,000 ha located in Bomi and Grand Cape Mount County where Sime Darby is currently engaged in active land clearing, destruction of our sacred sites, destruction of our crops, damming of our creeks and streams, filling in of our swamps, destructions of grave sites, destruction and pollution of our drinking water sources, forceful displacement of our people without adequate compensation, active planting and cultivation of oil palm including the massive establishment of an oil palm nursery without our free prior informed consent.

Additionally, we are local inhabitants of towns and villages which include: a) Marnivalor b) Mesila, c) Soe, d) Banford, e) Kornomah, f) Number 2, g) Mecca, h) Bacca, i) Massatine, j) Gbenii, k) Seimi, l) Didior, m) Dangatee, n) Burphy, o) Sambola, p) Geedah, q) Mbalikou, r) Thomas Camp, s) Goodrich, etc... identified by the Sime Darby Social and Environmental Impact Assessments (SEIA) and its ***Public Summary Report of New Planting Assessment, July 2011 reported on the RSPO website*** for the proposed 15,000 ha located in Garwula and Gola Konneh Districts Grand Cape Mount County where Sime Darby is planning to expand its oil palm operation

Salahudin and Julia, we have been informed by local Liberian civil society organizations that Sime Darby is a member of the Roundtable on Sustainable Palm Oil (RSPO), which requires members to observe 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 Free Prior informed consent to developments on their land.

Salahudin and Julia, if you took a closer look at Sime Darby Environmental and Social Impact Assessment (ESIA) for both the 10,000 ha and the 15,000 ha you will find that within the Socio-Economic Survey Data, in Appendix F of the ESIA that the “nature of land tenure is “tribal land”, “family land” and “community land”— owned by us . We are therefore legally entitled to free prior-informed consent with the full power to reject or accept proposals to invest on our property Additionally, if you reviewed both the May 2011 10,000 ha and July 2011 15,000 ha Public Summary Reports of New Planting Assessment reported on the RSPO website, you will find that wit in those two report Sime

Darby's Environmental Impact Assessment (SEIA) and a High Conservation Value (HCV) Assessment completed in 2011 recognized among others “ **All local peoples' land**” . The Land belongs to and is owned by us.

We are therefore shocked to see Sime Darby operating on our customary land without our free prior informed consent, especially since Sime Darby herself recognized that the “ nature of land tenure with in their “so-called concession area” is “tribal land”, “family land” and “community land.

We therefore write to formally submit this complaint to the RSPO that within the 10,000 ha and several portion of the 15,000 ha, Sime Darby has forcefully engaged into the grabbing o our tribal land with our free prior informed consent, with little or no compensation., They have engaged into massive destruction of our crops and culturally significant sites such as graveyards and shrines using heavy earth moving equipments, they have polluted our water sources.

Salahudin and Julia, Sime Darby activities on our customary land have brought great problems to us as a people. They are taking our land, destroying our crops without informing us and humiliating us by desecrating our sacred shrines including the graves of our ancestors. We were not consulted, not by the government nor the company... The company has destroyed more than 5 towns to grow oil palm. This company came to damage us not help us. This is why we call it “Sime Damage”.Sime Darby action have impacted negatively on the natural environment upon which we depend for subsistence, They have jeopardized our livelihoods and culture.

We have gathered evidence and are prepared to show you places where crops were destroyed, shrines were desecrated, villages uprooted and graves sites besmirched. 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 Sime Darby, spots where towns and villages have been swept-away to grow oil palm, sites where ancestral graves, Sande and Poro societies 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 compliment 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.

What is even more horrifying is that Sime Darby has done little to improve alternative living conditions in our communities. We now pay more for locally produced palm oil and have to now travel to the Capital city to buy palm oil. WE do not have access to and cannot afford protein. Our sacred sites have been dishonoured.

Salahudin and Julia, is this consistent with the RSPO? Is this the way the RSPO members can treat poor people I other countries. We are not a member of the RSPO and do not clearly understand fully the standards and procedures. However, based upon what we read from your website and what we have

explained in this complaint, we have very strong evidence that Sime Darby is operating in violation of the RSPO Principles and Criteria and in violation of the RSPO's New Plantings Procedure by

- 1) 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)
- 2) Forcibly evicting the people from their lands (7.5 and 7.6)
- 3) Clearing lands prior to the new plantings procedure (NPP).

We are kindly begging the RSPO to quickly:

- a. informs Sime Darby about this complaint,
- b. requires Sime Darby to halt all land acquisition and land preparation 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 will now undertake to address the concerns raised.

We are also attaching for reference purposes, a letter we send to Liberia's Environmental Protection Agency requesting the denial of an environmental permit to Sime Darby

Kinds Regards

Sakamon Samukai- Clan Chief Gorbla Clan, Bomi County, Zina Folley, Hawah Konuwah through Lamine Bondakai Browne- Tel # +231880703959 for local communities in Bomi County

Sekou Balloe, Head Traditional Council, Cape Mount, Momodou Zodua and Hawah Depeeew through Oscar Dolo ,Te# + 23166956138