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Liberia: Sinoe complains GVL to Roundtable On Sustainable Palm Oil

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Liberia: Sinoe complains GVL to Roundtable On Sustainable Palm Oil

by MAE AZANGO

Farmer Benedict Smarts stands next to tombs of his ancestors, on December 12, 2012, on the Indonesian Golden Veroleum concession in southern Liberia. Liberian farmers who survived a 15-year civil war are now fighting lucrative property deals with Indonesian and Malaysian palm oil companies that threaten the land they live on, if not their sacred burial sites. (Photo: AFP)

Monrovia — Barely a month after farmers, charcoal producers and workers filed a complaint of abuses against Buchanan Renewable, known as BRE, to Overseas Private Investment Corporation ("OPIC") an Investor to BR, to investigate human rights and environmental abuses by BR, Another complaint from some citizens of Sinoe has been filed to the Roundtable on Sustainable Palm Oil (RSPO), an overall body of Palm Oil Worldwide, to stop Golden Veroleum Liberia(GVL) ongoing operations of land clearing in their towns and villages.

Despite the order to cease all operations placed on GVL, by RSPO nearly a year ago, the multi Billion Dollar Oil Palm Company operating in Sinoe, until issues of human Rights are addressed, the company is allegedly clearing farmland in other parts of Sinoe without meeting the requirement of the concession law.

Golden Veroleum (Liberia) Inc., a subsidiary of the Verdant Fund Lp whose major investors include Golden Agri- Resources Ltd entered into a concession agreement with the Government of Liberia for the development of oil palm plantation in Sinoe, Grand Kru, Maryland, Rivercess and River Gee Counties in Southeastern Liberia.

The signed and ratified concession agreement which was awarded to GVL covers a total of approximately 500,000 acres (220,000 hectares). A Liberian smallholder program is to develop 100,000 acres (40,000 hectares) of oil palm in support of local Liberia oil palm initiatives.GVL has decided to initiate this large-scale oil palm plantation by beginning with the cultivation of 33,000 ha of land in three districts of Sinoe.

In a complaint filed dated February 17, 2014, addressed to Mr. Ravin Krishnan, Complaints Coordinator of Roundtable on Sustainable Palm Oil in Bangsar Kuala Lumpur Malaysia, citizens of Kulu, Shaw, Nyarn and Plahn towns and villages complained that as a member of the Roundtable on Sustainable Palm Oil, Golden Veroleum has an obligation to adhere and comply with and implement the RSPO standards and procedures including rights of local communities to their customary land and their right to give or withhold their Free Prior Informed consent that GVL has not met. A potion of the complaints now in the possession of this paper, reads as follows;

Mr. Ravin Krishnan,

Complaints Coordinator

Roundtable on Sustainable Palm Oil - Bangsar

Kuala Lumpur, Malaysia

February 17th, 2014

Mr. Ravin Krishnan

We write to formally bring to your attention that Golden Veroleum is currently engaged in active land clearing on our customary land without our free prior informed consent as well as violating the RSPO New planting procedures which requires Golden Veroleum to not proceed with any land preparation, any new planting or infrastructure development.

Mr.Ravin Krishnan, 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 land demarcation and clearing operations, Golden veroleum has used its financial influence with our local Government authorities intimidation, harassments and threat of arrest and detention to forcefully take away our customary lands without our Free Prior Informed consent.

In a very specific incidence of threats, intimidation and harassments, GVL influenced the County and District officials to, on 27th 2013, suspend for time indefinite the General town Chief of Lower Kulu Clan, Levi Jarteh essentially because he attended a KUDA (Kulu United Development Association) meeting held on November 8 - 9, 2013.

In December 2013, the County Police Commander summarily arrested and detained a health worker, Abraham Dugbe, essentially because he attended the KUDA meeting of November 8 - 9, 2013 on the GVL issue. He was released later after thousands of Liberian Dollars had been extorted from him.

Similarly, on February 10, 2014, GVL and the District and County officials connived and arrested several community leaders who had raised concerns about the manner in which Golden Veroleum was forcefully grabbing their land.

The individuals who included the Chairman of KUDA were illegally arrested and detained by the Police, not a single charge was brought against these community leaders and not a single writ of arrest authorized by a judge was presented to them. They made sure these gentlemen stayed away from the area in Police Custody up to February 13, until a GVL-EPA-County-District authorities concocted meeting to vote 'Yes' or 'No' to GVL was done.

Those arrested and detained on the orders of GVL are Sampson W. Toby, Chairman of KUDA, Simpson Snoh, and Member of the KUDA Secretariat, and Anthony Julukon and Darlington Flahn, citizens and residents of Kulu. The individuals were seen at a place in Wieh Town, Kulu, where GVL had done clearing. The KUDA Chairman, Snoh and Julukon essentially went to verify claims that GVL had done land clearing in the area.

Mr. Ravin Krishnan, 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 live in constant fear and are worried about our safety and security.

The citizens further said in their complaint that grabbing their lands without respecting their 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). GVL and the County and District officials have used undue influence to make some of their people to sign MOU.

"In two separate meetings that Global Witness and SAMFU along with KUDA held in communities in Tarjuowon, the communities, for example, Jacksonville in Kulu and David Town in Shaw, said that they do not want GVL and that the county and district officials have been misinformed and harassing and intimidation and threatening them to give their land to GVL."

In response to the complaint, GVL Head of Communications, Mr. Virgil Magee through a communication to journalist said KUDA has welcomed GVL's investment in the Tarjuowon district and endorsement has been received by the Paramount Chief of the Kulu people. Corporation has, however, was badly impeded by a series of press statements, led by a 'rogue representative' of KUDA that have incited conflict within the Kulu communities.

Adding via mobile that GVL does not have the power to order arrest of any citizen neither does GVL have the power to control County authorities to arrest anyone, but on 11 February 2014, it came to the Company's attention that four arrests had been made following an alleged incident of armed intimidation by the rogue representative of KUDA and three accomplices. And to GVL's understanding, the four men were released on bail.

"GVL was invited to observe talks set to be held on 12 February 2014 between factions of the Kulu community in Tarjuowon district. Our attendance at the meeting was and is consistent with our commitment to working harmoniously with local communities and protecting the environment. We were made aware of the incident the morning of 11 February 2014, in which two of our security personnel felt threatened by armed individuals. We do and have always respected Liberian laws and Liberian citizens' right to peaceful protest, but do not believe that threats, violence or any other form of intimidation is ever warranted."

Addressing the situation of forcing citizens to sign a MOU, Mr. Magee communication said;

"Our original MoU with the people of Tarjuowon included yes votes from the majority of people there, including paramount chiefs, elders, women, youth, etc. The MoU has over 600 signatures showing their support for the employment, development and investment we will bring to the area. During the recent Kulu Conference, again, there was a unanimous vote in favor of GVL investment and those votes came from residents of: Bestnewluo, Jacksonville, Oneway, Unification, Saywon Town, Newtown, Plahn, Nyarn, Tarloue Town, Boe, Plahn, Shaw, Shaw-David, Pluhoh, Monrovia, Greenville, Sonouhn and Pelbeh Town."

Answering to Global Witness, part in the matter, Mageeadmitted that GVLreceived a message from Global Witness suggesting mistreatment of these individuals while they were in police custody. And that they share their concerns and have sought assurances from the authorities but that has not been the case. And that's due to the disagreement within Kulu, Paramount Chief Johnny Brown, formally invited all Kulu from Monrovia, the local area and the diaspora to a National Kulu Conference to decide upon GVL investment in the area.

Magee added that Kulu Paramount Chief's invitation was published by them in several newspapers and air on radio for several weeks prior to the meeting, and they received a personal invite from the paramount chief's representative in Monrovia. His communication furthered disclosed that Invitees included GVL, The Forest Trust, UNMIL Civil Affairs, NGOs and all Kulu factions. Each of these organizations, including both Kulu factions received a personal invitation from the paramount chief, in addition to the public announcement in the papers and on radio.

"The National Kulu Conference was facilitated by the Liberian Environmental Protection Agency. The EPA representatives read aloud position statements from both Kulu factions. GVL attended by invitation of the Kulu paramount chief, but only in an observational role. We did not have any input."

Also speaking on the issue, Sinoe County Senator Monbutu Nyenpan said the Legislative Caucus have heard of some concern being raised by some Citizens of Tarjuowon District but Representative Zarzarof District three where Tarjuowon falls has been spearheading the discussion between the citizens and GVL and would deliver a full briefing to the caucus. And that the Caucus also heard about the arrests of some citizens and that the case is presently under investigation while those arrested was released.

"Indeed, our people need the development GVL is carrying on in the County and we appreciate the presence of GVL and we also trust that GVL will continue its operations in the County but with international standards and Principles.'

"I also trust and believe that GVL will take into consideration the concerns of the people and communities they will be operating in. Sinoe County needs the GVL investment and from our perspective we will do all we can to ensure that this investment survives in the best interest of the people of Sinoe and the investor."

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