

Green Scenery

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The Country's Natural Resources Are Nature's Gift To Us What We Make Of Them Are Our Gift To Posterity

30/05/2022

OPEN LETTER TO RSPO Board of Governors, RSPO Secretariat, Investigation and Monitoring Unit, Human Rights Working Group

RSPO should act: backlash for Human Rights Defenders after petition against the certification of SOCFIN in Sierra Leone

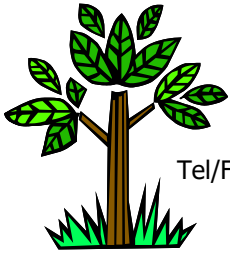
Dear Sir/Madam,

We are writing to you in regard to the [petition signed by 1,475 MALOA Members](#), objecting to the certification of SOCFIN Agricultural Company (SAC) by the Roundtable for Sustainable Palm Oil (RSPO) on the 10th of March 2022.

Since the petition was made available to the public, MALOA members and signatories of the petition have seen their freedom of expression threatened. Two petitioners have been summoned to the local court by the town chief of Hinnai, Imurana Koroma for “bad work done in my community”, while another has been called by the police for “inciting people against the SOCFIN company”. One MALOA executive was summoned to court Monday 23 May for registering unknown people. The case was adjourned. Announcements were also made to communities, that signatories to the petition would be judged by the local court and that employees of SOCFIN who signed the document would lose their employment. Furthermore, our sources have informed us that chiefs in villages that signed the petition in greater numbers have informed these villages that cultural activities will be suspended because of the signing.

Also, a coordinated attempt to undermine the MALOA-lead petition has started. You may have received reports from the Chiefdom Authorities of Malen Chiefdom and the District Multi-Stakeholder Platform (DMSP) of Pujehun, which have disqualified the petition as fraudulent. Green Scenery is of the opinion that those reports have been fabricated to the specific attention of your institution by state institutions which, have been captured by corporate entities.

While the [report of the Chiefdom Council](#) consists of a single paragraph, it claims without offering any proof, that 95% of the signatures are fraudulent, that international NGOs collaborated with MALOA, that children signed the petition, and that a petitioner pleaded guilty to the fraud. Green Scenery is well informed that no international NGO supported the activities as only our organization offered its technical and limited financial support to MALOA. None of the MALOA members signed on behalf of anybody else, and no children



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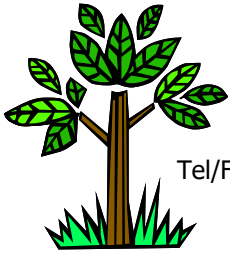
were asked to sign. Finally, while it is true that one MALOA member was prosecuted, the [court sitting transcript](#) reports that he pleaded guilty *“for registration of Community people without the knowledge of Town Chief”*, which does not involve any forgery as the publication from the Chiefdom Council means to imply. This act cannot be regarded as a criminal act and on the contrary, exemplary shows the arbitrary criminalization of innocent land activists in Malen Chiefdom.

The District Multistakeholder Platform (DMSP) published a report claiming with only very few alleged evidence that people did not sign the petition. Land for Life (LfL), the main supporter and the initiator of the DMSP, has meanwhile [distanced itself](#) from the [DMSP report](#) on the 18th of May. LfL explained that the Public Relation Officer of SAC who is a member of the DMSP requested an investigation into the matter, which clearly undermines the independence of the DMSP in this matter. LfL expressed concerns that the report is *“entirely focused on identifying people who signed or didn't sign, and not to ascertain whether the issues raised in the objection notice from MALOA are of substance in the Chiefdom”*. Abu Brima, Director of NMJD, a member organization of LfL said during a [press conference on the 18th of May](#), that *“the DMSP was subjected to manipulation”*, and that *“corporate entities have captured state institutions”* in Malen.

Green Scenery questions the accuracy of the DMSP report. Most allegations remain vague, such as *“in some communities...”* or *“some people signed...”*, claiming without concrete names that people were not aware of having signed the petition. In fact, merely two names of allegedly inappropriate signatories are mentioned in the whole report. One of the two names, Adama Magba, which is supposed to be a four years old child, does however not appear on the petition, raising further doubt about the accuracy of the DMSP investigation. Finally, according to MALOA none of the conflict between focal persons and communities mentioned in the report happened as suggested.

On the 6th of May, Green Scenery published a [press release](#) warning that announcements were made by Chiefdom Authorities in various communities, that signatories to the petition would be prosecuted in local courts. We also recognize that community people, MALOA members and NGO representatives have been reporting on systemic acts of repression and intimidation over the past years, culminating in acts of violence against them. People are living in a climate of fear. Whilst we generally question the accuracy of the above reports, we can assume that due to the recent threats proffered, citizens of Malen Chiefdom would have refrained from acknowledging their participation in the petition to the investigators of the Chiefdom Authorities and the DMSP, especially as the latter has according to its report, been accompanied by the security forces from the Office of National Security.

Green Scenery therefore asks RSPO to understand that MALOA is not an organization of only few members, but that as LfL stated in their [press statement](#), it *“comprises of majority of the land owners and land users of the said (Malen) Chiefdom”*. Their grievances are real and



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should accordingly be taken seriously by the RSPO. In their recent engagements with our organization, MALOA has reaffirmed that the signatures on the petition are legitimate.

Green Scenery who has been following the Malen dispute since the arrival of SAC in 2011, is, in line with MALOA, of the opinion that SAC does not fulfill several criteria for RSPO certification and thus should not have been certified. We ask RSPO to withdraw the certification, especially in light of the recent development of criminalization and harassment of MALOA members after the release of their petition.

Furthermore, we urge RSPO to act in accordance with its Human Rights Defenders (HRD) policy which outlines that: *'RSPO adopts a zero-tolerance policy against any threats, intimidation and reprisal against HRDs in the course of his/her work especially where the same involves direct actions by RSPO members which includes causing harm through its own acts, omissions or negligence.'* We are requesting you to respond to this situation according to the timeline set out in the HRD policy to prevent further threats, harassment and arrests of HRD's that use their freedom of expression to peacefully protest against the certification of SOCFIN in Sierra Leone. In line with your zero-tolerance policy we request you to investigate the events fully and independently and to consider termination of the RSPO - membership of SOCFIN in in case a violation of the HRD policy is established.

Green Scenery Director
Joseph Rahall