

Memorandum of Agreement
Dialogue Table Meeting between representatives of Canaan and Nuevo Sucre and
representatives of Maple Gas
May 24-25, 2011

As of the complaint filed with the CAO from the communities of Canaan and Nuevo Sucre in April 2010, the second dialogue table meeting between elected representatives of the two communities and representatives of Maple Gas was held on May 24-25, 2011. The meeting was facilitated by the Office of the Compliance Advisor/Ombudsman (CAO) at the company's offices in Pucallpa.

The participants accredited by the aforementioned organizations were:

CANAAN:

- 1) Lizardo Cauper Pezo – Regular member
- 2) Miguel Ahuanari Teco – Regular member (substituting for Virgilio Cauper Flores)
- 3) James Rodríguez Acho – Regular member
- 4) Joaquín Sanancino Rodríguez – Regular member
- 5) Remigio Maynas Santos – Alternate member
- 6) Humberto Sánchez Ríos – Alternate member
- 7) Alberto Romaina Vásquez – Alternate member

NUEVO SUCRE:

- 1) Raul Tuesta Burga - Regular member
- 2) Walter Tuesta Lomas - Regular member
- 3) Alfonso Saldaña Canayo - Regular member
- 4) Gerardo Gonzales Ochavano – Alternate member
- 5) Silverio Saldaña Burga – Alternate member
- 6) Luis Burga Huaya – Alternate member

MAPLE:

- 1) Tony Hines – Regular member
- 2) Cesar Valderrama - Regular member
- 3) Edgardo Bazán - Regular member
- 4) Manuel Galup – Alternate member
- 5) Hernán Panta – Alternate member

OBSERVERS/ADVISORS:

- 1) Artemio Vásquez Acho – FECONBU
- 2) Félix Rojas Silvano – ORAU
- 3) Komala Ramachandra – Accountability Counsel

Interpreters: Robert Guimaraes (Shipibo-Spanish), Roberto Espejo (Spanish-English)

CAO Team: Antonio Bernales, independent facilitator; David Atkins, CAO technical consultant; Julia Gallu, ombudsman specialist; Susana Rodriguez, research analyst.

As discussed by the parties, the following has been agreed in this Memorandum dated May 25, 2011:

- 1) At the end of each dialogue table meeting, the specific venue for the next meeting will be defined.

- 2) To improve coordination and organize transportation and logistics for meetings held at locations other than the communities, a 7-day time period is set so that the Parties may prepare for the meetings and an agreed budget will be managed so that the community representatives may cover their travel, food and accommodation expenses.
- 3) Internet in Nuevo Sucre – The commission will identify various options and will recommend the most viable option to the dialogue table to ensure that the Internet system is operating. After the signal is installed in Nuevo Sucre, training will be provided to the community delegates: the Apu of Nuevo Sucre, Walter Tuesta, and Gerardo Gonzalez.
The aforesaid delegates will receive the Internet operating system and manual through a delivery certificate, and will receive training estimated to begin on May 30th.
- 4) Internet in Canaan – The commissioners elected by the Parties will work together to improve the appearance of the installed system and its relocation if so desired by Canaan. The company will increase the number of connections (a router) and will furnish a printer with the commitment that the community will be responsible for its maintenance. Responsible commission: Cesar Valderrama and Apu of Canaan. Delivery of the manual and training is estimated for May 30th.
- 5) Water systems – In Canaan, the regional government has not provided the information requested by the community. The company reiterates its willingness to assist Canaan in obtaining information, review plans and contracts, and support the request of the community to the regional government. In Nuevo Sucre, the water system evaluation is underway, including the productive capacity of the well, the capacity of the tank and the operation of the system. The well will undergo physical improvements in the next two weeks.
- 6) The parties agree that Ecolab will perform the first sampling and quality analysis of the water system in Nuevo Sucre, and the CAO, through its consultant David Atkins, will establish a program to define the parameters, and assess and ensure the quality of the laboratory results. Before Ecolab takes any action, information will be requested from the laboratory regarding detection limits and how these compare with the requirements of Peruvian laws and WHO international standards. David Atkins expects to complete the program by May 27th.
- 7) Ecolab would take the first sampling in Nuevo Sucre during the week of May 30th. The laboratory results are expected on or around June 15th. Ecolab would take the second sampling once improvements in the water system of Nuevo Sucre have concluded, and laboratory results are expected on or around July 1st. A third confirmation sampling will be taken one month after the second sampling. The results will be shared with the Assembly, with support from the Ecolab technician, David Atkins and translators. Responsible: David Atkins (CAO), Apu of Nuevo Sucre.
- 8) Water analysis in Canaan — a water quality sampling will be taken once the system is operating.
- 9) After working on a joint mapping, the Parties agreed that the environmental report will include several water sampling locations, including locations of concern for the communities, as well as locations before and after the zones of interest agreed between the Parties, so as to have better understanding of the watershed and stakeholders that could influence it. At the next dialogue table meeting, work will continue to jointly prepare the terms of reference and agree on the scope of the study, the criteria for selecting a laboratory and the characteristics of the technical team that will carry out the study.
- 10) Once the terms of reference have been defined, the Parties will designate who will participate in the training module on participatory community monitoring.
- 11) Next meetings — June 23rd and 24th in Pucallpa (Maple's office); August 10th and 11th.

Agenda for June 23rd and 24th:

- a) Ratification of previous memorandum;
- b) Reports from the Internet and water commissions;
- c) Terms of reference of environmental study;
- d) Define details of training and monitoring program;
- e) Terms of reference of health study;
- f) Formation of ad hoc committee for cases included in the claim that deserve special attention.