

Statement and Declaration by Affected Community members from Sime Darby and Golden Veroleum Concessions – Three Day Conference in Bopolu City, Gbarpolu County

Theme: *OUR FUTURE IS NOW; OIL PALM DEVELOPMENT IN LIBERIA*

November 27-29, 2012

WHEREAS, we the people as representatives of oil palm affected communities gathered in Bopolu city, Gbarpolu County on November 27<sup>th</sup> – 29<sup>th</sup>, 2012;

REGARDLESS of our status as man or woman, youth or elder, rich or poor;

REPRESENTING communities in Sinoe, Bomi, Grand Cape Mount and Gbarpolu counties of Liberia that fall within oil palm concessions signed by our government;

RESPECTING the traditions of our ancestral lands and our standing as patriotic Liberians who benefit from the rights and dignities conferred to us by our constitution and our status as citizens of Liberia;

RECOGNIZING that despite our differences we share a common bond in how our lives will be changed by the imposition of oil palm plantations on our community lands;

IN THE INTEREST of protecting Liberia and preserving the peace we as citizens have worked so hard to finally achieve;

We Hereby Stand in Solidarity to Make the Following Declaration:

1. Our communities were not consulted prior to the government signing the contracts with oil palm companies;
2. Despite not having been given the opportunity to grant our consent to the contracts, it is we who will experience the effects of oil palm plantations in Liberia;
3. The contracts are not transparent, with unrealistic terms and conditions, and do not respect our rights to Free, Prior, and Informed Consent
4. We are the rightful owners of the land where our communities have made our farms, raised our children, and practiced our traditions;
5. We rely on the land that was given to foreign companies in the contracts to grow our food, hunt, drink water, build our homes, heal our sick, celebrate our culture, and make our livelihoods;
6. As owners of the land, we should have been involved in the discussions of the negotiations with oil palm companies before the contracts were signed;
7. The contracts should be in line with the Constitution of Liberia including Article 7 under which the State has a duty to ensure the maximum feasible participation of Liberians in the management of the natural resources
8. The contracts should be in line with international treaties such as the African Convention on Human & Peoples' Rights, International Covenant on Civil and

- Political Rights, International Covenant on Economic, Social and Cultural Rights, and the UN Basic Principles and Guidelines on Development-based Evictions and Displacement, such as the rights to food and our means of subsistence; to adequate housing and protection from involuntary displacement, to property and non-discrimination in the exercise of property rights, to culture and self determination, as well as broader international principles of human rights and community protection that we as Liberians value and embrace;
9. We as citizens of Gbarpolu, Grand Cape Mount, Bomi, and Sinoe counties have been ignored throughout the allocation process of large scale agricultural lands and feel unfairly treated with how oil palm concessions have developed in our counties;
  10. Given our ongoing experiences, we now realize that oil palm development does not directly benefit us and is carried out in a way that damages our lives, our communities, and our heritage.

In Recognition of the Above Statement, We Declare that Future Development of Oil Palm on our Community Lands Must Adhere to the Following Principles:

11. Oil Palm companies establishing their plantations on our traditional lands are our guests and must treat us with respect;
12. We have the right of Free, Prior and Informed Consent. If we refuse that consent to oil palm companies to operate on our lands, they must respect our decision;
13. All contracts signed by the government must include provisions that protect our rights, grant Free, Prior, and Informed Consent, and ensure that our communities are not damaged by plantation development;
14. Companies must enter into agreements with us where they clearly state what benefits they will bring to us and how long it will take;
15. Before we enter into discussions with oil palm companies about how much land we will grant and what we hope for in return, we must be given copies of the company's business management plans, legal advice, and time to discuss the issues amongst ourselves before we respond to the company;
16. It is not only for the traditional and government appointed leaders to decide whether we will give consent to oil palm companies. All members of the community should have a say, including youth, elders, women, and the disabled;
17. We must be able to decide how much forest we will keep even when oil palm companies begin to clear in our areas;
18. Payment for destroyed crops must be given after the price is negotiated, not imposed on us without us having a say;
19. If our water and food sources are damaged by company operations, we must be given an alternative way to drink clean water and eat nutritious food;
20. Companies should ensure that their operations will not move communities from their lands;

21. The communities should be given the right to decide how much land the company will get and where the land will be
22. Our sacred bushes, graveyards, and recreational spaces are part of our cultural space and the companies must protect and not damage them. If they wish to damage or move graves or cultural spaces, it must only be after negotiation and we must be given adequate compensation agreed upon after a Free, Prior, and Informed Consent negotiation in which all citizens are heard from;
23. After the term of the contract ends, land granted to oil palm companies should go back to its rightful owners, the community people, and not the government;
24. Social Benefits from oil palm companies should go to all community members and not just employees;
25. Land rental benefits for communities should be handled by community appointed committees and not those appointed by the government;
26. Jobs must be given fairly, and first preference should be given to qualified community residents;
27. Jobs must pay a fair wage that is adequate for employees to live decent lives and provide for their families, some of who will not be working and will no longer be able to farm because of forest clearing;
28. The companies must negotiate with employee representatives to set the terms of labor and wage prices.

WE THE REPRESENTATIVES OF THE OIL PALM AFFECTED COMMUNITIES ATTENDING THE CONFERENCE IN BOPOLU CITY stand by the above statement and hereby affix our signatures to this declaration. In peace and under the sight of higher powers, we claim our rights as the owners of community lands and as Liberian citizens.

(Signatures Follow)