



## Summary Notes

### Multistakeholder Dialogue on:

### **Business Impacts on Women, the Environment and Sustaining Peace in Land Concession Areas, 16 November 2022**

**Background:** Multistakeholder dialogue that brought together different stakeholders from Liberia and Sierra Leone to discuss the impacts of business on human rights, the environment and efforts to sustain peace in large-scale land concessions, with a focus on how women are impacted.

The discussion was based on the results from a 15-month project in Liberia and Sierra Leone, funded by the Swedish government agency Folke Bernadotte Academy (FBA), and the United Nations Environment Programme (UNEP), carried out by Swedwatch, Green Advocates International and Sierra Leone Network on the Right to Food (Silnorf).

#### *Impacts documented:*

- Liberia and Sierra Leone rely on natural resource extraction and land concession as a central tenet for economic development. While these measures create jobs and economic development, company activities can also result in adverse social and environmental impacts.
- Research based on interviews documented impacts such as air and water pollution leading to health problems like rashes, nausea, itchy skin, diarrhea, as well as loss of livelihoods, depletion of drinking water and food sources. The impacts increased social tensions over resources and livelihoods and contributed to land disputes.
- According to interviews and testimonies from communities in concession areas, company activities have reduced the available land, resulting directly from concessions but also from secondary effects like pollution that impact available arable land, amount of fish in the rivers, etc. According to the interviews, competition of resources create tensions and intra-and intercommunity conflicts, as well as conflicts between communities and companies.
- Women tend to lack the same rights as men, and have less access to land, natural resources and livelihoods from the onset. They are typically excluded from decision-making around these resources.
- Women were disproportionately impacted by loss of livelihoods, due to lack of access in the first place and since men to a higher degree benefited from new jobs created.
- Women reported feeling unsafe in concession areas since they were often stopped by private security staff, with allegations of stealing. In a few cases, women said that private security staff entered their homes to look for stolen resources (like palm oil).

#### *Input from women in local communities:*

- Women lack rights, both in terms of owning land and resources, accessing livelihoods, SGBV, and exclusion from decision-making.
  - ✓ Quote: "we do not get right to land, we do not get right to property, we do not get right to anything".
- Women struggle to access, own, and use land if the husband dies, although the Land Rights Act 2018 states that women can also own, use and sell land.
- Lack of Free Prior and Informed Consent (FPIC).
- Water and air pollution from company operations impact health (rashes, nausea, diarrhea, infections, etc.), livelihoods (hard to sustain on fishing, agriculture due to reduced catch of fish and degradation of land).



- Due to lack of safe and clean drinking water, women have to walk longer distances to get water, often need to pass by company land.
- Security forces from the companies stop women to search them for alleged theft of palm oil. Many women feel unsafe.
- Companies fail to live up to promises made to communities in the early stages of concessions, such as building schools and hospitals. The agreements in the early stages of granting concessions are almost exclusively signed by men.
- Local authorities negotiate terms of leases, women are seldom included.
- One woman explained that the community women wrote letters to local authorities, but without result, leading to the same women initiating a peaceful protest, where mainly women participated. The men in the protest were beaten by security forces.
- Problem of rule of law and legal enforcement in remote areas.
- Despite existing legal framework, the knowledge is low, formalization process is expensive, and implementation is lagging.
- Representatives from communities explained that in rural areas, women do not know when new laws are passed or where to turn to hold businesses accountable for rights violations.

*Input from other stakeholders (main challenges identified and suggested solutions):*

- Lack of effective monitoring of business impacts in land concession areas.
  - ✓ Suggested solution/action: improve cooperation between CSOs and government in monitoring efforts, put up regular monitoring in concession areas and divert funding for such efforts.
- Agreements are from the start formulated without consideration for environmental and social concerns, and once signed, it is hard to reverse.
  - ✓ Suggested solution/action 1: Government needs to be involved in early stages of screening, and ensure that the land concession agreements are formulated in line with environmental and social commitments already at the investment screening.
  - ✓ Suggested solution/action 2: FAO has a project on responsible investment in Liberia, Sierra Leone and Laos. Outlines 9 recommended principles on responsible investment.
- A new draft of a National Action Plan (NAP) on Business and Human Rights (BHR) available. CSOs criticized the process for not being inclusive enough.
  - ✓ Suggested solution/action: follow-up talk between GAI and Ministry of Justice regarding input to the NAP. Make use of networks that civil society already have – consult CSOs and communities.
- Liberia has a strong legal framework for support of land and natural resources, however, implementation is lacking.
  - ✓ Suggested solution/action: awareness-raising among communities.
  - ✓ Suggested solution/action: improved financial capacity of the state to implement laws.
  - ✓ Suggested solution/action: improve monitoring of adverse impacts from business in concession areas. Conduct joint monitoring (CSOs and government agencies).

## **Best practices**

*Input from stakeholders*

- 10 voluntary principles on responsible investment (FAO).
- Take into account socioeconomic factors in the initial drafting of agreements.



- Ex-ante screening. Hard to change once agreements are signed, important with thorough and inclusive screening.
- Communities should better outline priorities, narrow down interests to certain points. One investment cannot solve all the problems.
- Build better networks between communities, CSOs, government agencies and other stakeholders.
- Translate indigenous knowledge and processes of decision-making into Land Rights Act.
- Make use of indigenous knowledge to a higher degree.
- Use existing structures on the ground, rather than creating new overlapping structures, that risk undermining those that are already in place.
- Work towards higher degree of formalization of land.
- Proposal to re-visit previous suggestions of agricultural bank available in the counties.
- Increase knowledge on the United Nations Guiding Principles on Business and Human Rights, among communities, CSOs, international organizations and government offices.
- Improve accountability for duty-bearers (company, local authorities, and central government) for company operations in concession areas, both in terms of adverse environmental impacts, SGBV, human rights violations, security visitations, and others.
- Make use of existing reporting mechanisms, i.e. the police's own reporting service on misconduct by security forces.
- Reduce bottle-necks in the process of formalization, timeline is too long at the moment.
- Capacity-building on the Land Rights Act 2018 still needed.
- Improve compliance with FPIC, especially regarding inclusion of women in decision-making.
- Diffuse simple version of the land rights act to people in impacted communities.
- Increase media coverage on topics on business, human rights and environment (BHRE).
- Make more accessible info! Translate materials to Pidgin English and make use of local radio's, which is widely used as a means of communication in the rural areas of Liberia and Sierra Leone.
- Suggestion to pass a new law on protection of defenders.

*Input from women in local communities in Grand Bassa, Bomi, Grand Cape Mount and Margibi*

- Make use of local media, especially radio. Share insights from laws, project work, other BHRE related topics in local radio, i.e. PUMA FM.
- Increase the participation of government officials in trainings on BHRE. Increases knowledge among government officials and not only among communities.
- Some still want investments in the rural areas. Others are already very negative due to years of adverse impacts.
- Include women in negotiations, decision-making and drafting of agreements.