

**THE MEMORANDUM OF UNDERSTANDING BETWEEN THE GBA AND ZOR COMMUNITY ASSEMBLY INC (JCFMB) AND THE SEHYI-KODOE AUTHORIZED COMMUNITY FOREST AND SOLWAY MINING INC.**

**WHEREAS,**

1. On the 24<sup>th</sup> of April 2020 the Management Body of Gba and Zor Community Assembly Inc, Sehyi kodoo Authorized Community Forest and the Management of Solway Mining Inc. as well as Local Authorities ranging from Commissioners, Paramount Chiefs, General Town Chiefs, Youth Leaders, Women Representatives, Elders from Zor, Yarmein and Sehyi met at the Commissioner's Compound of Sanniquellie-Mah Administrative District Nimba County;
2. That the Solway Mining Inc received an exploration license from the Ministry Mines and Energy to do exploration of iron ore at 152 hectares of land in the Blei manage by the Gba and Zor Community Assembly Inc. as well as 70 hectares of land within Delton Forest within the Sehyi Kodoo Authorized Community Forest;
3. That the meetings of mediation/negotiation was chaired by the representatives of the Executive Committee of Northern Nimba Community Forest Management Body, and the Local Authorities of Gba, Sehyi and Zor.
4. That the management of Solway Mining Inc. and the Gba and Zor Community Assembly Inc, as well as Sehyi-Kodoe Authorized Community Forest management body agreed on the following to wit:
  - a. That, the Management of the Gba and Zor Community Assembly INC. and the Sehyi-kodoo Authorized Community Forest Management Body as well as local Authorities of Zor, Yarmein and Sehyi have agreed for Solway Mining Inc. to carry on their exploration within the two Community Forests (Blei and Delton respectively);
  - b. That, the Management Plans (MPs) of Gba and Zor Community Assembly INC. and the Sehyi kodoo Authorized Community Forest be changed from conservation to multiple usage of which the Solway Mining INC. will work with the Forestry Development Authority (FDA) for the processing of changes within their Management Plans; the Management Plans of the Gba and Zor Community Assembly Inc. and Sehyi-kodoo Authorized Community Forest were long before the Solway Mining Inc. License issuance; Solway Management will support the process of changing from conservation to multiple usage.
  - c. That, the 2% of which is a constitutional provision of Article 9-c of the Explorational Law of the Republic of Liberia, that should be given to communities in which the exploration is ongoing for development purposes in Health and Education; that amount should be deposited in an account established by the Management of the Gba and Zor Community Assembly Inc and the Management of the Sehyi-Kodoo Authorized Community Forest with consultation from local Authorities in terms of utilization; the funds from said account should only be withdrawn through resolution signed by Community Assembly and witness by Local Authorities of the forest communities.



- d. That, any skilled and unskilled laborers that should be recruited by Solway, first preference must be given to the communities forest management of the Gba and Zor Community Assembly Inc. and the management of the Sehyl-Kodoo Authorized community forest in terms of manpower.
- e. That, any arbitration requires under this Memorandum of Understanding (MOU) in terms of dispute shall be conducted by panel comprising of two (2) representatives each of Gba and Zor Community Assembly Inc. the Sehyl-kodoo Authorized Community Forest, Solway Mining Inc representation. In the event that the parties cannot agree on the dispute settlement, the third arbitrator, the Commercial Court of Liberia shall appoint the third arbitrator whose fees shall be equally paid by the parties. The seat of arbitration shall be Sanniquellie. The award of the arbitration panel shall be binding upon the parties and forcible;
- f. That, once Solway Mining Inc. had planned to work within 152 hectares of land in the Blei Community Forest Managed by Gba and Zor Community Assembly Inc and 70 hectares of land within the Sehyl-kodoo Authorized Community Forest, we therefore recommend that the remaining reserves in the two Community Forests management be fully supported by Solway Mining Company Inc. and be able to provide support for the Forest Guards and provide Office maintenance and administrative cost for the period of her operations, Biodiversity Conservation Development and Livelihood program funds for the Community Forest to reduce threat to the remaining reserves and its Biodiversity; support to the Sehyl-kodoo and JCFMB.
- g. That, Solway Mining Inc does inventory along with the Forest Management Body and complies with all payment for the lost of tree species and other forest flood vegetations along their demarcated/defined access roads, the Management Plan and other Conservation Agreement with other Institutions can be fully changed and signed from Conservation to Multiple usage and including Mining; any species that will be destroyed should be paid for appropriately.
- h. That, Solway Mining Company Inc. support reforestation programs for the reserve forests degraded areas during and after their exploration for forest restoration;
- i. That, the revision of the MOU and payment of the land rental fees be done in the second week of January each year for the three years period of the exploration and said payment be proportional to the number of hectare occupied;
- j. That, the Solway Mining Inc. provides safe drinking water (drilled Pumps) for the affected Communities and the maintenance of said pumps be carried out by the Solway Mining Company Inc during the duration of their operation;
- k. **FORCE MAJEURE:**  
In the event of force majeure, which makes it impracticable or impossible for either party or parties to perform the agreed services, the party or parties shall not be held responsible for the failure to execute or delay in the execution of the obligation under this MOU, but party involved shall at least inform their counterpart in two weeks' time. For the purpose of force-majeure include: war, civil disobedience, disaster, national emergency, severe weather and other acts of God. Upon the cessation of the force-majeure, this MOU resumes the duration shall be extended for the period of the force majeure except agree otherwise by the parties;

**NOTICES:** Any Notices required by this MOU shall be written and delivered to the parties at the appropriate addresses within two weeks.

**Binding effect:** The MOU is binding on the parties hereto, their successors, Offices, businesses, agents assigned, etc. as if they were physically present.

**IN WITNESS WHEREOF,** the parties have executed this MOU on the dates and places indicated below.


Executed in Blei & Sehyi Kodoo Originals on this 1<sup>st</sup> day of June 2020 in Nimba County.

**IN PRESENCE OF:**

1. [Signature]  
Chief Officer, Gba and Zor Community Assembly Inc/  
Joint Community Forest Management Body (JCFMB)
2. \_\_\_\_\_  
Chief Officer, Sehyi-Kodoo Authorized Community  
Forest Management Body
3. [Signature]  
Administrative Manager  
Solway Mining Company Inc
4. Nyan T. Flomo  
Gba EC Chairman
5. Jacob Voker  
Zor EC Chairman
6. [Signature]  
Sehyi-Kodoo EC Chairman
7. [Signature]  
Paramount Chief, Gbeyee Chiefdom, Yarmein Dist.
8. Joseph Y. Yormie  
Paramount Chief, Zor Chiefdom
9. Allen K. Flomo  
Paramount Chief, Sehyi Clan Sanniquellie Wah



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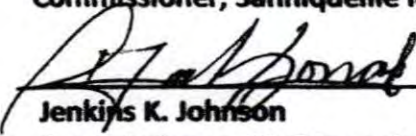
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**Hon. Thomas Gonotee**  
**Commissioner, Yarmain Administrative District**

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**Hon. Yalue W. Yalue**  
**Commissioner, Sanniquellie Mah Administrative Dist.**

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**Jenkins K. Johnson**  
**Commissioner, Gbehlay-geh Administrative District**

**GBA AND ZOR COMMUNITY ASSEMBLY INC**  
**Gba and Zor Forest Communities**  
**Northern Nimba Community Forest**  
**Nimba County,**  
**Republic of Liberia**

June 1, 2020

Hon. Mark C. Doyen  
Managing Director  
Forestry Development Authority  
Whein Town, Moronvia-Liberia

**Ref. Letter of Application for changes in Gba and Zor Community Assembly Inc Forest Management Agreement (MP)**

Dear Hon. Doyen,:

Greetings

We the Citizens and Representatives of the Community, Managing the Blei Community Forest, known by its legal status as Gba and Zor Community Assembly Inc, write to officially apply to Forestry Development Authority through your office as Technical Manager for Community Forestry at the Forestry Development Authority for changes in our Community Forest Management Agreement (CFMA) signed between the Forestry Development Authority (FDA) and the Gba and Zor Community Assembly Inc 2011 for our forest management status to be changed from Conservation Management to Multiple usage and including Mining.

Hon. Manager, our request for the changes in the CFMA came through the engagement by Solway Mining Company with exploration license obtained from the government of Liberia, in which the community had conducted engagement meetings with stakeholders for their inputs. And on the 9<sup>th</sup> of April and the 10<sup>th</sup> of May 2020, the forest Community dwellers concluded on a mutual agreement through vote for Solway exploration to commence in the Blei Community Forest Managed by the Gba and Zor Community Assembly Inc.

In view of the above request from the citizens and community's representatives managing the Blei CF, and with confidence in your high esteem, it is our hope and prayer that this request meet your timely approval for needs of the community dwellers in the forest communities as we requested for changes in our Community Forest Management Agreement (CFMA) for Multiple usage.

Thanks

Signed:

*SHAYE THOMPSON*



Jacob Vokor

Mr. Jacob L. Vokor

Zor Executive Committee Representative

: Terrance Larkpor T. Lark

Mr. Terrance Larkpor

Gba Executive Committee Representative

: James N. Domah

Mr. James N. Domah

Sehyi Executive Committee Representative

: Alfred Karto

Yarmein Youth Representative

: Mr. Peter Y. Sank

Zor Youth Representative

: Jericho N. Nyam

Sehyi Youth Representative

: Albertha Zeghan

Women Representative Zor

: Nyanamsh Boan

Women Representative Yarmein

: Madam Tongan Sunh #1

Women representative Sehyi

Attested

: Albert D. Konde

Clan Chief of Zor

: Amie Akelhye

Clan Chief of Sehyi

: Matthew S. Dolo

Clan Chief of Gba



: Cooper Wataka  
Paramount Chief G ba

: HON. JOSEPH Y. YARMIE  
Paramount Chief Zor

: Hon. Allen K. Flomo  
Paramount Chief Sehvi

: Jenkins Kona Johnson  
Commissioner of Gbeshay Geh Adm. District

: Hon. Thomas S. Gbeshay  
Commissioner of Yarmein Adm. District  
07706998 SIGNED

: YEALU K. YEALU  
Commissioner of Samquellie-Mah Adm. District



Cc:

Madam Gertrude Kuvah Nyanley  
Technical Manager, Community Forestry Department  
Forestry Development Authority FDA  
Whoin Town, Monrovia-Liberia

Mr. Blama Gorr  
Protected Area Manager  
Forestry Development Authority  
Republic of Liberia

Please see attached map photo of land take by Solway in the Blei CF

