

From: Nathaniel Dyer [<mailto:ndyer@globalwitness.org>]
Sent: 27 May 2014 00:22
To: SOCO Communications; Carol Fan; Ed Story
Cc: Daniel Balint-Kurti
Subject: Questions on Soco International's activities in DR Congo

Dear Mr Story,

Global Witness is planning to release a report about Soco International's operations in eastern DRC. We have seen evidence suggesting that Soco broke UK bribery laws¹ and made illicit payments in order to secure its access to Block 5 in the Albertine Graben. The evidence also suggests that company employees turned a blind eye to contact and possible payments made by security contractors to rebel groups, and that the company's actions helped foster intimidation and violence in eastern Congo against opponents of oil exploration.

Please send us your general comments on the above. Also, we have some specific questions for you. Please correct anything that you believe to be incorrect:

1. How much did Soco pay ICCN as a result of the May 2011 agreement between the two organisations? Why has Soco not published the agreement? How much of the amount paid by Soco was received by Virunga National Park and what evidence do you have of this?
2. What due diligence did Soco do to ensure that its money ended up with the Virunga National Park authorities or with rangers tasked with monitoring Soco's activity?
3. The 2014 documentary film, *Virunga*, shows undercover recordings of Major Feruzi offering bribes to a park ranger to collaborate with Soco. This includes the park ranger being asked to spy on Emmanuel de Merode, the chief warden of Virunga National Park. Do you accept this?
4. What is the nature of the relationship between Soco and Major Feruzi (8th Military Region of North Kivu)? What payments and benefits – if any – have Soco, directly or indirectly, given to Major Feruzi? Has Major Feruzi worked for Soco's security contractors, directly or indirectly? Has Major Feruzi offered to pay people on behalf of Soco? Have any such payments constituted bribes?
5. The *Virunga* documentary film shows a security contractor to Soco giving a Virunga ranger an envelope of cash. Does the security contractor shown on this video work for Soco, directly or indirectly? Do you regard his behaviour in the video as being in contravention of UK bribery law? What is the name of the security contractor shown in the video?
6. How much has Soco's security contractors, SSC (or its affiliate DEI), been paid for its work for Soco in Congo? How does Soco oversee the security contract and ensure that monies provided by Soco are not used for illegal bribery?
7. Was Major Feruzi involved in arresting or intimidating opponents of oil exploration in North Kivu? Why does the third party statement from Serge Darroze that was published on Soco's website, relating to an arrest in Nyakakoma, refer to 16 July 2013 when the arrest in question is alleged to have occurred the previous day?
8. We understand that Rodrigue Katembo, head of the Central Sector of Virunga National Park, was arrested and beaten on 16 September 2013 after opposing the construction of Soco's communications antenna. What is Soco's opinion of the arrest and subsequent treatment of Katembo?
9. How has Soco sought to address the arrest and intimidation of opponents of oil exploration in eastern Congo? Does Soco accept that it is now dangerous to publicly oppose oil exploration in Virunga?

10. What is Soco's relationship with Guy Mbayma at the ICCN? What payments and benefits – if any - have Soco, directly or indirectly, given to Mbayma? Has Soco endorsed or in any way supported Mbayma in pushing rangers and local communities to support your company?
11. What is Soco's relationship with Célestin Vunabandi, MP for Rutshuru and now a Minister? What payments and benefits – if any – have Soco, directly or indirectly, given to Vunabandi? Has Soco employed or paid Vunabandi for activities related to oil exploration in Congo by way of a consultancy contract or any other arrangement? If you have since July 2011, does the company believe that this was legal under British law?
12. Has Soco used Vunabandi as a go-between with groups in eastern Congo, or a conduit for bribes, should they have been paid?
13. Did Soco, directly or indirectly, pay local organisations to stage a public demonstration in support of oil exploration in Vitshumbi in April 2012? Has Soco ever financed public demonstrations in Congo?
14. What is Soco's relationship with the Mwami Ndeze of Bwisha, chief of the village of Nyakakoma? What are the terms of the agreement to site Soco's base camp in Nyakakoma? What payments and benefits – if any - have Soco, directly or indirectly, given to the Mwami Ndeze?
15. We have seen evidence to suggest that an aide to the Mwami, Kamari Birhahira, has offered bribes and intimidated activists opposing oil exploration. What is Soco's comment on this? What payments and benefits – if any – have Soco, directly or indirectly, given to Kamari Birhahira?
16. The Virunga documentary suggests that a Soco employee and two of its supporters saw Emmanuel de Merode, Director of Virunga National Park, as one of the main obstacles to oil exploration in the park. Do you accept this? Was this view shared by Soco's management?
17. Do you agree that Soco has consistently downplayed and sought to undermine the viability of Virunga National Park?
18. What policies and procedures does Soco have in place to reduce the risk of bribery and corruption?
19. Has Soco or any of its contractors met with Congolese rebels? Please provide details. If so, were payments discussed, offered or made?
20. Has Soco offered or made payments to any other government officials - beyond those we have already mentioned - including politicians or security forces? Please provide details.

Please send us any comments or corrections to this email address (ndyer@globalwitness.org) by the end of the day on **Friday 30th May**.

Yours sincerely,
Nathaniel Dyer

Note:

1. Global Witness continued to investigate the evidence relating to compliance with UK bribery law during the preparation of this report and determined that while we cannot reach a conclusion on the available evidence that there has been any breach of UK law, the matter does merit further and fuller investigation by Soco and responsible authorities.