

THIS LETTER HAS BEEN MADE ANONYMOUS FOR PUBLICATION PURPOSES,
PICTURES WITH PEOPLE AND NAMES HAVE BEEN REMOVED.



To:
Golden Veroleum Liberia
Ferdy Surya Handojo
Michael Abedi-Lartey

Golden Agri-Resources

CC: HCSA, RSPO

Amsterdam, Duazon, 30 January 2023

Dear Mr. Gotz, Purnomo, Hidayat, Handojo and Lartey,

With this letter and fact sheet we want to request your urgent action to halt and remediate the violence and intimidation towards Bellehful community. Members of the Bellehful community have requested SDI and others to come to their aid. They claim their rights are violated by GVL and in extension the police.

In the fact sheet attached to the letter, we summarise testimonies from several village members and officials about the violent arrest and destruction of property on 7 July 2022. Your company has brought charges on theft of property. Community members testify your company brought police to the site with GVL transport, together with GVL security guards and staff.

Up until today the charges have not been withdrawn and the trial is pending. The affected community members were called to court last week. Since July, communities remain bereft of the seized property and also their main source of livelihoods, namely palm oil production. At least one person was send away from his job at your company and has left the area to seek other ways to provide for his family.

International standards, including the RSPO standard, the HCSA policies, the OECD and UN guidelines on business and human rights seem to have been violated.

Therefore we urge you to immediately withdraw the charges, return the community property and provide redress for the damages. Refrain from using violence, intimidation and violating (labour) rights against communities in your plantation area. We urge you to maintain peace.

We are looking forward to your response,

James Otto, Sustainable Development Institute

Danielle van Oijen, Milieudéfensie

FACT SHEET : ARREST AND CRACK DOWN ON BELLEHFUL COMMUNITY, Sanquin district, Sinoe county, Liberia in July 2022

COMMUNITY TESTIMONIES

Local community forest monitors and the SDI team recorded several testimonies in July and in November during a field verification mission. These testimonies reveal the following:

- The Bellehful community is a neighbor community to the GVL plantation. It uses the abandoned Kuala Lumpur Kepong Berhad (KLK, formerly Equatorial Palm Oil) plantation and one farmer, named, owns his private farm. The farm is exploited by the community from which he gets a percentage. The community has an artisanal mill for palm oil production and this is a key source of livelihood of the community. Whilehimself also works for Golden Veroleum Liberia. his farm existed even before GVL entered the county.
- On 7 July 2022, a GVL car and some motorbikes enter Bellehful and carry police, GVL security and staff. This group starts a sequence of violence and intimidation. The police is armed. They shoot in the air and people flee. They beat people and loot personal and village property including: motorbike, chainsaw, tins of palm oil, empty vessels, bags, phones and money. They turn over beds, rip them apart. One lady who is cripple testifies they took ten tins of palm oil from her. They go to the palm oil production site and burn parts of it, destroy and take parts of the artisanal mill with them. (ANNEX III)
- The village and personal property is contained by the court. Despite several attempts from one community member to get his property back, he is told by the court that there is no case between him and GVL.
- The five persons, all male, are arrested during and after the event. They are taken to the GVL booth and later the local police station, only to be turned into custody at Greenville Central Prison on 12 July. Four of them are bailed out soon after their arrest, but one is a foreigner and does not have relatives to bail him out. A community member finally bailed him out when he got sick during his three months in jail. The community and arrested members deny they are guilty of stealing palm oil fruits from GVL.
- tries to go to work at GVL after the events but is turned away and told that he does not have to come back pending the court trial.
- The arrest was with charges of ‘thief of property’, namely palm oil theft. The five community members got a public defender because they do not have the resources to hire their own legal defense. The public defender however, does not reside in the area and is not yet actively following up on the case. The most likely scenario is that their case will sit in court for a long time and continue to impact the accused lives and the community livelihood. This is a strategy often used in Liberia by corporations. The judge confirmed to the SDI team that if the lawyer comes, he will immediately call the case. The judge also said: “GVL came here and told us to send the people back to jail, but we told them that is not lawful to do, they need their lawyers to be here and go through the court trial, if they are guilty, then they can go to jail.”
- GVL called the community to come and sign for the return of the motorbike. But the rest of the property is held back. The judge also mentioned that: “one of the victims whose motorbike was taken came and was told to bring a prominent person along with some cash to get his bike tentatively released.”

ARRESTS

Five persons from Bellehful community are arrested and turned into custody in Central Prison at Greenville on 12 July 2022: They are charged with the crime ‘thief of property’ and are placed in custody ‘pending court trial’ (ANNEX I). is released on 14 October 2022 after he spend more than 3 months in prison (ANNEX II). While the rest was free on bail sooner.

THE ROLE OF GOLDEN VEROLEUM LIBERIA (GVL)

The community Bellehful is accused by GVL of palm theft. Bellehful is not part of the GVL concession area, but sits on the border. The community gets no formal benefits from the plantation and has not released its land to GVL. Some people in the community work at GVL.

The role of GVL in the arrests and violent actions in Bellehful is clear from the community testimonies. The GVL vehicle and motorbikes bring the police, GVL guards and staff to the site to loot, demolish, shoot in the air, intimidate and arrest five people, seemingly at random and thereby arbitrary. This is extreme and disproportionate use of violence.

GVL sendsaway from his job at GVL after which he also gets arrested. Again this seems to be an arbitrary arrest.

GVL does not pursue the case, whereas property of the community is still held in court and the charges against the five men are not withdrawn. The judge declares that GVL asked to put the people back in jail.

Because of the intimidation during the event on 7 July and the pending court case, the community does not dare to resume their palm oil production for fear of further violence and crack down.

This tactic of accusing community people of oil palm fruit theft is widely used in the global industrial palm oil sector to intimidate communities. GVL has not brought evidence and the arrests seemed very random. The effect is that communities are intimidated and local palm oil production is halted, and with that the much needed local development.

ANNEX 1: commitment order 12 July 2022

ANNEX II: Release document 14 October 2022

ANNEX III: picture material from destroyed village palm oil production site

