



Large Scale Land Acquisitions in Liberia

Briefing Paper

Land acquisitions for commercial farming, mining, as well as logging in Liberia have over the past 5 years become a subject of growing concern for environmentalists, human rights activists, affected small-holders and others. Investments in commercial farming and mining can help to boost production and economic growth. However, there is a growing body of evidence that so-called land grabs compromise on international principles, the rights and livelihoods of poor people, in particular the right to adequate food, protection of the environment, development of a democratic society, and national sovereignty. Hence, it is the legality, transparency and accountability of decision-making processes, adequate participation of communities, fair share of benefits, and the pressure on land itself which are at the core of an intensifying debate in Liberia.

This briefing paper intends to provide a brief background and sketch out how the three Alliance 2015 partners in Liberia experience the consequences of the large-scale land acquisitions in their area of work, and finally suggest how these issues can be jointly addressed. The Alliance 2015 in Liberia consists of Concern Worldwide, IBIS and Welthungerhilfe with programmes in multiple sectors.

Background

During the past 5 years, the Government of Liberia (GoL) has issued close to seventy (70) Private Used Permits (PUP), Forest Management Contracts (FMC) and Timber Sales Contracts (TSC)ⁱ with the sum of all concession agreements accounting for a total of almost 1.5 million hectares of landⁱⁱ. In addition, within the mining sector, several concession agreements have been signedⁱⁱⁱ.

National policies and laws have laid the foundation of a positive legal framework to guide agreements and allocations for equitable benefits for communities. Two of the central elements in the legal framework, which is guiding the concession agreements in this matter, are the provision of County Social Development Funds (CSDFs) and the freedom of information law. Nonetheless the legality of awarded contracts has been questioned. This is partly due to the violation of various laws including the Mineral and Mining law and the Public Procurement Concession Commission Law, and partly due to the fact that requirements such as a competitive bidding process have allegedly not been complied with in some of the deals^{iv}. In addition, the transparency of concession agreements has been raised as a concern, along with the equity of the benefits shared by communities.

The land concession agreements are affecting the communities in various ways. On the positive side opportunities are created from the increase of large-scale land acquisitions. These includes job creation, diversification of the local economy and strengthening of local and decentralised government structures which thereby are able to assist in the management of the concessions and together with the communities lead on identifying priorities. On the negative side the land concession agreements are affecting communities by re-allocating huge dwelling and farm lands from citizens. The small scale farmers thus risk losing access to land and thereby their traditional livelihoods. This situation, combined with much of the land being used for export crops, tends to cause continued food dependency. The purpose of the CSDFs is to increase the provision of social services in the affected communities. The ambition is to ensure that the communities experience a direct benefit of the concession agreements. Unfortunately there is public dissatisfaction with the manner in which the CSDFs are being managed and distributed. This dissatisfaction indicates that, on top of the small scale farmers risking to lose their land, they are also not receiving the intended benefit of the CSDFs.

Alliance 2015 partners

Welthungerhilfe (WHH) recognises that the opportunities in the economic transformation process will create new jobs and new demands but in the Southeast of Liberia WHH has also observed some of the negative consequences, which the farmers are facing due to the concession agreements. The farmers lose their access to land and are uncertain of conditions, compensations and rights in concession areas. Often daily labour becomes scarce due to better payments by concession companies which results in inhibiting young people to work in farming and agriculture. In order to address these issues WHH will look in to possibilities of incorporating farmer associations in outgrower schemes and in general strengthening the voices of the associations and farmer unions, so that they can better defend their interests. Additionally, agricultural value chains could be strengthened, making small-holder farming companies more competitive. WHH will also explore supporting public dialogues focused on alternative models of agricultural development.

In the education sector, also in the South Eastern part of the country, IBIS has observed that there has been a drop in school attendance and enrolment. This drop is to a large extent caused by increased child labour and other forms of exploitation where children are working on plantations, as well as the reduced capacity to afford educational expenses due to the loss of household livelihoods where arable land for agriculture has been re-allocated. IBIS aim to support initiatives that will advocate for

and influence democratic processes and resource distribution at local and national levels for more inclusive, equitable and transparent governance. In line with this, IBIS has responded directly through the start up of a governance programme with a specific objective focusing on increased civil society understanding and participation in public dialogue associated with natural resource concession agreements and their related social development funds.

In the Northern region of Liberia, where Concern Worldwide is operational, both positive and negative effects have also been realised. Local employment has increased where graduates from the Lutheran Training Institute (LTI) vocational training centre have secured jobs, and the social agreements have resulted in linking isolated communities with roads and bridges, and in the proposed development of hospitals and schools. However, the agreements are not always upheld and there is a lack of a clear time frame for provision. Furthermore, clear-cutting practices as opposed to the agreed selective logging is being implemented. Compliance of the agreements has also been an issue where local communities through the local authorities are unable to be involved appropriately. Concern Worldwide has not yet initiated activities to address the negative consequences of the concession agreements but are likely to focus on strengthening local civil society advocacy.

Alliance 2015 is a strategic network of seven European non government organisations engaged in humanitarian and development activities. The Alliance2015 members are Cesvi-Italy, Concern Worldwide-Ireland, Welthungerhilfe-Germany, Hivos-The Netherlands, IBIS-Denmark, People in Need-Czech Republic and ACTED-France.

For more information see www.alliance2015.org

Alliance 2015, Civil Society and Informed Consent

The Alliance 2015 supports the principles of accountability, transparency and legality of concessions, participation of local communities, and equity share of benefits in ensuring sustainable natural resource management for Liberia and its people. The Alliance 2015 believes a key starting point for improvement should be the consistent implementation of the Voluntary Guidelines of the responsible governance of tenure of land, fisheries and forests which has been endorsed in 2012, as well as the Free, Prior and Informed Consent (FPIC), which is based on the principle that a community has the right to give or withhold its consent to proposed projects that may affect the lands they customarily own, occupy or otherwise use.^v It is recognised that the

concession agreements are far reaching and directly impact democratic inclusion, education, livelihood and food security programming. The Alliance 2015 partners will look to support initiatives that create space for civil society organisations, research organisations and government in their efforts contributing to these principles. Opportunities will be explored for collaboration in areas such as (but not limited to):

- Public Dialogues
- Advocacy Support
- Research Projects
- Joint CSO Initiatives
- Information Sessions



Origin: Copenhagen, Denmark

Main sectors: Education & Governance

Geographical focus: Grand Gedeh, River Gee, Sinoe & Montserrado

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ⁱ LEITI. www.leiti.org/concessions, contracts & agreements.

ⁱⁱ LEITI. "Concession & Agreements." Available from: www.leiti.org/contracts

ⁱⁱⁱ Ibid

^{iv} Reuters. "Resource deals audit overshadows Liberia anti-graft push". Available from: <http://www.reuters.com/article/2013/05/01/us-liberia-resources-id/USBRE9400QY20130501>

^v Forest People's Programme. "Free Prior and Informed Consent" Available from: <http://www.forestpeoples.org/guiding-principles/free-prior-and-informed-consent-fpic>