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25th November 2009

The Inspection Panel
1818 # Street, N.W
Washington D.C 20433
United States

Dear Members of the Panel,

RE: **INSPECTION PANEL CLAIM BY COMMUNITIES IN THE WORLD BANK
SMALLHOLDER AGRICULTURE DEVELOPMENT PROJECT (SADP).**

Please find attached the request for an Inspection by the communities in the Smallholder Agriculture Development Project area, particularly in Oro Province, Papua New Guinea.

The request to the Panel is based on the World Bank Project Identification No. P079140.

The affected communities in Oro and the acting agency for the claimants have in several occasions spoken to the World Bank regarding issues with regard to SADP and the impacts of funding oil palm in Papua New Guinea. However, the Bank has never responded or has ignored our requests. We have attached list of correspondences we made with the Bank country branch here in Papua New Guinea.

The affected communities have given their consent to the Centre for Environmental Law and Community Rights (CEL COR) to act on their behalf (Appendix 1). Please find attached authorization letter and we request that the identification of the claimants be kept secret.

Our contact person in the United States is Ms. Jennifer Kalafut from the International Accountability Project. Her contact address is: 22 Pine Street, 6th Floor, San Francisco, CA 94104 USA. Telephone: +1-415-659-0555. Email: jen@accountabilityproject.org

We do not give consent to the World Bank to disclose Claimants names and their details other than CELCOR's.

We look forward to cooperating with you in this request.

Yours faithfully,

DAMIEN ASE (MR.)
Executive Director

November 25th 2009

Executive Secretary
Inspection Panel
World Bank
1818 H. Street N.W.
Washington DC 20433
United States of America

Request for Inspection:
Smallholder Agricultural Development Project – Papua New Guinea

The Centre for Environmental Law and Community Rights (CELCOR), acting as a representative of the Abora/Kakandetta Pressure Group, other claimants from the Oro Province and affected smallholders within the three project areas, submits this request for inspection regarding the Smallholder Agricultural Development Project (SADP) in Papua New Guinea to the Inspection Panel. Claimants' details and addresses are attached in Appendix 1.

CELCOR is a Papua New Guinean public interest legal NGO, focusing on the environment. It undertakes campaigns to protect and defend Papua New Guinea's rich biodiversity and landscape and provides legal assistance to landowners affected by large scale environmentally destructive projects including industrial logging, mining and oil palm plantation developments.

CELCOR submits this request to the Inspection Panel for review of the SADP based on testimony from landowners about their experience with existing economic, social and environmental problems with oil palm development and in the context of the World Bank Group's recent suspension of private sector funding to the oil palm sector based on the need to review the social and environmental sustainability of such projects. The claimants asked CELCOR to submit this request for inspection as the SADP project does not resolve existing problems and, instead, threatens exacerbate them. The claimants and CELCOR maintain that the World Bank has not considered or acted upon complaints already made about the SADP.

The claim is divided into three parts: Part A provides an overview of the project; Part B identifies harm or potential harm caused by the project; Part C lists breaches of World Bank policy in regards to the project; Part D demonstrates attempts to resolve project concerns with World Bank management and; Part E provides an update on recent project developments. Furthermore, in support of the Inspection Panel request, we attach the following documents:

1. Correspondence between the World Bank and some of the claimants;
2. Public petition against the SADP and palm oil development;
3. Open letter to the World Bank signed by some of the claimants, available at [http://www.wrm.org.uy/countries/Support_to_Papua_New_Guinea.html].

Request Summary

The SADP was approved by the World Bank Board on 18 December 2007 and launched in Papua New Guinea in March 2009. The project was originally identified in 2003 as a follow up to the previous World Bank funded Oro Smallholder Oil Palm Development Project. However, due to fractious relations between the World Bank and the PNG government caused by non-compliance

with the Forestry and Conservation Project loan, the SADP was put on hold until 2005. Consultation and appropriate assessment were then delayed until 2006 and were said to have been completed in 2007. Throughout this period, the project has undergone significant revision and has been adapted from an oil palm expansion and replanting project to an "infilling" and road maintenance project. The aim of the project is to actively encourage "the main growth of oil palm as the main income generating activity for smallholders in the project area" (EMP, January 2007).

The World Bank and project sponsor have not consulted with claimants and other locally affected communities about this project. Project information was not broadly disseminated prior to project approval and is still not available, nor was it ever delivered, in any language other than English. The World Bank never provided any opportunity to the claimants to give their input or feedback on project objectives and design, despite their status as Indigenous Peoples and customary land owners.

Claimants are concerned that the project will: (a) limit their economic opportunities and essentially force them to produce oil palm even though they feel that participation in oil palm farming has not and will likely not increase their standard of living, (b) cause additional water pollution in their area and degrade forests, (c) be unsustainable and therefore, un-effective, and (d) unfairly force growers to pay for road maintenance, leading to increased economic hardship. It is our assessment that the project violates the World Bank's Indigenous Peoples Policy, Environmental Assessment, Natural Habitats Policy, Forests Policy, Disclosure Policy and Investment Lending Policy.

Despite repeated attempts to raise these issues with the World Bank, claimants have not received information on who was consulted during project preparation and have not received any satisfactory response on how the project will ensure that the potential harms listed above will be prevented.

We request the Inspection Panel recommend to the World Bank's Executive Directors that an investigation of these matters be carried out. Furthermore, in making this request for inspection of the project, the claimants ask that the SADP be put on hold until:

- a) poverty reduction is incorporated into the project design;
- b) other economic livelihood options are presented;
- c) a comprehensive environmental assessment is undertaken, including assessment of effluent treatment and a forest inventory;
- d) the project design is amended to ensure sustainability of the project.

Part A Project Description

The project is made up of three components. Component 1 addresses infilling and road maintenance, component 2 looks at social projects at the local level government level, and component 3 provides support to the implementing agency, the Oil Palm Industry Corporation (OPIC).

a) Component 1: Infilling, road maintenance, road levy and training for OPIC

Component 1 has a number of subcomponents including a credit facility, road reconstruction, road maintenance trust fund and training for the implementing agency, OPIC.

First, the credit facility offers loans to smallholders who wish to plant oil palm. An eligibility criterion for the loan includes living on blocks adjacent to existing access roads that have no oil palm development. This is known as 'infilling'. Claimants consider this to be a deceptive term

and classify the project as an 'expansion' project. Even though the project will only offer loans within the existing oil palm road network, it will extend oil palm onto blocks that currently contain forests, degraded forests and grasslands that, despite being located within oil palm blocks, still provide economic and social services for local communities including household gardens. Infilling these blocks will extend the total planted area of oil palm and will displace important services. The claimants and CELCOR consider such plantings to fall within the definition of expansion.

The loan will not extend to replanting, excluding existing smallholders from accessing the facility. Instead of promoting more productivity on existing blocks (which are by and large operating under-capacity), the SADP has identified approximately 9,000 hectares of "vacant" blocks for infilling, or new planting. OPIC will implement the planting of new oil palm once the loan is granted to the smallholder.

The second subcomponent of component 1 provides for the upgrade of approximately 550 km of existing provincial access roads servicing the existing oil palm catchment area. The project will finance construction and initial maintenance of the roads and purchase of non routine maintenance equipment. Regular maintenance is to be performed by contractors and non regular maintenance by the oil palm companies in exchange for recovery of their costs from a road trust fund. OPIC will oversee the road engineering, tendering and equipment procuring and an engineering consultant will be assigned to oversee the project roads unit within OPIC.

The third subcomponent, and arguably the most important element of the project, is the establishment of a road maintenance trust fund to maintain the roads upgraded in the project. The fund will be supported by end users of the network, with twenty five percent of the required funds being contributed by a smallholder oil palm grower levy, twenty five percent by the palm oil milling companies and fifty percent by the provincial governments and/or Government of PNG. The levy will likely be Kina 3 per tonne of fresh fruit bunches in Hoskins and Bialla and Kina 6 per tonne of fresh fruit bunches (FFB) in Oro. The seed capital will be provided by PNG Sustainable Development Project. Although the World Bank maintains that this mechanism is still in concept form and yet to be properly designed, the general organization and operation of the RMTF has been drafted and is described clearly in the project documents. As there is no maintenance review system or consultation on other types of maintenance instruments built into the project design, the RMTF is clearly intended to form a core part of the project.

The final subcomponent is the provision of finance technical assistance and training of OPIC officers. However, it is unclear what this training will entail. The staffing increase within OPIC will supposedly be funded by the OPIC smallholder levy with parallel contributions by palm oil milling companies.

b) Component 2: Social projects at LLG level

Component 2 provides social development grants to community groups within the SADP project areas. A pilot phase will be implemented in the first two years and focus on five target local level governments (LLG). Four sub-projects will be allocated funds per LLG, amounting to K80,000 for each LLG. Five sub-projects will then be allocated in the second year and six projects in the subsequent years. Component 2 will be coordinated by a management agency contracted to OPIC. After the first two years, an external evaluation of the pilot is to be conducted to determine the conditions to expand to phase 2 which will include all fifteen LLGs in the three project districts.

c) Component 3: Support for OPIC

Component 3 provides technical assistance to OPIC and establishes a monitoring and evaluation system. This will include undertaking a Fresh Fruit Bunch Pricing Review. The Project will also upgrade the existing oil palm extension and research services. However, it is unclear from the project documents exactly what the technical assistance and upgrades will be.

Part B Harm caused by the Project

B.1. Overview of the impacts of oil palm

Oil palm development has many negative side effects that are rarely disclosed to smallholders.

First, oil palm cultivation requires complete land clearance which has important implications for erosion, topsoil depletion, and the siltation of rivers. In Papua New Guinea, much of the forestland cleared to make way for oil palm plantations has been previously logged and is often considered to be "degraded" and therefore valueless. This ignores the often critical ecological, socio-economic and cultural functions such forestland has for local communities. These people depend on these forests and grasslands, often managed under the community's traditional law, for their subsistence and cash income, as well as for cultural and religious practices. In addition, this land often provides a habitat for an array of species. Research has shown that an oil palm plantation can support only 0 – 20% of the species of mammals, reptiles and birds found in primary rainforest.

Second, oil palm development often leads to chemical and biological pollution of waterways. In many plantations and smallholder plots, fertilizer is extensively used to maintain soil nutrients and tree productivity. Improper use of agro-chemicals and run-off during periods of heavy rainfall can cause pollution of the water table and river systems resulting in algae blooms and damage to natural biological processes. Dumping of palm oil mill effluent can also occur due to overflow of treatment ponds or intensive production. Due to its high Biological Oxygen Demand (BOD), palm oil effluent is highly polluting to waterways and has significant negative effects on aquatic life downriver.

Villagers often report that local fish stocks in rivers and lakes have declined and that potable and bathing water sources have turned brown and smelled foul since oil palm was introduced to their areas. Health wise, women have also reported significant increases in birth defects, fertility and maternity problems associated with oil palm pollution (Wakker, E. 2004).

Third, oil palm does not deliver significant livelihood benefits. The estimated subsistence value of food and housing from customary land is considered to be, in most cases, greater than the cash income from oil palm sold by families. Indeed, engagement in domestic markets in certain areas delivers a higher average informal income than rural wages from VOP oil palm cash income (Anderson, 2008). Oil palm also limits companion planting (as is done with other export crops, such as coffee and vanilla, and most domestic market crops). This limits the potential for smallholder's to intercrop and severely limits economic diversification and makes them more vulnerable to price fluctuations or reduced crop yields.

B.2. Oil palm has not reduced poverty

International investors, including the World Bank and the Asian Development Bank, have been involved in oil palm in PNG for the last fifty years. The first substantial plantings were in 1966,

under a World Bank-backed scheme at Hoskins in West New Britain. 'Nucleus estates', linked to communities of villagers using both their own and leased land to grow oil palm, have since developed and have been supported by international investors and the PNG Government. During the mid-1990s there was a dramatic expansion of the oil palm area in PNG, almost doubling 46,000 ha to 73,000 ha between 1990 and 2000. One of these expansion projects included the World Bank Oro Smallholder Oil Palm Develop Project 1993, bringing World Bank investment in the PNG oil palm industry to over US\$100 million.

Despite the significant level of investment, introduction of oil palm has done little to provide material improvement in smallholders' lives. Living conditions have deteriorated and key indicators of poverty such as housing, access to clean water and health services show life quality has declined (Social Assessment Report, January 2007, page 46). Of the very limited consultations conducted by the World Bank for this project, the majority of oil palm growers were found to still live in houses built from bush materials such as banana leaves, bamboo and tree posts indicating very little material improvement in oil palm growers housing. Indeed, even the SADP Social Assessment recognizes that the fall in living standards is paradoxical considering that oil palm smallholders have had a level of cash income significantly above those of other smallholder cash crop producers for a long period of time. (*Ibid.*)

B.3. SADP in its current form will not reduce poverty and will limit economic choices

Under SADP, smallholders will have few opportunities to enhance their living standards. This is due to several reasons. First, farmers are locked into a dependent relationship with the estate mill, where the companies provide the only access to oil palm markets and collectively set the price for FFB and, therefore, the smallholder's earnings. Under this scheme, farmers are expected to share their revenues with the company to cover a portion of the company's cost of production. This revenue sharing takes place even though the farmer is providing all the costs for labor, equipment, seedlings, pesticides and transport (or at least a portion of transport costs) out of his or her own earnings.

The processes involved to set the FFB price further cements this relationship. The FFB price is set by the palm oil producers association (POPA), made up of representatives from the milling companies. There is no involvement of smallholders or OPIC and there is no legislation to deal with the pricing structure. A government Commodities Working Group reviews the FFB price ratio from time to time and provides recommendations to the POPA. However, these recommendations are not binding and have only been selectively implemented. Indeed, the reviews themselves are also influenced towards company interests as they do not fully consider smallholder inputs, distorting the price ratio in favour of the companies by undervaluing smallholder costs and the value of customary land, while recognising the commercial salaries and capital depreciation of the oil palm mills. Under this system, smallholders are unable to engage with milling companies or involve themselves in price setting. The SADP project will reinforce smallholders as price takers, dictated to by dominating foreign companies.

Second, in addition to the revenue sharing, smallholders are expected to pay multiple levies for producing oil palm. After the company deducts any loan payments from the farmers' harvest revenues (a typical deduction is 30 percent), the smallholder is still left to pay upwards of 44 percent in levies for state services (that often are not supplied in full or not fully implemented), growers association dues and transport costs.

Furthermore, under SADP, smallholders will be charged an *additional* levy to support the Road Maintenance Trust Fund, a fund that will be established to upkeep road networks in the

smallholder area. The levy for the RMTF will charge farmers between Kina 3.50 – Kina 6 per tonne of fresh fruit bunches produced at every harvest. According to the SADP Project Appraisal Document (PAD), this levy will be applied to all growers in the smallholder network: "End users of the network in each project area will contribute to this fund." (PAD page 35) By further embedding smallholder dependency on the mills and increasing levies, smallholders will be progressively burdened and unable to lift themselves out of poverty.

Economic choices are also limited by this project. Palm oil is promoted as the single primary income generating activity for Indigenous Peoples in the three project areas, forcing smallholders who wish to access loans for other agricultural purposes, to be driven into growing oil palm. This mono-cropping scheme is in direct contradiction with the World Bank's own assessments on the importance of income diversification in the smallholder areas. The SADP Social Assessment found that "income diversification to supplement oil palm incomes is a vital livelihood strategy for smallholders, which also reflects the capacity of smallholders to respond to sociodemographic and economic change." While oil palm clearly dominates the rural economy in the Oro and WNB provinces, most smallholders require supplementary income sources to augment oil palm income and to strengthen livelihood security. As stated above, the nature of oil palm, however, does not allow inter-cropping, therefore takes up precious land for household gardens or other cash crops. The attempt by the project to incorporate small business and employment oriented skills training into extension officers scope of work under Component 1, does not adequately address the need for economic diversification and will not provide smallholders with a choice in their development.

The claimants agree that there is no way for a grower to survive on oil palm revenue alone and all claimants have expressed a preference for livelihood options other than or in addition to oil palm.

B.4. Little to no information disclosure and consultation prior to project approval has lead to unsustainable project decisions

One of the major concerns raised by the complainants is the lack of consultation and pre-project approval information provided by OPIC and the World Bank to the communities in the three SADP areas. The communities submitting this claim were involved in very limited consultation and were never consulted on certain project activities. Claimants had no opportunity to provide their input into the scope, purpose and activities under the project.

Importantly, claimants were not consulted about the additional road levy that will be imposed on them under SADP nor were they consulted on the strategy for them to pay for this additional levy through opening additional oil palm blocks. If claimants had been consulted, they would have proposed alternative income generating opportunities and would have negotiated on the new road "user fee".

The World Bank maintains in correspondence with CELCOR that additional consultation took place prior to 2007 project design phase during annual World Bank missions which contacted stakeholders such as NGOs, church-based organizations, youth organizations and farmers associations. However no records of these consultations have been made publicly available and the consultations that are referred to in annexes of some of the SADP documents, do not provide summaries of these meetings. Considering there will be 4,370 new growers and over 15,000 existing growers in the three SADP schemes affected by the project, particularly by the new road maintenance levy, the lack of transparent consultation records calls into question whether there has been achievement of broad community support.

The claimants maintain that any consultations the World Bank did undertake were limited and did not refer directly to the project activities. Specifically, the consultations did not allow informed participation.

Further, project documents have not been supplied to smallholders or delivered in an accessible format. At the time of the claim, no project documents are available at OPIC project sites, despite an advertisement in the National, dated 22 February 2007, advising that project information be accessible at these sites. Discussions with OPIC project managers also revealed that they were unaware that such materials existed and should be available to the public. In addition, project documents provided at the project launch in March 2009 were disseminated via a CD-ROM, well after project approval and all project decisions had been made.

Importantly, information has not been publicly disclosed in a language other than English. While PNG has a wide range of local language, Pidgin is the common language spoken by most, if not all, communities affected by this project. None of the project documents have been translated into Pidgin, in a written or spoken format, or made available to the claimants or other project affected people prior to project approval.

B.5. The SADP is not a sustainable project

The claimants are concerned about the sustainability of two key features of this project, namely the road maintenance fund and the activities of OPIC extension officers. The project is dependent on these elements however both are poorly designed and will not be maintained after project completion.

a) Road maintenance fund mechanism

One major aim of the SADP project is to ensure the sustainability of smallholders in the oil palm industry in PNG (PID, page 12). One of the key ways identified by the project to establish sustainability is to improve road access.

At present, the standard of roads across all three SADP areas are significantly degraded with many smallholders suffering periodic or permanent lack of produce pick up (see pictures in Appendix 2). The lack of road access also affects the standard of health care and education accessible to the smallholders, as well as increasing transport levies, which are incurred to cover the financial cost to transport vehicles and increase as the vehicles require more maintenance to service poorer quality roads.

Previous development projects in the oil palm areas of PNG were designed to increase the quality and number of oil palm roads to better service the oil palm mills' smallholder contributors. In Oro, the previous World Bank Smallholder Oil Palm Development Project from 2001 was designed to construct 80 km of new access roads and 392 km of harvest roads. Lack of proper contractor supervision, limited contractor sophistication, inadequate initial drainage, inadequate culvert capacity with little consideration for headwall protection, inadequate tendering processes and recruitment of under qualified contractors, however, led to construction of deficient roads and left over 180 km of roads un-constructed. These issues are common to road maintenance in all three project areas.

Under SADP, the World Bank is proposing an end user fee pay system, with smallholders funding their infrastructure improvement to a road maintenance trust fund (RMTF) to make the road network more sustainable. *In this regard, the people of PNG are paying for the*

construction and maintenance of the same roads three times: once through the 2001 World Bank loan, second to repay SADP and finally, through a user fee on the smallholder farmers. (See section B.7.)

It is highly concerning that the road maintenance will again be unsustainable. According to the SADP PAD, page 35, the RMTF will be funded in the following way: 25% of the fund will be derived from the Provincial Government, 25% from the National Government, 25% from the oil palm companies and the final 25% from the growers.

In order for this to be sustainable all participants need to contribute their allocated funds. There is a high risk however that the Provincial government will be unable to make their contribution to the fund regularly (PAD risk assessment, page 62). This was recognized early on in the project design and was listed in the PID as one of the largest challenges faced in the previous projects "the Provincial government could not be relied on to provide funds for maintenance of the access road network" (PID page 9).

The World Bank indicated in discussions with CELCOR that the National Government will underwrite the provincial governments' commitments. This has not been disclosed in project documents. Past experience with the PNG government would also suggest otherwise. The PID itself recognizes the national government is slow to appropriate funds (PID, page 6).

The claimants also have concerns that the industry will not contribute their funds in a timely manner. The use of fund contributions as a political tool by the milling companies is already a well used tactic. In early 2008, the oil palm companies withheld their voluntary OPIC levy contribution to force the government to establish the National OPIC board. The action indicates that the oil palm companies have the ability to influence the direction of funds and therefore the potential use and spending of the road maintenance fund. Growers, in contrast, are compulsorily required to contribute to the OPIC levy and will be forced to contribute to the road maintenance levy if they wish road access to improve. It was noted in informal discussions with industry representatives that if growers 'chose' not to contribute to the levy, their road would not be maintained.

The annual contribution rates in the current design of the RMTF are designed to sufficiently cover the costs of anticipated routine and non-routine maintenance by contractors and the oil palm companies. This maintenance mechanism, without contributions from either the provincial, national or oil palm companies, will not be sustainable and roads access will decline. The SADP has a high risk of being unsustainable.

After not being consulted on this issue, growers will be the first participants forced to pay for the loan and will be the last ones to benefit. If road maintenance is forced to conform to a user pay system then better safety provisions must be put in place to ensure the RMTF is contributed to regularly and a very minimum, it should be made mandatory that oil palm companies contribute to the road fund and the National Government underwrites the Provincial Government's fund commitments.

b) Management by OPIC

Another concern relating to the sustainability of the project is OPIC's limited capacity to deliver appropriate extension services. There is currently one OPIC extension officer for every 400 smallholder farmers in Oro Province, providing far less than adequate support to growers. During the extension officer training under the previous World Bank oil palm project in Oro, the level of

extension service sustainability was found to be one officer for every 300 growers. Under the SADP, an additional 7 extension officers will be recruited in Biella, 3 in Hoskins and 7 in Oro. However, the numbers of growers will also rise, amounting to almost 1750 in Hoskins, 620 in Biella and 2000 in Oro. Using the above mentioned standard of sustainability, the ratio of officers to growers clearly remains above 1:300, ensuring that the project will not be viable in the long term and growers will be left with the burden of growing oil palm without any support. Considering that other critical components of the project, such as productivity increase, HIV/AIDS awareness and land tenure strengthening are tightly linked with extension officer activities, these components will suffer and will not achieve their targets.

B.6. SADP will cause environmental damage

The claimants also have concerns that the World Bank has not complied with environmental safeguard policies. The environmental assessments conducted are particularly poor and miss critical impacts. Two major gaps in the assessment are lack of reliable sources and an assessment of water effluent. There is also a concern that the mitigation measures outlined in the EMP in regards to preservation of high conservation value forests are inadequate.

a) Environmental Assessment misses critical impacts

The SADP Environmental Assessment undertakes an assessment of potential environmental impacts on subsistence resources, soils, surface waters, flora and fauna, air quality and noise. The assessment relies on baseline data collected from a field survey carried out on fresh watercourses in smallholder oil palm block areas, stakeholder consultations and a literature review. The literature review appears to rely heavily on the Environmental Plan applications submitted by the oil palm developments in Oro and West New Britain and PNG fauna textbooks. Details of other resources are not given, however the assessment does report it utilized institutional knowledge within the Environmental consultants company, gleaned from 'years of experience of working in PNG'. These sources are inadequate for a reliable environmental assessment of the impact of oil palm and there are many other environmental impacts that have not been assessed.

One example of an environmental impact that has not been assessed is the increase in mill effluent on downstream rivers. The PID clearly states that "it will be necessary to review of the performance of the existing waste water treatment systems" to assess the capacity of the mills to handle increased flows from the increased number of smallholders and prescribe necessary mitigation measures. However, the assessment does not assess mill effluent at all, merely stating that all the mills are ISO 140001 certified and therefore have procedures in place to mitigate any potential environmental damage and are regularly audited. It maintains that wastewater is now properly treated (compared to the 1990's when excessive organic pollution was discharged into local streams). The SADP Freshwater Impacts assessment, however, reports that streams which receive mill effluent are significantly polluted by organic matter (Freshwater Impacts report, page 25).

The ability to mitigate the environmental damage is disputed by the claimants who maintain that the liquid effluent ponds impact greatly on the life of the stream and regularly overflow prior to treatment. Effluent treatment systems usually drain effluent through two ponds before releasing it into local streams. The pond system reportedly allows natural bacteria to break down the residual oil and reduce BOD to acceptable standards. However, villagers living along the rivers still complain of skin diseases, respiratory problems, reduction in fish life and bad smells, particularly at the place of effluent discharge. In Oro Province, locals believe that the company only releases

the effluent at night to ensure it is washed out to sea by dawn. At times of heavy rainfall when the ponds often overflow, a rusty orange and brown liquid is seen to flow down the river.

The impact of effluent discharges has not been reviewed under the SADP Environmental Assessment despite clear evidence that streams receiving effluent are polluted and complaints by smallholders (Environmental Assessment, page 25). Claimants do not believe Department of Environment and Conservation has the ability to monitor the waste water licensing properly and future overflows will occur. There is a lack of evidence within the project documents to ensure future impacts will not occur from the increased amount of effluent produced from this project.

b) High risk to deforestation under existing Environmental Management Plan (EMP)

Another environmental impact that has not been properly considered is the risk of deforestation of high conservation value forests. The Environmental Assessment, Environmental Management Plan and the Project Implementation Manual (PIM) - Infill Sub-Manual, outline that a site sensitivity survey will be used to restrict deforestation of forested blocks. Only after this survey has been completed will the block be eligible for the credit facility, and oil palm planting. The survey is also intended to assess whether the relocation of household gardens will enter into areas excluded on the same environmental grounds.

The implementation of this system however rests with OPIC. Many OPIC officers lack the capacity to classify forests within the correct forest criteria of primary forest, impacted forest, regenerating and non regenerating forest, despite the criteria being clearly described in the survey form. This is aggravated further by OPIC internal targets. OPIC is a target run organization which measures extension officer productivity by fruit bunch yield and newly planted oil palm blocks. The targets are set out in the OPIC operation manual and are referred to within the SADP Project Implementation Manual - Infilling sub manual on page 2. Officers are evaluated by how much oil palm is planted.

The SADP attempts to overcome the lack of capacity by allocating an environment officer to each scheme to assess sensitive sites and develop a training program for extension officers, delivered by the Environment consultant/auditor. Given the severe capacity issues affecting OPIC at present, it is unlikely such institutional knowledge will be developed in time for the roll out of new plantings. In addition, extension officers are driven by the amount of oil palm they plant and provide the first assessment of the site (EMP, page 42). If the sites are not identified as sensitive, the environment officer will not be involved. These two factors place forested land at risk of deforestation.

The claimants believe a high forest conservation value inventory should be undertaken in the project area prior to new plantings, OPIC should undertake training to ensure extension officers have an adequate knowledge of forest definitions and internal targets be removed to ensure impacts do not occur on valuable habitat. Without such measures in place prior to planting, risk of deforestation is high.

B.7. The project unfairly forces growers and PNG taxpayers to pay for the same road repair multiple times

Under the previous World Bank oil palm loan in the Oro region, over 7,800 hectares was planted, increasing the total area of smallholders to around 13,000 hectares. Promises were made by OPIC to the smallholders that the new roads would deliver market access. In return, growers paid off planting loans and PNG taxpayers paid for the construction and maintenance of the roads.

At the end of the Oro Expansion project in 2001, approximately 180 km of roads were not constructed and many smallholders were left without road access. This extended into 2005-2006 where many smallholders were left without harvest pickups for 12 months. An additional 400 smallholders were permanently abandoned when 13 roads were declared no go roads (Social Assessment, page 45). The continuing poor road conditions and unreliability of harvest pickups have resulted in growing anger amongst growers in the Oro region.

Close to 70 % of the SADP project funds will be spent on road reconstruction and maintenance. The SADP intends to rebuild the entire pavement and drainage structure of 550 km of roads across the 3 SADP areas, amounting to 20 % of the network. In Oro province, an emergency AusAid fund has been mobilized to construct the left over roads from the previous World Bank project, however under the SADP, the same AusAid funded roads will be upgraded with over 100 km undergoing minor reconstruction.

The growers in the Oro region have already been subject to road construction projects that have suffered from inadequate project design. They and other taxpayers should not be expected to pay for the mistakes of previous projects.

Part C Breaches of World Bank Policy

The above problems will cause significant harm to the peoples of Oro and West New Britain and breach World Bank standards. The policies breached include:

C.1. OP/BP 4.10 Indigenous Peoples

The SADP Integrated Safeguards Data Sheet (16 May 2007) the SADP Project Information Document (23 February 2007) and the SADP Project Appraisal Document (19 November 2007) reference OP/BP 4.10 as an applicable policy that is triggered in this project.

a) Consultation and disclosure

The Bank has breached the Indigenous Peoples' policy by failing to assess whether the borrower has effectively implemented free, prior and informed consultations which have resulted in broad community support (BCS). OP/BP 4.10 states that:

"For all projects that are proposed for Bank financing and affect Indigenous Peoples, the Bank requires the borrower to engage in a process of free, prior, and informed consultation. The Bank provides project financing only where free, prior, and informed consultation results in broad community support to the project by the affected Indigenous Peoples." (OP 4.10, para. 1).

The Indigenous Peoples policy (OP/BP 4.10) goes on to state that when ascertaining the extent of BCS, the Bank must pay "particular attention to the social assessment and to the record and outcome of the free, prior, and informed consultation with the affected Indigenous Peoples' communities" (OP 4.10, para.11).

Free, prior, and informed consultation with affected Indigenous Peoples' communities "refers to a culturally appropriate and collective decision making process subsequent to meaningful and good faith consultation and informed participation regarding the preparation and implementation of the project" (OP/BP 4.10, n4).

As part of free, prior, and informed consultation, the policy requires the borrower to inform communities of:

- (a) *their rights to such resources under statutory and customary law;*
- (b) *the scope and nature of the proposed commercial development and the parties interested or involved in such development; and*
- (c) *the potential effects of such development on the Indigenous Peoples' livelihoods, environments, and use of such resources.* (OP/BP 4.10, para. 18).

A record of the consultation process should also be maintained as part of the project files.

It is unclear if adequate and complete records of the consultations have been kept. Requests from the claimants and CELCOR to the World Bank for records of the consultations to date have not been satisfied. If records of the consultations have been kept, they have not been made publicly available. The SADP Social Assessment lists the names of people consulted in three meetings (in cities in each of the project areas) and the Environmental Assessment provides a brief summary of a consultation in the PNG capital, Port Moresby. However, no other records of consultations are available. If these are the only consultation that took place, they are inadequate as not all the claimants had knowledge of the consultations or the opportunity to attend.

The failure to maintain and provide access to a clear and complete record of the consultations conducted is itself a violation of WB policy and procedures. Far graver, however, is the evidence that the Bank has failed to assess broad community support and indeed that such support does not exist among the communities and peoples impacted by this project.

The road maintenance levy, as one example, will clearly have an effect on the growers' livelihoods and there is no evidence of broad support among the affected communities for this aspect of the project design, or at least none that has been made available to the claimants. Lack of consultation on this issue, among others, shows that there has not been informed participation. Informed participation should have been realized under a broad community support assessment and failure to undertake such an assessment indicates a serious breach of World Bank policy.

c) Human Rights

With regard to the claimants' human rights, the World Bank has a duty to read the Indigenous Peoples' policy in line with the purpose of the policy, which is to *ensure respect for indigenous peoples' dignity, human rights and culture.* (OP 4.10, para. 1)

Recognized human rights norms therefore inform the reading of the policy (OP/BP 4.10), particularly the provision that the Bank will finance projects only where free, prior and informed consultation with affected indigenous peoples results in their "broad community support". (OP 4.10, para. 1).

Many international bodies and organizations consider that in addition to other consultation mechanisms, states and private sector parties must obtain the consent of indigenous and tribal peoples to large scale development or investment projects that have a significant impact on rights of use or enjoyment of land or territories:

"[f]ree, prior and informed consent is essential for the [protection of] human rights of indigenous peoples in relation to major development projects"

U.N., *Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Rodolfo Stavenhagen, submitted in accordance with Commission resolution 2001/65 (Fifty ninth session)*, U.N. Doc. E/CN.4/2003/90, January 21, 2003, para. 66. See also *Saramaka People v. Suriname*, Inter-American Court of Human Rights, Judgment of November 28, 2007 (noting the internationally-recognized right to "free, prior and informed consent."); International Court of Justice, *Western Sahara: Advisory Opinion of 16 October 1975*, *ICJ Reports* 1975 (same); M. Janis, *The International Court of Justice: Advisory Opinion on the Western Sahara*, 17 *Harv. Int'l L.J.* 609, 61 (1976) (same).

Further, indigenous peoples right to development includes the right to determine their own pace of change, consistent with their own vision of development and the right to say no.

The peoples of Oro and West New Britain have been unable to engage in the design process of the SADP. Specifically, they have not given their consent (much less participated in consultation) to incur an additional financial burden as proposed under the Road Maintenance Trust Fund or for the World Bank to promote new oil palm expansion. Broad community support cannot be achieved without this consent, following international norms. The project consequently does not comply with the purpose of the Indigenous Peoples' Policy (OP/BP 4.10), which is a breach of World Bank policy.

The Inspection Panel has previously considered similar issues in the China Western Poverty Reduction Report.

d) International Commitments

The Bank must also ensure that its projects do not contravene the borrower's international human rights commitments. OMS 2.20 requires that a "project's possible effects on the country's environment and on the health and well-being of its people must be considered at an early stage... Should international agreements exist that are applicable to the project and area, such as those involving the use of international waters, the Bank should be satisfied that the project plan is consistent with the terms of the agreements." (OMS 2.20, para. 24).

The Papua New Guinean Government signed the International Covenant on Economic, Social and Cultural Rights (ICESCR) on 8 July 2008.

Under Article 11 of the ICESCR, state parties who have signed the Covenant, recognize the right of everyone to an adequate standard of living, including adequate food, clothing and housing, and to the continuous improvement of living conditions. Actions taken to realize this right must be based on free consent⁷

The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent. (Article 11, International Covenant on Economic, Social and Cultural Rights)

This indicates the Papua New Guinean government will require all development projects, undertaken to improve the standard of living, to be based on free consent. At a minimum, this places an obligation on the Bank to recognize this international obligation in its project documents and request information from the Government of PNG as to the steps taken to ensure that such consent for the project has been freely given.

C.2. OP/BP 4.01 Environmental Assessment

As a Category B project, the Bank was required to ensure that the borrower "consult[] project-affected groups and local nongovernmental organizations (NGOs) about the project's environmental aspects and takes their views into account." OP 4.01, para 14.

As described above, the claimants note that for meaningful consultation to take place between OPIC and the small holders, as required under the OP 4.01 Environmental Assessment policy, the smallholders must have been provided with relevant material prior to consultation in a "form and language" that is "understandable and accessible". OP 4.01, para. 15. This has not occurred. The smallholders have not received any materials, in English or otherwise, nor have they received information in spoken form. Therefore, there was no meaningful consultation as required in OP 4.01.

C.3. OP/BP 4.36 Forests

The SADP Integrated Safeguards Data Sheet (16 May 2007) the SADP Project Information Document (23 February 2007) and the SADP Project Appraisal Document (19 November 2007) reference OP/BP 4.36 as an applicable policy that is triggered in this project.

According to OP 4.36, the "Bank does not finance projects that, in its opinion, would involve significant conversion or degradation of critical forest areas or related critical natural habitats." (OP 4.36, para. 5).

The use of an implementing agency that contains internal targets to plant oil palm makes it very likely there will be significant conversion of high conservation value forest areas. However, SADP does not put in place an effective mechanism to restrict deforestation of critical forest areas. In this regard, the Bank is in possible violation of its policy on Forest and the potential of this project to cause forest conversion or degradation.

In addition, BP 4.36 requires that:

"During project preparation, the TT ensures that the borrower provides the Bank with an assessment of the adequacy of land use allocations for the management, conservation, and sustainable development of forests, including any additional allocations needed to protect critical forest areas. This assessment provides an inventory of such critical forest areas, and is undertaken at a spatial scale that is ecologically, socially, and culturally appropriate for the forest area in which the project is located." (BP 4.36, para. 4).

The Environmental Assessment provides a weak assessment of critical forest areas and does not provide an inventory. This is in breach of Bank policy.

C.4. OP/BP 4.04 Natural Habitat

"In deciding whether to support a project with potential adverse impacts on a natural habitat, the Bank takes into account the borrower's ability to implement the appropriate conservation and mitigation measures. If there are potential institutional capacity problems, the project includes components that develop the capacity of national and local institutions for effective environmental planning and management." (OP 4.04, para. 6).

OPIC is currently unable to correctly implement the planting form described in the project due to capacity limitations. The SADP Project does not adequately address this lack of capacity through training under Component 3. OPIC's internal targets also threaten appropriate identification of sensitive areas. These two factors combined greatly increase the risk of deforestation. There is currently no check and balance mechanisms to ensure new block are properly categorised. It is a breach of World Bank policy that appropriate components to ensure OPIC functions effectively have not been included in the project design.

C.5. OP 10.00 Investment Lending

The Investment lending policy states that:

"Investment projects may include any productive sector or activity and may consist of new projects, the rehabilitation of existing facilities, or a combination of both. Each investment project must meet the following criteria: it must

- (a) be consistent with the Bank's Articles of Agreement, operational policies in force, and the Country Assistance Strategy; be anchored in country policy/sector analysis; and reflect lessons learned from the Bank's experience;*
- (b) be economically justified; and*
- (c) Contribute to poverty reduction and sustainable economic growth." (OP 10.00, para. 3).*

The SADP in its current project design is not sustainable and has no additional mechanism to ensure the project will reduce poverty. It does not contribute to poverty reduction and benefits obtained from the SADP will not be maintained after project completion. This is a breach of the Bank's Investment Lending policy and the SADP should not be implemented until a mechanism is incorporated into the project design to ensure that poverty reduction occurs and that OPIC is sustainable.

C.6. OP 13.05 Project Supervision

Operational Policy 13.05 requires that the World Bank:

"(a) ascertain whether the borrower is carrying out the project with due diligence to achieve its development objectives in conformity with the legal agreements;

- (b) identify problems promptly as they arise during implementation and recommend to the borrower ways to resolve them;*
- (c) recommend changes in project concept or design, as appropriate, as the project evolves or circumstances change;*
- (d) identify the key risks to project sustainability and recommend appropriate risk management strategies and actions to the borrower; and*
- (e) prepare the Bank's Implementation Completion Report to account for the use of Bank resources, and to draw lessons to improve the design of future projects, sector and country strategies, and policies." (OP 13.05, para. 2)*

In this case, the World Bank is out of compliance with OP 13.05 in that it both failed to ascertain whether the borrower carried out the project with due diligence based on the lack of consultation with the claimants and failure to obtain their consent, and then failed to identify and promptly correct the problem.

Part D Contact with the World Bank

The claimants have raised these issues with the World Bank on numerous occasions in letters, public protest petitions and meetings (see Appendix 3). The details of some of this contact are as follows:

Letters to the World Bank:

1. Letter to the World Bank dated 30 April 2004 from the Ahora/Kakandetta Pressure Group outlining its opposition to the SADP and nomination of CELCOR as its representative;
2. Letter to the World Bank dated 30 August 2004 from the Ahora/Kakandetta Pressure Group asking the World Bank to consider other alternatives to oil palm and only fund "projects planned and initiated by the people".
3. Letter to the World Bank dated 14 May 2008 presenting views of stakeholders about the SADP. Unfortunately, CELCOR is unable to provide a copy of this letter due to IT technicalities following a virus attack on the CELCOR network, however, the World Bank should have kept the original.
4. Letter to the World Bank dated 28 July 2008 from CELCOR requesting the loan not be approved.
5. Letter to the World Bank dated 17 July 2009 following up the meeting between CELCOR and World Bank in May 2009.
6. Email to the World Bank dated 28 September 2009 requesting disclosure of project documents relating to consultation records.

Public protest petitions against the SADP and oil palm development:

7. Protest Petition against the SADP from Oro Province residents signed 2008
Available at
[http://www.wrm.org.uy/countries/Support to Papua New Guinea.html](http://www.wrm.org.uy/countries/Support%20to%20Papua%20New%20Guinea.html)
[Accessed 23 October 2009]
8. Protest Petition from Ioma region against Oil Palm published in the Post Courier 2006

Meetings:

9. CELCOR representatives met with the World Bank on 23 May 2009
10. CELCOR representatives met with the World Bank on 13 October 2009

In the letters and protest petitions the issues were raised relating to food security, land shortages, environmental impact of oil palm, risk of environmental damage due to ineffective monitoring, lack of improvement of living standards by palm oil development, lack of economic diversification and the inequality that smallholders should pay to fix previous World Bank mistakes.

The World Bank stated in a letter to the Ahora/Kakandetta people on 10 June 2004 that "adequate consultation with landowners and other stakeholders would take place to assist in finalizing the design of the project".

The World Bank has also responded via letter and email to questions and requests from CELCOR on behalf of the claimants including the following responses:

1. Letter dated June 10 2004
2. Letter dated June 16 2008
3. Letter dated September 3 2009
4. Email dated September 30 2009
5. Email dated October 19 2009

However, despite raising these concerns no change has been made to the project design and further consultation has not taken place.

There has been no other correspondence between CELCOR and World Bank representatives since the last meeting with the World Bank on 13 October 2009.

Part E Recent Developments

The World Bank stated during the recent meeting with CELCOR that no monies have been disbursed. However, the claimants are aware that planting is intended to begin in April 2010 following an article printed by the Papua New Guinean Post Courier Newspaper in October 2009. The article reported on a cheque handover ceremony where Papua New Guinea Sustainable Development Program, another financial contributor to the SADP project, presented monies to the loan implementer, PNG Microfinance Ltd, for "infilling loans". The World Bank PNG Task Team Leader attended the ceremony (see Appendix 4).

The claimants fear that now that a public commitment to commence the project has been made, their concerns have not been listened to, and changes to the project design will not be made. It is critical that broad consultation is undertaken and consent is granted prior to the start of the project.

We request the Inspection Panel recommend to the World Bank's Executive Directors that an investigation of these matters be carried out. Furthermore, in making this request for inspection of the project, the claimants ask that the SADP be put on hold until:

- e) poverty reduction is incorporated into the project design;
- f) other economic livelihood options are presented;
- g) a comprehensive environmental assessment is undertaken, including assessment of effluent treatment and a forest inventory;
- h) the project design is amended to ensure sustainability of the project;
- i) proper consultation is undertaken to ensure communities give their free, prior and informed *consent* to all components of the project.

Appendices

1. Authorization of CELCOR to act as claimant representative and claimant details
2. Photos of state of roads in SADP area
3. Correspondence between CELCOR and the World Bank
4. Additional Articles

Sources

Article from the Post Courier, October 2009 documenting release of funds from PNGSDP to PNG Microfinance Ltd for SADP Component 1, "infilling" loans.

Anderson, T (2008) *Women roadside sellers in Madang* Pacific Economic Bulletin, Vol 23, No 1,

Wakker, E. (2004) *Greasy Palms: The social and ecological impacts of large scale oil palm plantation in Southeast Asia*, Friends of the Earth and Aid Environment.

UNCERD, *Consideration of Reports submitted by States Parties under Article 9 of the Convention, Concluding Observations on Ecuador (Sixty second session, 2003)*, U.N. Doc. CERD/C/62/CO/2, June 2, 2003, para. 16.).

U.N. *Report of the workshop on Indigenous Peoples, private sector natural resource, energy and mining companies and human rights* U.N. Doc. E/CN.4/Sub.2/AC.4/2002/3.

Conclusion

We look forward to your response to this Request for Inspection. We authorize CELCOR to undertake this request on our behalf and you may reach us through the contact information below. We do not give consent to the World Bank to disclose claimant names and details, other than CELCORs.

Sincerely,



Date: 25/11/, 2009

Mr. Damien Ase
Centre for Environmental Law and Community Rights
(CELCOR)
PO Box 4373 Boroko
National Capital District
Papua New Guinea
Phone: +675 323 4509
Fax: +675 311 2106
Email: dase@celcor.org.pg or etpaine@gmail.com

**Application to the World Bank Inspection Panel
Claimants' Authority**

We, customary land owners in Oro Province, wish to file an application to the World Bank Inspection Panel to review the Smallholder Agricultural Development Project.

We are concerned that the World Bank is providing a loan to the Papua New Guinean Government when:

- Oil palm does not reduce poverty
- The SADP is not a sustainable project.
- High conservation value forests will be cut down
- Increased mill effluent will pollute our rivers
- The government will not fund the road maintenance fund and we will be left with the burden of maintaining the debt as well as the roads
- OPIC does not have the capacity to implement this project successfully

World Bank and OPIC have also failed to conduct free, prior and informed consultation about the SADP.

- You did not tell us about the road levy!
- You did not tell us the loan was only for new growers!

The people of Oro have already paid for the roads before and they shouldn't have to pay for the World Bank's mistakes!

The project in its current design breaches a number of World Bank policies, including:

- OP/BP 4.10 Indigenous Peoples Policy
- OP/BP 4.36 Forests Policy
- OP/BP 4.04 Natural Habitats
- OP /BP 4.01 Environmental Assessment
- OP 4.10 Investment Lending

Oil palm is not the best development option for Oro and West New Britain Provinces. It does not reduce poverty or ensure sustainable economic growth. The World Bank should fund other alternatives that address the social problems associated with oil palm before funding another expansion project!

The Centre for Environmental Law & Community Rights (CELCOR) has agreed to submit a claim to the Inspection Panel of the World Bank for the Smallholder Agriculture & Development Project (SADP) on our behalf. CELCOR on our instructions and consent:

- Will assist us in putting the World Bank on notice;

- Will seek expert assistance in respect of this claim. We consent to CELCOR's disclose of matters that would otherwise be subject of client confidentiality to these persons;
- Will submit our names for purposes of this claim only or otherwise stated.

We fully understand our intention for engaging CELCOR to put forward this claim.

**Applikesen igo long inspection panol blong wol benk
Authority blong ol claimant**

Mipela ol customary papa graun insait long Oro Provins i laik wokim wanpela applikesen igo long Inspection Panol blong Wol Benk. Displa em blong ol i mas wokim wanpela review blong dispela Smallholder Agricultural Developmen Projek (SADP).

Mipela i wari stret bikos Wol Benk I wok long givim loan igo long PNG Gavaman taim:

- Oil Palm ino save rausim poverty
- Dispela SADP ino wanpela sustainable projek
- Ol bai katim planti ol bus we I bai gat bikpela value lons sait bilong conservation.
- Pipia blong ol mill bai bagarapim ol wara blong mipela.
- Gavaman bai ino nap putim mani long rot maintenens fund na mipela bai karim hevi blong bekim dinau na maintainim rot
- OPIC i nogat gutpela risos blong mekim dispela projek karim gutpela kaikai

Wol Benk na OPIC tu ibin fail long wokim wanpela free, prior, na informed consultation blong dispel SADP.

- Yupela ino bin tokim mipela long dispela levy blong rot
- Yupela ino bin tokim mipela olsem dispela loan em blong ol niupela grower tasol.

Mipela ol man/meri blong Oro ibin baim ol dispela rot bipo yet na mipla mas noken peim moni gen long stretim asua blong Wol Benk.

Dispela projek, long design we em I stap nau, i burukim planti ol policy blong Wol Benk. Ol dispela em:

- OP/BP 4.10 Policy blong ol asples man meri
- OP/BP 4.36 Policy blong bus
- OP/BP 4.04 Naturol Habitat
- OP/BP 4.01 Assessment blong Environment
- OP 4.10 Givim mani blong Investmen

Oil Palm em ino wanpela gutpela development laik insait long Oro na West New Britain Provins. Emi no save rausim poverty or kamapim sustainable growth bilong economy. Bifo ol I putim mani igo insait long narapela expansion projek, Wol Benk imas putim











mani long sampela narapela projek we I bai lukluk long ol dispela social problem we I save kam wantaim oil palm.

Centre blong Environmental Law na Community Rights (CELCOR) I tok orait lo halivim mipela putim wampela claim igo long Inspection Panel blong Wol Benk long lukluk long dispela SADP. Mipela olgeta I wanbel long CELCOR I makim maus blong mipela na bihainim tingting blong mipela we mipela laik:

- Ol bai halivim mipela long givim notis long Wol Benk
- Ol bai mas painim ol narapela save man/meri long halivim ol putim claim blong mipela. Long dispela as, mipela tu I wanbel long o liken autim sampela ol hait information igo long ol dispel ol save man/meri
- Ol bai givim nem blong mipela long wokim wok blong dispela claim tasol na ino long narapela samting.

Mipela olgeta I save long as tingting wai mipela askim halivim blong CELCOR long pushim dispela claim.

Signed

Claimant 1:	 Name	 Signature	<u>02/09/09</u> Date
Claimant 2:	 Name	 Signature	<u>02/09/09</u> Date
Claimant 3:	 Name	 Signature	<u>02/09/09</u> Date
Claimant 4:	 Name	 Signature	<u>02/4/09</u> Date
Claimant 5:	 Name	 Signature	<u>02/09/09</u> Date

Claimant 6: [REDACTED] [REDACTED] 02/09/09
Name Signature Date

Claimant 7: [REDACTED] [REDACTED] 02/09/09
Name Signature Date

Claimant 8: [REDACTED] [REDACTED] 02/09/09
Name Signature Date

Claimant 9: [REDACTED] [REDACTED] 02/09/09
Name Signature Date

Claimant 10: [REDACTED] [REDACTED] 02/09/09
Name Signature Date

Claimant 11: [REDACTED] [REDACTED] 02/09/09
Name Signature Date

Claimant 12: [REDACTED] [REDACTED] 02/09/09
Name Signature Date

Claimant 13: [REDACTED] [REDACTED] 02/09/09
Name Signature Date

Claimant 14: [REDACTED] [REDACTED] 02/09/09
Name Signature Date

Claimant 15: [REDACTED] [REDACTED] 02.09.09.
Name Signature Date

Claimant 16: [REDACTED] [REDACTED] 02/09/09
Name Signature Date

Claimant 17: [REDACTED] [REDACTED] 02/09/09
Name Signature Date

Claimant 18:

[REDACTED]

Name

[REDACTED]

Signature

02/09/09

Date

Claimant 19:

[REDACTED]

Name

[REDACTED]

Signature

02/09/09

Date

Claimant 20:

[REDACTED]

Name

[REDACTED]

Signature

02/09/09

Date

CLAIMANTS' DETAILS

CLAIMANT NUMBER	SURNAME	GIVEN NAME	CLAN	DISTRICT	PROVINCE	POSITION IN THE COMMUNITY
1						
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