

# POLICY BRIEF: Gender, insecurity and large-scale land acquisitions in Northern Sierra Leone

Caitlin Ryan, University of Groningen, The Netherlands. October 2016.

## SUMMARY

Biofuels investment projects in Maforki and Bureh Kasseh Maconteh (BKM) Chiefdoms in Port Loko District, Sierra Leone are contributing to food insufficiency, undermining the productive capacity of small-scale farmers, and increasing economic hardship in what is an already poor and food insecure district. The land lease agreements facilitating the biofuels projects have caused and compounded a complex range of problems for communities affected, including negative impacts on food, education, and economic hardship. The reasons for the failure of the projects to deliver benefits for the local communities, including losses of productive land, drastically undervalued compensation and wages, and failures in the free, prior and informed consent of communities are explored below. The brief recommends three key changes to address these problems. Firstly, the West Africa Agriculture (WAA) deal in Maforki should be re-negotiated as the communities have not given their free, prior and informed consent for the lease agreement. Secondly, training in new techniques should be provided for farmers in order to make productive use of remaining land, and thirdly, recommendations made to companies for how much they should expect to pay for land and labour must be much higher so as to represent the actual productive value of the land.

Community mapping exercises and individual interviews with women were carried out in 11 communities in Maforki and Bureh Kasseh Maconteh (BKM) Chiefdoms in Port Loko District, Sierra Leone in May 2016. This represents 1/3 of all communities with land under lease to WAA and Geoff Palm (previously Sierra Leone Agriculture). This research revealed that far from benefiting from the investment projects, community members reported:

**Failure to comply with Free, Prior and Informed Consent:** According to the Government of Sierra Leone, ‘The requirement to obtain Free, prior and informed consent (FPIC) is based on the idea 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 use’ (Government of Sierra Leone and FAO, 2013). In addition to the international *Voluntary Guidelines on the Responsible Governance of Tenure* (FAO, 2012), to which all international agricultural investors should be accountable, the Government of Sierra Leone clearly recognises FPIC as essential for agricultural investment projects, as demonstrated in the new *Sierra Leone Land Policy* (Government of Sierra Leone, 2016), which requires FPIC, and the Government’s *Sustainable Agriculture and Bioenergy Investment Guidelines*, which also require FPIC (Government of Sierra Leone and FAO, 2013).

However, this research revealed that in many communities, respondents had only a very basic understanding of the terms of the lease agreements, and some people claimed that they have never seen a copy of the lease. It is clear that the company operating in Maforki Chiefdom, WAA, is operating without the free, informed and prior consent of

landowners. According to landowners in the WAA project area, they have not signed a lease agreement.

**Increases in food insufficiency and reliance on less-preferred food:** There is pervasive food insecurity in communities with land under lease to Geoff Palm and WAA. Respondents reported a marked decline in self-sufficiency in rice production, and expressed dissatisfaction that they have to resort to buying imported rice when they previously grew enough for family consumption. In one Maforki community, respondents reported that they have dedicated all of their remaining land to growing vegetables to sell in nearby Port Loko so that they are able to purchase rice. Multiple respondents across all communities in BKM and Maforki reported that now they only eat once per day. Evidence of malnutrition and under-nutrition in children was pervasive and widespread across all communities. Multiple communities and individuals reported decreasing their rice consumption and increasing their cassava consumption.

**Decreased capacity to pay costs associated with sending children to school:** Across multiple communities women expressed their dismay at their inability or difficulty in sending children to school. Prior to the lease agreements, costs associated with school, such as uniforms were paid with income from tree crops such as palm. When asked, women who cited their inability to pay school costs because of loss of tree crops stated that they had not been compensated for the loss of their trees. In some communities, large numbers of school-aged children were not in school during the research visit, corroborating claims that many children are currently out of school.

**Difficulty in acquiring firewood, medicinal herbs and foraged foods:** Women systematically reported having difficulties in acquiring firewood. Women stated that prior to the lease agreements they would collect firewood from their family's upland farm plots. They reported that after the lease agreements they had difficulties in acquiring sufficient firewood from the remaining farmland, and as a result they were walking long distances to nearby villages to buy firewood and charcoal, or spending more time looking for firewood on smaller plots of land. Similar circumstances surround the collection of medicinal herbs and other foraged foods.

**Increased economic hardship:** Communities and individuals systematically claimed to be suffering from increased economic hardship related to food insufficiency, increased reliance on buying foods and materials they used to grow or gather, and the extremely low rates of lease payment offered to land-owning families. Land-owning families with land leased to WAA and Geoff Palm receive 50% of the \$12 per hectare per year lease payment (with the remaining 50% divided between the central government, district council and Chiefdom Council). The sum distributed to land-owning families is frequently divided amongst a large number of people. Even if farmers were to receive 100% of the lease payment for their land, \$12 per hectare per year clearly does not represent the annual productive value of a hectare. To illustrate the undervaluation of land reflected in this payment in relation to the cost of purchasing foods previously grown, at current market rates, the \$6 per hectare per year that land-owning families receive is enough to purchase 36 cups of rice. Individuals employed by

the company or whose spouses are employed by the company report that monthly wages of 350,000 – 400,000 Leones per month (\$58-66 USD) are insufficient to purchase food for the month and that employment contracts are predominately seasonal. Employees of WAA reported that pension contributions are deducted from their salaries, but that they have not been given a pension card to prove their pension contributions.

There are three areas of action which may address some of the challenges faced by communities:

Firstly, in Maforki Chiefdom, West Africa Agriculture is engaged in biofuels operations without valid land lease agreements. Communities with land under lease to WAA did not give free, informed, and prior consent to lease their land, and, to-date, have not signed a lease agreement. Land-owning families were coerced into giving their thumbprints and photos as a receipt for a ‘Christmas Gift’, which later turned out to be the lease agreement. As such, the company is currently operating under the false pretence of having valid lease agreements.

Secondly, the negative impact of lease agreements on food sufficiency for small-scale farmers was the result of diminished access to land, partly due to the abandonment of remaining upland plots because farmers are scared to clear plots by burning. Some farmers still have small upland plots, which could be used for upland rice production. However, in cases where these plots are adjacent to land under lease, the farmers are reluctant to burn the land to clear it for planting because they are afraid of the fire spreading to the plantation and of being arrested. In some cases, farmers reported abandoning their remaining upland plots, which will diminish their ability to grow sufficient rice and other crops. While burning should be discouraged, it needs to be replaced with an alternative technique for clearing land. The Sierra Leone Ministry of Agriculture should ensure that the affected farmers are trained and given appropriate tools in clearing land without burning. The MoA is currently operating a scheme to discourage farmers from burning their upland plots by encouraging them to grow on swampland instead. This represents the MoA’s laudable recognition of the problems associated with burning, but given rates of food insecurity in Northern Sierra Leone, abandoning upland farms plots is counterproductive.

Thirdly, the Sierra Leone Investment and Export Promotion Agency (SLIEPA) is contributing to the undervaluation of Sierra Leone’s land and wage labour by recommending prices that investing companies should expect to pay for leased land and wage labour that are far below the productive value of the land. This results in land lease payments that do not reflect the productive value of the land for small-scale farmers, and particularly for the non-monetised activities of women, such as the gathering of firewood, medicinal herbs and fruits. Furthermore, the extremely low recommended daily wage allows companies to pay workers a wage that is insufficient to purchase food and necessary goods in the context of rising commodity prices. Farmers with land under lease to the company have monumental losses of subsistence and cash crops not compensated by the meagre lease payment, and wage labourers for the companies are unable to purchase adequate food or goods. Suggesting such low rates of payment for land leases and wage labour diminishes the capacity of landowners, communities

and labourers to negotiate for prices that more realistically represent the productive value of land and labour.

**Specific recommendations:**

1. West Africa Agriculture: should pause operations until every land-owner in the project area gives genuine free and informed consent. Communities and land-owners should have the terms of any potential lease agreement explained to them by a competent, independent lawyer, without the presence of company representatives or local authorities. They should be given adequate time to consider and negotiate the terms of the lease, and they should be given copies of the lease agreement after they have signed. The current operations taking place without valid lease agreements, and without the free, prior, informed consent of communities and land owners should be grounds for a pause in operations until such a time where land-owners can understand, negotiate, and sign agreements.
2. The Ministry of Agriculture: Increase support and training for farmers to develop new techniques for clearing upland farm plots without the use of burning. Currently, farmers in Port Loko with land under lease to companies are not using many of their upland farms because they are scared of using burning to clear plots. Moving farmers entirely off of upland plots is unsustainable because it will further diminish food security. Farmers should be able to continue to access their remaining upland plots, and this might be facilitated by increased training and inputs for clearing techniques other than burning.
3. SLIEPA: The prices SLIEPA currently advertises in promotional material (\$12 per hectare per year for land lease and \$2 per day for wage labour) gravely undervalue the actual productive value of land for small-scale farmers and the cost of living for wage labourers in the context of rising food commodity prices. Recommended prices for land leases and wage labour should more accurately reflect the productive value of the land and labour, otherwise land lease payments will not offset the losses in crops and foraged materials, thereby risking the further impoverishment and food insecurity of rural communities.