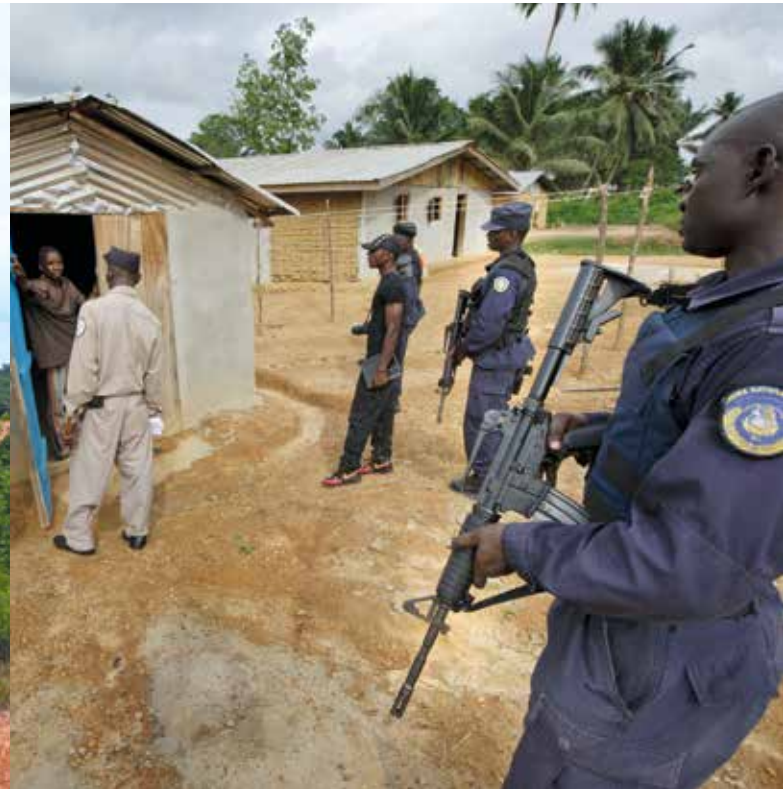




global witness



TEMPLES & GUNS

October 2016



Map 1: Liberia's plantations will cover ten percent of the country. © Global Witness

Cover images: Palotro Hill, June 2016. Sacred to the Blogbo people, now a construction site. © Global Witness
 Emergency Response Unit police questioning community members, Sinoe County, May 2015. © Kuni Takahashi

Liberia is the on frontier of palm oil expansion in West Africa, with immense plantations spreading across ten percent of the country. Largest among these is the plantation held by Golden Veroleum Liberia (GVL), which is rapidly covering the land of local communities in South-East Liberia. When it reaches full size, the GVL plantation will cover 2,600 km², the size of London and Barcelona combined and will be tied for seventh largest in the world.¹



In July 2015, Global Witness published *The New Snake Oil*, documenting how people within the GVL plantation were being beaten, threatened, and arrested and were subsequently signing agreements giving the company their land. The report also highlighted how GVL expanded particularly quickly during Liberia's Ebola outbreak, nearly

doubling the size of its plantation. To achieve this the company held large meetings where communities signed over their land at a time when most people were staying home for fear of contagion.² GVL, which is linked to the large Indonesian conglomerate Golden Agri-Resources,³ has denied that it intimidates community members or exploited the Ebola crisis.⁴

A new investigation by Global Witness reveals that a year later the situation of communities in the GVL plantation has not improved and that in at least one community – the Blogbo people of Sinoe County – matters are now much worse. GVL has desecrated two important religious sites, including bulldozing the Palotro Hill at which Blogbo women would pray for fertility, turning it into a muddy construction site for a large palm oil mill. GVL is fully aware that it is building on a sacred place, having been told by communities of the hill's importance two years ago. Indeed, in 2014 GVL staff reportedly assaulted a community member protesting the Palotro Hill's desecration, leaving him hospitalized with severe wounds.⁵

Global Witness has also uncovered evidence that GVL is paying armed state police to guard its plantation. These police, who carry American-made M4 assault rifles, have assaulted and arrested people in a community neighbouring Blogbo. They are currently stationed on the GVL plantation, fed, housed, and likely paid by the company, and constitute an on-going intimidating presence in the area.⁶ Over the past 15 months Global Witness has presented evidence of these rights violations to GVL and the company's responses are discussed below.

The Blogbo people want to negotiate with GVL to save what is left of their religious sites. However talks have broken down and, with military police nearby, it is difficult to see how they can resume.

DESECRATING AND LIMITING ACCESS TO RELIGIOUS SITES

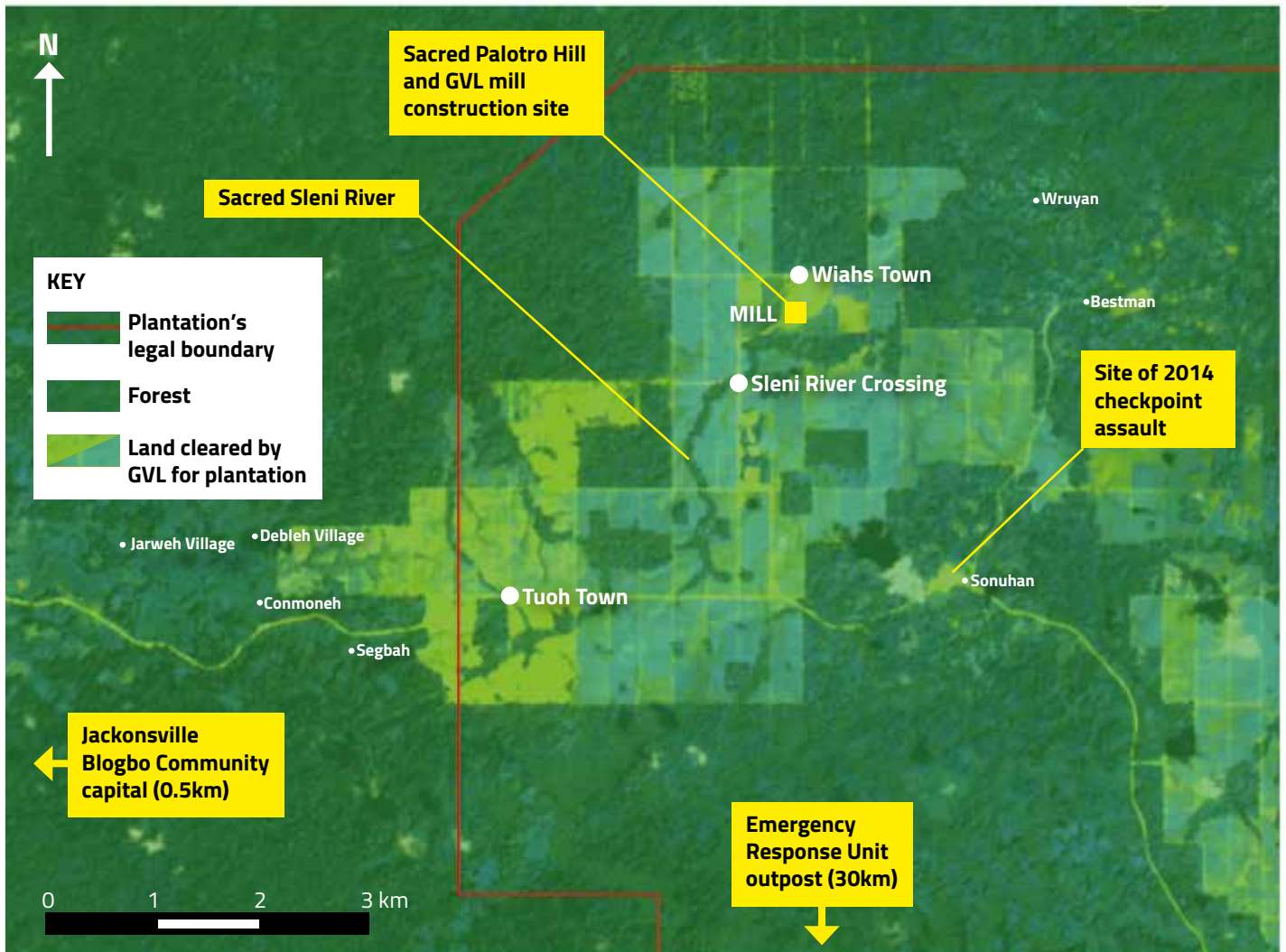
Over the past year, GVL has converted the forest, savannah, and land owned by the Blogbo people into rows of oil palm trees. Particularly shocking, two religious sites sacred to the community – Palotro Hill and the Sleni River – have either been destroyed by GVL or are now off limits to the people. Blogbo community members report that they have not given GVL permission to damage these religious sites, and that the people are victims of collusion between the company and a powerful local Senator.

Liberian religions place great importance in natural landmarks – sections of forest, hills, or rivers – treating them as people elsewhere treat churches, mosques, or synagogues. These sites are where religious ceremonies take place, cultural and spiritual traditions are upheld, and where community members go to gain spiritual support and protection.

The people of Blogbo have a number of religious sites, but two important ones include Palotro Hill and the neighbouring Sleni River. According to community members interviewed, Palotro Hill served as a place that women who were having difficulty conceiving would visit to pray for fertility.⁷ The sacred Sleni River, which translates as “the Immeasurable River” is also the location of an important shrine to the Gborlor deity – a spirit after whom the surrounding area is also named.⁸ Both Palotro Hill and the Sleni River were maintained by local people in their natural state, with no farming permitted.



Palotro Hill, June 2016. Wastewater ponds sit atop of desecrated Palotro Hill and near the Sleni River, site of an important shrine.
© Global Witness



Map 2: The GVL plantation covering places sacred to the Blogbo people.⁹ © Global Witness.

Despite protests and demands by the Blogbo people, both of these religious sites are now useless to the community. Palotro Hill has been razed, transformed from forest into a muddy construction site on which a large palm oil processing mill is being built.¹⁰ The Sleni River still flows and is surrounded by a thin border of vegetation, but is now off limits to the community and runs directly next to the factory construction site and through GVL's nascent plantation. Photographs taken in June 2016 show large ponds of waste water sitting on the hill and next to the river.

“The hill was sacred to people in Tuoh Town and Wiahs Town and was for example used by women that could not have children. When they went up on the hill they could then have children.”¹¹ Blogbo community member, June 2016

GVL states that it does not operate on community land without the people's consent, obtained through agreements called “Memoranda of Understanding” (MOU).¹² Yet a large majority of Blogbo people interviewed by Global Witness reported that GVL was building on their land without their permission¹³ and some community members reported that they were excluded from the process by which the MOU was developed.¹⁴

This disenfranchisement can be placed, at least in part, at the feet of the local Senator, Milton Teahjay. Many community members believe Teahjay to be an advocate for GVL and to be biased against the Blogbo people in favour of a neighbouring community representing

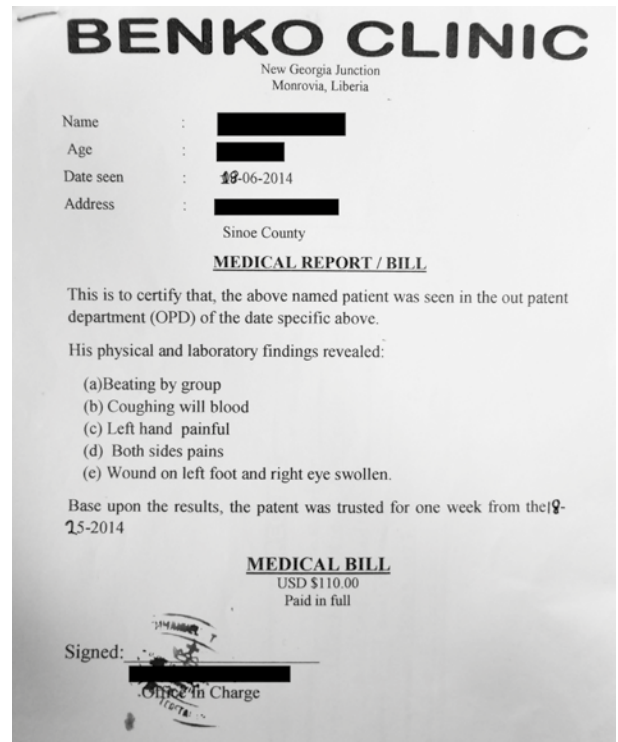
Milton Teahjay, the local Senator, rents his house to GVL at very high rates.
© Front Page Africa



the Senator’s political stronghold.¹⁵ It certainly appears that it is in Teahjay’s financial interests to keep GVL happy. In 2015, Global Witness reported that the Senator rents a house to GVL for three times the going rate. The company states that this rate is reasonable.¹⁶ Teahjay also oversaw the signing of the MOU handing over the Blogbo land and it is probable that he was involved in the dismissal of a Blogbo Town Chief who would not consent to signing the agreement.¹⁷

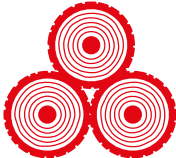
GVL claims that it does not build on community religious sites.¹⁸ Yet the company was aware that Palotro Hill was sacred to the people of Blogbo before it started building its factory and that it did not have permission to build there. In June 2014, community members travelled with GVL staff and a team of investigators from the international certification body the Roundtable on Sustainable Palm Oil (RSPO) to the Palotro Hill. While there, the community informed GVL and RSPO representatives that the hill was an important religious site and that the company did not have permission to desecrate it.¹⁹ Later that day when attempting to leave the site, community representatives and their NGO colleagues were stopped at a checkpoint. One of the community representatives was then badly beaten, leaving him with a damaged eye, coughing blood, and needing hospital treatment. According to one eyewitness, this assault was undertaken by private security staff working for GVL.²⁰

When presented with the above evidence in September 2016 GVL stated that it has not infringed on the rights of the Blogbo people. However, the company failed to respond directly to evidence showing it had desecrated Blogbo religious sites, pointing out only that RSPO investigators



Receipt documenting injuries received by community member near Palotro Hill.

had “ruled” on the matter.²¹ GVL has denied that its financial ties to Senator Teahjay are irregular, claiming that the rent it pays Teahjay is reasonable for the only suitable building in the area. GVL has also denied that its staff were involved in the June 2014 assault of a community member near Palotro Hill.²²



**TIMELINE:
THE DESECRATION
OF PALOTRO HILL**

26 MAY 2015
ERU forces flown to GVL plantation to quash protest. Forces remain on plantation supported by GVL.

31 OCTOBER 2015
GVL states it will not stop building on Palotro Hill, thwarting negotiations.

14 JUNE 2014

- Blogbo community tells GVL that Palotro Hill is sacred
- Blogbo community member assaulted near Palotro Hill, reportedly by GVL staff.

2 OCTOBER 2015
Blogbo people state willingness to negotiate with GVL if company ceases construction on Palotro Hill.



4 DECEMBER 2015
GVL announces that materials for building large mill on Palotro Hill arrived.

21 APRIL 2016
GVL announces completion of smaller mill on Palotro Hill, larger mill construction ongoing.

2014

2015

2016



Company signboards at GVL construction site on Palotro Hill, June 2016. © Global Witness



Despite GVL's behaviour, many Blogbo people hope that GVL will help their region develop and remain willing to negotiate with GVL about their land and religious sites.²³ In October 2015, the community presented GVL with an invitation to negotiate the terms of the company's operations. In order to negotiate, the people said, the company should first cease operations that were damaging the communities' religious sites, farms, and old towns from which communities gather their "life crops" such as fruits and cola nuts.²⁴ Shortly thereafter, GVL rejected this offer²⁵ and in December 2015 announced that it had started importing construction materials for its factory. The mill is due to be completed in 2017.²⁶

Armed ERU police flew to the GVL plantation in May 2015 responding to a community protest. They have stayed and are being paid by GVL.
© Front Page Africa



PAYING ARMED POLICE FOR PROTECTION

Even if GVL commits to talks, the Blogbo people are unlikely to have an equal seat at the negotiating table as GVL is currently paying some of Liberia's only armed police to protect its plantation, contributing to a climate of fear and intimidation.

As of the time of writing, a contingency of Emergency Response Unit (ERU) police forces carrying military assault rifles is stationed in the Butaw section of the GVL plantation, approximately one hour's drive from Blogbo.²⁷ All evidence suggests that this government police force is located on the plantation with the sole purpose of protecting GVL's interests. The contingent was originally flown in from Liberia's capital Monrovia in May 2015 to quell protests against GVL over low wages and other grievances. In the weeks following the protest, ERU forces beat protestors, ransacked houses, arrested 37 community members, causing many other local people to flee into the forest for fear of their safety.²⁸ In July 2015 one of those arrested, Fred Thompson, died in custody.²⁹

In the subsequent eighteen months the ERU force has established a permanent presence in GVL's plantation. According to research conducted by Global Witness and GVL's own statements, the company is currently providing this force with food and lodging.³⁰ As of November 2015 the company was also providing the ERU with daily financial allowances and stated that it had invited the ERU to stay on its plantation to provide continued protection.³¹ When asked in September 2016 whether GVL was still paying the police, the company did not respond directly.³²

Under Liberian law it is not illegal for a company to pay government police for protection, nor is it uncommon in countries worldwide for police to charge a company for *ad hoc* tasks such as patrolling sporting events. Yet GVL has not temporarily hired the ERU force. Instead, by paying, feeding, and housing the ERU on its plantation for over 17 months GVL has effectively privatized state armed police.

In Liberia, that the police forces paid by GVL are armed with guns is particularly significant. For a country that suffered 14 years of civil war there are comparatively few guns left in Liberia. Rumours persist about buried stockpiles left over from the war, but Liberia's demobilization programmes of the mid-2000s appear to have been successful. Indeed, anxiety about firearms is so great that until this year, the UN maintained an embargo on the sale of guns to anyone in Liberia other than the government.³³

As a result even the Liberian government has been reluctant to put guns into the hands of its own security forces. Although Liberia's small army is armed, only one of Liberia's three police forces – the ERU – is allowed guns.

However, as the ERU is designed to be deployed sparingly, in particularly dangerous situations, its officers have been issued particularly powerful weapons: American-made M4 assault rifles, the same type of weapon used by the US Army.

A 2009 study prepared for the US government described the Liberian force as:

...a mobile, combat-capable Emergency Response Unit (ERU) to help regular police meet heightened dangers, confront armed groups formed in defiance of the state's authority, and operate with the Armed Forces of Liberia (AFL) in countering major internal or external threats.³⁴

As alluded to previously, the ERU are not the only security force protecting the GVL. The company also maintains its own security staff who were reportedly responsible for the June 2014 assault on an NGO worker showing RSPO investigators the Palotro Hill. GVL staffers have also prevented Blogbo community members from visiting what remains of their sacred sites.³⁵

WHAT SHOULD BE DONE

Liberia's plantation sector requires fundamental reforms, including the swift passage of the long-stalled Land Rights





Act, which would formally recognize that rural Liberians own their land. The country, with the assistance of its international donor partners, also needs to develop laws to regulate plantation operations, including environmental safeguards and protections for communities so that land is only provided to companies with the people's free, prior, and informed consent. A full list of the reforms needed can be found in *The New Snake Oil*.

For the Blogbo people, however, the need for change is urgent, and the following actions should be taken immediately:

- GVL should stop building its mill on Palotro Hill and stop restricting community access to the Sleni River. The company should also stop paying, housing, and feeding ERU forces and tell them to leave the company's plantation. At this point, GVL should enter into negotiations with the Blogbo people to determine what community land – if any – the company can use, and what reparations it can provide for the damage it has done to Blogbo land and religious sites.
- The Liberian government, with the support of its international partners, should immediately prohibit payments by GVL to the ERU and withdraw the forces from the GVL plantation. The government should also investigate officials who are benefitting financially from GVL, including Senator Teahjay, and those who have been responsible for intimidating community members.

WHAT IS FPIC?

Communities have a right to know and to make decisions when it comes to projects that affect them.

| | |
|---|---|
| <p style="font-weight: bold; color: #2e3192; font-size: 1.2em;">FREE</p>  <p style="font-size: small; color: #2e3192;">Free from manipulation or coercion</p> | <p style="font-weight: bold; color: #2e3192; font-size: 1.2em;">PRIOR</p>  <p style="font-size: small; color: #2e3192;">Occurs in advance of any activity associated with the decision being made and allows adequate time for traditional decision-making processes</p> |
| <p style="font-weight: bold; color: #2e3192; font-size: 1.2em;">INFORMED</p>  <p style="font-size: small; color: #2e3192;">Facilitates the sharing of objective, accurate, and easily understandable information</p> | <p style="font-weight: bold; color: #2e3192; font-size: 1.2em;">CONSENT</p>  <p style="font-size: small; color: #2e3192;">Allows communities to approve or reject a project</p> |

FPIC PROCESSES SHOULD BE ONGOING THROUGHOUT THE LIFE OF THE PROJECT.

GVL needs to start respecting communities' right to give land only with their free, prior, and informed consent. Graphic © Oxfam.³⁶

FOOTNOTES

- 1 For sizes of worldwide oil palm plantations for which data available, see Land Matrix, available at www.landmatrix.org.
- 2 Global Witness, The New Snake Oil, July 2015, available at www.globalwitness.org/news/snakeoil.
- 3 Global Witness, The New Snake Oil, July 2015, p. 10, available at www.globalwitness.org/news/snakeoil.
- 4 Golden Veroleum, Letter from Andrew Kluth to Global Witness, Detailed Comments Matrix, 1 July 2015, available at www.globalwitness.org/news/snakeoil.
- 5 Community member interview, Liberia, March 2015; Roundtable on Sustainable Palm Oil, Golden Veroleum Liberia (GVL) Report, "SesDev's version of the incident," 1 August 2014, p.32. On file with Global Witness.
- 6 Letter from David Rothschild to Global Witness, 30 November 2015; Key informant interview, Liberia, June 2016; GVL management interview, Liberia, June 2016.
- 7 Community member interviews, Liberia, June 2016.
- 8 Community member interviews, Liberia, June 2016.
- 9 Basemap drawn from Copernicus Sentinel 2 data, 10m resolution, April 2016; Bands 8 (near infra-red), 4 (red) and 3 (green), available at <https://sentinel.esa.int/>. Geographical and political locations drawn from Global Witness research, June 2016. Plantation's legal boundary drawn from Golden Veroleum, Environmental & Social Impact Assessment Report, Tarjuwon, 1 October 2013.
- 10 Community member interviews, Liberia, June 2016. 29 of 43 interviewees identify mill location as Palotro Hill.
- 11 Community member interview, Blogbo community, June 2016.
- 12 Golden Veroleum, Updated Expanded GVL FPIC Engagement SOP, 12 August 2013, available at <http://bit.ly/2bDvmLO>.
- 13 Community member interviews, Liberia, June 2016. 36 of 43 interviewees state land taken without permission.
- 14 Community member interviews, Liberia, June 2016.
- 15 Community member interviews, Liberia, June 2016.
- 16 Golden Veroleum, Letter from Andrew Kluth to Global Witness, Detailed Comments Matrix, 1 July 2015, available at www.globalwitness.org/news/snakeoil.
- 17 Community member interview, Monrovia, March 2015; Golden Veroleum (Liberia) Inc., Memorandum of Understanding Incorporating Social Agreement as between Tarjuwon Communities and Golden Veroleum (Liberia) Inc., 9 November 2013, p. 44; Chea, Paul, Letter to Town Chief, 27 November 2013; Chea, Paul, Letter to Larry Debleh, 27 November 2013; Sirleaf, Varney, Letter to George Werner, 10 November 2014.
- 18 Golden Veroleum, Demarcation of HCV and HCS areas for preservation before and during land preparation, 1 November 2013, available at <http://bit.ly/2bPFbmr>.
- 19 Roundtable on Sustainable Palm Oil, Golden Veroleum Liberia (GVL) Report, 1 August 2014, p. 30. On file with Global Witness.
- 20 Global Witness, Interview with Tarjuwon community member, Sinoe, March 2015; Roundtable on Sustainable Palm Oil, Golden Veroleum Liberia (GVL) Report, "SesDev's version of the incident," 1 August 2014, p.32. On file with Global Witness.
- 21 Letter from Andrew Kluth to Global Witness, 20 September 2016; Roundtable on Sustainable Palm Oil, Complaint - Golden Veroleum Liberia- Final Decision, 19 September 2015. The RPSO investigation concluded that, as GVL had signed an MOU with people in the larger Tarjuwon District in which the Blogbo people are located, this "suggested" that the company had obtained permission to operate on the Blogbo land. The RSPO did not, however, address directly the concerns raised to it by the Blogbo people, nor did it address evidence that Blogbo religious sites were being desecrated.
- 22 Golden Veroleum, Letter from Andrew Kluth to Global Witness, Detailed Comments Matrix, 1 July 2015, available at www.globalwitness.org/news/snakeoil.
- 23 Community member interviews, Liberia, June 2016. 30 of 43 interviewees want to negotiate.
- 24 Blogbo-Teh, Letter from Simpson Snoh to Andrew Kluth, 2 October 2015. On file with Global Witness.
- 25 Golden Veroleum, Letter from Andrew Kluth to Simpson Snoh, 31 October 2015. On file with Global Witness.
- 26 Golden Veroleum, GVL First Mill Shipment Arrives, 4 December 2015, available at <http://bit.ly/2blioLX>.
- 27 Key informant interviews, Liberia, June 2016; GVL management interview, Liberia, June 2016.
- 28 Community member interviews, Liberia, May, June 2015.
- 29 Al Jazeera America, Riot on the Plantation, 4 October 2015, available at <http://bit.ly/1Lrr5ql>.
- 30 Key informant interview, Liberia, June 2016; GVL management interview, Liberia, June 2016.
- 31 Letter from David Rothschild to Global Witness, 30 November 2015.
- 32 Letter from Andrew Kluth to Global Witness, 20 September 2016.
- 33 United Nations Security Council, Resolution 2288 (2016), 25 May 2016, available at <http://bit.ly/2bRR77Y>.
- 34 Rand Institute, Oversight of the Liberian National Police, p. 1, available at <http://bit.ly/1QUmgZx>.
- 35 Community member interviews, Liberia, June 2016.
- 36 Oxfam, A Community's Right to Decide, available at www.oxfam.org/community-consent



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Global Witness, Lloyds Chambers, 1 Portsoken St, London E1 8BT, United Kingdom

mail@globalwitness.org

www.globalwitness.org

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