

# Golden Veroleum Oil Palm Development

---

## Free Prior Informed Consent

The GVL FPIC - Roadmap



# GVL Free Prior Informed Consent (FPIC) Standard Operating Procedure (SOP)

---

## Introduction

Golden Veroleum (Liberia), Inc. (GVL)'s firm position is that every community potentially able to participate in oil palm development and investment should do so on free, prior, informed and consensual basis.

According to their traditions and cultures, communities shall have a say in whether the development proceeds as well as how it proceeds, in negotiation with GVL.

This goal is achieved through the "FPIC" process. FPIC stands for:

- ❖ **Free** - The community is free to make a decision without coercion or influence.
- ❖ **Prior** - Consent is formulated before any physical development activities begin.
- ❖ **Informed** - During the FPIC process, every reasonable effort is made to communicate to the entire community the detailed development plans and potential impact, whether positive or negative, as well as any other material information.
- ❖ **Consent** - The community agrees (or does not, according to their choice) to proceed with the development and the terms under which the development will take place.

FPIC is a process which is carried out between GVL and local communities in which GVL proposes to invest in and develop the land. The purpose of the process is to engage the community in the decision to pursue agriculture development and modernization by creating modern farms on their land. The process is designed to ensure the community's informed and true participation in the evaluation process and any final decisions made. The FPIC approach is needed due to the often traditional and customary land ownership and custodianship forms and recognizing lacking legal documentation on the title to and ownership of the land communities may occupy or utilize under various methods.

This is an iterative and participatory process with the communities. The manner of community participation and communication throughout the FPIC process should be determined by the community itself, in accordance with their own self-determined decision making and communication processes.

A well-defined and successful FPIC process will help prevent or will help manage conflicts within the community and between the community and GVL, as well as create the best environment for a successful development.

GVL believes in respecting the rights and wishes of communities, and only seeks to place developments where there is a willing partnership with the local community.

The Standard Operating Procedure document describes the general steps of the FPIC process and lists the required documents/records produced through the process.

This process will apply whenever it is determined that a community will be a potential participant or is otherwise affected by a development project. When no identified communities are affected by the development an FPIC process is not required.

## Table of Contents

<b>INTRODUCTION.....</b>	<b>I</b>
<b>FPIC PRINCIPLES .....</b>	<b>1</b>
Right to say yes or no .....	1
Inclusiveness in community decision making.....	1
Negotiations with representatives and communities in consultative and participatory manner ...	2
Mutually respectful meetings and decisions principles .....	2
Transparent progress schedule .....	3
Possibility of public domain materials dissemination .....	3
Appropriate negotiation parties.....	3
Development possibilities and elements .....	4
Public information of outcomes .....	4
<b>THE FPIC PROCESS .....</b>	<b>5</b>
<b>The GVL Land Consultation Team (LCT) .....</b>	<b>5</b>
<b>Initial Engagement Agreement.....</b>	<b>5</b>
Step 1 – Fact finding, studies and broad communication .....	5
Step 2 – Preparation for each community .....	6
Step 3 – Outreach meetings.....	6
Step 4 – Community engagement decision .....	7
Step 5 – Community representation decision .....	8
Step 6 – FPIC engagement agreement.....	9
Step 7 – Scheduling participatory mapping.....	10
<b>Participatory Mapping .....</b>	<b>10</b>
Step 1 – Sensitization meeting .....	11
Step 2 – Base map development .....	11
Step 3 – GPS tracking .....	12
Step 4 – GIS draft mapping .....	12
Step 5 – Participatory map validation .....	13
Step 6 – Map agreement .....	13
Step 7 - GVL agreement on feasibility grounds .....	13
Step 8 – Mutual planning .....	14
<b>Development Agreement .....</b>	<b>15</b>
Role of grievance procedures.....	15
Communities internal disagreements .....	15

Step 1 – Possible negotiation on provisional MOU and negotiation principles .....	16
Step 2 – Final negotiation .....	16
Step 3 – Signing and endorsement .....	17
<b>Implementation .....</b>	<b>18</b>
<b>VERIFIERS .....</b>	<b>19</b>
20 Verifiers Table .....	19
<b>THE FPIC FLOW ROADMAPS .....</b>	<b>21</b>

# FPIC Principles

The following principles provide the foundation for the FPIC process and apply at each stage of the process:

## Right to say yes or no

- GVL respects the rights of communities. The FPIC process is undertaken on the principle that communities have the right to give or withhold consent, say yes or no, to developments on their lands at all stages.

Free Prior Informed Consent implies the right of local communities to give or withhold their consent to any project that may affect their lands. GVL will help communities understand these rights, including the right to refuse developments on their lands, and the right to determine where, how and under what conditions the oil palm farming development may proceed. This right shall be respected at all stages of the negotiations.

The FPIC process will not be used as a tool for coercing communities into agreement. At the same time, presenting arguments for and delineating the benefits of development must not be seen as coercion, and GVL recognizes that within communities and amongst their members, significant and strong arguments and debate may arise for (or against) development. GVL will strive to provide balanced information, while at the same time providing honest advocacy for prudent development.

GVL will not assume that communities consent to develop the land as long terms are confirmed. Communities have the right to say no, irrespective of terms. Equally, communities have the right to say yes. And at the same time, GVL can say yes or no, and is not required to agree either.

Communities can agree on the amount of land to develop and on the amount of land to retain for other uses. The company will be open to all other issues that the communities may raise during negotiations. However, equally the company has the right to determine whether proposed land is feasible to develop or not.

Both the communities and the company have the right at any stage to say yes or no to further negotiations or development in a particular area, and to particular terms and considerations put forward, until agreement is reached. Development will only proceed on mutual agreement.

## Inclusiveness in community decision making

- GVL will advise, facilitate and work to ensure that mechanisms are in place to ensure that the views of the whole spectrum of community members will participate in the process, and that decisions made will genuinely represent the community's position through appropriate decision making mechanisms. GVL will help include safeguards agreed to by the community to ensure equality, social inclusion and peaceful co-existence after the negotiations.

Rural communities in Liberia are not homogeneous. Differences of opinion on important matters affecting the community may come along class, gender, tribal, section, or age lines. Elite or wealthy members of the community (including those who hold positions of authority in traditional, local or national government, civil society or other organizations) may exercise influence over the process and attempt to marginalize the voices of less powerful groups or individuals, for or against development. Similarly, community members of any background may seek personal benefits by either advocating or opposing development. Examples of such a situation include contexts where an individual from the county or district administration is from the same clan, town or village as the community, or where a clan chief lives in a particular village, or where a wealthy community member lives in a larger town or city but maintains strong links to his village of origin, or persons hailing from the community hold positions in or receive

income from organizations that have different development policies or are opposed to development. Marginalized groups such as women, youth and the disabled and minority tribal members must be involved in community discussions and decision-making.

GVL's key duty is to help ensure that community members are widely and inclusively heard and have a role in the process, irrespective of their backgrounds.

Decision-making procedures must be accountable and inclusive and, most importantly, adhere to the community's self-determined decision making systems. Communities must themselves determine their decision making methods. Typically this reflects significant, but not necessarily complete, consensus. Full agreement by everyone cannot be expected. When there are significant differences in views along such lines, the community with support and advice from GVL and civil society, legal or other advisers, may solicit the services of a mediator. This can help ensure that GVL's presence does not create conflict within the community, disenfranchisement of marginalized groups, or intimidation against those with contradictory views, whether for or against development.

However, in the end, community decision making cannot be expected or required to be unanimous. Minority views cannot be expected to hold the board community hostage. Communities' customary decision making system will be respected, and will be deemed to prevail.

### **Negotiations with representatives and communities in consultative and participatory manner**

- GVL will work to help ensure that communities put forward broad-based representation, which comprise all segments of the community. The FPIC process needs to be inclusive, consultative and participatory not based on one - on - one consultations.

The manner of community participation and communication throughout the FPIC process will be determined by the community itself, in accordance with their self-determined decision making and communication processes.

While communities have the right to self-determination, the FPIC process will guide communities to use decision-making processes that provide for self-representation of the community. The agreement needs to be legally binding; therefore whichever form of representation the community has chosen, it must have decision-making authority concerning the traditional, customary and communal land use rights.

The GVL Community Affairs (CA) team's and civil society's support is important. An assisted and carefully documented process will reduce the likelihood of negotiations breaking down due to misunderstandings or being subjected to false accusations or baseless criticism, or lack of accountability and lack of needed decision making authority.

### **Mutually respectful meetings and decisions principles**

- GVL will not determine communities' decision making process. The communities shall have sufficient time for internal consultations before any decisions. Meetings planning and drafting agendas shall be participatory and include items of interest to both parties.

During formal meetings between GVL and communities or their representatives, all parties must participate in drafting the agenda to ensure that the discussion is not dominated or manipulated by GVL or by any elite's interests. To facilitate the process, GVL is typically expected to propose a meeting agenda, with the community's input and suggestions for modifications.

All FPIC community meetings are to be carefully documented in writing (meeting memo, attendance list, audio recording.) All FPIC documentation are to be filed in hard copy and electronic copy:

- GVL will document all meetings. The meeting minutes are to be endorsed by the community.
- GVL will keep records of ALL information related to the FPIC process and provide all FPIC documentation, including agreements, maps, endorsed SOPs, all communication, meeting minutes, to the communities. The communities will receive an identical verifier binder by the end of the FPIC process.
- All documents will be made reasonable available for independent scrutiny, subject to the community's consent and subject to pre-appointment.

GVL will provide communities with all reasonably relevant information, in locally understandable terms and, where appropriate, language, accessible to the broad community members. Yet it is not GVL duty to compel all and every community member to participate in or partake of all information.

### Transparent progress schedule

- A schedule of all meetings that will take place between GVL and communities is to be posted in communities, upon their approval, and if requested by relevant stakeholder to be shared with them, subject to the community's approval.

GVL will normally post information and proposals on a bulletin board in the community, provided the community agrees to this method.

GVL will, subject to the community's authorization and instruction, provide to civil society an FPIC schedule after it is agreed with communities. If the communities agree, civil society may witness or observe FPIC meetings.

GVL will use multiple methods to make documentation available. Such methods could include, but not be limited to, distribution in communities, bulletin board, palava huts, third parties (NGOs), internet, flyers, media – again naturally subject to the parties' consent.

### Possibility of public domain materials dissemination

- Subject to community authorization and commercial confidentiality, relevant materials and documentation may be published in the public domain to ensure that third parties are able to access information.

Subject to commercial confidentiality and both parties approval, GVL may publish FPIC information and documents. These may include presentations to communities, agreements, meeting documentation. Likewise related social agreements, contracts, or memorandums of understandings may be available to third party assessment and study. Both parties (community and GVL) have the right to withhold any information they consider being confidential.

### Appropriate negotiation parties

- The FPIC process will be carried out with the relevant decision making bodies, for example the community representatives, those who reside and depend on the land for their livelihood, own land or have farms in the area.

The definition of a "community" is not one-dimensional. Traditional or indigenous land in Liberia is communally governed. The FPIC process shall engage those parties and traditional decision making authorities which manage and govern the use rights of communal, traditional and indigenous land. (See *The Land Commission Policy Recommendation 2013*)

The FPIC engagement should avoid creating or accepting artificial boundary conflicts and must inform the neighboring communities about the FPIC process.

### **Development possibilities and elements**

- Different development possibilities and alternatives are to be explained and discussed the community at the earliest stage of the FPIC process. Such alternatives include small holder programs and cooperatives. In particular, GVL would regularly always propose to support the development and implementation of an “outgrower” program in accordance of the GVL concession agreement. In general, the “outgrower” program would support the development of 10 acres of outgrower oil palm farm on for any 50 acres of company developed farm. The outgrower farms may take form of smallholder farms, cooperatives or community farms or community corporation farms, subject to palavers.

Communities often do not have experience in negotiating with investment or concessionary companies. Therefore explanations of the factors and considerations ought to be comprehensive and transparent. In discussing various development models, it needs to be recognized that GVL does not necessarily agree to carry out development, when it is not economically viable.

### **Public information of outcomes**

- The outcomes of the FPIC process including expansion plans and timelines, subject to the community’s consent and instruction, are made public, to share the information with stakeholders, the wider Liberian public and diaspora.

The outcomes of the FPIC process should be communicated transparently so all relevant stakeholders can access this information. Communication and sharing of relevant information is a component of the formalized FPIC and its monitoring process. GVL will also over time formalize a regular quarterly or semi-annual forum to update civil society on current operations, expansion schedules and negotiating processes.

# The FPIC Process

## The GVL Land Consultation Team (LCT)

Before the FPIC process can begin, GVL will establish an interdisciplinary team incorporating oil palm expertise, environmental, social and technical aspects. The team shall also include language, culture, communication and negotiation skills, knowledge of FPIC processes and knowledge of the relevant industry, international and national standards. The team will be responsible for developing and making available material to use during the FPIC Process as well as logistics and resources.

### Initial Engagement Agreement

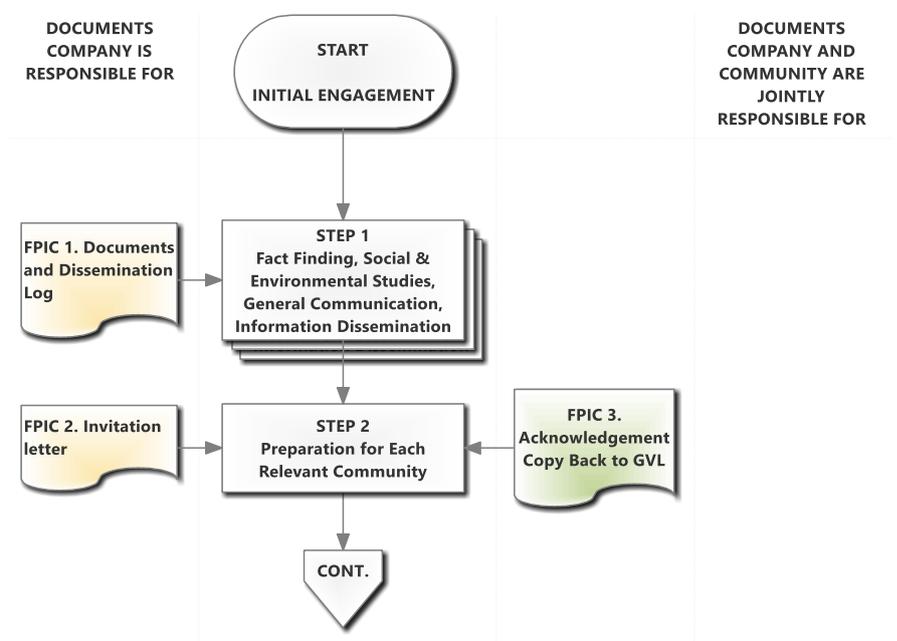
The first phase in the FPIC process (once the determination is made that FPIC applies) is to collect, evaluate, and share information and develop communication with each relevant or affected community. The goal of this phase is to have a determination by each community on whether and how they want to proceed with the FPIC process in evaluating/reviewing the feasibility and practicality of a development. This is NOT consent for development, but merely the agreement to proceed with the consent process. If a community does what to proceed the then FPIC process ends at that point.

### Step 1 – Fact finding, studies and broad communication

The first step in the process involves finding out the facts of the situation on the ground, including which communities could be affected by the process. Information gathering activities could range from informal general fact finding to formal social and environmental studies. The information should also include learnings about culture, traditions, and norms for the community as well as the best and most appropriate way to communicate and consult with each community.

The appropriate social and environmental studies include:

- ❖ An Environmental and Social Impact Assessment (ESIA) which will help determine the larger effects that the proposed development will have on the affected communities' social and physical environment;
- ❖ A High Conservation Values assessment (HCV) which is considered one of the most effective spatial planning tools for balancing development objectives with social and environmental concerns;
- ❖ A High Carbon Stock (HCS) assessment to determine if a forest area contains high amounts of stored carbon. This is an important matter for the Global Warming; when carbon is released to the air (burning, decomposing wood), the amount of carbon in Earth's air increases, and with it the planet's temperature. We will only develop areas where Oil Palms will not greatly affect the forest's carbon amount.



Documents/Records		
Doc. Ref.	Title	Responsibility
FPIC 1	Documents and Dissemination Log	GVL

## Step 2 – Preparation for each community

After the initial studies and fact-finding, GVL will provide an Invitation Letter to Outreach Meetings (FPIC2) to each of the relevant communities and the communities will send a copy of the letter back to GVL acknowledging receipt (FPIC 3).

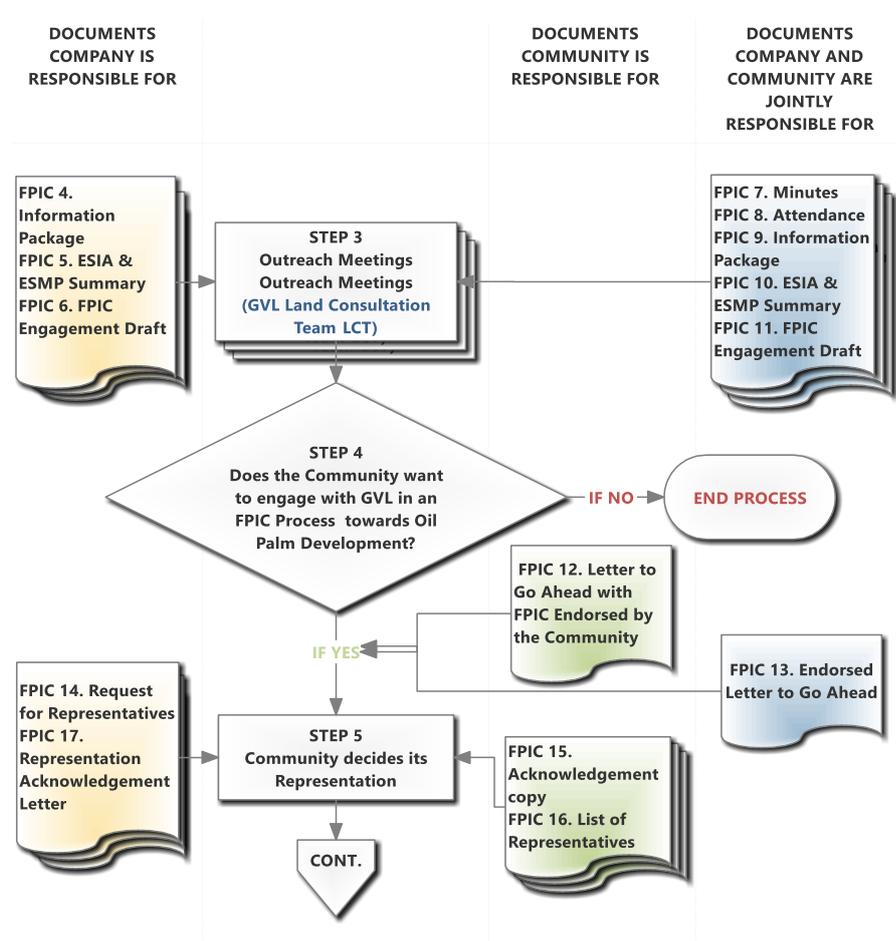
Documents/Records		
Doc. Ref.	Title	Responsibility
FPIC 2	Invitation letter to Outreach Meetings	GVL
FPIC 3	Acknowledgement returned	Community

## Step 3 – Outreach meetings

Once the communities have acknowledged receipt of the invitation, the GVL Land Consultation Team will arrange and conduct Outreach Meetings with the relevant communities.

GVL will prepare an Information Package which will include, among other things:

- ❖ A summary of the proposed development project
- ❖ A GVL brochure and Fact Sheet as well as any project illustrations and posters to help communicate what the project is about
- ❖ The GVL Concession Agreement (CA)
- ❖ A copy of the Roundtable on Sustainable Palm Oil Principles and Criteria. 2013
- ❖ The suggested roles and structure of the Community Representative Committee should the Community decide to follow the recommendation to select representatives to negotiate with the Company
- ❖ A draft or sample Social Agreement to give communities an idea of what such an agreement contains
- ❖ The Standard Operating Procedures (SOP) including the Free Prior Informed Consent (FPIC) process.
- ❖ Copies of the ESIA summary and other studies as well as a summary of the Environmental and Social Management Plan (FPIC5) that was developed based on the assessments
- ❖ A Starting Draft of the FPIC Engagement Agreement (FPIC6) which will provide a starting point for discussions regarding the FPIC Engagement Agreement.



The Outreach Meetings themselves will include introductions, information on the project, FPIC processes, and the rights of the communities in the process. The LCT will emphasis both the

positive and negative impacts and present measures to alleviate the negative impacts. The LCT must not commit management to projects in the community without management instruction.

The Community and GVL will have joint responsibility for recording the Minutes of the Outreach meetings (FPIC7) and keeping a record of who attended the Outreach meetings (FPIC8) as well as for ensuring the relevant parties receive the Information Package (FPIC9) and the ESIA and ESMP Summary (FPIC10). All relevant parties must acknowledge receipt of these documents and these should be recorded with the name of the person, date and the signature/thumb print.

The Company and the Community will also agree on a draft FPIC Engagement Agreement to provide a platform for additional discussions with the community representatives to determine if they want to proceed.

All relevant information must be supplied to communities in an accessible form – typically written booklets, but also bulletin boards, discussions, videos, illustrative cartoons. The information should be prepared and presented in a way that is mindful of the fact that community members may have little formal education and limited literacy skills. In addition, the evidence (acknowledgment) that the information has been provided to the communities must be recorded.

The team will leave information with the communities for a sufficient time so that the communities can exercise their rights to take advice from NGOs, traditional and governmental authorities or anyone else who may be able to advise them and to make a decision on whether to engage with the Company in an FPIC process.

The LCT team will consider the level of consensus required to proceed. 100% agreement may not be feasible OR necessary and some level of disagreement is likely. At this stage, the consequences to the Community are relatively minor.

At all times, however, the right of the Community to decide NOT to proceed must be upheld, and the process will end as soon as they exercise that right.

Documents/Records		
Doc. Ref.	Title	Responsibility
FPIC 4	Community Information Package	GVL
FPIC 5	ESIA & ESMP Summary	GVL
FPIC 6	FPIC Engagement Agreement Starting Draft	GVL
FPIC 7	Minutes of Outreach Meetings	Joint (GVL & Community)
FPIC 8	Outreach Meeting Attendance	Joint
FPIC 9	Information Package - Receipt	Joint
FPIC 10	ESIA & ESMP Summary -Receipt	Joint
FPIC 11	FPIC Engagement Agreement Draft	Joint

### Step 4 – Community engagement decision

IF the Community DOES want to engage with the GVL in an FPIC Process, they will provide a Community Letter stating their willingness to go ahead with the FPIC process (FPIC12) and both the Community and GVL will endorse the Letter to Go Ahead (FPIC13).

Documents/Records		
Doc. Ref.	Title	Responsibility
FPIC 12	Community Endorsed Letter to Go Ahead with FPIC	Community
FPIC 13	Endorsed Letter to Go Ahead with FPIC	Joint

## Step 5 – Community representation decision

At this point and keeping in mind the communities' right to self-determination, GVL will recommend that they consider creating a broad-based and representative negotiating team that is accountable to the whole community to facilitate the internal community negotiations and engagement with GVL.

GVL will formally request the Community to choose representatives using the Request to the Community for Representatives (FPIC14). The Community will send a copy of the Request back to GVL to acknowledge receipt (FPIC15).

The Community will decide on its representation in accordance with their own self-determined decision making and communication processes.

There are two facets to the representation:

- Determining the internal representation for the community in terms of speaking for the community and making decisions for the community during the FPIC process.

The key factor is inclusion. Communities are not homogeneous. Part of the FPIC process is to ensure that all parts of the community are fairly represented and decision making is not dominated by the affluent or politically connected, for example, while less powerful groups are ignored or marginalized. All groups, including women, disabled, youth, and elderly should be fairly represented in decision making.

There may be pressure on the communities to include or exclude various types of members from being representatives. For instance, there may be company employees already in the community, or there may be members of advocacy groups. Any such particular group may create a conflict of interest – yet as community members they should have a legitimate voice and representation. The Community should try to ensure that there is proportionate representation that includes relevant groups, considering their role in the community. For instance, if the company already employs a large population in the community, a major voice of company employees cannot be avoided, but even then a clear policy of transparency is critical.

As the company's duty of care, is important to take into account that the Community's representative structures may need support without compromising their independence.

- Finding outside representation for the community. Many communities will not have the legal or technical expertise needed to fully understand and engage in the FPIC process for a large palm oil development, and they do not have the resources to hire professionals to serve as counsellors in these areas. When this is the case, finding neutral parties to serve as community advisors or advocates or finding ways to pay for these professional services is a challenge.

While GVL can provide recommendations or some assistance in these areas for the community, every community must make its own determination for both internal and external representation. This SOP only accounts for the internal aspect of representation.

Whichever form of representation the community in question chooses, they must ensure that the representation actually has the decision making capacity and authority over the use rights of communally governed land. There may at times be pressure by the NGOs to elude the traditional governance structures from the FPIC process as a decision making body. However it is important to understand that the traditional governance structure in Liberia govern the communal land. Typically, the traditional land ownership rights are governed by paramount chief and clan level. A town chief or a community may grant use rights for land. An agreement reached by individual members of a community, even when selected by the community, does not have the full decision making authority in the Liberian traditional land governance system over the ownership and use rights of the communally governed land. Such an agreement signed by 'community members' may later be contested.

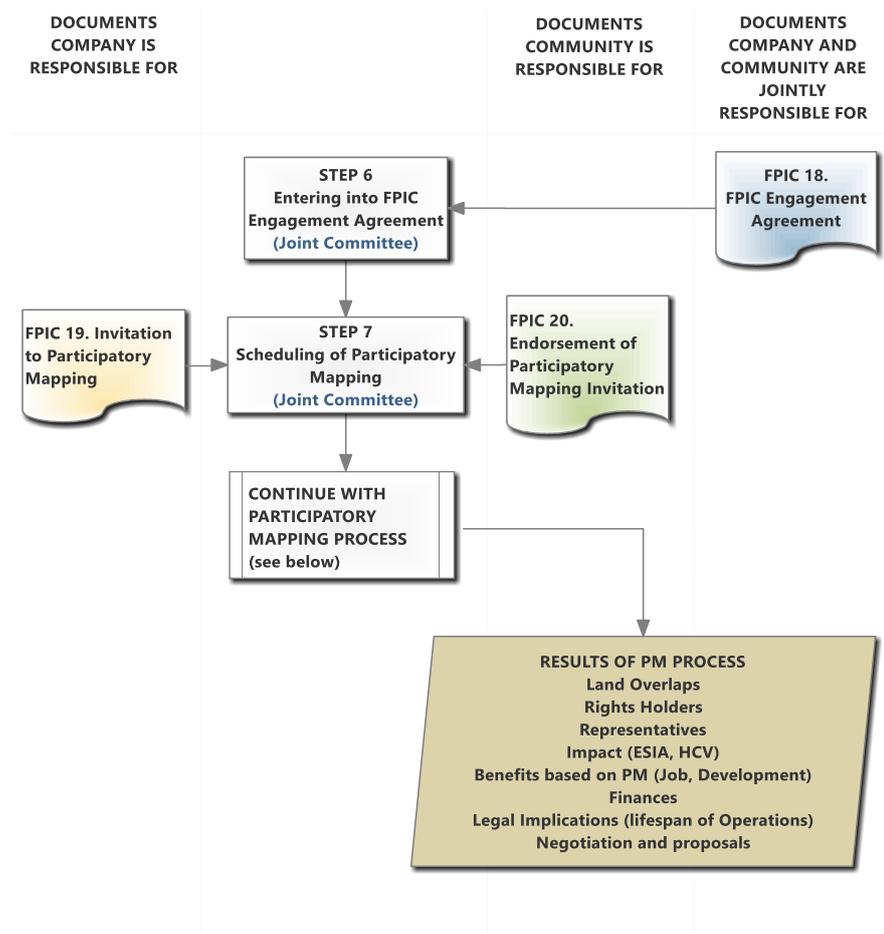
When the Community has decided on their representation, they will provide a List of Representatives (FPIC16) to GVL and GVL will send a Representation Acknowledgement Letter (FPIC17) to the Community.

Documents/Records		
Doc. Ref.	Title	Responsibility
FPIC 14	GVL Request to Community for Representatives	GVL
FPIC 15	Acknowledgement of Request copy back to GVL	Community
FPIC 16	List of Community Representatives	Community
FPIC 17	Representation Acknowledgement Letter	GVL

### Step 6 – FPIC engagement agreement

The next step is for a Joint Committee with representatives from GVL and the Community to agree on the terms of engagement (that is, agreeing on how they will work together) as well a calendar for the process (including what periods are appropriate for the community to review and reflect on information before making decisions related to the palm oil development or operation), and formalize them in an Engagement Agreement (FPIC18).

The Engagement Agreement will be based on the draft FPIC Engagement Agreement agreed on in the Outreach Meetings. It is important to ensure the whole community is involved in negotiating the Agreement and the voices of all sections of the community are heard.



Documents/Records		
Doc. Ref.	Title	Responsibility
FPIC 18	FPIC Engagement Agreement	Joint

## Step 7 – Scheduling participatory mapping

Once the terms of engagement are agreed, the GVL and Community Joint Committee will schedule a Participatory Mapping event. GVL will send a formal Invitation to Participatory Mapping (FPIC19) to the Community and, after time for reflection and discussion the Community will endorse the Participatory Mapping Invitation (FPIC20).

Documents/Records		
Doc. Ref.	Title	Responsibility
FPIC 19	Invitation to Participatory Mapping	GVL
FPIC 20	Endorsement of Participatory Mapping Invitation	Community

## Participatory Mapping

The Participatory Mapping process is at the heart of the FPIC process.

Participatory land tenure surveys, mapping of customary lands, land use mapping, additional ESIA, HCV and HCS Assessments are undertaken with the full participation of communities prior to negotiations, to ensure that the community decision-making process is informed.

The process will map out land overlaps, rights holders, representatives, potential impacts (ESIA, HCV, HCS), potential benefits (for example, jobs, development), finances, the legal implications of the project during the lifespan of operations.

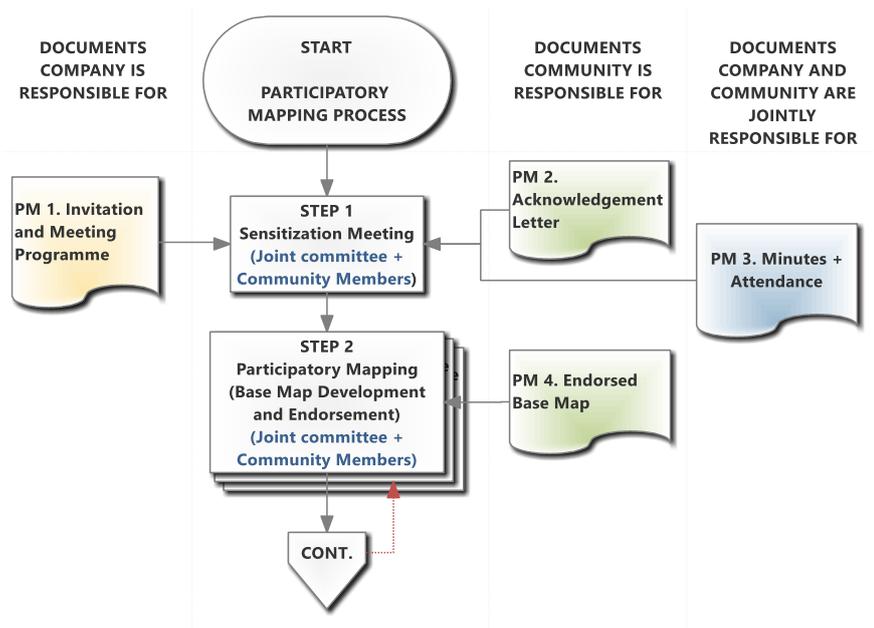
These processes are to involve the whole community rather than select individuals. The manner of participation must be determined by the community itself, in accordance with their own decision making and communication processes. ‘Participatory’ in this context means both participation during the design stage of these assessments (e.g. to establish what questions need to be asked, and how they will be asked) as well as during their execution, revision and finalization.

These assessments must be prepared and presented in a way that is clear and understandable to communities in both the form and language used, mindful of the fact that community members may have little formal education and poor literacy. They should accurately demonstrate to the communities how the development on their land is likely to affect their cultural and environmental landscape and in turn their livelihoods and wellbeing.

As part of the ESIA, HCV and HCS assessments, the company should demonstrate to the satisfaction of the communities involved, those measures it will take to prevent or minimize the negative impacts on their livelihoods and wellbeing.

## Step 1 – Sensitization meeting

The Participatory Mapping process will begin with a sensitization meeting held between the Joint Committee and Community Members to outline the Participatory Mapping process. Although GVL will provide an Invitation and a Meeting Program (PM1), the Community has the right to influence the agenda to make sure that GVL's interests do not dominate. After agreeing on the agenda, the Community will send GVL an acknowledgement that they have received the invitation and meeting program (PM2).



The Community and GVL are jointly responsible for ensuring that Minutes of the sensitization meeting are taken and attendance is recorded (PM3)

Documents/Records		
Doc. Ref.	Title	Responsibility
PM 1	Invitation and Meeting Program	GVL
PM 2	Acknowledgement Letter	Community
PM 3	Minutes and Attendance	Joint

## Step 2 – Base map development

After the sensitization meeting, the Joint Committee and the Community members will proceed to develop a Base Map showing rights holders and land overlaps. It is important that community hunting, gathering and other forest land uses be documented. The mapping process should also carefully document all farms, farm owners, the crops, the future farm land, creeks, grave sites, sacred areas, old towns or villages, areas the community gets thatch from, hand pumps, social infrastructure such as schools, clinics, church buildings and roads as well as proposed small holder farm land.

In addition, the Joint Community must ask whether there is a boundary conflict with nearby communities or any conflict associated with the land.

The mapping process will be an iterative process where draft maps (FPIC 22) will be proposed and validated by the Community. The final Base Map (PM4) must be endorsed by the Community (PM4).

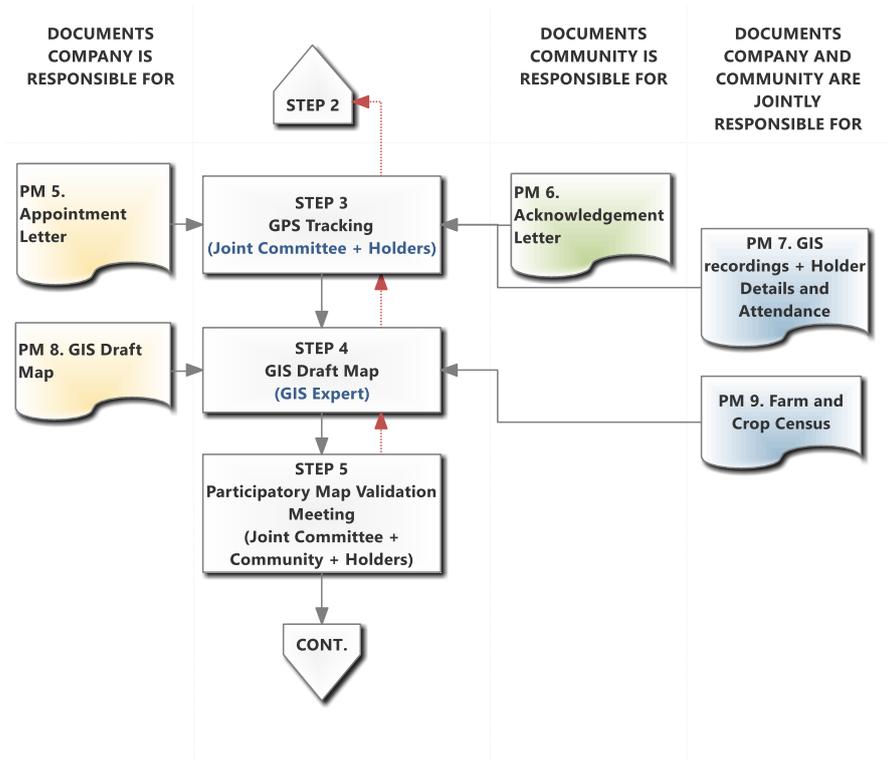
Documents/Records		
Doc. Ref.	Title	Responsibility
FPIC 22	Draft Base Maps	Joint
FPIC 23	Final Base Map	Joint
PM 4	Endorsed Final Base Map	Community

### Step 3 – GPS tracking

When the final Base Map is complete, the Joint Committee and the identified Rights Holders will conduct a GPS Tracking exercise to build on and confirm the Base Map.

GVL will provide an Appointment Letter (PM5) and the Community will respond with an acknowledgement (PM6).

The Joint Committee and the Rights Holders will be jointly responsible for providing GIS Recordings as input to the Base Map, the details of the identified Rights Holders and a record of attendance at any meetings held (PM7).



Documents/Records		
Doc. Ref.	Title	Responsibility
PM 5	Appointment Letter	GVL
PM 6	Acknowledgement Letter	Community
PM 7	GIS Recordings, Holder Details and Attendance	Joint

### Step 4 – GIS draft mapping

A GIS Expert from GVL will provide a GIS Draft Map (PM8). The Community and GVL will be jointly responsible for conducting a farm and crop census and providing the documented results (PM9) as input to the GIS Draft Map.

The results of Steps 2-4 (including all documentation) shall be shared with communities in a form that is accessible to all potentially affected parties, for example, young, old (elders), male, female, traditional leaders. It is important to leave the information for the Community so that they can take time to consider it and exercise their right to take advice. The discussion must include the whole community (or at least the individuals who will be affected and neighbors where there are overlapping claims).

Documents/Records		
Doc. Ref.	Title	Responsibility
PM 8	GIS Draft Map	GVL
PM 9	Farm and Crop Census	Joint

### Step 5 – Participatory map validation

The Joint Committee, the Community and the identified Rights Holders will hold meetings to validate the draft Participatory Map developed in steps 2-4. The Community and GVL will be jointly responsible for obtaining endorsement of the Final Participatory Map (including both the Base and GIS Maps) (PM10) as well as minutes and a record of attendance of the Participatory Map Validation Meetings (PM11).

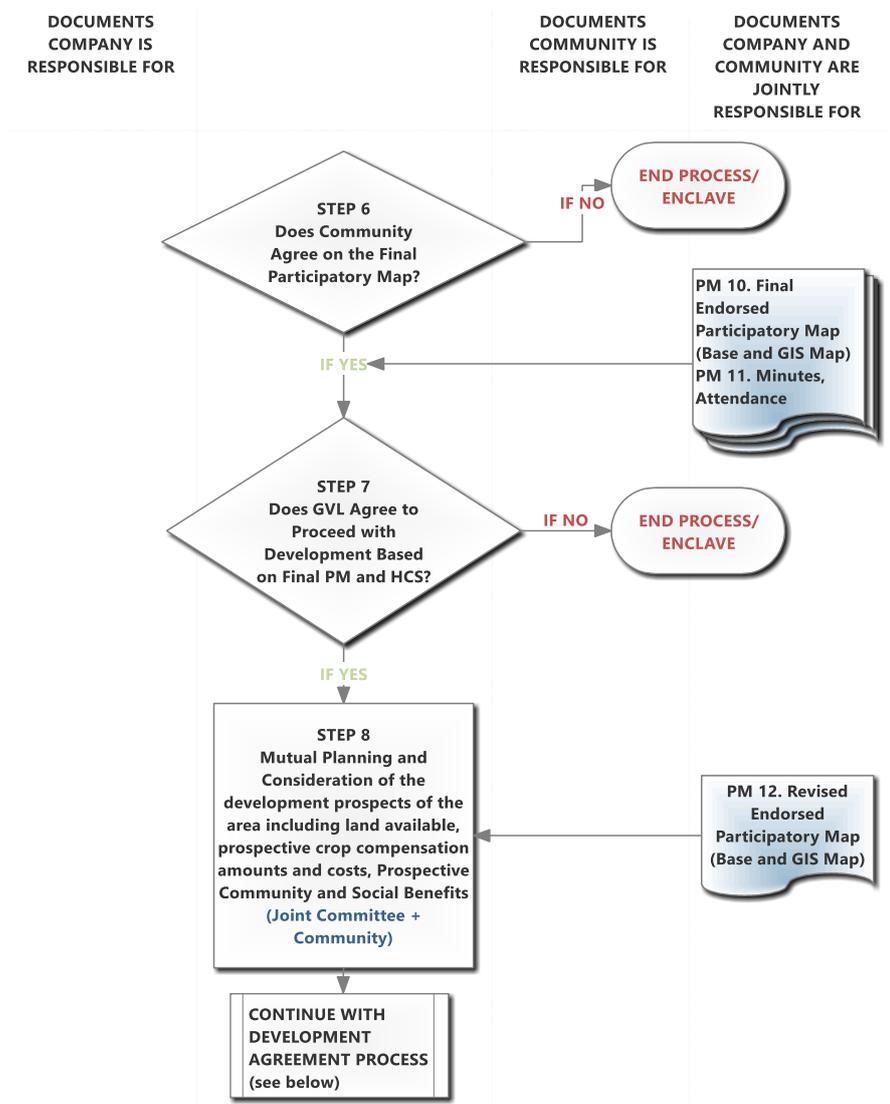
NOTE: All relevant information must be supplied to communities prior to negotiations taking place.

Also the evidence (acknowledgment) that the information has been provided to the communities must be recorded. All information should also be available to other relevant stakeholders including civil society for the purposes of independent monitoring, where approved by the communities.

### Step 6 – Map agreement

The Community must decide whether they agree on the Final Participatory Map.

It is important again to uphold the right of the Community to reserve agreement. IF the Community does NOT agree on the Final Participatory Map, the Participatory Map process will end or be taken back to an enclave to discuss further steps.



Documents/Records		
Doc. Ref.	Title	Responsibility
PM 10	Final Endorsed Participatory Map	Joint
PM 11	Minutes and Attendance	Joint

### Step 7 - GVL agreement on feasibility grounds

IF the Community DOES agree on the Final Participatory Map, GVL will decide whether it agrees to proceed with development based on the Final Participatory Map and the HCS assessment.

IF GVL DOES NOT agree to proceed, the process will end or be taken back to an enclave to discuss further steps.

### Step 8 – Mutual planning

IF the Community and GVL DO agree to proceed, the Community and the Joint Committee will enter into a period of Mutual Planning and negotiation taking into consideration the development prospects of the area, including land available, prospective crop compensation amounts and costs, and the prospective Community and Social benefits that might arise from the development.

NOTE: All relevant information must be supplied to communities prior to negotiations taking place. Also the evidence (acknowledgment) that the information has been provided to the communities must be recorded. All information should also be available to other relevant stakeholders including civil society for the purposes of independent monitoring, where approved by the communities.

All relevant information must be supplied to communities in an accessible form – typically written booklets, but also bulletin boards, discussions, videos, illustrative cartoons, as soon as prior to negotiations. As above, the information should be prepared and presented in a way that is mindful of the fact that community members may have little formal education and poor literacy. Communities must have sufficient time to consider, read and discuss the information before negotiations commence and during them and decide whether, and if so how they would like to engage with the company before and during negotiations. This information includes the concession contract itself, ESIA, HCV Assessments, maps, Standard Operational Procedures, management plans and conflict resolution mechanisms etc. Printed and electronic copies, subject to policies, will be shared with all relevant stakeholders for purposes of independent monitoring and support, subject to communities' approval of distribution.

The planning will include negotiations concerning benefit sharing, compensation, social programmes, jobs, etc. Community hunting, gathering and other forest land uses documented during the Participatory Mapping Phase are to be taken into account in planning and mitigation of developments, negotiations for final land acquisitions, and then compensation programmes. It is also important to consider the measure of how much reserve land communities will need for their children and grandchildren – this may be a source of conflict within communities, especially when not considered systematically. At the same time, it is important to recognize the realities of today's society and what is happening in escape from rural areas and in urbanization. Slash and burn farming with low productivity is not socially or environmentally sustainable under the current population growth or considering the persistent food insecurity in large parts of Liberia.

Based on the Mutual Planning and negotiations, the Joint Committee and the Community will provide an endorsed Revised Endorsed Participatory Map, including the Base and GIS Maps (PM12). The Revised Endorsed Participatory Map will be used to inform the rest of the process.

Documents/Records		
Doc. Ref.	Title	Responsibility
PM 12	Revised Endorsed Participatory Map	Joint

## Development Agreement

Before negotiations on the Development Agreement can begin, the Community must decide if they are willing to enter into a Development Agreement.

IF the Community IS NOT willing to enter into a Development Agreement, the entire process will end and the development will not take place. Parties may decide subsequently, through mutual decisions, to resume or reconsider negotiating.

IF the Community IS willing to enter into a Development Agreement, they must decide whether the development should proceed based on a Provisional Memorandum of Understanding (MOU) or can only proceed based on a Final MOU and Social Agreement. Both choices will have their benefits and drawbacks.

A provisional MOU will provide for earlier benefits and gains in employment and payments, but may leave uncertainties about future details. A full final negotiation may determine exact details, but delay development and introduce new uncertainties.

Under both approaches, GVL allows the community to take the lead in determining where the negotiations will take place. The community will normally negotiate through its previously selected representatives but may change or amend representation in accordance of the same principles as apply to selection of representatives.

### Role of grievance procedures

Under both approaches, Grievance and redress mechanisms must be developed in a participatory manner as part of the negotiations process. GVL provides as a starting points the GVL Grievance Standard Operating Procedure, which may be adopted or amended in the negotiation.

Grievance and redress procedures will be set out and made accessible, reviewed and if needed, negotiated, prior to any final agreement; so that community members are clear on what avenues they can take if they have a grievance.

### Communities internal disagreements

GVL's formal grievance and redress mechanisms cannot address all community matters. When a community is reaching decisions, some members may feel or say to be aggrieved or excluded. Disagreements may arise either during the negotiation or during implementation of the agreed action. Internal disagreements and grievances should be resolved in first instance within and by the communities themselves, while GVL will rely on the communities authorized decision making as a whole.

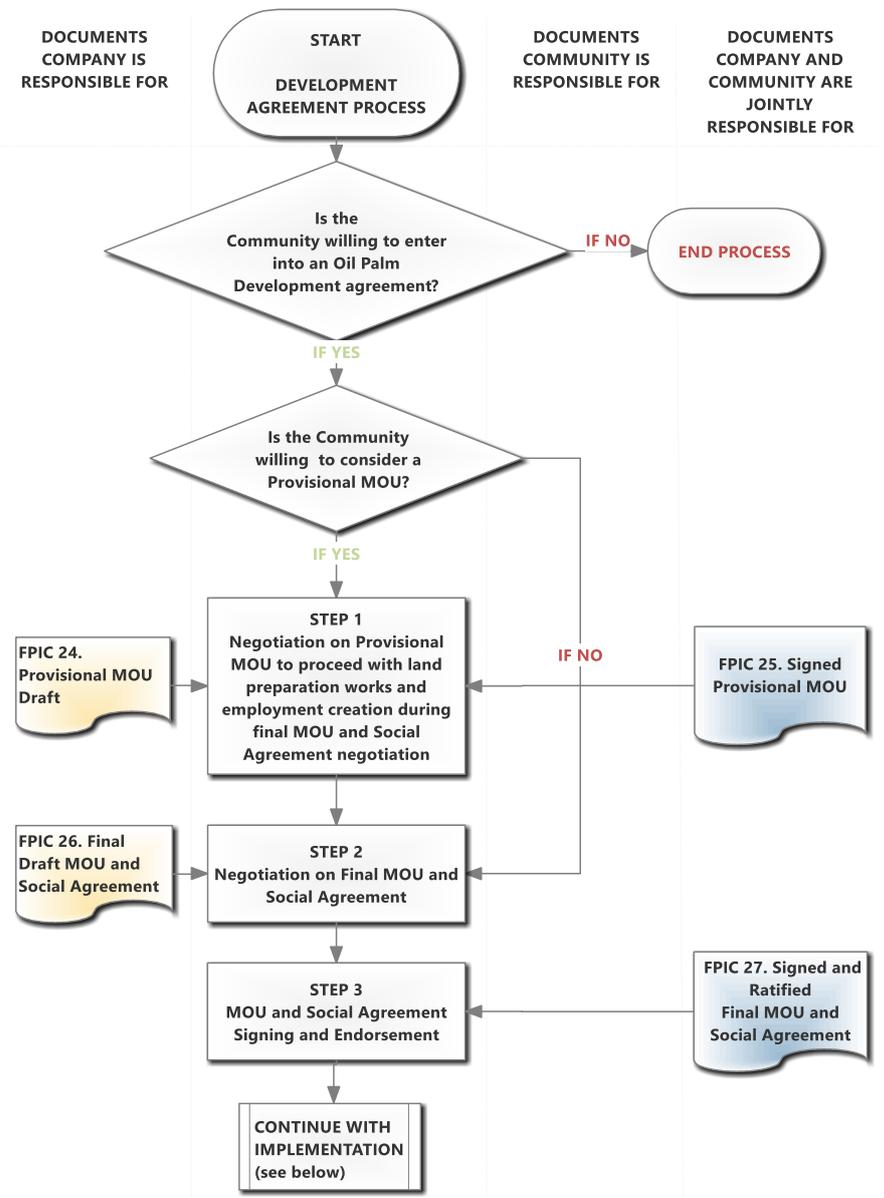
However, GVL will expect to assist or facilitate communities to address internal or inter-community grievances in the interest of undisturbed decision making and development work.

## Step 1 – Possible negotiation on provisional MOU and negotiation principles

IF the Community IS willing to consider a Provisional MOU, the Community and GVL will embark on a process of negotiation on the Provisional MOU with the agreement that land preparation works and employment based on the Provisional MOU can begin while a final MOU and Social Agreement is negotiated.

The proposals arising from negotiation meetings containing only community representatives, even though potentially fully selected and authorized by the community, have to be communicated with the broader community. Negotiations are a consultative participatory process of dialogue, discussion and negotiation. Communities are to be given sufficient time to take in, reflect upon, and make decisions collectively regarding the company’s proposed operations. Communities are also free to seek legal advice and/or assistance from support NGOs, civil society or other advisors throughout the process.

Although GVL will provide a draft of the Provisional Memorandum of Understanding (FPIC24) as a basis for discussion, the Community and GVL will be jointly responsible for agreeing on and producing a Provisional Memorandum of Understanding (FPIC25).



Documents/Records		
Doc. Ref.	Title	Responsibility
FPIC 24	Provisional MOU Draft	GVL
FPIC 25	Signed Provisional MOU	Community

## Step 2 – Final negotiation

IF the Community was NOT willing to consider a Provisional MOU OR they were willing and the Provisional MOU has been agreed on, the negotiation on a Final MOU and Social Agreement will begin.

If a Provisional MOU is in place, development can begin during this period. Otherwise, development must wait until the Final MOU and Social Agreement is signed and endorsed.

Again, proposals arising from negotiation meetings containing only community representatives, even though potentially fully selected and authorized by the community, should be briefed to the broader community.

Although GVL will provide a draft of the Final MOU and Social Agreement (FPIC26) as a basis for negotiation, negotiations are a consultative process of dialogue, discussion and negotiation.

Accordingly, the Community will be provided time to reflect on the MOU and Social Agreement and also an opportunity to take advice including legal advice. The whole community should be involved, especially those who use land or farm to ensure that consensus is built in the community.

Documents/Records		
Doc. Ref.	Title	Responsibility
FPIC 26	Final Draft MOU and Social Agreement	GVL

### Step 3 – Signing and endorsement

After the negotiations have been concluded to the satisfaction of both the Community and the Company, GVL and the Community will meet to sign and endorse the Legalised Final MOU and Social Agreement (FPIC27). The agreements are to carry the force of a binding legal contract between two parties.

All relevant parties will be sought to sign the agreement including government, traditional authorities, involved civil society, etc.

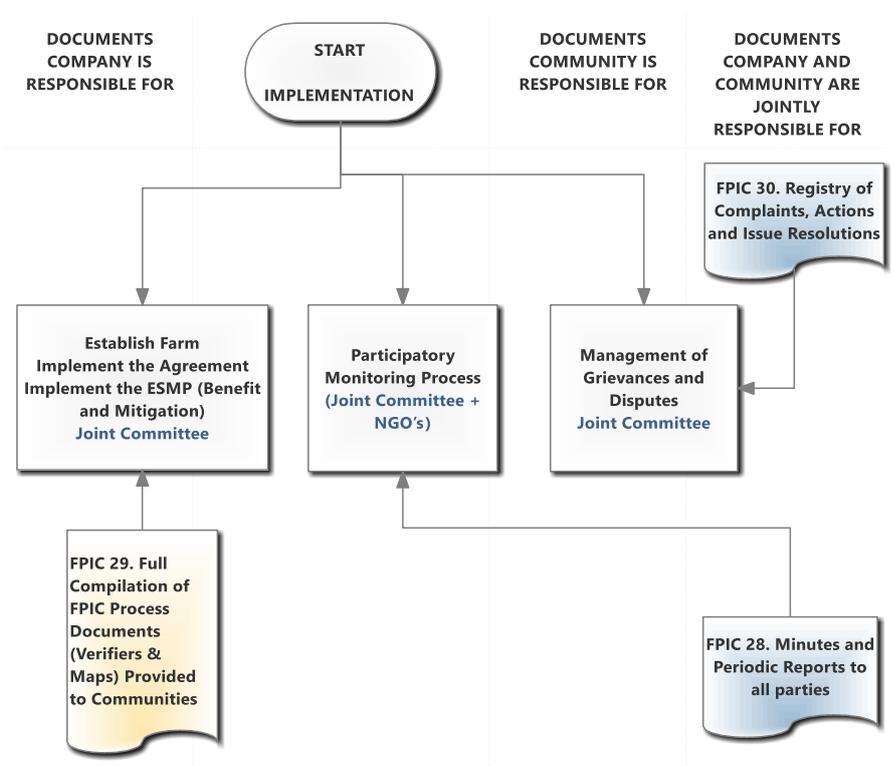
Documents/Records		
Doc. Ref.	Title	Responsibility
FPIC 27	Legalized Final MOU and Social Agreement	Joint

## Implementation

After the Final MOU and Social Agreement have been signed and endorsed, the Joint Committee will be responsible for establishing the farm as well as implementing the Agreement and the ESMP (Benefit and Mitigation). GVL will provide a Full Compilation of FPIC Process Documents (Verifiers and Maps) (FPIC29) to the Community.

During the development, the Joint Committee and Non-Governmental Organizations will conduct a Participatory Monitoring Process. The Joint Committee will be responsible for recording the Minutes of all Participatory Monitoring meetings and providing periodic reports to all parties (FPIC28).

During the development, the Joint Committee will also be responsible for managing all grievances and disputes according to the agreed-upon mechanisms, keeping a Registry of Complaints, Actions and Issue Resolutions (FPIC30).



Documents/Records		
Doc. Ref.	Title	Responsibility
FPIC 28	Minutes and Periodic Reports to all parties	Joint
FPIC 29	Full Compilation of FPIC Process Documents	GVL
FPIC 30	Registry of Complaints, Actions and Issue Resolutions	Joint

## Verifiers

GVL archives and files the FPIC materials using a 20 Verifiers system. It will be expected that a well-executed FPIC process will provide relevant and substantive materials to meet even all but in any case almost all of these verifier requirements.

Every community situation may not be the same, and some verifiers may not be relevant or important, however there would be a preponderance of such verifiers in every single FPIC process.

GVL would further provide the same verifier filing to each of the community partners for their own archiving and later reference.

### 20 Verifiers Table

Verifier Number and Short Name	Verifier Description
(1) Social Survey	Evidence of a social survey to identify local communities that live in or near areas of proposed concession / plantings
(2) Land Tenure Study	Land tenure study or survey showing the company has sought to understand local systems of land ownership (especially where lands are mainly held by custom or under informal tenures and not through statutory land titling)
(3) Community Representation	Minutes or reports of meetings with local communities to identify which institutions they are choosing to represent themselves
(4) Accepting the Representation	Evidence or letter of agreement showing company has accepted the self-chosen representatives as representing the communities
(5) Participatory Map	Participatory maps showing the extent of customary lands
(6) Landholders Survey	Survey lists of land owners, based on both customary rights mapping and land cadasters
(7) Particp ESIA	Participatory ESIA's
(8) Particp HCV	Participatory High Conservation Value Assessment
(9) Receipt of Documents	Evidence (letters etc.) showing that communities were provided participatory maps, SEIAs and HCV assessments in a timely fashion prior to negotiations
(10) Neighbor Communities Endors	Evidence that neighboring communities (not those directly involved) have endorsed boundaries of land claims of affected groups
(11) Endorsement of Studies, Maps	Evidence that the affected communities have endorsed the maps and the findings of the SEIA and HCV assessments
(12) FPIC Engagement Agreement	Evidence (e.g. signed agreement, letter of intent or Memorandum of Understanding) that the self-chosen representatives have agreed a process for FPIC-based negotiation
(13) Iterated Drafts	Drafts of negotiated texts showing there has been iterative engagement with the communities involved
(14) Signed Agreements	Signed agreement of acceptance by self-chosen representatives of negotiated outcome.

<b>Verifier Number and Short Name</b>	<b>Verifier Description</b>
(15) Entitled Rights Holders List	Documents showing lists of rights-holders who are entitled to compensation or other agreed benefits and payments
(16) Payments / Benefits Evidence	Evidence that agreed compensation, payments and benefits have been made to these rights-holderEvidence of that benefit sharing payments are being made and/ or other elements in signed agreement
(17) Agreement/payment evidence of legal right	Evidence of that benefit sharing payments are being made and/ or other elements in signed agreement/documents showing company has legal rights to operate in the area
(18) Legal Documents	Documents showing company has legal rights to operate in the area
(19) SOPs on Disputes/Grievances	Standard Operating Procedures and/ or other documents which show that the company has a mechanism to address and resolve disputes and grievances
(20) Agreement to Resolution Mechanism	Signed agreement or other proof that communities accept the conflict resolution mechanism
(21) Other (Eg On-going Registries)	Other documents, such as especially on going registers

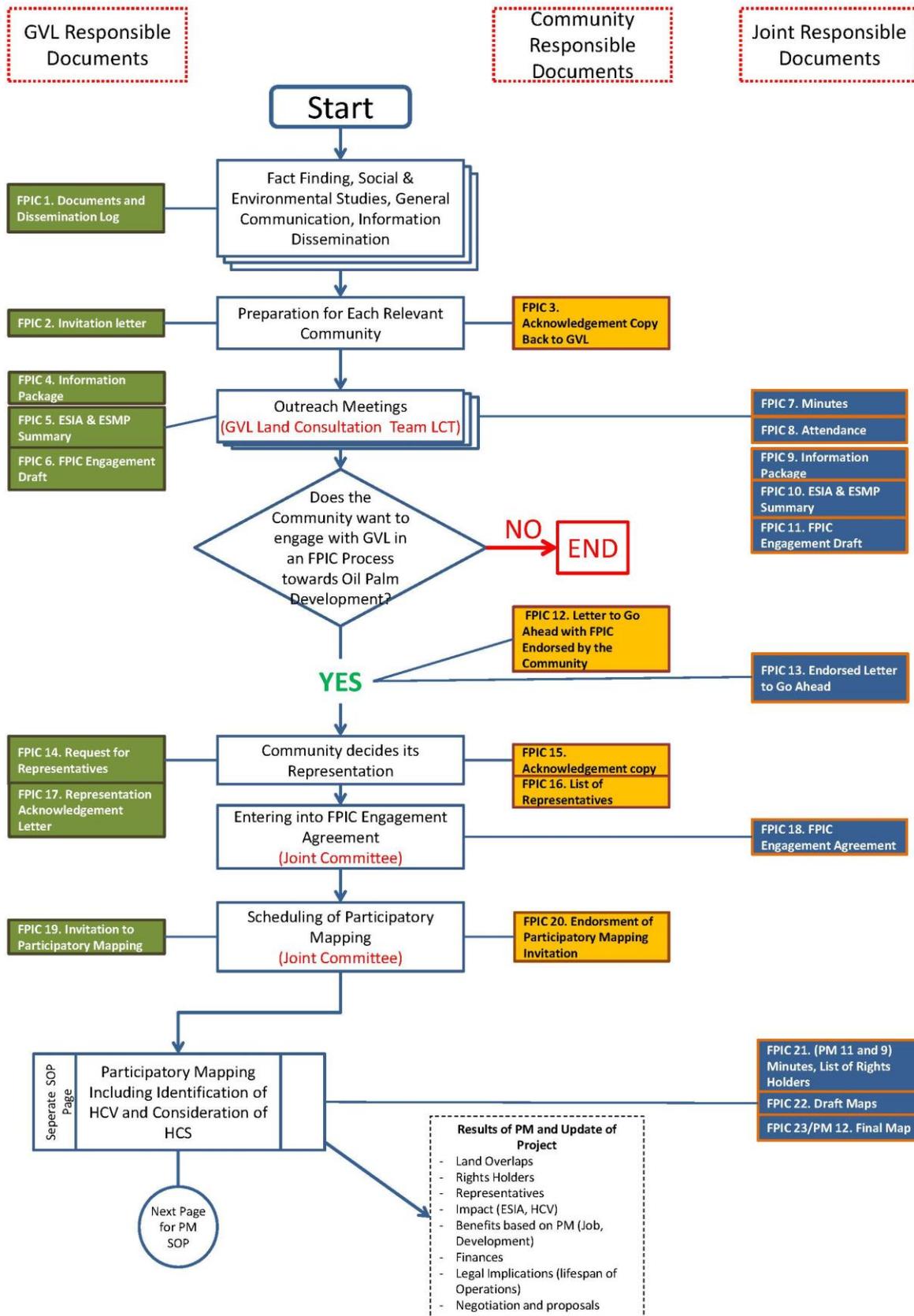
All FPIC procedures will not necessarily complete the exactly same contents for each verifier and some verifiers may include more, or less, specific items as well as the formats of items may vary.

The verifiers are normally automatically accumulated through the FPIC procedure. The GVL FPIC SOP flowchart includes a table which shows typical sources of Verifiers inside the FPIC process.

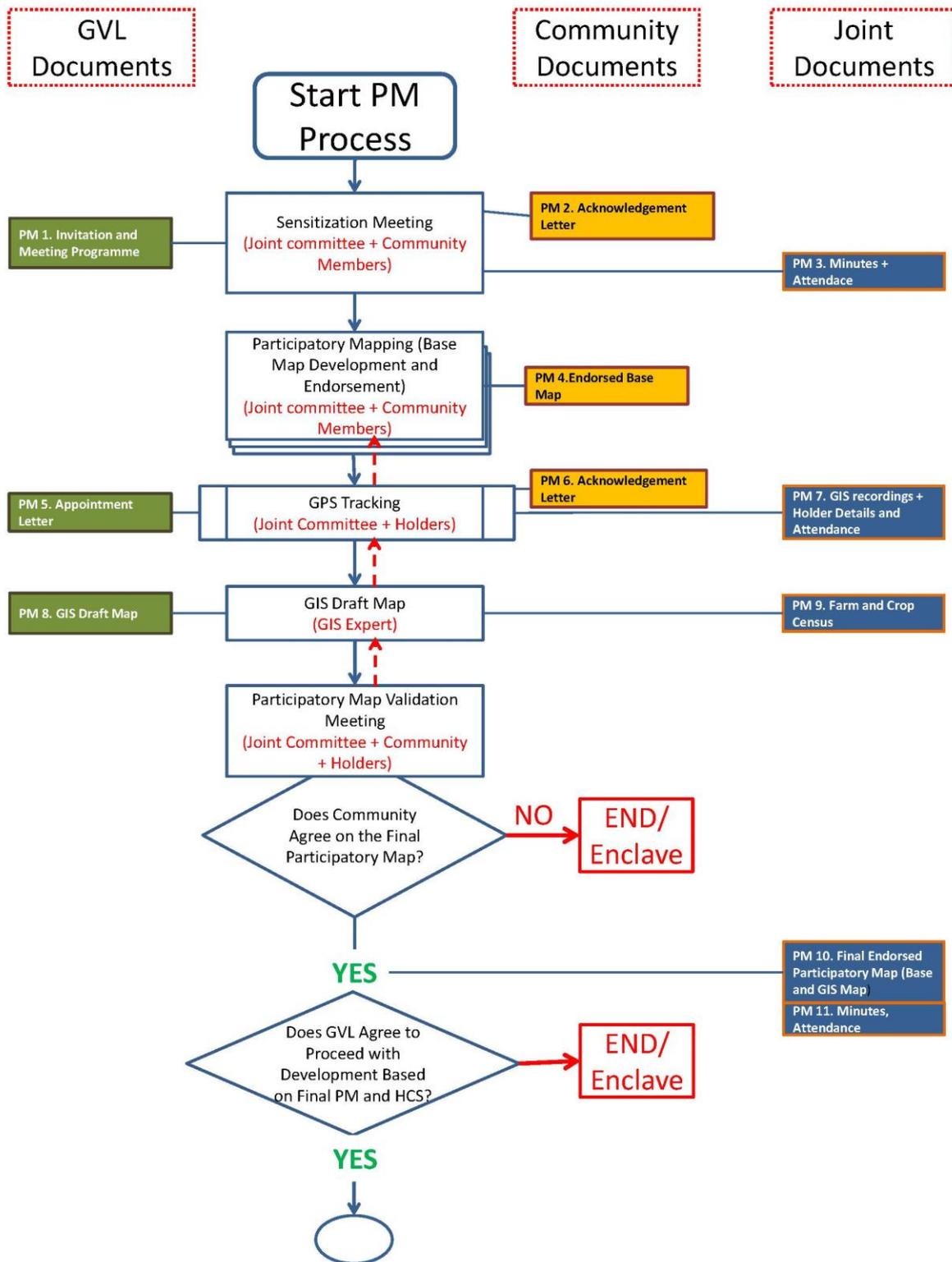
## The FPIC Flow Roadmaps

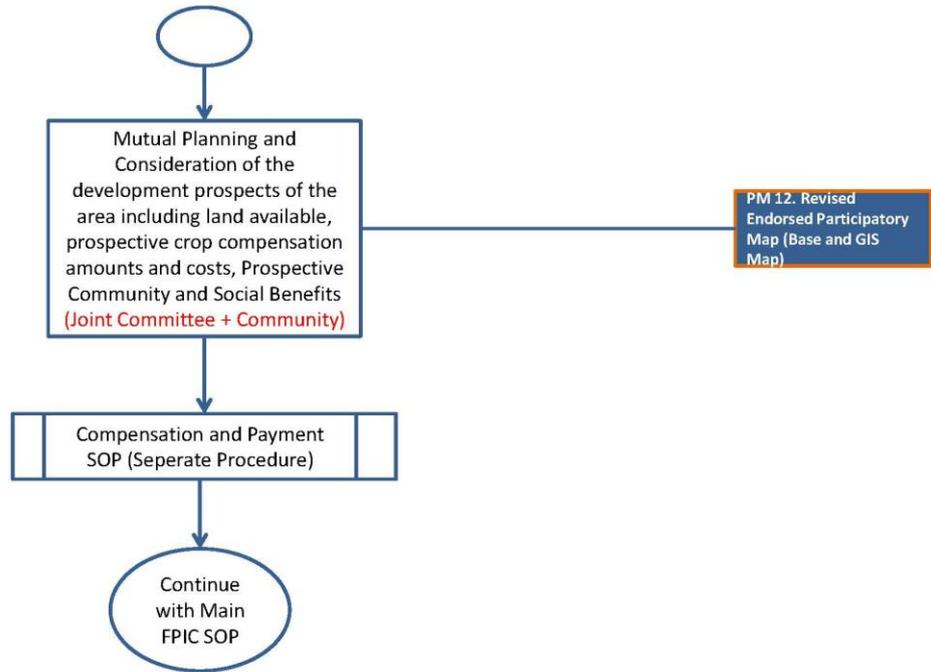
The complete FPIC SOP Flow Roadmap is shown on the next pages together followed by other GVL SOP Roadmaps

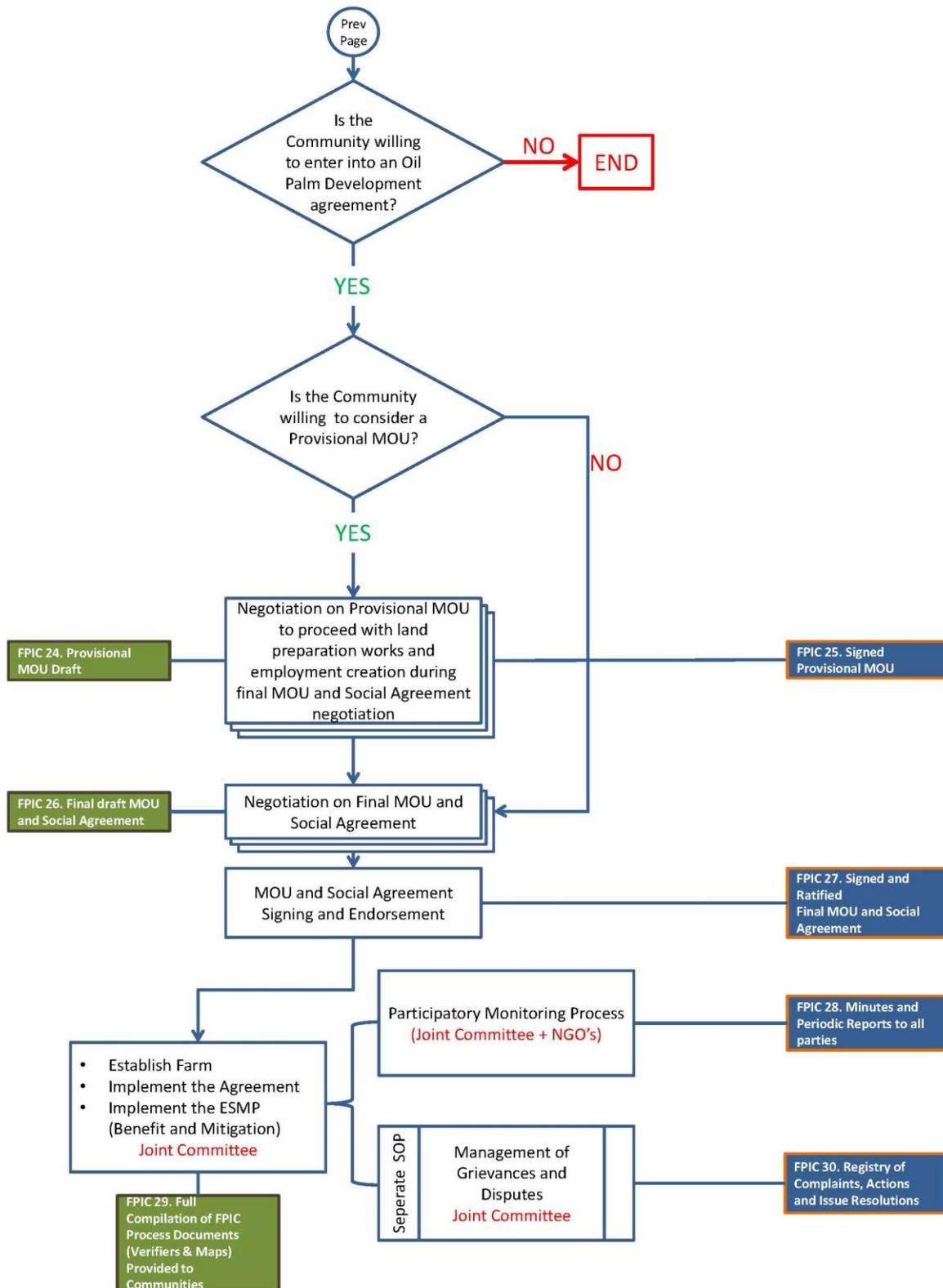
## 2013-08-12 Updated Expanded GVL FPIC Engagement SOP



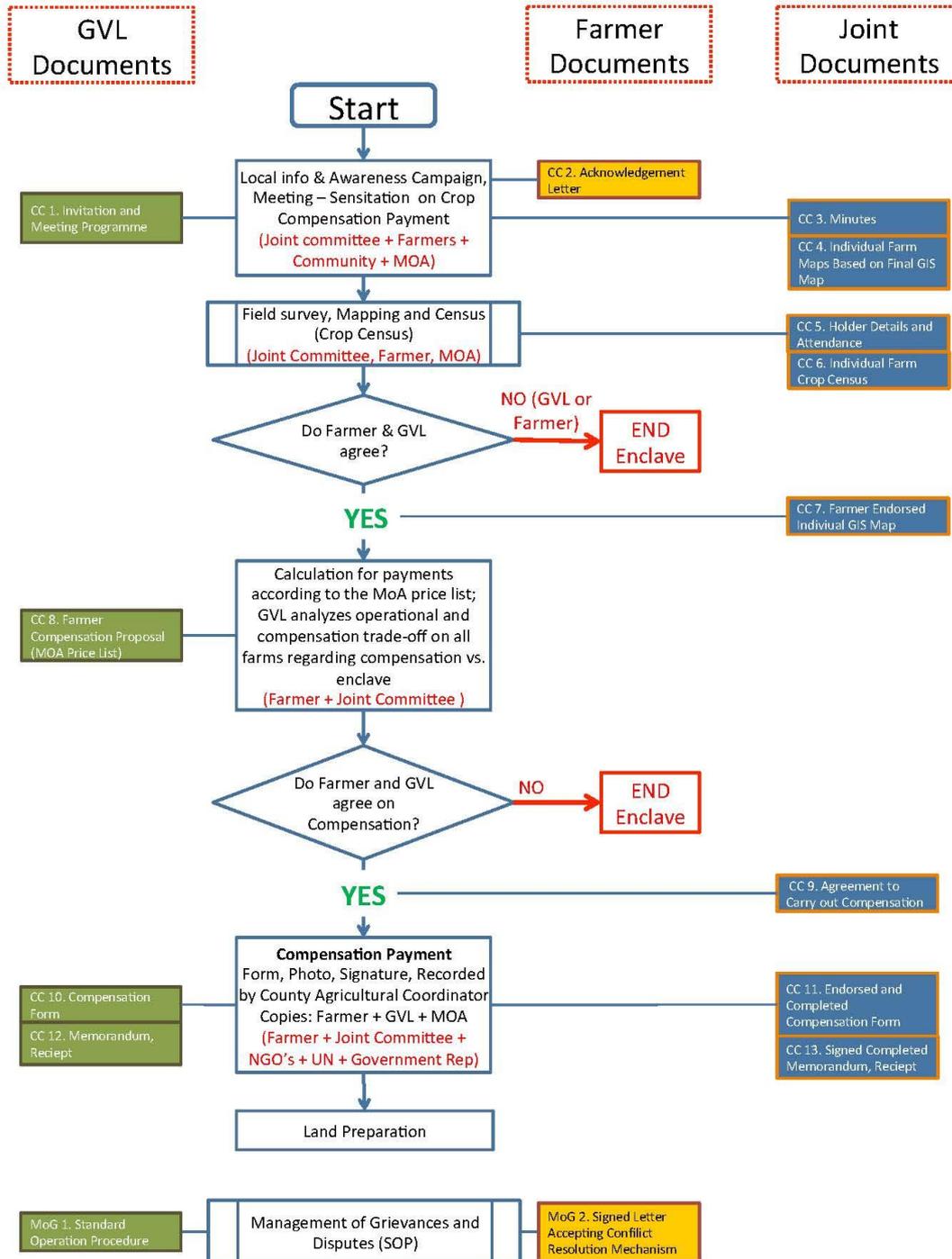
2013-08-08 Updated GVL Participatory Mapping SOP



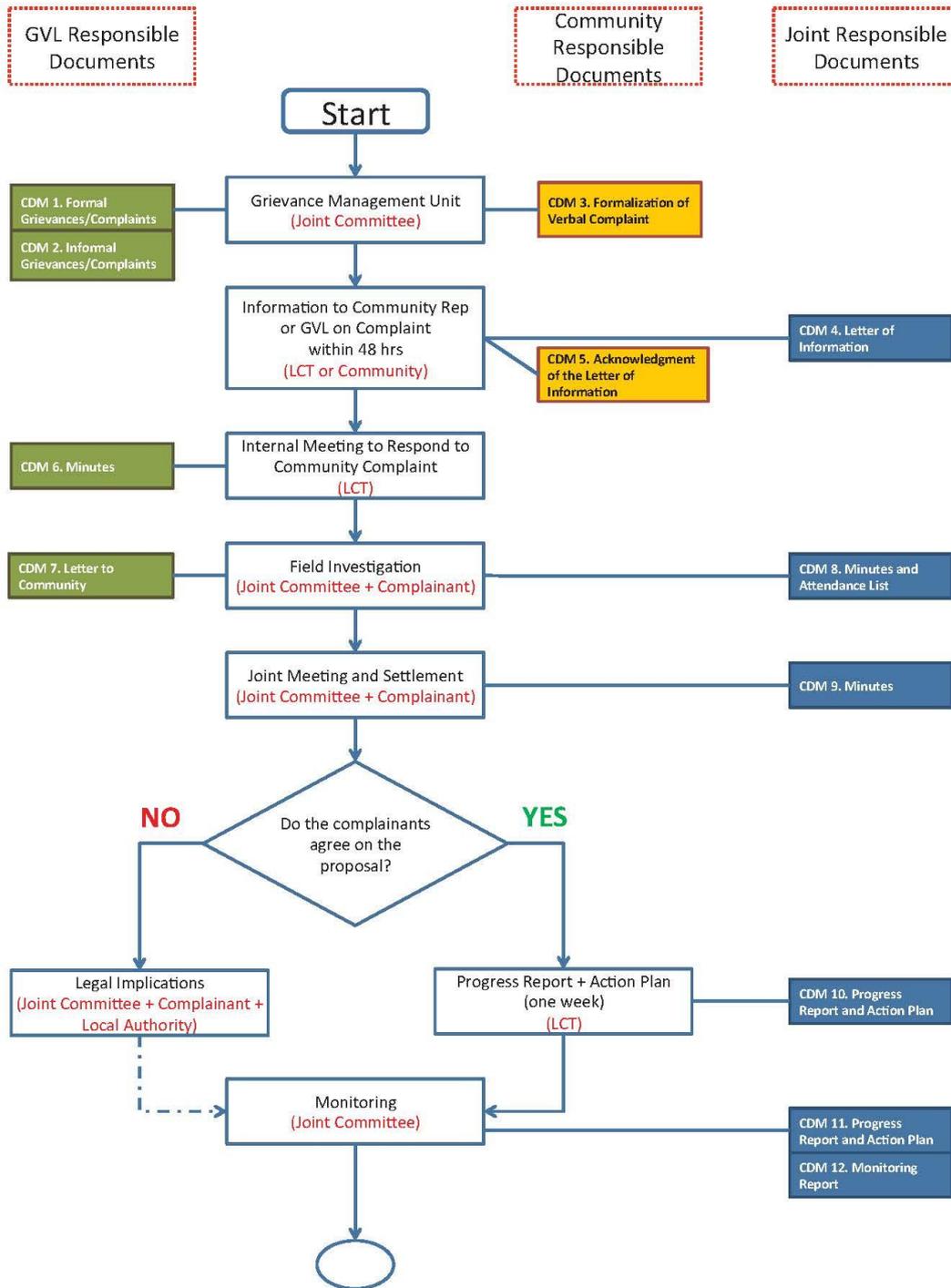




## 2013-08-10 Updated GVL Crop Compensation SOP



### 2013-09-03 Grievance, Dispute & Conflict Management SOP



**Working in the Liberian Southeast, Golden Veroleum aspires to be among the best Oil Palm developers in the global industry. We stand to be measured on eight key Values.**

- 1. Successful investing**, meeting the expectations of investors and funders
- 2. Ending rural poverty** and bringing the beginnings of long term prosperity, education and health to communities where we develop
- 3. Preserving the natural environment**, helping conserve flora, fauna, water and carbon in Liberia
- 4. Respecting community self-determination**, sovereignty, culture and traditions of our hosts, through free, prior and informed choice of communities to work with us and preserving their sacred heritage
- 5. Developing the skills and careers** of our Liberian employees and suppliers, especially of the people originating from our partner communities
- 6. Practicing the best methods of legal compliance**, regulatory adherence, procedures and Oil Palm agriculture, founded on highly developed skills, systems and attitudes
- 7. Building value added**, helping the country of Liberia escape a traditional role as a supplier of cheap raw materials
- 8. Continuing improvement** and betterment in what we do, with engagement of credible organizations who share all or some of these objectives, whether partnering with us, challenging us, or critical of us.