Communiqué of Representatives of Local Communities and Civil Society Organizations 
attending the National Multi-stakeholder Dialogue on Large Scale Land Acquisition and Development in Liberia – Dialoguing Around Benefits and Pitfalls
Held September 27 - 28, 2016
PA Rib House, Monrovia, Liberia

The model of seeking to develop through concession dates as far back as 1847 and by the 1970s a concession economy was already developed, not only as a strategy for economic advancement but also a strategy to preserve state security and state sovereignty.

The issue of land ownership remains a contentious debate since the establishment of the former Land Commission by the Government of Liberia in 2009 up to the present. With a mandate to propose, advocate, and coordinate reform of land policy, laws, and programs in Liberia, the Land Commission has made honest and concerted efforts to ensure that all Liberians have equal land rights irrespective of placement, religion, tribe, and sex.

However, since 2006 the Government of President Ellen Johnson Sirleaf has awarded or renegotiated land-based concessions totalling millions of hectares. Between 2009 and 2010, more than one million hectares of forestland were awarded to logging companies, and by 2013 the land area under logging contracts was more than three million hectares (agreements for 2 million hectares of forest under logging contracts were nullified in 2014). Similarly, land under agriculture concessions grew as Sime Darby Plantation Liberia (SDPL)\(^1\) and Golden Veroleum Liberia (GVL)\(^2\) acquired just over half a million hectares of land to grow oil palm. Smaller areas were also allocated to Equatorial Palm Oil (EPO)\(^3\) and Maryland Palm Oil Plantation (MOPP)\(^4\).

The new large scale land agreements granted or renegotiated since the end of Liberia’s brutal civil war in 2003 have been greeted with suspicion, resentment, and sometimes hostility. Periodic acts of resistance and violence have marred the operations of the major operators in the agriculture sector including SDPL\(^5\), GVL\(^6\), and EPO\(^7\) from 2010 to 2015.

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1 Concession Agreement Between the Government of Liberia and Sime Darby Plantation Liberia (SDPL)
2 Concession Agreement Between the Government of Liberia and Golden Veroleum Liberia.
3 Concession Agreement Between the Government of Liberia and EPO
4 Concession Agreement Between the Government of Liberia and
The president has admitted some of these lapses and has acknowledged that mistakes were made in awarding some concessions, but at the same time clarified that the decisions were made in the public's interest.

In the effort to facilitate civil society organizations’ and local communities’ contribution to this ongoing debate and forge collaborative engagements that improve relations between communities and investors, strengthen community cohesion, build peace and promote development in the counties; the representatives from CSOs and local communities attending the Multi Stakeholders Dialogue on Large Scale Land Acquisitions (LSLAs) resolve the following:

Acknowledging that there are existing national and international frameworks that ensure communities’ rights to their land while awarding large scale land acquisitions and subsequent development and recognising that the implementation of such frameworks has been weak; and

Acknowledging that States have a duty under international human rights law to protect everyone within their territory from human rights abuses committed by business enterprises. This duty means that States must have effective laws and regulations in place to prevent and address business-related human rights abuses and ensure access to effective remedy for those whose rights have been abused; and

Acknowledging that business enterprises’ responsibility to respect human rights exists independently of States’ abilities and/or willingness to fulfil their own human rights obligations, and does not diminish those obligations; and

Realizing that the signing of existing social agreements and MoUs were directly influenced by local leaders and inducements; and

Realizing that the people of Liberia, especially local communities, have been repeatedly excluded from decisions relating to the use of their lands and forest resources; and

Realising that land rights defenders, including women, have been criminalised and jailed for prolonged periods, often without due process, for defending their land rights; and

Realizing that contract holders and managers of agriculture and forestry resources have consistently failed to respect community rights and ensure fulfilment of community benefits; and

Realizing that little awareness was done to provide communities with information on the implications of their decisions and their involvement in the decision making process; and

Recognising that the passage of the Land Authority Act is meaningless until the Land Rights Act is passed; and

Acknowledging that the passage of the Land Rights Act is crucial in influencing the economic paradigm shift, the enhancement of citizenship rights and the affirmation of the sovereignty of the Liberian people; and

Recognising that issues surrounding land are a potential trigger for conflict/violence as well as a potential trigger for development and therefore there is a need for a balance; and

Realising that there is a need to reverse the historical concession-based model of development that has not always worked for the Liberian people; and therefore

We, the representatives of communities affected by large scale land acquisitions and development and Civil Society Organizations, attending the Multi stakeholder Dialogue on Large Scale Land Acquisitions resolve the following:

1. The Land Rights Act must be passed before the Legislature goes on break.

2. All existing land tenure claims should be resolved before any process (MoU, HCV, HCS, ESIA, etc.) is applied. This means that any conflicts and/or overlapping claims should be resolved and community rights to their lands and resources clarified and protected. This should be done with the full FPIC of the communities in question.

3. All customary rights should be respected and protected. These include communities’ rights to the full range of cultural, social, and economic rights, (i.e. sacred sites, worshipping, hunting, gathering, ownership, etc.) but most importantly their rights to their lands and livelihoods.

4. Legally binding lease agreements must be agreed between local communities and private investors before any clearance of land by the companies. This will secure community rights to their land and should apply to any new and existing concessions on community owned lands.

5. That all land rights holders be included in processes related to decision making on land and natural resources at the community level. This should include both genders as well as marginalized sections of society like the elderly, disabled, and widows.

6. That information should be provided to affected communities at the community level and training should be provided so that communities are able to participate on equal terms with other stakeholders. This information should be available to our communities at all stages of private investment in languages and formats that are accessible to all sections of our communities.
7. That for land rights holders to fully benefit from the economic development that large scale land acquisitions offer Liberia it is clear that they must be clearly informed on the opportunities open to them and the mechanisms they can use to access these opportunities.

8. Finally, as a point of urgency we ask that the roles and responsibilities of all parties involved in large scale land acquisitions in Liberia are explained to our communities, particularly in relation to which agencies are responsible for implementation. A clear monitoring and grievance mechanism is implemented to ensure customary land rights holders’ rights to their lands and resources are protected.