

Human Rights Defenders Network

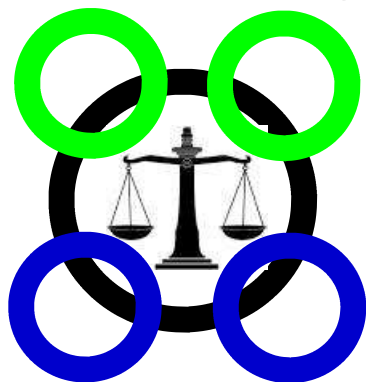
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PRESS RELEASE

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Defending Land and Community Rights: Human Rights Defenders on the Frontlines of Land Justice in Sierra Leone

The High Court in Bo City announced its groundbreaking ruling against human rights defenders of the Malen Affected Landowners Association (MALOA). This landmark decision comes on the heels of the tireless work of countless activists who have for several months argued that the rights of the land owners of Malen Chiefdom have been violated.

Since 2013 Malen Affected Landowners Association (MALOA) had complained to the Human Rights Commission of Sierra Leone about the violation of their human rights as a result of the operation of the agro –based multinational Socfin investment company with headquarters in Brussels (State of Human Rights Report 2013). The resolution of this complaint is yet to be made public. These violations include:

- Lack of prior and informed consent for the acquisition of land (\$5 per acre annual payment for their land was insufficient and that they did not understand the lease agreement, or were coerced into signing;
- Inadequate compensation for land and economic trees;
- Destruction of reserve grass land used for roofing by communities;
- Pollution of Malen river as a result of chemicals used by Socfin;
- Acquisition of all farm lands by the Socfin Group;
- Harassment, intimidation, arrest and detention of land owners for resisting the illegal occupation of their lands;

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- Prevention of land owners and MALOA from holding consultative meetings on issues concerning their welfare.

Violations of land and housing rights including forced evictions in Pujehun and Kono have been widely documented by human rights defenders working on land rights such as Green Scenery, Network Movement for Justice and Development (NMJD). In Pujehun District, more than half the district's arable land is in the hands of the agro –based Socfin investment company, and most land concessions have been granted without the prior and informed consent of land owners. The practice of land grabbing and expropriation, in particular through the granting of economic land concessions by the government to private investors, has affected people in Bumbuna, Kono, and Pujehun Districts.

These violations are in contravention of the International Covenant on Civil and Political Rights (ICCPR) of which Sierra Leone is a party and is therefore legally obligated to fulfil its provisions. Furthermore, the Government of Sierra Leone is a signatory to the UN Human Rights Council resolution and has signed to the UN Guiding Principles on Business and Human Rights in June 2011. The pillars call for all signatories to adhere to the “Protect, Respect and Remedy” framework contained in the principle.

It is now evident in the MALOA case that while the Government of Sierra Leone has signed to the Guiding Principles, a clear and coherent government policy approach is required in order to translate those standards into concrete action. When world leaders attend international conferences like Conference of Parties (COP21) on climate change, they face political pressure and opposition but when human rights defenders stand up for environmental rights in their communities, they face arbitrary arrest and detention, jail, harassment, intimidation, and death threats.

Direct foreign investment is not just about international agreements between governments – it matters to people’s lives and to their very survival. In several instances in the country, human rights defenders have been arrested, charged, jailed, attacked, harassed, and defamed as threats to “national security

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and development”. They remain without adequate protection in the ongoing struggle for freedom, justice, love, respect and equality.

In Sierra Leone criminalization of community based human rights defenders has become a serious cause for concern for the network. Tactics such as trumped-up charges and imprisonment, harassment, and violence are used to deter their work. Such threats occur in the context of ongoing land disputes and are sometimes carried out under the pretext of the government’s “campaign against development and national security”. In addition, human rights defenders, their families and their communities face displacement by the conflict and are targets of police brutality and extrajudicial killings as witnessed On 10 December 2013, when police opened fire on a protest against the expansion of palm oil plantations operated by the international agro-investor Socfin Group.

In view of the above we call on the government to:

- Respect its obligations to international human rights laws in relation to business and human rights;
- Develop National Action Plan on Business and Human Rights;
- Review the land agreement between SOCFIN Company and the Community of Malen Chiefdom including compensation to land owners and all other land agreement with multinational companies;

And call on the Human Rights Commission of Sierra Leone to publish its conclusions on the investigation of the MALOA/Socfin complaint as reported in the SoHR 2013 in line with its mandate and functions.

END

Signed



Executive Secretary

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