



PREREQUISITE FOR PEACE

The critical role of responsible business conduct in conflict prevention in Liberia and Sierra Leone.

Report #101

**SWED
WATCH**

Swedwatch is an independent not-for-profit organisation that conducts in-depth research on the impacts of businesses on human rights and the environment. The aim of the organisation is to contribute towards reduced poverty and sustainable social and environmental development through research, encouraging best practice, knowledge sharing and dialogue. Swedwatch has seven member organisations: Afrikagrupperna, ACT Church of Sweden, Diakonia, Fair Action, Solidarity Sweden-Latin America, the Swedish Society for Nature Conservation and We Effect. Swedwatch authored this report, which can be downloaded at www.swedwatch.org.

Green Advocates International (GAI) is a Liberian-based non-profit, public interest law, environmental and human rights organisation. It works to advance a wide range of rights-based issues through legal aid, consultation, and support for the victims of environmental and human rights violations, including support for business-affected communities to participate in decision-making processes in the management of Liberia's natural resources and its economy. GAI also work to promote transparency and accountability in governmental activities and assistance in strengthening and enforcing environmental and human rights standards. See more at: www.greenadvocates.org.

Sierra Leone Network on the Right to Food (SiLNoRF) is a network of 16 civil society organisations working to ensure the right to food and to promoted responsible land governance in Sierra Leone. The organisation works with advocacy, dialogue, and engagement with stakeholders to implement and promote the right to food in Sierra Leone. SiLNoRF also monitors the effects from multinational business on the livelihood of local communities, and engages in capacity building, mobilisation, sensitisation, and research on business, human rights, and environment.



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Abbreviations

BHRE	=	Business, human rights, and the environment
HREDD	=	Human rights and environmental due diligence
HRDD	=	Human rights due diligence
LSLAs	=	Large-scale land acquisitions
OECD	=	the Organisation for Economic Co-operation and Development
SDGs	=	Sustainable development goals
SGBV	=	Sexual and gender-based violence
UNGPs	=	United Nations Guiding Principles on Business and Human Rights
WEHRD	=	Women environmental and human rights defenders

Executive summary

Against the backdrop of increasingly visible and severe impacts of climate change, recent years have seen a series of crises including the COVID-19 pandemic and the war in Ukraine – changing the geopolitical landscape and pushing food and fuel prices to record highs. Crises like these do not only have detrimental effects on human rights, but also risk destabilizing peace by exacerbating already existing grievances and social tensions.

Responsible business practices can play a vital role in sustaining peace, by providing a platform for skill development, dialogue and cooperation, and for facilitating economic development in conflict-affected areas. However, business practices that are not conducted in line with conflict-sensitive human rights due diligence can instead add to social conflict, undermining resilience and peace.¹

In Liberia and Sierra Leone, illicit commodity trade and natural resource extraction have a history of fuelling violent conflict, by providing revenue and logistics to the warring parties of the brutal civil wars in the 1990s and early 2000s. Since then, both countries have pursued large-scale land acquisitions (LSLAs) – transfers of rights by states to business actors to use, own or control land – to achieve economic development and peace. Both the Agenda for Prosperity in Sierra Leone and The Pro-Poor Agenda in Liberia encourage economic growth based on natural resource extraction.

These development agendas also highlight that peace and prosperity need to be inclusive of women and rest on the sustainable management of natural resources. However, LSLAs often come with high environmental and social costs, such as pollution, destruction of ecosystems and forced displacement. Communities often live on the same land that is acquired by business actors, resulting in conflict over the use and ownership of land. In Liberia and Sierra Leone, such impacts are likely to be particu-

larly severe on women. Women have historically lacked the same legal rights to land and natural resources as men and even though advances have been made to formally recognise women's land rights, women still experience a lack of access to and ownership of land, prompting calls from local civil society organisations to investigate the effects of LSLAs on women's rights.

This report presents findings from research conducted in 40 rural communities in Sierra Leone and Liberia and provides evidence of extensive environmental and human rights impacts on communities in land concession areas. According to interviews with community members, business activities have resulted in pollution, loss of livelihoods, land disputes and increased social tensions, particularly affecting women. Furthermore, women environmental and human rights defenders sometimes face threats, reprisals or discrimination when voicing concerns over business impacts on human rights and the environment.

Failure to recognise responsible business conduct as critical to peace and prosperity risks undermining years of advancements in peacebuilding in Liberia and Sierra Leone. To achieve inclusive economic growth and address salient risks and impacts on women linked to business activities, a set of measures needs to be urgently adopted. Business actors operating in the countries should regularly conduct conflict mapping as well as human rights and environmental due diligence (HREDD) assessments throughout any business engagements.² The governments of Liberia and Sierra Leone should adopt gender- and conflict-sensitive National Action Plans on Business and Human Rights, as well as emphasise land-related investments and policy coherence between human rights and environmental commitments, peacebuilding strategies as well as trade and development policies. Lastly, it is key to include considerations on business, human rights, and the environment (BHRE) in global peacebuilding agendas. In countries that rely heavily on natural resources and LSLAs, business activities can only contribute to sustained peace if they do not adversely impact environment, human rights or social relations. Otherwise, business-driven natural resource management becomes a false prerequisite for peace.

Recommendations

Business actors and investors should:

- Regularly conduct conflict mapping as well as human rights and environmental due diligence (HREDD) assessments of business activities throughout any business engagements.
- In line with internationally recognised rights such as free, prior and informed consent (FPIC), carry out prior, meaningful, and inclusive consultation with business affected communities, paying particular attention to the participation of women.
- Carry out heightened due diligence, including a conflict-sensitivity analysis of activities, when operating in conflict-affected and high-risk settings, in line with international guidance such as recommendations by the UN Working Group on Business and Human Rights.

- Conduct business operations in line with gender-responsive due diligence guidance, such as the OECD Guidelines for Multinational Enterprises. Women need to be included in stakeholder consultations and a no-tolerance policy for any form of gender-based discrimination should be adopted.
- Ensure that grievance mechanisms are available and accessible for community members and all affected stakeholders and that the operating grievance mechanisms follow the effectiveness criteria set out in Principle 31 of the UNGPs.

The governments of Liberia and Sierra Leone should:

- Adopt legislation on mandatory conflict and gender responsive HREDD to ensure that business actors conduct conflict sensitivity and HREDD throughout their activities, value chains, and investments. Legislation should be aligned with international guidance such as the UNGPs, and the Convention on the Elimination of Discrimination against Women, which both Liberia and Sierra Leone have ratified.
- Require the relevant government agencies of Liberia and Sierra Leone to undertake HREDD throughout the duration of land concession agreements, providing any required technical assistance. The Environmental Social Impact Assessments monitored by the Environmental Protection Agency should be conflict- and gender-sensitive and be aligned with international best practice on public participation, such as the UNECE Aarhus Convention on Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters.
- Adopt National Action Plans on Business and Human Rights through broad consultation with civil society and other relevant stakeholders, following internationally recognised criteria for an effective National Action Plan. The plans should place particular emphasis on land-related investments and ensure policy coherence between human rights and environmental commitments, peacebuilding strategies as well as trade and development policies.

UN agencies should:

- Integrate peace and conflict impacts of sustainable natural resource management and responsible business operations in programming and operational strategies of the UN Peacebuilding Commission.
- Further integrate peace and conflict considerations in the work of human rights bodies and mechanisms, which should subsequently inform peacebuilding responses.

1. Introduction

At the time of writing, the world is undergoing a series of crises, including the recovery from the COVID-19 pandemic, an ongoing war in Ukraine with subsequent rises in fuel and food prices, coinciding with the triple planetary crises of climate change, pollution, and biodiversity loss.³

To prevent these multiple crises from driving violent conflict, there is a need to better understand how they may exacerbate existing vulnerabilities such as inequality, weak state structures and political instability.

Furthermore, in the complex net of actors, interests, and grievances of fragile settings, it is crucial for business actors, in particular, to assess the potential effects of their operations. While impacts of business operations may not be the sole root cause of conflict, environmental challenges and human rights violations linked to business activities are known to undermine peace.⁴

In recent decades, an increased global demand for natural resources along with rising commodity prices have triggered a rush for land by global investors to resource-rich low-and middle- income countries.⁵ Many of these countries are also high-risk- or conflict-affected areas.

FACT

Fragility, conflict-affected and high-risk areas

This report defines fragility, conflict-affected and high-risk areas according to the definitions by the Organisation for Economic Co-operation and Development (OECD).

- **Conflict-affected and high-risk areas** = areas characterised by institutional weakness, political instability, insecurity, armed conflict, widespread violence, or other risks of harm to people.
- **Fragility** = the combination of exposure to risk and insufficient coping of the state, systems and/or communities to manage, absorb or mitigate those risks.

Source: OECD.

As a result of this demand, the number of large-scale land acquisitions⁶ (LSLAs) – meaning transfers of rights by states to business actors to use, own or control land areas by sale, concession or lease – has increased across a broad range of sectors, including agricultural and renewable energy production, timber plantations and mining. While LSLAs are frequently presented as opportunities for development, they often result in high social and environmental costs including environmental degradation, destruction of ecosystems and displacement of local communities.⁷

Like many other resource-rich low-income countries, Liberia and Sierra Leone rely heavily on their natural resources to further development. In their respective development agendas, economic growth based on natural resources is identified as a means to achieve peace and prosperity. At the same time, inclusion of women and sustainable management of natural resources are also recognised as key to development and peace.⁸ Indeed, land is an essential source of livelihood for most residents of both countries and access to these resources remains crucial for achieving gender equality, both as a source of sustenance and livelihood and for their cultural and social value.

A development strategy that extracts the same natural resources that local communities depend on for livelihood and sustenance runs the risk of undermining the stated government goals of gender equality and sustainable resource use – and ultimately, of jeopardising efforts to achieve sustained peace and prosperity.

This report consequently examines how communities are impacted by business activities in LSLA areas in Liberia and Sierra Leone, with a focus on effects of business operations on women’s rights, the environment, and social conflict.⁹ It is structured around three main assumptions frequently overlooked by state and business actors in land acquisitions:

Firstly, the environment, peace and human rights are interconnected. In an increasingly fragile world, “people, planet, prosperity, and peace”, as outlined in the 2030 Agenda, need to be tackled jointly to reach the sustainable development goals (SDGs).¹⁰

Secondly, marginalised groups frequently bear the brunt of irresponsible business operations. In many countries, including Liberia and Sierra Leone, women tend to have less access to natural resources from the onset. Adverse impacts from business activities such as loss of livelihoods and exclusion from decision-making in land-related issues tend to hit women harder. In some cases, women also suffer discrimination, reprisals and sexual- and gender-based violence (SGBV) in connection to business activities or when reporting on corporate misconduct.

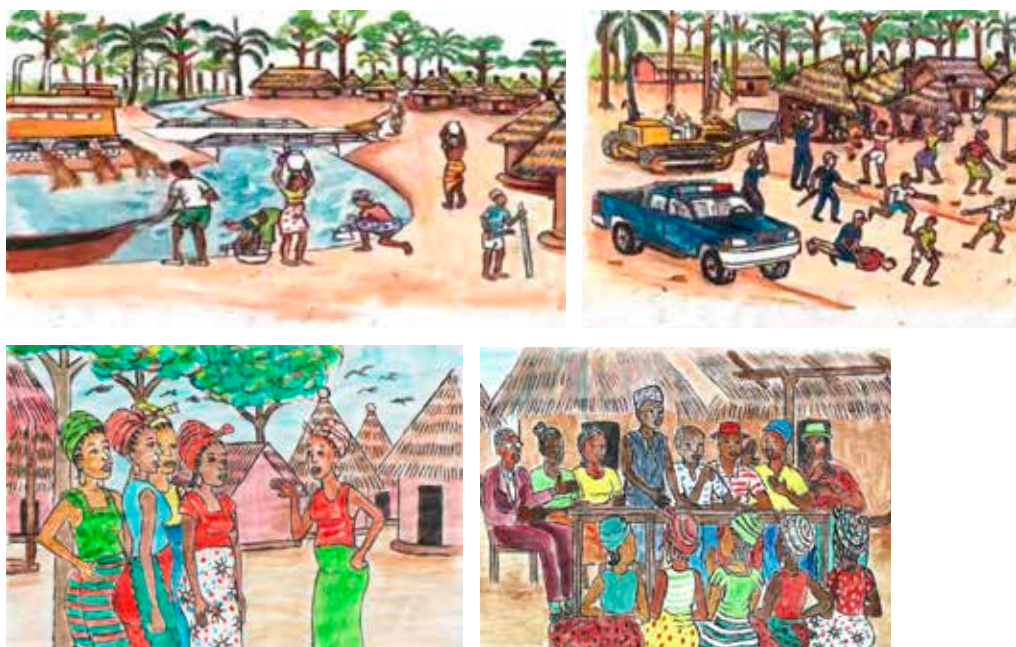
Thirdly, companies and investors are not neutral actors in peacebuilding. Business actors can positively contribute to peacebuilding efforts, for instance by creating jobs and opportunities for skills development, education, and rural development. However, negative impacts on human rights and the environment from business operations, such as pollution or displacement of local communities, can instead fuel conflict. When combined with underlying grievances such as poverty, socioeconomic inequalities or exclusion from decision-making, business-related human rights violations and environmental harm can ignite, exacerbate, and prolong conflicts.¹¹

This report highlights the above by investigating the impacts business activities have on the environment, women’s rights, and social conflict in land concession areas in Liberia and Sierra Leone.

2. Methodology

The report summarises the key takeaways from a 15-month project carried out by Green Advocates International (GAI), Sierra Leone Network on the Right to Food (Silnorf), and Swedwatch in Liberia and Sierra Leone. The project included research on the vulnerabilities that undermine sustainable peace and the role of LSLAs in social tension in Liberia and Sierra Leone. More than 400 interviews were carried out in March and April 2022 in the form of semi-structured interviews - using a survey as the basis and including open-ended questions (see appendices). These interviews were carried out in 24 communities in Sierra Leone, across six districts in Bo, Bombali, Kono, Port Loko, Pujehun, and Tonkolili. In Liberia, data collection was carried out in the counties Grand Cape Mount, Bomi, Margibi and Grand Bassa, targeting 16 communities that have been impacted by LSLAs. The LSLAs are in various sectors, including agriculture, mining, rubber, forestry, and palm oil.

The insights in the report have also been informed by accounts from trainings for women in communities affected by land concessions. For these trainings, a technical toolkit for CSOs and one cartoon-based toolkit for local communities, in the local language Pidgin English (Liberia) and Krio (Sierra Leone), were developed to increase knowledge on the rights to land, natural resources and women's rights.¹² In addition, the project also entailed dialogue and outreach activities on BHRE in high-level- and international fora, such as side events at the Stockholm +50 international meeting (June 2022), a series of dialogues with UN agencies and missions to the UN in New York (May 2022), at the 2nd Environmental Peacebuilding Conference (February 2022) and during Geneva Peace Week (November 2021).¹³ The appendices provide further details of the project, methodology and the baseline survey.



Images from the toolkit 'Business Impacts on Human Rights, the Environment and Peacebuilding: A Toolkit for Women and Women Human Rights and Environmental Defenders in Liberia and Sierra Leone', illustrating pollution, social conflict, women organising and a consultation between community members and a company representative. ILLUSTRATION: CHARLES SHARPER FOR GAI, SILNORF AND SWEDWATCH.

3. Linking environment, peace, human rights and business

Over the past five decades, civil society and academia have highlighted the many ways in which environment, peace and human rights are interconnected; the effects of climate change and poor management of natural resources have, in combination with socioeconomic factors and political instability, contributed to conflict; water and land scarcity has led to loss of livelihoods, in turn driving migration and social instability; and illicit trade in conflict resources like diamonds, timber, and minerals have financed warring parties in conflict.¹⁴

Increased fragility around the world, exacerbated by the threat from climate change, has moved the nexus of environment and conflict higher up on political agendas. In 2018, the Climate and Security Mechanism was established jointly by the UN Department of Political and Peacebuilding Affairs, the UN Development Programme (UNDP) and the UN Environment Programme (UNEP). In late 2021, the Organization for Security and Co-operation (OSCE) expanded its mandate to work preventively against the challenges posed by climate change and environmental degradation for security throughout the OSCE region.¹⁵ In May 2022, the Stockholm Forum on Peace and Development explored how to enable an environment of peace in the face of converging crises¹⁶ and a week later, following the Stockholm +50 conference commemorating the 50th anniversary of the UN Conference on the Human Environment, Sweden appointed its first ambassador on climate and security.¹⁷

FACT

Sustaining Peace and Preventing Conflict

This report understands peace as more than the absence of war and uses the terms sustaining peace and preventing conflict from the UN Sustaining Peace Agenda.

The report of the Secretary-General on the UN Sustaining Peace Agenda was launched in 2018. It laid the groundwork for a new approach to peace that focuses on preventing the outbreak, escalation, continuation, and recurrence of conflict, taking all stakeholders' needs into account, including women's voices. The UN Security Council recognised that development, peace and security, and human rights are interlinked and mutually reinforcing in efforts to prevent conflict and sustain peace. In line with the Sustaining Peace Agenda, peace needs to be understood more broadly than the absence of war; it must also focus on the root causes of conflict, reconciliation and development.

Source: UN, 2018, Peacebuilding and sustaining peace: report of the Secretary-General.

While there is momentum to recognise the interconnectedness of environment, peace and human rights, the role of business actors remains largely unaddressed, even though business activities can have far-reaching adverse effects on human rights, management of natural resources and conflict.¹⁸ Impacts such as pollution, environ-

mental degradation or loss of land, depletion of food sources, displacement and other damage have the potential to undermine peace. On the other hand, business operations conducted responsibly can contribute to peacebuilding efforts by creating jobs, promoting sustainable investments, rural development, and skills training, among others. Indeed, responsible business conduct including sustainable management of natural resources is key in efforts to sustain peace.

FACT

International guidelines and frameworks on responsible business conduct

According to the UN Guiding Principles on Business and Human Rights (UNGPs), companies should engage in human rights due diligence (HRDD) in all contexts by assessing potential and actual adverse impacts, take action to address any adverse impacts, and communicate how risks and impacts are being handled. The UNGPs also state that since “the risk of gross human rights abuses is heightened in conflict-affected areas, States should help ensure that business enterprises operating in those contexts are not involved with such abuses”.

In conflict-affected and high-risk areas, the OECD Guidelines on Multinational Enterprise calls on companies to “respect the standards of international humanitarian law, which can help enterprises avoid the risks of causing or contributing to adverse impacts when operating in such difficult environments”.

According to the UN Working Group on Business and Human Rights, companies should engage in so called heightened due diligence when risk factors like armed conflict, political instability, large inequalities, mass unemployment, weakness of state or when there is a history of serious violations or conflict are present. In addition to the regular due diligence, heightened due diligence includes conflict-sensitivity, implying that businesses should gain a sound understanding of the two-way interaction between business activities and context to reduce the risk of exacerbating conflict. In conflict-affected and high-risk areas, companies should engage in heightened due diligence since the risk of contributing to human rights violations is higher, as well as the risk of fuelling conflict.

Sources: UNGPs, the OECD Guidelines on Multinational Enterprises and the UN Working Group on Business and Human Rights, A75/212.

Large-scale land acquisitions and conflict

Responsibly managed large-scale land acquisitions play a crucial role in conflict prevention. Globally, the demand for land and natural resources has risen in recent decades, resulting in an increase of LSLAs in low- and middle-income countries. Although LSLAs have often been presented as a route to economic development by businesses and governments, the Land Matrix, a global land monitoring initiative researching LSLAs, has found that LSLAs have often not resulted in the socio-economic benefits promised of new livelihoods and economic prosperity. Instead, compliance with principles on responsible business conduct is rare, local communities are seldom consulted and destruction of forests, natural habitats, water sources and

Business impact on environment, human rights, social conflict and women's rights

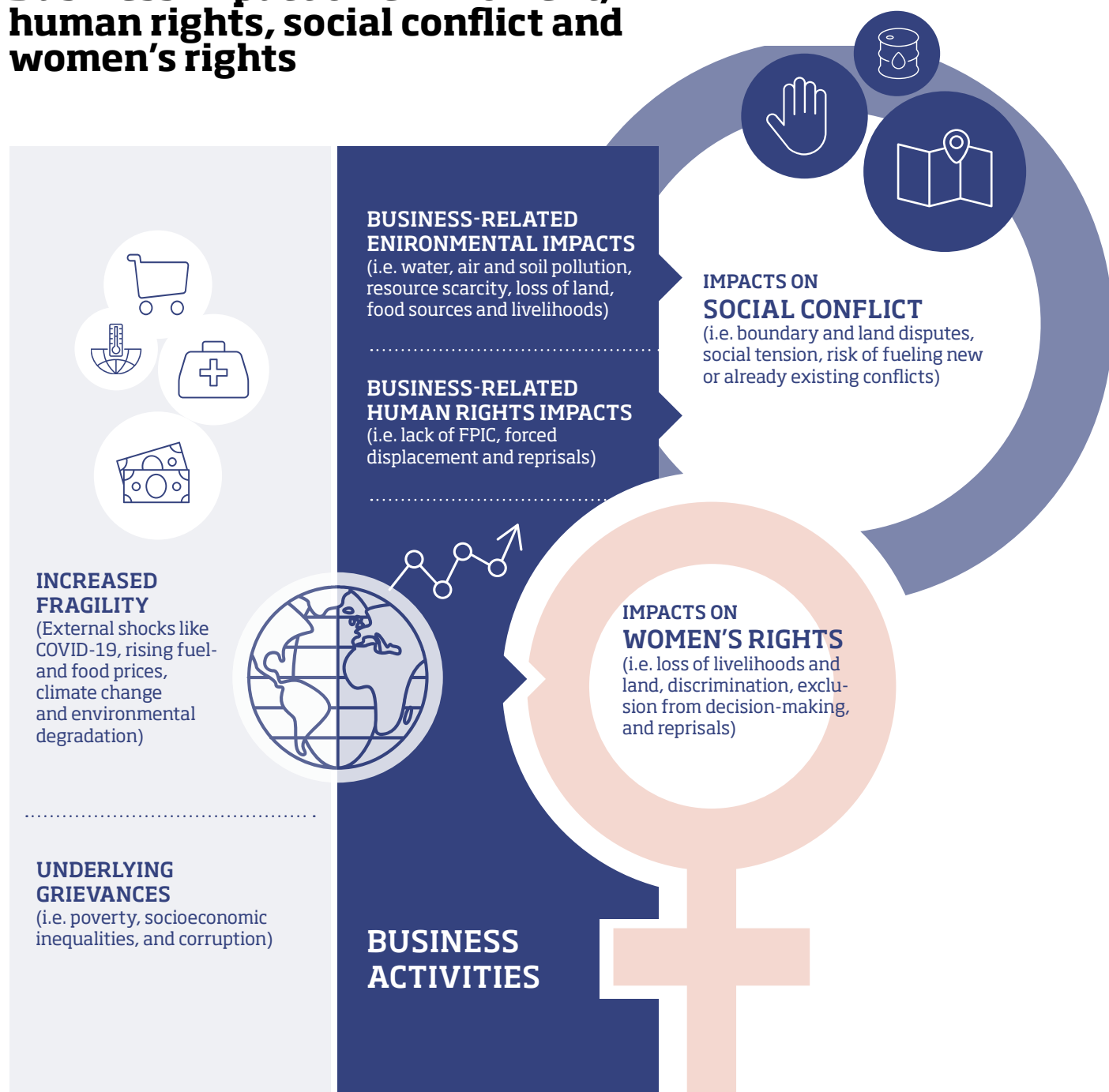


Figure 1: Underlying grievances, like poverty, socioeconomic inequalities, and corruption, combined with increased fragility due to external events such as COVID-19, climate change and rising fuel prices, places additional pressure on conflict-affected and high-risk areas - increasing the risk of conflict outbreak and escalation. Such impacts can, conjunctly with underlying grievances, exacerbate social conflict. Additionally, business-related adverse human rights- and environmental impacts tend to affect women disproportionately. To achieve inclusive and sustained peace in an increasingly fragile world, it is therefore important to ensure responsible business conduct.

land are common. Research conducted by the Land Matrix concluded that LSLAs often have high environmental and social costs in the form of pollution, destruction of ecosystems and environmental harm. Smallholders and communities often live on land that is acquired by investors, which results in competition and tension over land, especially when there is a lack of transparency, accountability, and prior consultation with communities.¹⁹

Research has also shown that LSLAs often result in social conflict. This tends to occur through violations of community interests, which spur largely peaceful community protests, followed by coercion and violence by armed actors associated with national governments and investors.²⁰ In other words, carrying out LSLAs without thoroughly assessing potential environmental, human rights and conflict impacts of business activities risks undermining peace.

Business and sustaining peace in Liberia and Sierra Leone

Business impacts on human rights, natural resources and peace have been a highly salient issue in Liberia and Sierra Leone. Both countries experienced civil wars in the 1990s and 2000s, during which natural resources like timber, gold and diamonds helped finance the warring parties. Since the conclusion of the active conflicts, both countries have made significant advances, moving from peacekeeping – preserving peace – to sustaining peace. Following the end of the UN Peacekeeping Mission in Sierra Leone (UNAMSIL) in 2014, and the UN Peacekeeping Mission in Liberia (UNMIL) in 2018 respectively, both countries have transitioned into periods of reconciliation and peace consolidation. Their respective ambitious national strategies for foreign and domestic investment and economic growth identify natural resources such as minerals, oil, gold, timber and rubber as key to economic development.²¹

Both countries have identified economic growth, inclusion of women and the sustainable management of natural resources as central to peace and prosperity. Sierra Leone's Vision for 2013 to 2035 is to become a middle-income country, drawing on its natural resource endowment to power the economy while striving for responsible natural resource exploitation.²² The Agenda for Prosperity in Sierra Leone and The Pro-Poor Agenda in Liberia encourages economic growth based on natural resources, but they also highlight that peace and prosperity need to be inclusive of women and rest on a sustainable management of natural resources.²³

In the post-conflict era, both countries have faced multiple challenges including the Ebola epidemic between 2014 and 2016, COVID-19, and rising fuel and food prices from the war in Ukraine - against the backdrop of increasing impacts of climate change and environmental degradation. Additionally, changing land tenures due to large-scale business operations also make the situation more prone to land conflicts. In a UN Peacebuilding Commission meeting on 17 June 2021, the Minister of Internal Affairs of Liberia concluded:

*Liberia has faced a number of peacebuilding challenges over several decades that continue to serve as root causes of conflict and instability, including over-centralization of governance, youth unemployment, mismanagement of natural resources, socio-economic inequalities and marginalization, especially affecting women and girls. [There is a] need for continued support for peacebuilding initiatives focused on women's empowerment, youth engagement, socioeconomic development, prevention and peaceful management of land-related conflicts, rule of law, transitional justice and human rights.*²⁴

Despite their fragile contexts, heavy reliance on natural resources and history of conflict fuelled by business interests, responsible governance of business activities is largely absent in Liberia's and Sierra Leone's respective peacebuilding agendas.²⁵ Local and international CSOs have reported on adverse social and environmental impacts in the context of large-scale business operations²⁶ and their relationship to social tensions and conflict in Liberia and Sierra Leone.²⁷ These social conflicts can take the shape of boundary disputes, increased tensions, violent protests, land conflicts or the undermining of peacebuilding efforts.²⁸

4. Women's land rights and natural resources

In addition to responsible business conduct, empowering women is crucial for inclusive and sustained peace. The UN Security Council Resolution 1325 on Women, Peace and Security acknowledges that violent conflict and war disproportionately impact women and girls and highlights the important role that women can – and do – play in peacebuilding, including in conflict prevention efforts. Including women in political decision-making and peacebuilding efforts, removing discriminatory practices, and preventing SGBV are key aspects of sustaining peace.²⁹

Globally, women are the primary providers of water, food, and energy at the household and community levels. In rural settings, women often rely heavily on natural resources for their livelihoods and are therefore particularly impacted by changes in land ownerships through for instance LSLAs. Yet women around the world tend to have less access to natural resources such as land, water, minerals, forestry, and fishery than their male counterparts.³⁰

Additionally, women engage in more unpaid work at home and tend to be hindered from participating fully in decision-making, both in the workplace and at the community level. The UN Economic Commission for Latin America and the Caribbean found evidence of a gender gap in governance of natural resources stemming from women's unequal access to ownership and control of natural resources. This gap is said to have contributed to the unfair division of labour, duties of care in the home and decision-making.³¹ Empowerment in natural resource governance could enhance women's contribution to peacebuilding by increasing their participation in decision-making at all levels, providing access to productive means and increasing their contribution to post-conflict recovery work.³²

Meanwhile, environmental- and human rights defenders face a number of obstacles when protecting land, environmental and community rights in cases of negative impacts of business activities. In 2022, Global Witness recorded 227 killings of environmental defenders, many times in direct connection to exposing business misconduct.³³ While women face the same shrinking civic spaces as their male counterparts, they additionally face challenges of sexual and gender-based discrimination, harassment, and exclusion from decision-making. These constitute additional barriers to women environmental- and human rights defenders (WEHRDs) holding policy makers and business actors accountable for adverse impacts on local communities, environment, and human rights.

Women's land rights in Liberia and Sierra Leone

Women empowerment is incorporated into the national strategies to sustain peace and achieve prosperity in Liberia and Sierra Leone.³⁴ Women's access to natural resources and economic empowerment through livelihoods are two avenues to inclusion. Women have historically lacked the same legal rights to land and natural resources as men; statutory law has only recently recognised customary land rights and women's equal rights to land.³⁵ Unequal inheritance rights and marriage laws have hindered gender equality in both countries for many years. Many advances have been made to formally recognise women's land rights, although implementation is still uneven. Women still experience a lack of access to and ownership of land and awareness of land rights are still lacking.³⁶

Liberia's Land Rights Act of 2018 establishes that men, women and youth can own, inherit and manage land. Since the law came into force, women are legally required to participate in management and decisions related to land. Before a third party is given access to land, women must be consulted and FPIC should be respected. Women also have the right to inherit land from husbands, parents, brothers and sisters.³⁷

In Sierra Leone, the National Land Policy of 2015 and the Gender Acts jointly aim to combat different aspects of discriminatory gender practices. The Gender Acts were adopted to strengthen the mechanisms that protect women and children and improve women's human rights by enhancing their access to justice. Traditional land tenure structures do not recognise a woman's right to own property, but the National Land Policy of 2015 ensures equal land tenure rights and access to land for women and girls regardless of their civil or marital status.³⁸

Although these laws formally recognise women's rights in relation to land and natural resource management, local CSOs have identified the need for more research on implementing these rights and how LSLAs affect women's rights in connection to land and natural resources.

5. Business impacts on environment, women, and peace in land concession areas in Liberia and Sierra Leone

Swedwatch has for many years investigated the role of business in efforts to sustain peace in Liberia and Sierra Leone, highlighting the need for thorough and ongoing due diligence by business actors operating in conflict-affected settings. To further review the impacts of LSLAs on the environment, women's rights and conflict, Swedwatch in collaboration with Silnorf and GAI conducted research including through community interviews with women in land concession areas in the two countries. The research provided evidence of business activities leading to adverse impacts on the rights of community members, including on the right to a clean, healthy, and sustainable environment as established in October 2021 by the UN Human Rights Council³⁹ - drawing attention to the urgent need to better integrate responsible business perspectives into peacebuilding in Liberia and Sierra Leone.

In interviews, community members expressed concerns over water, air and soil pollution and of drinking water being contaminated, as well as depletion of food sources like fish and crawfish from rivers and creeks. Furthermore, many described that they had experienced adverse impacts on their health and wellbeing.

“Whenever we go fishing in the river, we experience rashes and itching skin”.

/Woman in land concession area, interviewed in Liberia, April 2022

The primary source of livelihood for women in Liberia and Sierra Leone has traditionally been based on access to natural resources such as land – for farming sugarcane, rice and cassava – rivers for fishing, and forests for producing palm oil. In the community interviews, many women expressed that their livelihoods had shifted to contract work such as brushing and cleaning grass on plantations, once the land had been acquired by companies. Many complained about a lack of new work opportunities that could balance out the loss of traditional forms of livelihood and sustenance. Only a few women were offered work by the companies and those who did, complained of harsh working conditions and of salaries being low and often overdue.

“I had to walk for about five hours today to get home because I didn't have access to the company car, despite the fact that I am pregnant. Because of my condition, the nature of the job is difficult, but I've been promised a brushing job as a pregnant woman if I can't handle my current position”

/Woman in land concession area, interviewed in Liberia, April 2022

“The company leased our land on the basis that they will bring development to our community. The land which was leased to the company was the land we used to cultivate our vegetables and that our husbands used for artisanal mining. The company promised to compensate us - the women - with agricultural support. The support never materialised”

/Community chairperson, interviewed in Sierra Leone, April 2022



Images from interviews, data collection and trainings in Liberia and Sierra Leone, March/April 2022. A total of 411 community members were interviewed about businesses impact on the environment, social conflict and women's rights in land concession areas.



Sierra Leone

- 250 respondents (all women).
- 24 communities in 6 districts (Bo, Bombali, Kono, Port Loko, Pujehun, and Tonkolili).
- Sectors: mining, palm oil, agriculture, forestry, and bioenergy.

Key results:

- Water, air and soil pollution.
- Deforestation and destruction of water sources.
- Loss of livelihoods for women.
- New jobs from LSLAs typically occupy males.
- Increased social conflict, i.e. in the form of boundary disputes.
- Conflict-resolution mechanisms available in 89% of the cases.
- Conflict-resolution mechanisms were seldom provided by the company, but more commonly provided by the communities themselves.

Source: baseline data collection and interviews in Sierra Leone, April 2022.

Map: NordNordWest, Licence: Creative Commons by-sa-3.0 de, CC BY-SA 3.0 de.

Women also spoke of gendered impacts that made them feel unsafe, including regular visitations by security guards in their communities, and having to travel longer distances to collect water. Women that spoke up in cases of business-related human rights violations and environmental harm, faced the risk of gender-based discrimination. Throughout the research conducted, WEHRDs in both Liberia and Sierra Leone repeatedly expressed several obstacles that they face in defending their land rights, including social norms, lack of knowledge about land rights, reprisals by companies when denouncing business-related impacts and exclusion from consultations by companies.⁴⁰ In one case, a woman that denounced hazardous working conditions at a company in Liberia, was allegedly met with reprisals and threatened that she would be fired unless she withdrew her statements.⁴¹

Moreover, interviewees also expressed that both forced displacement and economic migration was common, partly resulting from the lack of economic opportunities. Some accounts indicated that the availability of arable land had diminished, both due to the concession agreement itself, but also due to secondary effects in the form of pollution and degradation of soil.

“We were forced to leave our old town because we had no space for farming or even backyard gardening”

/Woman in land concession area, interviewed in Liberia, April 2022

In many cases, interviewed community members described the decision to proceed with LSLAs being made without meaningfully consulting affected local communities, and commonly without the inclusion of women.

FACT



Liberia

- 161 respondents: 111 women and 50 men.⁴²
- 16 communities in 4 counties (Grand Cape Mount, Bomi, Grand Bassa and Margibi).
- Sectors: palm oil, agriculture, and rubber.

Key results:

- Water, air and soil pollution.
- Contamination of drinking water.
- Depletion of food sources like fish and crawfish from rivers and creeks.
- Loss of livelihoods for women.
- New jobs from concessions typically occupy males.
- Increased social conflict, i.e. in the form of boundary disputes.
- Migration out of communities.
- Forced displacement by coercion.

*Source: baseline data collection and interviews in Liberia, March 2022.
Map: worldatlas.com.*

“When the company expressed their intentions to lease our land, we the women were not consulted and not involved in the discussions leading to the lease of our land. Only the chiefs negotiated for the land - without our consent”

/Woman in land concession area, interviewed in Sierra Leone, April 2022

“We were informed that our representative already signed the agreement therefore there was no chance to disagree. There was no meeting held with the members of the community to inform us about the arrival of the company”

/Interviewee in land concession area, interviewed in Liberia, April 2022

Throughout interviews in both countries, community members also stated that conflicts and social tensions had increased in connection to land concessions and company activities. Such conflicts reportedly arose due to disagreements over land leases, boundary disputes, fraudulent methods of land acquisition by companies and the lack of adherence to the principle of FPIC in decision-making and in land concession agreements.

While interviewees confirmed that conflict-resolution mechanisms were often available – in the case of Sierra Leone, conflict-resolution mechanisms were available as often as in 89 percent of the cases - these mechanisms were rarely provided or initiated by companies. According to community interviews, already existing community conflict-resolution mechanisms were utilised.

Overall, interviews showed that business activities in land concession areas frequently negatively impact affected communities, including adverse environmental impacts such as pollution of water, soil, and air. Moreover, women’s rights are reportedly negatively affected by decreasing access to natural resources and thus livelihoods; exacerbated by the fact that women are rarely employed by the companies. Women were also adversely impacted in the form of lack of access to consultations and gendered-discrimination practices. Exclusion of women in consultations regarding business activities does not align with the international principle on FPIC. It also fails to comply with national legislations – the National Land Policy 2015 in Sierra Leone and Liberia’s Land Rights Act 2018 – that establishes women’s right to participate in consultations around land and natural resources.

Based on these interviews, incidences of social tensions and land disputes in communities affected by land concessions are high. While a vast majority of interviewed community members reported that they could access conflict-resolution mechanisms, these were typically provided by the community and not by the company. This reported practice stands in stark contrast to the UNGPs, which outline that states and companies should facilitate access to effective non-State-based grievance mechanisms dealing with business-related human rights harms. Such “non-State-based grievance mechanisms encompasses those administered by a business enterprise alone or with stakeholders, by an industry association or a multi-stakeholder group. They are non-judicial, but may use adjudicative, dialogue-based or other culturally appropriate and rights-compatible processes”.⁴³ When conflicts arise in connection to business activities, grievance mechanisms can help resolve the conflict and reduce tensions. However, interviews in Liberia and Sierra Leone demonstrated a lack of

provisions of such mechanisms by companies, and a high-reliance on community-based mechanisms to resolve business-related environmental- and human rights-related harms from companies.

Taken together, the above points to significant shortcomings by companies and the states in relation to efforts to sustain peace and prosperity. Today, LSLAs are frequently accompanied by severe impacts on the environment, women's rights, and social conflict. In order to comply with relevant international guidance as well as existing national legislation, conflict-, and gender-sensitive approaches urgently need to be mainstreamed in responsible business practices. Furthermore, principles for responsible business conduct must be included into peacebuilding agendas and economic growth strategies.

6. Conclusion

In conflict-affected and high-risk countries, business-related impacts on human rights and the environment come with a heightened risk of adversely impacting social relations. When combined with underlying grievances such as poverty, socioeconomic inequalities or exclusion from decision-making, these impacts can ignite, exacerbate, and prolong conflicts. To sustain peace, it is thus imperative to address business impacts on natural resource management, human rights and peace conjointly to prevent and mitigate adverse impacts.

However, findings in this report highlight various negative impacts of business activities on the environment, women's rights, and social conflict in land concession areas in Liberia and Sierra Leone. Negative effects reported include environmental pollution of water, air, and soil; women losing access to livelihoods while being excluded from decision-making; as well as an increase in land disputes, conflict, and social tensions in land concession areas. Meanwhile, the development agendas and economic models of both Liberia and Sierra Leone continue to rely on the extraction of natural resources and large-scale land acquisitions. Both countries still face multiple challenges to sustaining peace and achieving sustainable development after the closure of the respective UN peacekeeping missions, including challenges to empowerment of marginalised groups such as youth and women, management of concession-related conflicts and socioeconomic inequalities.

The cases of Liberia and Sierra Leone illustrate an economic development conundrum faced by many low- and middle-income countries with high natural resource endowments. Impacts of LSLAs and business activities outlined in this report risk undermining peace agendas and the development strategies set out by the governments of Liberia and Sierra Leone, which identify economic growth, sustainable management of natural resources and the inclusion of women as central to peace and prosperity. If responsible business conduct is not recognised as a prerequisite to peace and prosperity - and integrated into development and peace agendas - years of hard-won advancements in peacebuilding are at stake.

Appendix I: Project overview

The 15-month project by GAI, Silnorf and Swedwatch was conducted in three parts:

Research on BHRE in Liberia and Sierra Leone was carried out to shed light on underlying issues and vulnerabilities that may undermine peace and development. Swedwatch contributed with expertise on BHRE to a baseline data collection survey among targeted women in communities affected by land concessions and large-scale business activities in Liberia and Sierra Leone, implemented by GAI and SiLNORF in respective countries. The aim of this activity was to investigate and improve awareness of how business activities impact conflict dynamics in fragile states, highlighting vulnerabilities that undermine sustainable peace. Due to the local concerns about conflicts around land, special attention was placed on the role of large-scale land concessions in social tension, and BHRE best practices that may strengthen peacebuilding efforts.

In the **capacity-building and training** phase, Swedwatch, GAI and SiLNORF jointly developed two toolkits on BHRE in conflict-affected and high-risk settings, one aimed at CSOs and one directly targeting women in impacted communities. The CSO-toolkit outlined the impact of business on environment, human rights, and social conflict with a special focus on the challenges women face in connection to BHRE and when seeking redress for adverse impacts from business activities. The toolkit also outlined applicable international and national legal frameworks and concrete actions for WEHRDs, on where to turn when business activities adversely affect their local communities.⁴⁴ A second cartoon-based toolkit was also developed, outlining some key points from the CSO-toolkit, adapted to fit the concerns of women in affected communities. The cartoon-toolkit aimed to increase awareness and capacity of women in communities affected by large-scale land concessions to understand their rights to land, natural resources and human rights, enabling them to better advocate and demand their rights to their lands and natural resources. To make the second toolkit accessible to community members, the messaging was imagery based with short texts translated into local languages (Krio for Sierra Leone and Liberian Pidgin English for Liberia), enabling those who do not read English, read to a limited extent, or not at all, to access the content.⁴⁵

Lastly, in **information sharing and advocacy efforts**, considerations on BHRE were forwarded to the UN agencies, civil society, government actors and others. This was done via a series of outreach, dialogue, and information-sharing events, including the Geneva Peace Week, the Second International Environmental Peacebuilding Conference, high-level meetings in New York and during Stockholm +50. Insights from these dialogues, roundtables, panels, and meetings have helped inform this report. The report also aims to improve knowledge of the situation of women land rights defenders and contribute to enhanced ability to influence high level actors on peacebuilding of relevant civil society organisations and human rights defenders in Liberia and Sierra Leone.

Appendix II: Methodology Baseline Data collection

Baseline data collection

To shed light on underlying issues and vulnerabilities that may undermine peace and development, GAI and Silnorf carried out data collection through survey interviews in communities impacted by land concessions in Liberia and Sierra Leone, with the close support of Swedwatch. A questionnaire (see Appendix III) with 30 questions, including subsections, was developed jointly by the three organisations in February, aimed at assessing impacts from business activities on human rights, the environment, and social conflict. The questionnaire contained multiple choice questions and open-ended questions, to allow for comparative data analysis and in-depth explanations of business impacts on women, environment, and social conflict. Planning, outreach to communities and internal training/briefing of data collection staff was carried out in March. Implementation of the data collection and data analysis was conducted in March and April 2022.

Liberia

In Liberia, data on business impacts was collected in communities affected by land concession in four (4) counties. Interviews were carried out in sixteen (16) affected communities across four (4) land concessions operating in Liberia. One hundred and sixty one (161) respondents, across the study areas were interviewed using ArcGIS 123 Survey, a digital tool to store and analyse survey data, generating town-by-town reports for analysing information. A majority of the interviewees were women (111) and a minority were men (50). The participants were selected based on a town sample size.⁴⁶

The case selection of the communities was based on previous engagement from GAI. This facilitated access to communities and use of data beyond this report, in order to assess changes from previous studies. Ten persons per town (16 towns)⁴⁷ were interviewed on a one-on-one basis. In the four land concession areas investigated, four different companies operate. The individual interviews lasted between 20 and 45 minutes.

Sierra Leone

In Sierra Leone, interviews and data collection were carried out in twenty four (24) communities from seventeen (17) chiefdoms across six (6) districts of Bo, Bombali, Kono, Port Loko, Pujehun, and Tonkolili in North, North-West, East, and Southern regions of Sierra Leone.

Qualitative data was collected from two hundred and fifty (250) women residing in the communities impacted by LSLAs. Paper-based questionnaires were used for interviewing and for collecting the data. Data analysis was carried out using Microsoft excel. Participants for the baseline survey were selected using a simple random sampling method.

The communities were identified based on Silnorfs previous engagement and presence of local focal points that could help facilitate access to the communities. These local focal points helped in the realisation of the data collection in each community.

Before the data collection, train-the-trainer introductions were held to inform the focal points about the purpose of the project, data collection methods, ethics, and other relevant project-related information.

In both countries, the aggregated data has been anonymised in order to avoid identification of the respondents.⁴⁸ Names of local areas and communities are also anonymised to protect respondents, and to avoid threats and reprisals.

Appendix III: Questionnaire for Baseline Data Collection



SIERRA LEONE NETWORK ON THE RIGHT TO FOOD (SiLNoRF)
and GREEN ADVOCATES INTERNATIONAL



ADVOCACY ON HUMAN RIGHTS, PEACEBUILDING AND THE
ENVIRONMENT

QUESTIONNAIRE FOR BASELINE DATA COLLECTION

Purpose: This questionnaire is designed to assess impacts from business activities on human rights, the environment and social conflicts. All information provided by respondents will be used to provide baseline data on communities affected by the operations of multinational corporations. The answers will be anonymous, and the results will be published in a report. All information provided will be treated with utmost confidentiality. The study is carried out by Green Advocates International (GAI) - a Liberian-based non-profit, public interest law, environmental and human rights organization - and Sierra Leone Network on the Right to Food (SiLNoRF) - A Network of Civil Society Organisations working on the Right to Food in Sierra Leone. It is carried out in cooperation with Swedwatch - an independent, non-profit organisation reporting on companies' impacts on human rights and the environment.

The answers to this questionnaire will be presented anonymously and in a published report. Are you willing to participate? YES NO

DATE.....COMMUNITY.....

CHIEFDOMDISTRICT.....NAME OF COMPANY.....

Instruction:

Please circle or tick most appropriate options. Fill the blank spaces where necessary. Provide additional information on separate sheets.

SECTION A. HOUSEHOLD GENERAL INFORMATION

1. Age 1. 18-30 2. 30-40 3. 40-50 4. 50 and above	2. Gender 1. Man 2. Woman	2.Marital Status 1.Single 2.Married 3.Divorced 4.Widow 5.Separated 6.Others
3. Residence Status Birth Place.....1 Father's Land.....2 Mother's Land.....3 Marriage.....4 Stranger.....5 Others(Specify).....6	4.Main Occupation 1. N/A 2. Small Scale Farming 3. Trading 4. Petty trading 5. Skilled Labour 6. Others (Specify)	5. Monthly Income (SLL) 1.N/A 2.Less than 300,000 3.300,000 – 600,000 4.600,000- 1,000,000 5.More than 1,000,000

- a) How much land did the community had before the arrival of the company?
- b) How much land space has the company now obtained?
- c) Under what conditions was the land obtained?
- d) Was the community involved in the process? If yes, how was the community involved?
- e) How was the community before the arrival of the company? How is the community after of the company?
- f) What kinds of activities were you involved with before the arrival of the company? What kinds of activities are you involved with now after the arrival of the company?

WOMEN

- 3. What are the impacts of business on women?
- 4. What type of work women do in your community for living?
- 5. How was their livelihood before the arrival of the company? How has their livelihood change since the arrival of the company?
- 6. Are there any challenges women face that are connected to the arrival of the company?
- 7. What are the different problems facing women who depend on the forest and other natural resources in your community?
- 8. What is your understanding about women’s land rights?

CONFLICT AND RESOLUTION

- 9. Has the company operations impacted social relations and or/conflict.....
 - a)In your community?
 - b)between your community and other communities?
 - c)your community and the authorities?
 - d)your community and the company?
 - e)between you and your partner, and/or between family members?

Please provide any additional information you have to help us understand what happened.

- 10. Are your community facing problems connected to the company? Has this been solved, if so, how?
- 11. Does the company know about the problem? How has the company helped to solve the problem?
- 12. Do you encounter land conflict in your community? Yes No
- 26. If yes, how many such conflict occurred last year
 - One1
 - Two.....2
 - Three or More.....3
- 27. What caused these conflicts?

28. Do you have conflict resolution mechanism for solving land disputes or other disputes?

Yes.....1

No.....2

29. How do you manage land conflict currently?

At family level.....1

By confrontation.....2

Local Court.....3

Traditional Methods.....4

Company level grievance mechanism.....5

Others (Specify).....6

30. Who mediate these conflicts?

Chiefs/Community Leaders.....1

Government Officials.....2

Agencies (NGO's/CBO's).....3

Company grievance- or social teams.....4

Independent grievance mechanism.....5

Others (Specify).....6

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