SDI'S 10-year

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'no more business as usual.' Silas kpanan'Ayoung Siakor

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In the last decade alone, the SDI has mobilised and empowered local communities across Liberia and advocated for them to have an active role and a space in decision-making in natural resources governance.

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Robtel Neajai Pailey

SDI'S 10-year



sdi: 10-year positive peace crusade



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INTRO ^A

A POSITIVE PEACE AGENDA FOR A POST-WAR POLITY

2002

A POSITIVE PEACE AGENDA FOR A POST-WAR POLITY

In August 2003, Liberia emerged from over 20 years of upheaval badly bruised and war weary, with 14 years of civil war fuelled primarily by ill-gotten wealth from its natural resources. In August 2013, the country celebrated ten years of uninterrupted peace. Although a major milestone in Liberia's history, much of the last decade of peace has not fundamentally changed how the state operates. Big business and political elites continue to jockey for power over the country's natural resources, and the overreliance on concession wealth has eroded relations between the state and its citizens.

There have been considerable strides in transforming the legal frameworks underpinning Liberia's natural resources sector, yet the lack of political will to implement broad sweeping reforms remains a major challenge. In the past decade, civil society has emerged as a major player in pushing for a 'positive peace' agenda, one that insists on an overhaul of rules, regulations, attitudes, behaviours, norms, and processes that fuel inequality, impunity, and graft—major causes of Liberia's civil war. One such organisation, the Sustainable Development Institute (SDI), has insisted on a complete break from the past.

Although the SDI was initially conceived in its embryonic stages in 2002, the organisation was formally birthed as a full-fledged civil society player in Liberia in 2004. With only three staff, few resources, and very little clout, the SDI set out to address the continued marginalisation and exclusion of ordinary citizens from natural resources decision-making processes. In the last decade

2003

alone, the SDI has mobilised and empowered local communities across Liberia and advocated for them to have an active role and a space in decision-making in natural resources governance. According to Nora Bowier, Coordinator, Community Rights and Corporate Governance Programme (SDI), the organisation has also "advocated for improved laws, policies and provisions that protect community rights, promote benefit sharing, improve transparency and accountability, and increase civil society participation."

SDI has also increased its staffing, expanded its resource base, and gained recognition (and sometimes notoriety) domestically and internationally as the 'go-to' source of research, advocacy, and policy-making in Liberia's natural resources sector. According to its founder, Silas Kpanan'Ayoung Siakor, the SDI "is viewed by diverse stakeholders as a credible and strategic thinking organisation, and one that often has an alternative and informed viewpoint on issues related to natural resources." In 2006, Siakor received on behalf of the SDI the Goldman Environmental Prize, the world's largest prize honouring grassroots environmentalists. The SDI story proves that 'people's power' can ultimately prevail over corporate greed and the politics of the day.



Grassroots mobilisation is at the heart of SDI's strategy, as exemplified in Blayah Town, Grand Bassa. 2013 $\ensuremath{\mathbb SDI}$

[SDI] advocated for improved laws, policies and provisions that protect community rights, promote benefit sharing, improve transparency and accountability, and increase civil society participation.

Nora Bowier, Coordinator, Community Rights and Corporate Governance Programme (SDI)

INTRO METHODOLOGY

METHODOLOGY

Following a decade of work on community rights issues in the forestry, agriculture, land, and mining sectors, the SDI is using its 10th Anniversary to reflect on achievements and challenges to inform planning for the future. Achievements in this context refer to progressive changes in policies, laws and regulations governing the natural resources sector to which the organisation has made significant interventions.

For an objective assessment of these contributions, the SDI hired two independent consultants August 2013 through November 2013 to research its background, document its achievements, and catalogue challenges to improving governance in the natural resources sector in Liberia. The research involved a combination of desk reviews of SDI reports, programme documents, media reports—especially quotes from SDI staff in major news articles—and interviews with a wide range of stakeholders who are knowledgeable about the organisation's work. SDI supported the consultants by providing relevant documents including links to reports, programme documents and relevant media articles, as well as introductions to key stakeholders who were interviewed.

In August/September 2013, 21 SDI local and national stakeholders' were consulted in semi-structured interviews in Grand Bassa, Rivercess, Nimba and Montserrado counties. From August 2013-October 2013, seven of SDI's international stakeholders² were interviewed either via Skype, or provided answers to a generic interview protocol that gauged their assessment of SDI's work. In October 2013, SDI principals Silas Kpanan'Ayoung Siakor, Jonathan Yiah, and Nora Bowier submitted answers to a general interview protocol, in which they were asked to assess the work of the organisation, its challenges and potential outcomes for the future.

The documentary evidence within the public and private domains, semi-structured interview protocols, and reflections from SDI staff were compiled and triangulated for this 10-year retrospective. Where necessary, the names and affiliations of individuals are chronicled, and quotes generously employed. This work is an independent analysis, and reflects the author's assessments of the last decade of natural resource governance trends in Liberia. It is in no way meant to be an exhaustive account of Liberia's natural resource regime, nor of SDI's role in shifting the balance of power in the sector.

footnotes

Local and national stakeholders included in the assessment were; the Ministry of Internal Affairs (MIA); the Bassa Wornen Development Association (BAWODA); the Resilient Council of Elders in Bassas, Radio Dukpa; the Timber Union and Community Development Advocates and Foundation; the Bassa Youth Caucus (BYC); the Initiative of the Affected Communities, Kpain-Kpain-Gbo, Inc. (KKG); Timbo United for Development (TUD); the Civil Society Council: Varmein Development Council; Ears for the Masses; Search for Common Ground; the Land Commission (LC); the Farmers Union of Liberia; the Norwegian Refugee Council (NRC); the Forestry Development Authority (FDA); and the United States Agency for International Development (USAID). International stakeholders included in the assessment were: the Department for International Development (DFID); Tocaire; FERN; Synchronicity Earth; Friends of the Earth International (FOE); Global Wintess; and Rights and Resources Initiative (RRI).



2002

footnote

3 Reflections from Silas Kpanan'Ayoung Siakor, founder & lead campaigner for the Sustainable Development Institute (SDI).

SDI IS CONCEIVED, BIRTHED, AND REBIRTHED

This is a story about how a 10-year-old outlier revolutionised natural resources governance in Liberia, a small West African country wracked by intense upheaval. It begins in 2002 when Silas Kpanan'Ayoung Siakor, then of the Save My Future Foundation (SAMFU), authored a report bringing together findings of covert monitoring of logging operations in Liberia between 1999 and 2001 during then president Charles Taylor's regime:



The report generated very polarised debates within the organisation because it was critical of the government and accused the government of violating the Liberian Constitution. Article 7 of the Liberian Constitution requires the government to manage the natural resources of the country with the maximum feasible participation of the population. Others within the organisation felt very strongly that this was inviting attention from the government and could possibly lead to a crackdown. Following very intense debates, it was agreed that as the author of the report, I would take responsibility for its content. This then raised the question: how could we continue to report on the sector without exposing ourselves to risks or serious crackdown by the government?³

Silas Kpanan'Ayoung Siakor, Founder & Lead Campaigner for the Sustainable Development Institute (SDI)

footnotes

- 4 Reflections from Silas Kpanan'Ayoung Siakor, founder & lead campaigner for the Sustainable Development Institute (SDI).
- Silas Kpanar Ayoung Siakor and Rachel Knight. "A Nobel Laureate's Problem at Home." Op-ed, New York Times, January 12, 2012 (www.nytimes.com/2012/01/21/opinion/in-liberia-a-nobel-laureatesproblem.html?_r=0).
- 6 Interview on August 31, 2013 in Monrovia, Montserrado County, with Gregory Kitt, Program Manager of the Norwegian Refugee Council (NRC).
- 7 Interview conducted on August 29, 2013 in Monrovia, Montserrado County.

VISIT http://www.youtube.com/watch?v=HhdkaVU1VY0 to view an interview conducted with Silas Siakor about SDI's 10-year Anniversary.

VISIT http://soasradio.org/content/governance-africaconversations-silas-siakor to listen to the audio feed of the interview.

Siakor's investigations became the impetus for UN sanctions placed on Liberia's timber in 2003. Taylor was notorious for torturing, imprisoning, and executing dissidents, so legitimate concerns for safety outweighed Siakor's valor. And so, the Sustainable Development Institute (SDI) was conceived as a "shell NGO" that would exist only in name to facilitate publication of investigative reports on the sector. It was later 'launched' in 2002, followed by intensified conflict leading to Taylor's exile in 2003. Siakor slipped out of Liberia during this time as well, and between 2003 and 2004, he wrestled with how he could improve forest governance in Liberia beyond monitoring legal enforcement. Returning to Liberia in 2004 with a clear-eyed vision, Siakor resolved to set up an organisation that would work to "secure a seat at the table' and promote informed public participation in natural resource governance processes."4 This was the rebirth of the Sustainable Development Institute (SDI), with an expanded mandate and an even larger political space to maneuver.

Much has changed since 2004, due to both the SDI's credit and that of Liberia's political leadership. But there has not been a fundamental shift in how multi-national corporations operate in Liberia, or elsewhere. It appears that Liberia has reverted to its 20th century 'Open Door Policy' where the country's natural resources have been mortgaged to the highest bidder without value-addition or safeguards for local communities. As Liberia transitioned from humanitarian recovery to large-scale development in the past decade, the ultimate question the country grappled with is: what kind of 'development' is needed and at whose expense? For the Liberian government, 'development' has meant steady economic growth, foreign direct investments totaling US\$16 billion, and a barrage of international accolades. However, 'development' for many Liberians, particularly those living in rural communities, has meant corporate exploitation and government collusion.

Social theorist Johan Galtung argued that post-conflict countries like Liberia must constantly work at achieving 'positive peace', peace derived from the elimination of rules, norms, laws, behaviours, and mores that fuel inequality. Galtung, often heralded as the 'father of peace studies', believed that the absence of physical violence alone—what he referred to as 'negative peace'—is unsustainable and a recipe for further conflict. This is certainly true in Liberia, where more than one third of the country's land has been mortgaged to multi-national companies extracting iron-ore, timber, oil palm, and rubber.⁵ Some have argued in Liberia, for instance, that land continues to be a conflict driver. In the past 10 years, the nature of land disputes in Liberia has expanded from localised, community-based clashes to more nationalised 'development-induced' disputes pitting communities against multi-national investors, and by extension, the Government of Liberia, which sanctions foreign direct investments.⁶

Yet, the story does not end there. The democratic space has opened up considerably in the past decade in Liberia, with organisations like the Sustainable Development Institute (SDI) gaining traction in a number of different spheres. Liberia is viewed as a trendsetter for the continent in terms of its legal frameworks for natural resource governance, though implementation remains a 'binding constraint,' not only because of the lack of political will, but also because of the lack of capacity within national government and civil society. Eschewing these constraints, the SDI has taken on a positive peace agenda that has fundamentally shifted how Liberia's natural resources sector is governed.

What separates SDI's work from others is that it pushes a particular agenda not based on public sentiments; rather its brand of advocacy is steeped in empirical research, knowledge production, and information sharing. According to Joseph Jimmy Sankaituah, Program Manager of Search for Common Ground: "In resource governance, if you check five civil society organisations in Liberia, SDI is one of those institutions that the entire country relies on for advocacy for natural resource governance, publishing reports, conducting extensive research in the natural resource sector."⁷⁷

SDI's emergence as a local, national, and international force of nature has been entangled with Liberia's attempts in the past decade to become a 'post-conflict success story.' This 10-year retrospective will chronicle the achievements and challenges of achieving 'post-conflict success' in the midst of political turmoil, corporate exploitation, and increased citizen agency.





LIBERIA'S NATURAL RESOURCES IN 2003: GENESIS

SDI's Natural Resources Governance Advocacy



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LIBERIA'S NATURAL RESOURCES IN 2003: GENESIS

SDI's Natural Resources Governance Advocacy

In August 2003, then president Charles Ghankay Taylor, draped in a creased, pristine white suit, promised, "God willing, I will be back," as he was shuttled to Calabar, Nigeria, for amnesty. Meanwhile, sanctions had been imposed on Liberia's diamonds in 2001 and timber in 2003 because Taylor had used revenues from diamond and timber exports to fund his war offensive and traffic arms to the country.8 According to Paul James-Allen, Country Representative/ Liberia Programme Officer of Trocaire, one of SDI's international stakeholders, the natural resources sector was marred by "a lack of accountability, the absence of adequate legal frameworks to enhance responsible exploitation, too many murky players, and a lack of clear political vision on how to exploit and manage the resources for the benefit of the Liberian people."9



Women and children are often disproportionately affected by poor resource governance. 2012 $\ensuremath{\mathbb{C}}$ SDI

- Global Witness & International Transport Workers Federation (2001). "Taylor-Made: The Pivotal Role of Liberia's Forests and Flag of Convenience in Regional Conflicts." Global Witness Limited, United Kingdom.
- Interview Protocol Answers provided on September 8, 2013.

LIBERIA'S NATURAL RESOURCES IN 2003: GENESIS

SDI's Natural Resources Governance Advocacy

A decade ago, Liberia seemed the poster child of the 'resource curse' paradigm promulgated by governance researchers and economists like Paul Collier of The Bottom Billion fame. According to Jonathan Yiah, Coordinator, Forest Governance Programme (SDI), "the largest remaining forest blocks in the Upper Guinea Forest region was under threat by deforestation due to predatory logging companies, the most ruthless and destructive of them being the Oriental Timber Company (OTC)."¹⁰ The Liberian National Legislature, under the Taylor government, had previously enacted into law the Strategic Commodity Act which effectively gave Charles Taylor "the right to negotiate the natural resources of the country and decide what to do with it. Interestingly, when the government crumbled the last law that the Taylor government's Legislature repealed was that particular Act, with the argument that the law was not in the interest of the country, when in fact they benefited from that particular law throughout, but as they were leaving power, they repealed it. And that is to tell you that the resources of the country never benefited the citizenry."11

Like Liberia in 2003, the natural resources sector was a hollow shell. The forestry law did not include provisions on transparency, accountability, public participation, and benefit sharing. Regulations were developed and enforced in an arbitrary manner. Forestry concession agreements were not in the public domain, and there were unclear revenue assessments and collection systems. Communities' customary ownership rights over land and forests were not recognised and respected. The land law did not even recognise the ownership rights of native Liberians, who did not have formal titles to their land even though the republic in its early days did recognise the ownership rights of natives. The Sustainable Development Institute (SDI) was resurrected in Liberia against this background, determined to shift the paradigm completely while gaining local, national, and international recognition in the process. According to Andrew D. Vah. Sr., Political and Protocol Officer of the Ministry of Internal Affairs/Buchanan County Administration Office: "I believe that the SDI is an institution that wants to, more or less, make sure that we have [a] sustainable natural resource sector in this country, one that will help us use our resources wisely and proficiently, that it will not just get depleted in just one blow."¹² No doubt, Vah is one of many converts to SDI's brand of advocacy.



Hidden away. Villagers in New Yekepa have not seen sustainable benefits from the iron ore boom of the 1960's – even though their parents had to relocate to allow for mining activities. 2012 \bigcirc SDI

I believe that the SDI is an institution that wants to, more or less, make sure that we have [a] sustainable natural resource sector in this country, one that will help us use our resources wisely and proficiently, that it will not just get depleted in just one blow.

Andrew D. Vah. Sr., Political and Protocol Officer of the Ministry of Internal Affairs/Buchanan County Administration Office

- 10 SDI 10-year Report reflections
- Interview on August 26, 2013 in Monrovia, Montserrado County, with River Cess Superintendent, Wellington Geevon Smith.
- 12 Interview conducted on August 13, 2013 in Buchanan, Grand Bassa County.

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LIBERIA'S NATURAL RESOURCES SINCE 2003: SUCCESSES

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SDI's One-Decade of Achievements





LIBERIA'S NATURAL RESOURCES SINCE 2003: SUCCESSES SDI's One-Decade of Achievements

LIBERIA'S NATURAL RESOURCES SINCE 2003: SUCCESSES

SDI's One-Decade of Achievements

Two years after the Accra Peace Agreement was signed in 2003, Liberia looked poised for reforms in its natural resources sector. Chairman Gyude Bryant of the National Transitional Government of Liberia (NTGL) established a Concession Review Committee comprising the U.S. Government, the European Commission (EC), the United Nations Mission in Liberia (UNMIL), and the Sustainable Development Institute (SDI), one of only two civil society organisations represented.¹³

In 2006, Liberian President Ellen Johnson continued on the reform trajectory by embarking on a crusade to renegotiate concession agreements as well as review all existing laws governing the natural resources sector. Her administration renegotiated the ArcelorMittal and Firestone contracts, calling for improved labour rights standards, value-addition/beneficiation, and social/corporate responsibility mechanisms. The president issued Executive Order#1 in February 2006, just a month after taking office, to institute broad sweeping changes in the forestry sector, including protecting forestdependent communities from exploitation and graft. This was done in no small measure because of the lobbying efforts of SDI and other civil society organisations in Liberia. Recognising the organisation's clout even then, President Johnson Sirleaf appointed the SDI to serve on the Forestry Reform Monitoring Committee (FRMC) which was tasked with supporting the Forestry Development Authority (FDA) implement the recommendations of the Review Committee established by chairman Bryant.



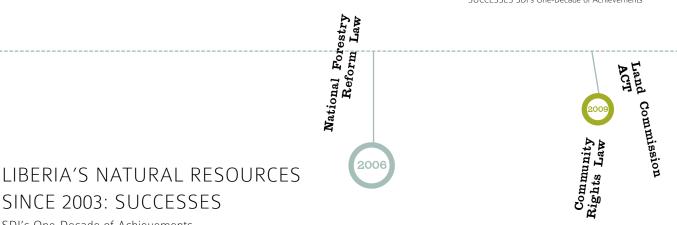
Regular consultations with grassroots actors bring legitimacy, as shown by breakout groups during a community conference in Gbarpolu County. 2012 \odot SDI

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13 Reflections from Silas Kpanan'Ayoung Siakor, founder & lead campaigner for the Sustainable Development Institute (SDI).

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LIBERIA'S NATURAL RESOURCES SINCE 2003: SUCCESSES SDI's One-Decade of Achievements



SDI's One-Decade of Achievements

In June 2006, the United Nations lifted sanctions on Liberia's timber, conditional on the passage of a Forestry Reform Law, with organisations like the SDI now able to infiltrate the system by serving as mediators between affected communities, concessionaires and the Government of Liberia.¹⁴ Since the lifting of timber sanctions, Liberia has enacted legislation ushering in a concerted national resources governance regime:

Other bodies such as the General Auditing Commission (2005), the Liberia Anti-Corruption Commission (2008), the Public Procurement and Concessions Commission (2010), and the Governance Commission were established to buffer natural resources management through tracking and monitoring.

LEGISLATION YEAR SUMMARY OF BENEFITS ENACTED

National Forestry Reform Law ¹⁵	2006	Communities receive 30% of land rental fees.
Community Rights Law ¹⁶	2009	Communities receive 55% of revenues from logging concessions on their forestland; Communities also have ownership and user rights over forestland and forest resources.
Land Commission Act ¹⁷	2009	Commission proposes, advocates, and coordinates reforms of land policy, laws, and programs; Commission seeks to address issues of inequality that existed between customary and statutory land tenure systems, in terms of ownership rights.
Freedom of Information Act ¹⁸	2010	Guarantees effective, equitable and inexpensive exercise of the right to access to information. Also establishes and provides for the exercise of a right to appeal any decision denying a request for information or infringing on the right of access to information, and provides appropriate penalties and other sanctions for wrongful failure to keep and/or provide information.
Voluntary Partnership Agreement (VPA) ¹⁹	2011	Tackles illegal logging, improves transparency and public participation, enhances community rights, and strengthens the role of civil society in providing oversight in the forestry sector.

footnotes

14 Skype interview on August 30, 2013 with Patrick Alley, Director of Global Witness UK.

15 Government of Liberia. National Forestry Reform Law, 2006 (www.fda.gov.lr/doc.finalforestrylawPASSEDBYLEGISLATURE.pdf).

Governmed, Berlinderin, An Act to Establish Community Rights Law of 2009, with Respect to Forest Lands, 2009 (www.fda.gov.lr/doc/Liberia%Forestry%20-%20CRL%20October%20209%20-%20Official.pdf).

 2009 (www.fda.gov.lr/doc/Liberia%Forestry%20-%20CRL%20October%202009%20-%20official.pdf).
 17 Government of Liberia, An Act to Establish the Land Commission, 2010 (www.infoliberia.org/doc_download/Land%20Commission%20Act.pdf?a4705305cd27e04fb1f66830e7e0

(www.infoliberia.org/doc_download/Land%2UCommission%2UAct.pdf/a4/05305cd2/e04fb1f66830e/e0 ef9d=NTc%3D). A Land Rights Policy was approved in 2013 by the Cabinet of President Ellen Johnson Sirleaf, which gives ownership rights to customary communities for the very first time in Liberia's history. The SDI conducted the first targeted research on how communities can secure their land, and the study and related advocars influenced the formulation of the Jand Riphts Policy.

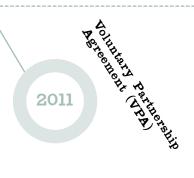
the study and related advocacy influenced the formulation of the Land Rights Policy.
18 Government of Liberia Freedom of Information (FOI) Act (www.cemesp-liberia.org/foi-act.pdf). The Act provides for the establishment of an Independent Information Commission.
19 Summary of Treaty between the EU and Liberia

(http://ec.europa.eu/world/agreements/prepareCreateTreatiesWorkspace/treatiesGeneralData.do?step=0 8redirect=true8treatyId=8985). The SDI initiated and facilitated stakeholder dialogues prior to the commencement of the VPA negotiations between Liberia and the EU.

TWO

LIBERIA'S NATURAL RESOURCES SINCE 2003: SUCCESSES SDI's One-Decade of Achievements





In addition to advocating for the establishment of institutional channels for reform, the SDI has put Liberia's rural communities on the national agenda. This is primarily exhibited through its community outreach and engagement, something that the Government of Liberia has sometimes begrudgingly acknowledged with approval. According to George J. Trokon, Executive Director of Kpain-Kpain-Gbo, Inc (KKG), one SDI's local stakeholders: "SDI is a group that came on to rescue the indigenous, to regain part of their land. They have been working with communities to help them to secure their area, make policy to govern their area, even though much has been taken from them by the government in the past through companies that have no good intention for the country but for their own aggrandizement."20 In working with rural communities, the SDI has learned that a topdown approach simply does not work. This is why in 2010, Siakor stepped down from the SDI as director in order "to pave the way for the creation of a non-hierarchical leadership structure."21

A BOTTOM-UP APPROACH: SDI OPENS THE EYES OF THE PEOPLE

When SDI visits local communities, they begin their interactions from the lowest person in the community and gradually move up the community hierarchy to catalogue the perspectives of everyone.²² This bottom-up approach permeates the organisation's ethos and its community engagement work. For instance, SDI's contribution to ensuring community rights and participatory decision-making of the forestry sector has been concretely adopted as the three Cs (commercial, conservation and community forestry) policy of the forest sector enshrined in the new forestry law.

"We used to only see the dust of the company truck,"23 said one local community dweller, yet rural communities now sit face-to-face with would-be concessionaires in meetings that lower the power differentials between custodians of the land and those who seek entry. Local communities have also begun to receive direct benefits, as in the case of River Cess County where forest communities became the first in the history of Liberia to receive direct benefit from logging operations. In the course of two years (2011/2012) two communities received over US\$140,000. The process of derivation is underway, indeed, but it remains an uphill battle. Ever mindful of the possibilities of local community heads being co-opted by

political elites and corporate representatives, the SDI "has devoted a considerable portion of its time and energy to community organising to strengthen transparency and accountability at the community level."24 The organisation has also trained and contracted local animators-community members who educate and share information with their people.²⁵ Animators submit monthly reports, based on information from and interactions with their assigned communities, which is shared with the SDI.

SDI's achievements can be measured in large by its three tiered engagement channels. SDI deploys itself well, taking over 'multiple spaces,'26 and collaborating with local, national, and international NGOs and donors that share its vision²⁷ all the while maintaining its grassroots focus on community rights. One of SDI's strengths is also its ability to bring a range of stakeholders within its ambit to the table for sustained dialogue. One such instance involved Harrison Karnwea, Interim Managing Director of the Forestry Development Authority (FDA), who met at the SDI office in Duarzon, Margibi County, with members of the Community Forestry Development Committees (CFDCs) instituted by SDI: "We had a very good meeting that brought all of the groups together, and, of course, it helped us to understand the problems that they were facing in the field. And, of course we assisted them [CFDCs] also in a way to transmit their request to the Ministry of Finance about their community entitlements."28 In bringing FDA face-to-face with local community heads, the SDI was able to build a bridge between the Government of Liberia and its potential interlocutors.

- 20 Interview conducted on August 24, 2013 in Cestos, River Cess County.
- Reflections from Silas Kpanan'Ayoung Siakor, founder & lead campaigner for the Sustainable 21 Development Institute (SDI).
- 22 Interview on August 27, 2013 in Sanniquellie, Nimba County, with George Flumo Weamquoi, Chairman of the Varmein Development Council.
- 23 Reflections from Jonathan Yiah. Coordinator, Forest Governance Programme (SDI), summarising local community sentiments about their lack of agency in the natural resource governance sector.
- Reflections from Jonathan Yiah, Coordinator, Forest Governance Programme (SDI). Interview on August 24, 2014 in Cestos, River Cess County, with Harrison Teah, Coordinator of the Civil 24
- 25 Society Council. 26
- Skype interview conducted on October 3, 2013, with Augusta Molnar, Senior Director of Country and Regional Programs (Africa, Asia, Latin America) at Rights and Resources Initiative (RRI). SDI's international networks include FERN; Rights and Resources Initiative; Global Witness; Forest
- Peoples Programme: Civic Response (Ghana): Centre for Environment and Development (CED): ActionAid (Liberia); Search for Common Ground (Talking Drum Studios Liberia); and Friends of the Earth International. Donors providing sustained support to its work include: DFID; Netherlands Committee of the IUCN; the Dutch organization for interchurch cooperation (ICCO); Trocaire (Catholic aid oversea development of Ireland): the European Commission: Whitley Awards: Synchronicity Earth: Open Society Initiative for West Africa (OSIWA); and The Goldman Environmental Prize. Nationally, SDI collaborates with the NGO Coalition for Liberia (an umbrella organization of groups working on natural resources); the Save My Future Foundation (SAMFU); and Green Advocate
- 28 Interview on August 29, 2013 in Paynesville, Montserrado County





LIBERIA'S NATURAL RESOURCES SINCE 2003: SUCCESSES SDI's One-Decade of Achievements



LIBERIA'S NATURAL RESOURCES SINCE 2003: SUCCESSES

SDI's One-Decade of Achievements

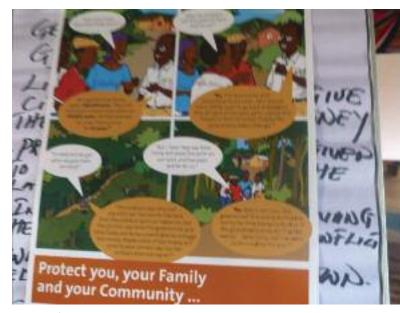
INFORMATION IS POWER

The SDI's advocacy is more than just an experience in bridge building, moreover. In the last decade, SDI has unleashed an information machinery that is unparalleled in Liberia. The organisation has conducted empirical research on a range of natural resource governance issues and produced countless reports as well as community guides attempting to translate reports into accessible material for local communities. The community guides, although visually appealing, could be peppered with less text and more drawings, especially given Liberia's high illiteracy rates. Nevertheless, they provide a useful source of information.

In addition to producing the community guides, the SDI also hosts workshops, seminars, and training modules. Community members often praise SDI for educating them about the resources under their custodian and its value. "I was just impressed to know [from SDI workshops] that forest trees that I didn't know were cash crops, and they [SDI] were able to educate us that there are some trees besides the lumbers, that there are trees that you can even plant, yellow wood, and count it as inheritance."²⁹ Educating communities about their entitlements is only one half of the equation, however. SDI has also collaborated with USAID/PROSPER—successor to the Community Land Rights and Community Forestry Program in Nimba and Sinoe counties—on the development of National Benefits Sharing Trust (NBST), intended to ensure that communities get a fair share of the benefits from their natural resources.³⁰

The adage 'information is power' has become one of the organisation's mantras, and typifies its many successes to date. For example, publications from the SDI have proven useful to Search for Common Ground, one of its allies, with SDI reports and publications serving as fodder for the Talking Drum Studios (TDS) radio dramas and soap operas,³¹ which are becoming an increasingly popular and effective means of knowledge transfer. Search for Common Ground has also collaborated with the SDI in a number of areas including land rights policy, with the most recent collaboration culminating in a SIDA [Swedish International Development Cooperation Agency] funded project titled: 'Strengthening the Capacity of Civil Society to Promote Sustainable Governance in Liberia' in which SDI leads the 'Natural Resource Management and Accountability' thematic advocacy arm.

One of the other major nodes of SDI's strategy is engaging with local community radio stations, especially ones that broadcast in local vernacular. Radio Dukpa in Grand Bassa County, for instance, has been able to translate most of SDI's publications and advocacy through their local vernacular programmes and news in order to inform local people of their rights.³² In October 2013, SDI launched its own bi-monthly radio programme, 'Development Talk' on Radio Veritas (97.8 FM), providing up-to-date information on issues related to land, forests, the mining sector, oil and the activities of companies in the natural resources sector. Furthermore, in light of SDI's bridge building strategy, 'Development Talk' features civil society actors, private sector operators, government officials, and community activists.



The use of illustrated materials is key to SDI's community sensitisation campaigns. 2013 $\ensuremath{\mathbb{C}}$ SDI

- 29 Interview on August 27, 2013 in Sanniquellie, Nimba County, with George Flumo Weamquoi, Chairman of the Varmein Development Council.
- Interview on August 30, 2013 in Monrovia, Montserrado County, with Nobeh Jackson, Communications and Outreach Advisor at USAID/PROSPER.
 Interview on August 29, 2013 in Monrovia, Montserrado County, with Joseph Jimmy Sankaituah.
- 31 Interview on August 29, 2013 in Monrovia, Montserrado County, with Joseph Jimmy Sankaituah, Program Manager of Search for Common Ground.
- 32 Interview on August 23, 2013 in Buchanan, Grand Bassa County, with Russell W. Goffah, News and Program Director of Radio Dukpa.



LIBERIA'S NATURAL RESOURCES SINCE 2003: SUCCESSES SDI's One-Decade of Achievements







SITTING DOWN WITH THE PRESIDENT TO STAND UP FOR COMMUNITY RIGHTS

SDI's clout has expanded beyond local communities, and into the high-level corridors of power in the past decade. In 2012, it was discovered that dubious private use permits (PUP)³³ were awarded on more than two million hectares of forestland to concessionaires with little revenue to the government. After working quietly to pressure the government to address the PUP situation, the SDI, SAMFU and Global Witness came to the conclusion that an aggressive international media campaign was the only option left. The media blitz was extremely successful. For five consecutive days in early September 2012, several major international radio and print news outlets picked up the story; from Europe to the U.S., the media was buzzing with the PUP story – making it impossible to ignore.

On the heels of the media campaign, Liberia's President Ellen Johnson Sirleaf called SDI's lead campaigner Silas Kpanan'Ayoung Siakor directly, asking if it was possible to meet to talk about the PUP situation. "I accepted the invitation and met with her 30 minutes after her arrival in office the next day!, " says Siakor. During the meeting, he urged the president to launch a thorough and independent investigation³⁴ into the situation and offered to draft the terms of reference to ensure that it covered all the major angles. President Johnson Sirleaf accepted the offer, immediately firing FDA's leadership thereby hiring interim managing director Harrison Karnwea. On August 31, 2012, she also appointed a Special Independent and Investigative Body (SIIB) to evaluate violations in the use of PUPs. "As a result, the investigation was expansive and the findings of the investigation revealed that indeed the FDA and logging companies were colluding to undermine rule of law in the sector."35

footnotes

- 33 PUPs enable small-scale landholders to sell timber on their land to logging companies
- www.emansion.gov.lr/2press.php?news_id=23028related=78pg=sp
 Reflections from Silas Kpanan'Ayoung Siakor, founder 8 lead campaigner for the Sustainable
- Development Institute (SDI). 36 Executive Order#44: www.emansion.gov.lr/doc/Executive%20Order%20_44%20
- %20Moratorium%20on%20Private%20Use%20Permits.pdf
- 37 Liberia's president has instituted many commissions that have recommended punitive measures against high-level officials, yet very few of them have prompted Executive action.
- 38 Interview Protocol Answers provided on September 13, 2013.

Upon reading the investigative report, the president subsequently issued on January 4, 2013 Executive Order #44, temporarily instituting a moratorium on the use of PUPs.³⁶ To date, the FDA has cancelled 17 PUPs based on the recommendation of the Special Independent Investigative Body (SIIB), but other key recommendations have fallen short of implementation,³⁷ such as prosecuting individuals who submitted PUP applications with forged land deeds, and conducting a full independent audit of the FDA with findings made public. Although most of the other recommendations generated by the SIIB have not been executed to date, it is clear from the PUP scandal that the president's decision to act on SDI's prodding is a testament to the fact that the organisation remains on the radar of Liberia's highest office. In the words of Laura Miller of Synchronicity Earth, an SDI funder, "It's hard to imagine anyone else working so bravely and tirelessly to improve the forestry sector and prevent harmful activity from being the norm."38



Illegal miners have moved into this once pristine forest area in Dugbeh River District, Grand Kru County, where PUP 18 was cancelled. 2013 \odot SDI

LIBERIA'S NATURAL RESOURCES SINCE 2003: CHALLENGES

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LIBERIA'S NATURAL RESOURCES SINCE 2003: CHALLENGES

Major Impediments to SDI's Work in Natural Resources Governance

Liberia is a country of finely decorated laws and perfectly polished policies plagued by the 'virus of nonimplementation.' Liberia's post-war challenge has not been its legal frameworks, but the lack of political will to implement legal reforms already enacted on paper. Quite often, the laws become a smokescreen for gross violations. In 2008 and 2009, for instance, companies were allowed to submit bids for contracts though they did not meet the legal requirements for doing so, violating both procurement laws and presidential directives. In 2010, violations intensified when the Government of Liberia awarded additional logging contracts. This time, the violations were documented by the SDI,³⁹ as well as corroborated in government audit reports published in 2013. Yet none of the implicated individuals and companies have been held accountable to date. The same 'virus of non-implementation' has affected the delivery of 30% of land rental fees to local communities, as enshrined in the National Forestry Reform Law.

Another major roadblock to governing natural resources is the high level of corruption in both the public and private sectors in Liberia. Corruption is particularly evident in the awarding of contracts, with few companies meeting the standards of Liberian laws. Nor do they have the financial capital to uphold their end of the agreement. "The timber industry is one of the most corrupt industries on the planet"40 and not just in Liberia, says Patrick Alley of Global Witness UK, one of SDI's staunchest allies. The Government of Liberia is now using timber for commercial purposes to generate employment but there is widespread corruption in the manner in which timber concessions are being awarded. The concessions have also adversely affected local communities, and stifled community engagement with government. The forestry sector in Liberia has witnessed a catalogue of failed initiatives, lack of accountability, and illegal logging. Although the President of Liberia has made strong statements about tackling corruption in the industry, very little action has been taken.

- 39 Silas Kpanan'Ayoung Siakor. The Promise Betrayed. 2010. Sustainable Development Institute.
- www.sdiliberia.org/sites/default/files/publications/2010_Liberia_The_Promise_Betrayed.pdf
- 40 Skype interview conducted on August 30, 2013.

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LIBERIA'S NATURAL RESOURCES SINCE 2003: CHALLENGES Major Impediments to SDI's Work in Natural Resources Governance

LIBERIA'S NATURAL RESOURCES SINCE 2003: CHALLENGES

Major Impediments to SDI's Work in Natural Resources Governance

THE TROUBLE-MAKERS REFUSE TO BUDGE

The administration of President Ellen Johnson Sirleaf continues to court international accolades and praise, and as a result it can be very difficult for local rights organisations like the SDI to carve out a legitimate space for resistance and advocacy. Some have argued that SDI has not fundamentally questioned the current proconcessions growth model in Liberia,41 precisely because of its politically sensitive position. "The fact is there is insurmountable difficulty remaining a consistent friend of the government which does not believe in the practicality of community rights and participatory decision-making policies," says Jonathan Yiah, Coordinator, Forest Governance Programme (SDI). Furthermore, sector specific agencies such as the FDA have branded SDI as 'trouble makers' because of their "critical voice and rigid stance" on a number of issues.⁴² While some praise SDI generated research and documentation, others lament that the reportage is often sensational, one-dimensional, and injurious to Liberia's stature internationally: "All of us are looking for ways to straighten up the country, but when you continue to send negative reports, what it does to our country is that it drives away the kind of assistance and investments we so badly need. So, you have to balance it; you have to make some good reports when the reports are good. I have been here [as Interim Managing Director] now for twelve months, I haven't seen any new thing that comes from these guys [SDI] that says, at least we see some difference at FDA."43

Beyond eliciting reproach from high-level government functionaries, an unintended consequence of SDI's advocacy is its tendency to alienate lower level civil servants in Liberia's counties who feel the daily pinch from the lack of adequate peace dividends. Civil servants at the local level often encounter direct resistance from communities collaborating with the SDI, but they may not always have the capacity to act. For instance, Sylvester William Taylor, Chief Financial Officer of the Ministry of Internal Affairs/Buchanan County Administration Office, argues that there has been a lack of adequate capacity building for those managing the county's Social Development Fund, as well as bureaucracy hampering access to those funds.⁴⁴ So what SDI equates as mismanagement could simply be bureaucratic red tape from the Ministry of Finance, which stalls development projects. It is clear that Liberia's governance systems remain highly centralised, despite an attempt to decentralise fiscal and administrative processes. Wellington Geevon Smith, Superintendent of River Cess County, reflects: "Central offices sit in Monrovia and decide what happens in the counties."⁴⁵ Funding is constantly referenced by many in the public sector as a 'binding constraint' to implementation. But SDI has asserted that this is a result of poor coordination between line ministries/agencies and the Ministry of Finance. Local public sector leaders often must pander to their Monrovia-based constituents for the most basic services, which ultimately hampers their ability to collaborate with local communities and creates a disincentive to act. SDI would do well to understand the often tenuous power dynamics between local and central government.

One could argue that SDI's work is precariousness personified. The political terrains in which the organisation inhabits can be very hostile, with the physical terrains equally unyielding. Nora Bowier, Coordinator, Community Rights and Corporate Governance Programme (SDI): "On one of our trips, while riding over the St. Paul River in Gbarpolu County, our canoe almost capsized. During that time, the river was very full and because our canoe wasn't a very good one, it began to sway...Most people don't realise the lengths at which we go to make sure those in rural parts of the country are empowered and that equality can be achieved. We are not just another Monrovia- based organisation."



Young people attend the launch of a damning SDI report about misuse and mismanagement of the County Social Development Fund, "Where Is the Money?", in Buchanan, Grand Bassa County. 2012 \bigcirc SDI

- 41 Skype interview conducted on September 3, 2013 with Kirtana Chandrasekaran of Friends of the Earth International (FOE).
- Reflections from Nora Bowier, Coordinator, Community Rights and Corporate Governance Programme (SDI).
 Interview on August 29, 2013 in Paynesville, Montserrado County, with Harrison Karnwea, Interim
- Managing Director of the Forestry Development Authority (FDA). 44 Interview on August 23, 2013 in Buchanan, Grand Bassa County.
- 45 Interview on August 26, 2013 in Monrovia, Montserrado County



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LIBERIA'S NATURAL RESOURCES SINCE 2003: CHALLENGES Major Impediments to SDI's Work in Natural Resources Governance



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While the physical terrains SDI inhabits can be difficult to navigate, its interactions with international stakeholders can be just as murky. Quite often, the organisation relies on international partners to provide a wider platform for bringing attention to local campaigns, and as a result "some often occupy local spaces and become the face of the campaign. In such a situation the credit has been mixed and the international stakeholder has been the focus of media attention rather than the SDI or local partners."46 This often alienates SDI in Liberia, making the organisation look like paid agents of international bodies. Despite these sometimes faulty perceptions, international stakeholders rely heavily on SDI's mediation, says Paul James-Allen, Trocaire Country Representative/Liberia Programme Manager: "Both at country and global Trocaire level, we have been proud of our partnership with SDI. Primarily because they do not only provide inspiration for some of our partners in country but also we have always used their work to showcase the results we are achieving in Liberia."47 However, international actors would do well to remain in the shadows while SDI occupies the foreground of local and national movements for responsible natural resource governance.

In addition to constantly managing its relationships with international, national, and local actors, SDI has been challenged for falling prey to the 'rights rhetoric' without educating local constituents about their responsibilities. The citizenship=rights model often touted by international organisations, and enshrined in the 1948 Universal Declaration of Human Rights, often negates the role of the state as a regulator: "That the people are entitled to some cubic meter fees, the community. Yes, the people are supposed to collect this money, they [are] supposed to decide what to do with it; these are all the rights, beautiful. But, the impression from the beginning, that government should not be part of it also resulted in unpleasant result because if you push a right that will give the community 100% authority over the little that they are collecting from the forest sector without any supervisory role of authority, the enlightened elite in the community will take advantage of the people."48 The SDI has attempted to mitigate these challenges with its bottom-up civic education exercises, but clearly more needs to be done.

footnotes

- 46 Reflections from Jonathan Yiah, Coordinator, Forest Governance Programme (SDI).
- 47 Interview Protocol Answers provided on September 8, 2013.48 Interview on August 26, 2013 in Monrovia, Montserrado County, with Wellington Geevon Smith,
- 48 Interview on August 26, 2013 in Monrovia, Montserrado County, with Weilington Geevon Smith, River Cess County Superintendent.

The catalogue herein of challenges to natural resources governance in Liberia in the past decade reveal a host of opportunities that could be leveraged for short-term, mediumterm, and long-term results.



Community members in Grand Cape Mount County take their counterparts on a tour of Sime Darby's plantation in Garwula District. Field visits are a useful tool for rapid community sensitisation. 2012 \bigcirc SDI



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LIBERIA'S NATURAL RESOURCES POST 2013: LOOKING FORWARD

Opportunities for SDI's Improved Advocacy in Natural Resources Governance

There are countless opportunities for improving natural resources governance in Liberia in the decade ahead, both by government and civil society actors like the SDI.

The Government of Liberia must work on implementing legal instruments; streamlining policies and practices across line ministries and agencies throughout the country; increasing budgeting for the natural resources sector, especially in the agricultural sector as recommended by the SDI; and ensuring due diligence on any new concession agreements. The government must also work hard to reconcile the praises it receives from the international community on one hand and the resistance it gets from local constituents on the other. It must renew its social contract with the Liberian people by examining clear benchmarks to achieving positive peace.

In its advocacy toolkit, the SDI must devise channels for engaging other branches of government beyond the Executive. Given that much of Liberia's dubious concession agreements are passed by the House and Senate, SDI should extend its advocacy tentacles to the Legislature and encourage community members to hold their representatives accountable.



Drastically reducing illegal logging and other corporate activities will be critical to maintaining the integrity of Liberia's forests. 2013 \odot SDI



LIBERIA'S NATURAL RESOURCES POST 2013: LOOKING FORWARD Opportunities for SDI's Improved Advocacy in Natural Resources Governance



LIBERIA'S NATURAL RESOURCES POST 2013: LOOKING FORWARD

Opportunities for SDI's Improved Advocacy in Natural Resources Governance

It is clear that gender must be mainstreamed as a cross-cutting issue in SDI's advocacy strategy, although admittedly the organisation works with women's organisations such as BAWODA and the Foundation for Community Initiatives (FCI)⁴⁹ and has board members Korto Reeves Williams of ActionAid Liberia and Cerue Garlo of IREX, two of Liberia's strongest women's rights advocates. Still, the voices of rural women in Liberia often get marginalised in both high-powered and low-level discussions about natural resources entitlements. A case in point, only two Liberian women community leaders were interviewed for this 10-year report, an indication that more needs to be done to ensure women a voice in the national discourse on natural resources governance.

Silas Siakor has established rock star status amongst SDI's stakeholders, yet the challenge of having such a force of nature like Siakor is creating the space for others to shine. Too often in Liberia, institutions become the personal fieldoms of their founders. Siakor's vision to change the hierarchy of the organisation by incorporating new Liberian voices, particularly young voices—some of whom, like Nora Bowier, are female—will be the way forward.

OTHER RECOMMENDATIONS

Given the SDI's vital role in local communities, the organisation should establish sub-offices in the counties where they are engaged. SDI should also improve on its systems, procedures and organisational policies, as well as document its innovative tools and approaches so that others can learn from the same techniques rather than reinventing the wheel. SDI must also ensure its activities are widely supported by other CSOs in Liberia, and, where possible, develop activities jointly with other Liberian organisations to increase impact and avoid becoming isolated in Liberia.

And last, but certainly not least, the SDI should become more active in the sub-region through regional hallmarks such as the West African agricultural policies as well as through pan-African organisations such as the AU. The fact that the SDI was granted in November 2013 observer status with the African Commission on Human and People's Rights will enable the organisation to frame natural resources governance in Liberia as a human rights agenda worth advocating for.



SDI and other civil society organisations should be doing more in the decade ahead to work with women to find their voices and speak out. 2013 $\ensuremath{\mathbb{C}}$ SDI

⁴⁹ FCI is making inroads at the local and national levels on policy issues related to women's rights in natural resources management.

LIBERIA'S NATURAL RESOURCES POST 2013: LOOKING FORWARD Opportunities for SDI's Improved Advocacy in Natural Resources Governance



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In the past decade, Liberia has transitioned from its Results Focused Transitional Framework (RFTF), to its Interim Poverty Reduction Strategy (IPRS), to the Lift Liberia Poverty Reduction Strategy (PRS). Now in its third iteration, the Liberia Rising 2030 and its attendant Agenda for Transformation (AFT), the country also adopted a subsequent Roadmap for Reconciliation, with Ambassador George Manneh Weah appointed to lead the peace process. But many of these laudable initiatives have been overshadowed and hampered by the supremacy of big business and political elites.

Yet, local communities are no longer voiceless. They continue to assert their agency, demanding that the country's 10-year peace dividends trickle down, and trickle down fast. Much of this change has happened through the efforts of civil society advocates such as the Sustainable Development Institute (SDI). The SDI, an organisation founded on the principles of community rights and participatory decision-making in the natural resources sector, has worked in the trenches for the past decade ensuring that a positive peace agenda benefits everyone, particularly those whose voices are least heard.

As the organisation celebrates its 10-year anniversary, it can rest assured that its crusade for concrete peace dividends have been fought valiantly. According to Gregory Kitt, Programme Manager of the Norwegian Refugee Council (NRC), "SDI is a pioneer; the work they've done has been ground breaking and very innovative. SDI as an organisation has been very farsighted; they have been one step ahead in their work, in identifying problems, developing strategy, and implementing solutions. Their results are high quality."⁵⁰ Yet SDI and its local, national, and international stakeholders must not rest on their laurels. Indeed, it remains clear in Liberia and elsewhere that a luta continua in the natural resources sector. SDI has made considerable inroads in its own advocacy, bringing the positive peace agenda back on the table. Yet the challenges ahead are many.

In the next decade, it will be important for the organisation to spread its advocacy beyond the Executive and into the Legislative branches of government; advocate for the implementation of legal reforms in the natural resources sector, while tracking and documenting any changes in policy and practice; leverage its relationships with current and new international stakeholders, especially with those in the subregion and continentally; and use the media as a last ditch effort, after dialogue with government functionaries proves futile. In renewing its commitment to rural communities—and by extension, all Liberian citizens—the SDI can in the next decade and beyond fundamentally shift the rights rhetoric into a paradigm that demands all stakeholders take full responsibility for their actions. This, and only this, will advance the positive peace agenda.



Networking and coalition building are SDI's strengths and major approaches to advocacy. 2012 \odot SDI

SDI is a pioneer; the work they've done has been ground breaking and very innovative. SDI as an organisation has been very farsighted; they have been one step ahead in their work, in identifying problems, developing strategy, and implementing solutions. Their results are high quality.

Gregory Kitt, Programme Manager of the Norwegian Refugee Council (NRC)

50 Interview conducted on August 31, 2013 in Monrovia, Montserrado County.

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SDI Founder and Lead Campaigner Silas Kpanan'Ayoung Siakor facilitates a discussion. $\ensuremath{\mathbb{C}}$ SDI



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