

Open Letter to His Excellency, Dr Julius Maada Bio President of the Republic of Sierra Leone

March 30th, 2020

The finalization of the Investigation Report on the Malen land dispute is a constructive step towards a resolution of the conflict

We, an international coalition of civil society organizations, welcome the finalization of the Investigation Report which concludes the investigative phase of the conflict resolution process concerning the land conflict between the multinational palm oil company SOCFIN and communities in the Malen Chiefdom of Sierra Leone. As organizations that have closely followed this case over the years, in close communication with the affected communities and our Sierra Leone civil society organisation partners, we view the completion of this report as an important step towards finding a resolution to the long-standing land dispute.

Although tensions within SOCFIN's plantations have increased in recent months and the criminalization of community representatives and civil society organisation partners has intensified, the report seems to provide a solid enough basis upon which to continue the dialogue (mediation) process, as proposed by the Vice-President of Sierra Leone in 2019.

We are encouraged to see that the main findings of the Technical Committee highlight several of the allegations voiced by the affected communities since 2011. They confirm, among others, that the land lease agreements are unlawful; that payments of lease rent and other land charges were or inadequate or paid to the wrong persons; that the parcels of land were not properly surveyed and demarcated; that buffer zones between communities and SOCFIN plantations have not been respected and that this has negatively impinged upon the communities' capacity to live in dignity; that the Paramount Chief's conduct was inappropriate and potentially illegal; that SOCFIN's development projects in the communities were inadequate; and that there are serious pollution concerns linked to the company's activities.

While we welcome the important findings of the report, we note that there are several key elements pertaining to the land conflict that are either absent from the report or, in our view, insufficiently addressed in it. Are lacking: a human rights approach and the reference to the relevant legal framework; detailed information on the land acquisition process and the working conditions on SOCFIN's plantations; due attention to the criminalization of members of the communities and allied civil society organizations; mention of the significant gaps in the implementation of SOCFIN's corporate social responsibility action plan; a comprehensive investigation of all allegations of corruption (see the annex for an in-depth analysis of the report – information below).

We ask the Government to follow-up on its Investigation Report, to address the violations and abuses committed against the communities and to protect them against any further violations. In view of the findings of the report confirming the breaches by both the (former) Government and SOCFIN, further steps of the conflict resolution should ensure total independence from the Government, the company, and other involved actors. Remaining committed to support the affected communities and our civil society organisation partners in Sierra Leone, we hope an achievement of this outcome and a peaceful resolution of the land conflict.

This letter is also sent for information to the Vice President of the Republic of Sierra Leone, Dr. Mohamed Juldeh Jalloh, and other relevant Sierra Leonean or international authorities

Signatory organizations:

Bread for all, Switzerland
FIAN Belgium
FIAN International
FIDH, International
GRAIN, International
ReAct, France
The Oakland Institute, International
World Rainforest Movement, International

Contact person for the Coalition:

Florence Kroff – FIAN Belgium: florence@fian.be – +32 2 640 84 17

In-depth analysis of the Investigation Report “Government of Sierra Leone, *Report of the Technical Committee on the Malen Chieftdom land dispute in Pujehun District*, submitted to the Honourable Vice President, September 2019”: FIAN Belgium, *Focus on the Investigation Report on the Malen land dispute: Human rights analysis of the core elements (and omissions) for the mediation process*, March 2020,

https://www.fian.be/IMG/pdf/2020_03_malen_investigation_report_fian_analysis_vf.pdf

Further information on the case, see: *Land Grabbing for Palm Oil in Sierra Leone: Analysis of the SOCFIN Case from a Human Rights Perspective* (FIAN Belgium 2019); and other background information available online: <https://www.fian.be/Landgrabbing-by-SOCFIN-in-Sierra-Leone-documentation?lang=fr>