

Liberia: UK's Equatorial Palm Oil Threatening to Seize Public Land Defying International Law, Government Orders and Human Rights

By [Forest Peoples Programme](#)

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The UK-listed company, Equatorial Palm Oil (EPO), which is threatening to seize land owned by Liberians in defiance of commitments by Liberia's President, will today receive a visit from affected communities. Members of the Joghahn Clan, together with representatives from Liberian and international NGOs, will deliver a petition with over 90,000 signatures, reminding EPO that it does not have community consent to expand onto their lands, and that doing so could escalate violence. [1] EPO's past operations in Liberia have triggered allegations of conflict and human rights abuses. The company has maintained that any expansion is legal. [2]

"EPO's recent expansion efforts are a brazen example of a company defying international law, government orders and the rights of communities," said Silas Kpanan'AYoung Siakor, campaigner at the Sustainable Development Institute. "EPO has no claim to this land, it is owned by the communities who live on it." [3]

Residents from the Joghahn Clan in Liberia's Grand Bassa County say that EPO has begun demarcating blocks of land in preparation for clearing, and have accused its security officers of threatening community members. These actions defy the March commitment by Liberian President Ellen Johnson Sirleaf that EPO could not expand onto the lands of the Joghban Clan without their permission. [4] The right of Liberian communities such as the Joghban Clan to give or withhold consent to projects that could have an impact on their land and resources is also provided under international human rights law, as well as the Principles and Criteria of the Roundtable on Sustainable Palm Oil (RSPO) of which EPO is a member. [5] The Joghban people have refused to give such consent.

EPO has a very poor track record in Grand Bassa County. In September of last year, officers from the EPO security team and the Liberian Police reportedly worked together to assault and beat Joghban community members who were peacefully protesting the company's operations. Those arrested were soon released after it was determined by the government's Grand Bassa attorney that there was no justification for continued detention. No government investigation report regarding this incident has been made public. [6]

EPO denied any involvement in the violence, saying that it had been "falsely accused", and does not "condone or encourage such described behaviour," and "never instructed or directed any of its staff or PSU officers to intimidate Joghahn community members in September or at any time." However, EPO admitted to Global Witness that it provided logistical support to the Liberian police who are accused of intimidating villagers on the

plantation. The company further stated that it “respect[s] the Liberian community rights and land, and ha[s] followed the law and procedures laid out”, had taken “strict steps” to ensure that it only plants oil palm on its concession land and legally-acquired community land, and is “a responsible company and committed to sustainable oil palm development.” [7]

EPO’s concessions in Liberia total 8,900 km² of land, which the company believes gives it the legal right to use the land to develop a palm oil concession. The company is listed on the London-based AIM stock market, and is now majority owned by Malaysian palm oil giant Kuala Lumpur Kepong Bhd (KLK). Major brands including Kellogg’s, Kraft, Nestle, Unilever, Procter & Gamble, and General Mills have been reported as direct or indirect consumers of KLK palm oil. [8]

“We demand that EPO stops inciting conflict by preparing to clear our land,” commented Joghban Elder Joseph Chio Johnson, “EPO must stop threatening our people and accept that our no means no.”

Forest Peoples Programme, 1c Fosseyway Business Centre, Stratford Road, Moreton in Marsh GL56 9NQ, UK Tel: +44 (0)1608 652893 www.forestpeoples.org Charity Registration Number: 1082158 A company limited by guarantee (England & Wales) Reg. No. 3868836

Notes:

1. Sustainable Development Institute and Friends of the Earth International, [Tell Equatorial Palm Oil NO means NO!](#), Rainforest Rescue, [Wir stoppen die Walddiebe!](#), Friends of the Earth US, [Stop an abusive palm oil company from grabbing Liberian land](#), Milieudefensie, [Laat Equatorial Palm Oil weten dat NEE echt NEE betekent!](#)
2. Equatorial Palm Oil, Letter to Global Witness, 17 December 2013. EPO’s full response can be found on Global Witness’ website at: www.globalwitness.org.
3. Customary land rights are protected under a range of international human rights laws applicable to Liberia, including the African Charter on Human & Peoples’ Rights (1981), the International Covenant on Economic, Social & Cultural Rights (1966), the International Covenant on Civil & Political Rights (1966), the Convention on the Elimination of Racial Discrimination (1965), as well as principles of customary international law expressed in the Universal Declaration on Human Rights (1948) and UN Declaration on the Rights of Indigenous Peoples (2007).
4. Sustainable Development Institute, [SDI welcomes President Sirleaf’s commitment to protecting Joghban clan’s land from further encroachment by British palm oil company Equatorial Palm Oil](#), 6 March 2014; Global Witness, [NGOs welcome Liberian President’s commitment to stop British palm oil company “taking” community land](#), 10 March 2014.
5. Free Prior and Informed Consent (FPIC) is a key principle of Liberia’s Community Rights Law with respect to Forest Lands (2009), which provides communities with a right to give or withhold their consent to activities planned on community land or which may impact on that land and the community. Article 7 of the Liberian Constitution provides for the maximum feasible participation by citizens of Liberia, in the management of Liberia’s natural resources. FPIC is also an established legal principle supported by numerous regional and international legal instruments to which Liberia is legally bound, including the African Charter on Human and Peoples’ Rights (ACHPR). The decision of the African Commission on Human & Peoples’ Rights in the case of Endorois Welfare

Council v. Kenya (276/2003) e.g. at para 209, including with regard to right to property (Art. 14 ACHPR), as well as the right to development (Art. 22 ACHPR). See also ACHPR Resolution 224 on a Human Rights-Based Approach to Natural Resources Governance, the United Nations Declaration on the Rights of Indigenous Peoples as well as numerous other provisions and jurisprudence elaborated under the International Convention on the Elimination of all Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

6. Sustainable Development Institute, [SDI calls on Equatorial Palm Oil to immediately cease land survey in Grand Bassa District #4](#), 25 September 2013. Sustainable Development Institute, Global Witness, FoE EWNI, FERN, Save My Future Foundation, [UK's Equatorial Palm Oil accused of human rights abuses in Liberia](#), 20 December 2013.
7. Equatorial Palm Oil, Letter to Global Witness, 17 December 2013. EPO's full response can be found on Global Witness' website at: www.globalwitness.org. Meeting between Global Witness and EPO in London on 14 November, 2013. EPO, "Letter to Global Witness," 17 December 2013.
8. Rainforest Action Network, [Conflict Palm Oil in Practice: Exposing KLK's role in rainforest destruction, land grabbing and child labour](#), 2 April 2014.

Contacts

- Silas Kpanan'AYOUNG Siakor, Campaigner at Sustainable Development Institute: +231 (0) 880655712/ 0770001450, email: ssiakor@sdiliberia.org
- Jonathan W. Yiah, Coordinator at Sustainable Development Institute: +231 (0) 770001453, email: managementteam@sdiliberia.org
- Jacinta Fay, Landgrab Campaigner, Friends of the Earth International: +231 (0)770001452, email: jfay@sdiliberia.org

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