



## Forest Peoples Programme

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## FERN

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20<sup>th</sup> December 2012  
Open letter

For the urgent attention of:

Chris Massaquoi, Director of Police for the Republic of Liberia  
ChristinaTah, Minister of Justice of the Republic of Liberia  
Shirley Brownell, Communications Director to the President of Liberia

Copied to:

UN Panel of Experts on Liberia  
Secretariat & Complaints Panel of the Roundtable on Sustainable Palm Oil (RSPO)  
Golden Agri Resources  
The Forest Trust

### **URGENT**

Dear Sir/Madam,

We are writing to express grave concerns over the reports of serious harassment, threats and oppressive intimidation on the part of police and other State agents, including arbitrary arrest and detention of local community leaders from Butaw community in Sinoe County, Republic of Liberia. These actions are a clear violation of Liberia's law and constitution as well as international law on the right to liberty and security of the person and freedom of expression, and threaten to destabilize the area and will lead to international condemnation.

**We urgently request that government, police and other state authorities take immediate steps to halt such unlawful actions; ensure the release and safe return to their families and communities of all community members subject to arbitrary arrest and detention without due process; remove any current or future threat of arbitrary arrest and detention for those experiencing it; and conduct a thorough independent investigation into what has happened and hold those accountable in the police and state authorities for these illegal acts.**

Members of the Butaw community are signatories to a complaint submitted to the Roundtable on Sustainable Palm Oil (RSPO) in relation to what they perceive as serious failures on the part of Golden Veroleum to comply with RSPO Principles & Criteria. These include a failure to respect community rights to their farms and land, which are for most people the only source of their food and livelihood. The communities are using a grievance procedure set up by the RSPO to report and resolve disputes of this kind. The RSPO's complaints panel has very recently made a preliminary finding that that Golden Veroleum *are* in violation of the RSPO standards, suggesting that the community allegations and the evidence submitted have substance.

In so doing, community members are peacefully and lawfully making their concerns known in a respected and well-established international forum and do not threaten security or public safety in any way. To the contrary, providing their communities with a legitimate avenue such as this for resolving a grievance, the community leaders have actively served to reduce the risk of rising tensions. The actions of the police and the state agents involved are in comparison both illegal and highly counter-productive from a security or public safety perspective.

We understand that four community members are currently being subject to unlawful and arbitrary arrest and detention, arrests being made by the Emergency Response Unit (*ERU*). Their names are Calvin Bloh, Dexter Gleeka, Anna Tue and Benedict Manewah. Anna Tue is a woman of around 50 years old who is understood to have poor and potentially serious health concerns, and needs the urgent attention of a doctor. We also understand that the ERU are seeking the arrest of Mark Pattern and Chief Teah Bloh, Town Chief for Butaw Compound Town.

The circumstances of their arrest relate to a public meeting convened on 14 December 2012, where community members were invited to participate in a meeting presided over by Government appointed District Commissioner. The meeting was also attended by Golden Veroleum managers, who asked community members present to sign an attendance sheet. After several people had signed the attendance sheet, a community member inquired about the nature of the meeting. The District Commissioner told the communities that the meeting was for the communities to consent to Golden Veroleum operations and to indicate to Golden Veroleum the location of their cultural, customary and sacred sites.

On being told of the nature of the meeting, community members decided not to participate in the meeting until their legal advisor and community support organization could also be invited and present. The community then demanded that their names be removed from the attendance sheet as they feared that Golden Veroleum would use the attendance sheet as an indicator of the community consent, without community agreement. We understand that communities are aggrieved that previous attendance sheets have been misleadingly used by Golden Veroleum in this way. The communities were therefore legitimately and lawfully requesting time to ensure access to their legal adviser, and to determine the use of their signatures and names, as is their right.

Golden Veroleum and the District Commissioner however refused to remove the names from the sheet, despite the community's demand to do so. We understand that the District Commissioner, with Golden Veroleum vehicles, drove to Greenville, the municipal capital city of Sinoe County, and requested that an elite police squad, the Emergency Response Unit, be sent to Butaw on the allegations that local community members were rioting and threatening the peace and stability of Liberia. It is understood that the ERU responded with excessive force, arresting and beating innocent community members who were simply exercising their civil and political rights.

We understand that Benedict Manewah's arrest and imprisonment has been exercised without the required arrest warrant, and without charges being brought. He is being denied his rights to talk to family and community members. The County Attorney has informed community leaders who had come to inquire about the basis for Mr Manewah's arrest that he is threatening investment in Liberia and that the County Attorney will not permit such an act. It is reported that the County Attorney has informed community leaders that he will keep Mr Manewah in jail as long as it takes to teach Mr Manewah a lesson, and that no one will release him. County Attorney has refused to accept calls from Mr Manewah's legal counsel.

It is the belief of local community members and civil society groups that Golden Veroleum has a high level of direct or indirect influence over the County Attorney and Local Government officials. The actions are being interpreted as a calculated campaign by Golden Veroleum and/or the local state officials as a result of such direct or indirect relationships and influence, to unlawfully prevent local community leadership from exercising their right to seek a peaceful resolution to legitimate concerns about interference with their land and farms by Golden Veroleum in an established international forum.

This is not an isolated incident, and is part of an emerging pattern of unlawful and oppressive

harassment, threats and intimidation. Benedict Manewah, Mark Pattern and Teah Doemah were also unlawfully arrested and detained in September 2012. On this occasion, it is reported that Golden Veroleum's Vice President used his own vehicle to facilitate illegal arrests. This has contributed to suspicions of corrupt and or otherwise inappropriate and potentially unlawful influence between Golden Veroleum and state officials. In September, as is the case now, no charges were brought. Mr Doemah spent two weeks in prison, without charge, until being charged with criminal conspiracy. It is understood that his release was delayed for this long because the government, supported by Golden Veroleum, challenged the bond. Since his release on bond however, the Government has abandoned and refused to pursue this charge, requesting postponements on more than five occasions. It is hard to avoid the conclusion that these acts by state officials, which are understood to have the tacit or express support of Golden Veroleum, are intended to harass, intimidate, threaten and instill fear in the community leadership of the local communities to prevent them from exercising their civil and political rights. Such actions would be illegal under national and international law, and to fail to take adequate steps to prevent and investigate these actions at the earliest possible opportunity would also be unlawful.

Yours sincerely,



Dr. Marcus Colchester  
Director  
Forest Peoples Programme



Saskia Ozinga  
Coordinator  
FERN

Sent to:

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Minister  
Ministry of Justice  
Ashmun Street, Monrovia

Christopher Massaquoi  
Director  
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Sherlly Brownell  
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