

INDEPENDENT PERFORMANCE ASSESSMENT OF THE PROJECT



**“IMPROVING COMMUNICATION AND UNDERSTANDING OF THE
RSPO STANDARD AND MECHANISM AND THEIR APPLICATION IN
LIBERIA AND AT THE WEST AFRICA LEVEL”**

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Roundtable on Sustainable Palm Oil (RSPO)

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The views of the author expressed in this report do not necessarily reflect the views of the RSPO

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ACRONYMS

CBOs	Community Based Organizations
CDC	Coalition for Democratic Change
CDF	County Development Fund
CRC	Conflict Resolution Committee
CSA	Corporate Social Agreement
CSI	Community Self Identification
CSOs	Civil Society Organizations
DFI	Direct Foreign Investment
EPO	Equatorial Palm Oil
FGD	Focus Group Discussion
FPIC	Free Prior and Informed Consent
GOL	Government of Liberia
GVL	Golden Veroleum Liberia
HR	Human Rights
KII	Key Informant Interview
LRA	Land Rights Act
MOPP	Maryland Oil Palm Plantation
MSP	Multi-Stakeholders Platform
NGO	Non-Governmental Organization
NOPSC	National Oil Palm Steering Committee
RSPO	Roundtable on Sustainable Palm Oil
ToC	Theory of Change

EXECUTIVE SUMMARY

This independent performance assessment was commissioned by the Roundtable on Sustainable Palm Oil (RSPO) Secretariat to evaluate the project titled “Improving Communication and Understanding of the RSPO standards and mechanism and their application in Liberia and the West Africa Level”. The intervention was implemented from 2018-2019 by Sustainable Development Institute (SDI) with sets of activities implemented in the following counties: Grand Cape Mount, Bomi, Bassa, Sinoe, and Maryland.

The report provides an independent assessment or review of the extent to which the community outreach program met its overall objectives and intended results both at the outputs and outcomes level. The evaluation also assesses the relevance, appropriateness, effectiveness, and sustainability of the design and its implementation as well as to identify best practices to inform the implementation of a future project of this nature.

The RSPO Secretariat will use the findings from the evaluation to inform how it can become more strategic in its outreach program to improve communication and understanding of the RSPO standards and principles. The evaluation focused its instrument on the design, analysis, and recommendations informed by the following areas:

The evaluation of the Program management/coordination by SDI; to assess whether the role carried out by SDI is in accordance with the objectives and has been able to address the issues outlined in the Intermediary Outreach and Engagement in Producing Countries, Status Assessment and Outreach Plan (prepared by Forest People Program, October 2014).

Relevancy to the context: The intervention was relevant to the national investment climate wherein communities can use peaceful means to address their grievances which sends a positive message to external actors that the environment is conducive for investment.

Responsiveness to the context: By working through the Multi-Stakeholder Platforms (MSPs) created by the National Bureau of Concessions (NBC) to resolve conflict issues between communities and concessions, the approach was supportive of the government’s efforts.

Program Coordination: At the implementation level, SDI was strategic in engaging with government institutions with regulatory mandate over the sector. This engendered collaboration from them as demonstrated by their presence at key events and facilitating training sessions at national and community level.

Program Management: SDI instituted a core team to coordinate the implementation of the project. The Executive Director played a management role through oversight supervision. The Program Manager of the Forest Governance Department of SDI supervised activities in the field and led most of the trainings, forums and engagements between communities and concessions. There was a Project Coordinator responsible for the daily coordination and implementation of activities. The level of efforts by the Coordinator was divided between other projects which limited the quality of monitoring and follow-ups after the conduct of trainings and forums.

Demonstrable knowledge of RSPO principles: Engaging with the RSPO requires knowledge of the underpinning principles. There was sufficient evidence to show that the trainings and forums contributed to an increase in knowledge of some of the principles notably, FPIC and respecting the rights of communities.

Engagement with RSPO: There is no evidence to show that the RSPO was engaged as a result of the program other than its representatives participating in national and regional workshops and forums. Most of the program's interventions were focused on awareness through training, media and information exchange and the one year period was apparently not sufficient to elevate these activities into action that would have engaged the RSPO in addressing the concerns of actors.

The evaluation of the entire role, set-up, activities, achievements and impacts of the Program that have been implemented; including how this program has contributed to the achievement of the RSPO's mission & vision and Theory of Change (ToC).

Effectiveness: There is some evidence to show that the intervention did make contributions in some areas in the advancement of RSPO's mission, vision, and ToC:

Knowledge of Rights: There is overwhelming evidence to demonstrate that communities have knowledge of their rights to land ownership and this is the foundation to land tenure security. Palm oil concessions are aware of this fact and this will serve as an incentive for them to conduct their operations in a way that is sustainable.

Adherence to FPIC: Communities attested that there is no expansion of concessions on the land and if this is to take place, it will have to meet the consent of community members.

Engagement between concessions and companies: Rather than fighting, communities through the MSPs although facilitated by SDI, are having conversations in dealing with issues affecting their relationships. These engagements, however, do not appear to be sustainable without external intervention from CSOs.

Status of relationship: Information triangulated show that even though there are isolated instances of low scale violence, relationship between concessions and communities is stable and not as hostile as it was from 2015-2016 due to increasing acceptability by both parties that they need to co-exist. This relationship while it is stable is fragile because some of the underlying issues of fragility remain unresolved.

To identify issues that remain unaddressed, points of contention or conflict, and to assess what were the barriers to effective implementation of the Program:

Because of the high expectations created as a result of the investment of concessions, there are many points of contention but the main ones that cut across the target communities include: **Just compensation:** Communities have not been fully compensated for their crops that were destroyed by concessions during their initial planting and expansion.

Human resource: Concessions are not making sufficient efforts to transform short term contracts into formal employment for qualified and competent members from the communities.

Compliance with Social Agreements: Concessions' inability to readily respond to commitments made in Corporate Social Agreements creates frustration and a source of heightened tension.

With the recognition by the government of communities' customary land right and their knowledge of this right could make to make more demands on concessions. If these unresolved issues are not fully addressed, a trigger could ignite further violent conflicts and reverse small gains that have been made in improving relationship between communities and concessions.

Recommendations: The following recommendations are advanced for consideration targeting different actors:

For RSPO:

Commit to the long term: A one-year project is too short a time to expect results at the impact level that would make significant contributions to the achievement of mission, vision and ToC. This is due to the complex nature of the issues, the wrong manner by which investments were made in the sector and the limited knowledge among CSOs and communities of RSPO's principles and grievance handling process.

Strike a balance between inside partial and outside neutral: SDI has knowledge of the issues and has built strong and trusted relationships with communities because of its advocacy. At the same time, it is perceived negatively by some concessions. Consider the involvement of another neutral third partner that could compliment the work of SDI particularly around facilitating engagements and negotiations between communities and concession.

For SDI:

Include customary authorities: With the advancement of the recognition of customary land rights by the government, customary leaders like traditional chiefs will have a role to play in any future land negotiation between communities and concessions.

Support communities to utilize internal grievance mechanisms: Each concession has developed a grievance resolution mechanism. In any future intervention, SDI should make a strategic decision to invest time and resources to develop the capacity of communities to access internal grievance resolution mechanisms of concessions. This will not only improve communities'-concessions relationships, it will also reduce communities' efforts in trying to seek RSPO process.

Adopt an inclusive approach: The credibility and neutrality of the MSPs are called into question due to conflict of interest and SDI does not have the authority to interfere with their operations. SDI should consider the inclusion of opinion leaders such as teachers and health practitioners who also have direct engagements with communities because of the roles they play. SDI should also consider working with established trade unions in concession areas.

Include a capacity building component: Communities must play a lead role in protecting their land tenure security. The capacity of communities must be built in terms of knowledge and

skills to engage directly with RSPO such as filing complaints to address concerns they may have with concessions. The inclusive approach mentioned above could be an entry point.

Facilitate engagements between NBC and other stakeholders: Due to limited institutional capacity of the NBC, a future intervention should consider facilitating a process wherein the NBC can engage regularly with concessions and communities at national and local level in exercising its oversight role to ensure concessions comply with policies and regulations which can contribute to RSPO mission, vision and Theory of Change (ToC).

2.0 INTRODUCTION:

2.1. Background:

This report is the outcome of an independent assessment of the Community Outreach Program of the RSPO Secretariat which was implemented by SDI. The program ended in December 2019 with the submission of a final report that outlined activities completed. This assessment was intended to understand and assess the effectiveness of the program, solicit feedback from stakeholders including affected communities, government and palm oil concessions. The assessment further assessed how the program contributed to the mission of the RSPO in promoting sustainable palm oil development.

The Community Outreach Program was designed and implemented several years after palm oil concessions have signed concession agreements with the Government of Liberia (GoL) and concessionaires made initial investments in the sector. Furthermore, the Program was implemented at the time the Land Rights Act (LRA) was passed into law in 2018. Significant to the law was the recognition of collective customary land rights. This created a new dynamics within the context of land ownership and utilization and raising expectations among communities of exercising their rights over their land and accruing just benefits from it.

The immediate years preceding the implementation of the Program, Liberia was experiencing a steady economic growth, expanding business and investment opportunities, and historically high prices for key commodity exports that underpin the Liberian economy, such as gold, iron ore, and latex. In addition, after 14 years of conflict and civil strife, Liberia was experiencing increasing peace and social and political stability, particularly with the democratic reelection of the Johnson-Sirleaf administration in 2011. In this promising environment, the Government of Liberia (GOL) set an ambitious agenda in 2012 to transform Liberia into a middle-income country by 2030.¹

However, in 2015, commodity prices had fallen and the Ebola crisis had hit Liberia hard in 2014 contributing to a decline in economic growth. Donor funding and the dwindling GOL budget shifted focus to the public health crisis, leaving little resources to cover other public-sector services. Real gross domestic product growth rate fell dramatically from 8.7 percent in 2013, to 0.7 percent in 2014, and to 0 percent in 2015, which is reflected in the GOL's budget, which has fallen annually by an average of 10 percent since 2014, affecting government's capacity to provide resources to all of its institutions to deliver services. Although the Ebola crisis ended in late 2015, World Bank/International Monetary Fund reports indicated that it will take another four to five years to return to pre-crisis growth and revenue levels. This is the period in which the Program was implemented.

In 2017, Liberia conducted its third successive election since the end of the civil war in 2003. Despite some legal and administrative challenges that marred the conduct of the elections, the transition went smoothly and political authority was transferred in 2018 from one democratically elected president to another. The newly elected Coalition for Democratic Change (CDC)

¹ World Bank. 2018. Republic of Liberia From Growth to Development: Priorities for Sustainably Reducing Poverty and Achieving Middle-Income Status by 2030; Reed, Kramer. 20 November 2010. "Liberia: to Become a Middle Income Country by 2030 Growth Must Have A Broad Reach."

government came to power under the rhetoric of “Change for Hope”. Despite this peaceful political transition, there are unresolved challenges that continue to have implications for attracting and maintaining international private sector investments.

The economic situation is desperate and forms of inequalities such as the lack of access to social services and livelihood opportunities that gave rise to the conflict are reinforced. Inflation is high and prices for almost all basic commodities have doubled. Unemployment rate is estimated at 2.8 percent² and 54.1% of the population lives below the poverty line and Gross Domestic Product (GDP) is put at 2.5%. Gender inequalities persist with poverty affecting women more than men due to women’s low education level, low purchasing power, limited access to information and opportunities to participate in decision-making processes around land and forest governance.

The country’s declining economy situation is, to a large extent, caused by a shrinking extractive industry and low investment in the agriculture sector. Attracting Direct Foreign Investment (DFI) is a challenge due to low-quality infrastructure, lack of respect for the rule of law, high level of corruption, unskilled labor force, and comparatively high supply chain costs that are also affecting investors. These problems are further compounded by an unsustainable public spending. 85% of the national budgets from 2018-2019 represents recurring cost for government institutions and public servants' salaries.

The government’s priorities are heavily focused on infrastructural development that mainly focuses on feeder roads in and around Monrovia. Access to the southeastern part of Liberia is impassable by road during the rainy season and remains challenging one month after the rain has subsided. This affects the movement of goods and services, limits citizens’ access to services, which reinforces and in some areas reproduces poverty a contributing factor to social and economic inequalities, which are triggers of conflicts.

2.2 Organization of the report:

The report is divided into four distinct yet inter-related sections. The first section describes the purpose, methodology, and limitations of the assessment. The second section provides a contextual overview of the legal framework of land ownership in Liberia and its implications for investment in the palm oil sector. The third section deals with the analysis and highlights general findings. The last section provides a summary of strategic recommendations for the design of a future Program based on the findings.

² https://www.indexmundi.com/liberia/economy_profile.html

3.0 Assessment Purpose, Audience and Methodology:

3.1 Purpose and Audience:

This independent assessment examined the relevance and effectiveness of the Community Outreach Program and how it has contributed to promoting the RSPO mission, standards and principles of sustainable palm oil. The assessment further identifies results, lessons learned from the implementation, and provides succinct, actionable recommendations that the RSPO Secretariat and SDI can use to improve the design and implementation of a future project of this nature.

3.2 Methodology:

The consultant used a mixed-methods approach to conduct this assessment. This included the review of relevant documents including progress and final activities reports, analysis of palm oil sector, and the LRA. The other method included the conduct of Key Informant Interviews (KIIs) with staff members of SDI with knowledge of the project, government partners including the National Bureau of Concession (NBC) and representatives from palm oil concessions. Focus Group Discussions (FGDs) were also held with affected communities represented by the Multi-Stakeholder Platform (MSP) with representations including men, women, youth and members from Civil Society Organizations (CSOs). FGDs were held in the following counties: Bomi, Cape Mount, Sinoe, Grand Bassa and Grand Kru.

Each FGD was comprised of least seven (7) discussants and each one lasted for not more than two hours (See Table 1.2). The main purpose is to obtain feedback on the quality of the implementation and how the project has made a difference in increasing their knowledge of the RSPO principles and improve their relationship with concessions in the resolution of grievances. The FGDs further explored constraints communities face in participating in the implementation of the project and recommendations on how the project can be done differently to be responsive to their needs. The responses of each FGD was transcribed and used for the analysis.

3.3 Data Analysis

Analysis was done on the responses provided by the interviewees during KIIs and FGDs. Data was triangulated during the analysis, looking for trends and patterns which informed the formulation of key findings, conclusions, and recommendations were advanced to respond to each conclusion or some conclusions combined together.

3.4 Limitations of the assessment:

1. Due to travels as a result of COVID-19, some of the key personnel from the concessions were not readily available to be interviewed. This extended the time for the field work. Sime Derby which worked in Bomi and Grand Cape Mount Counties transitioned and sold out to Manpo Company which made it difficult for Manpo Company to avail itself for an interview.

2. The project had a results framework with a set of indicators but there was no monitoring and evaluation system. This limited the ability of the consultant to assess the results and achievements against benchmarks indicators.

3. Deplorable road conditions delayed travels to the Southeast and in other instances required additional travel days because the roads were not passable. This delay caused challenges in re-mobilizing communities after a planned date for interview was disrupted.

The consultant judges that it has been possible to largely overcome these limitations through triangulation with data from other interviewees who were familiar with the situations of those absent and also through documentation review and being flexible in dealing with communities.

Table 1: List of Key Informant Interview Types

TYPE OF INFORMANT	# OF KIIS	# OF WOMEN	# OF MEN
KIIS			
SDI staff	3	0	3
GVL Staff	1	0	1
Government partners	2	0	2
Multi-Stakeholder Platform	2	0	2
Total:	8	0	8

Table 1.2: FGDs:

Bomi: Senje Community: One FGD

Cape Mount: Sinje Community: One FGD

Grand Bassa: Two communities

Sinoe: Butaw and Numopoh

4.0 CONTEXT

After nearly ten years of initiatives in reforming the land sector, Liberia finally passed its historical Land Rights Act (LRA) in 2018. With this law coming into force, all other laws regarding the administration of lands in Liberia have been repealed.³ Unique to the LRA is the recognition by the state of collective customary land right an issue advocated for by Civil Society Organizations (CSOs). The application of this right can be expressed under the “bundle of rights” theory wherein communities have the rights to possess, control, exclude, enjoy and dispose of their land. The exercise of these rights, however, is guaranteed by title to the land.

According to the LRA, customary land can be acquired and owned by communities in accordance with customary practices and norms including common and historical ties to the land verified by oral testimonies from members of a community and neighboring communities.⁴ While claim to customary land can be through verified testimonies, the establishment of boundaries is done through the conduct of confirmatory surveys by the Liberia Land Authority (LLA)⁵ and the report should be validated, registered followed by the issuance of a statutory deed.

Other processes are required to take place before a confirmatory survey can take place and these include Community Self Identification (CSI), participatory mapping and boundary harmonization, and recognition and certification of these boundaries by LLA. Through a Tenure Facility project implemented by a consortium of three CSOs, about twenty communities in Lofa, Bong, Nimba, Bassa, Sinoe, Grand Kru and Maryland Counties have gone through these processes.⁶

Once a customary land has been deeded through established boundaries, the land can be divided into various categories including residential area, agriculture area, commercial area, industrial and mining area, cultural shrines and heritage sites, protected area, forest land and any other category that the community may deem necessary.⁷ While the formalization of collective customary land rights is intended to guarantee and exert communities’ ownership of their land and to benefit from the resources generated from it, it is also anticipated to minimize conflicts.

Prior to the passage of the LRA, the government of Liberia entered into several agricultural concession agreements with palm oil companies between 2008 and 2010.⁸ The government entered into these agreements without consultations with local communities and national and international advocacy CSOs working in the sector claimed that investments on the land were made by the companies without adherence to the international principle of Free, Prior and Informed Consent (FPIC) of host communities. The coming of the companies, on the other hand, raised expectations, and in some instances unrealistic expectations, among communities on social and economic benefits they would gain from investments on the land.

Real or perceived lack of social and economic benefits introduced and reinforced grievances among affected community members, particularly young people. Negotiations between the GoL and companies

³ These laws include Titles I and 32 of the Liberian Codes of Law Revised of 1956 and Title 34 of the Liberian Code of Revised of 1973.

⁴ Article 32 of the LRA

⁵ Article 37:2 of the LRA

⁶ Members of the consortium include SDI, Parley, and Foundation for Community Initiatives

⁷ Article 38 of the LRA

⁸ The concessions include GVL, Equatorial Palm Oil, Maryland Oil Palm Plantation, and Sime Derby now Manpo Company. The contracts of these four companies combined amount to 750,000ha of land. See Root cause analysis of factors hindering sustainable growth of the Liberian oil palm industry: Samuel Wonwi Thompson, 2019

were not done in a transparent manner to include the participation of communities. This problem was further compounded by the inadequate response to viable alternative livelihood options for communities who lost their farmland to palm oil companies.

These grievances often resulted into violent actions that destroyed property of the companies and sometimes led to injuries and deaths thereby creating strained relationships between the companies and communities marred by mistrust. The violent expression of grievances can be attributed to two inter-related factors. The first is the lack of information sharing and communication between the companies and communities. The second is the lack of understanding among community members on how to access the companies' grievance handling mechanism and the grievance response mechanism of the RSPO.

The effect of strained relationships between companies and communities has limited the expansion of planting beyond 50,000 ha by the combined palm oil companies.⁹ With the support from national and international advocacy groups, formal complaints were filed with the RSPO in 2011 alleging lack of FPIC in land allocation by palm oil companies. This has led to external pressure from RSPO internal advocacy from other stakeholders that FPIC and other human rights issues need to be addressed before any further expansion can take place.

While membership to the RSPO is voluntary¹⁰, the organization subscribes to certain standards and principles that members must adhere to in order to ensure sustainable palm oil investment is the norm. This vision is driven by a progression of “mobilize, act and transform”, which serves as the backbone of its Theory of Change (ToC). The ToC is operationalized through seven principles which includes ethical and transparent behaviors, operate legally and respect rights, optimize productivity, efficiency, positive impacts and resilience, respect community, human rights and deliver benefits, support smallholder inclusion, respect workers' rights and conditions, protect, conserve, and enhance ecosystems and environment. In the operations of the concessions, their interests and those of affected communities are often incompatible and this generate grievances from both parties and when there is a breakdown in communication, the outcomes can be violent and often destructive.

5.0 ANALYSIS and FINDINGS

AQ1: The relevance/appropriateness of the project in responding to the issues faced by the stakeholders:

<i>Evaluation question 1.1 How well is the project aligned with Liberia's national priorities and policies?</i>

High Relevance:

Land conflicts are by far the greatest security concerns for county level actors, and as such the intervention has been well aligned with the LRA. Interviewees, particularly members of the MSPs describe the value of SDI training as not so much about learning about customary land rights but rather in the relevance of the holistic mediation and dialogue skills, that are seen as valuable in applying the law in managing these conflicts in order to mitigate security risks. This is sometimes

⁹ Ibid

¹⁰ Some oil palm companies in Liberia are members of the RSPO including GVL

described as related to mediation and dialogue around conflicts over specific issues such as access to employment and social benefits.



Members of the MSP in discussion in Grand Cape Mount County

Some interviewees stressed that on a more macro level, SDI initiatives were relevant in relation to protecting communities' land rights. Others describe the training as more generally about increasing knowledge and awareness about the RSPO principles. One informant stated that "no more can a concession expand the planting the palm oil without our approval". This statement is a demonstration of communities' understanding of Free Prior and Informed Consent (FPIC) principle. Most interviewees could explain FPIC and its implication on their land rights.

Interviewees overwhelmingly perceive SDI to have created the environment for them to gain knowledge of their land rights but to also provide information on how affected communities can engage concessionaires when there are grievances. Some informants mentioned that promises made by concessionaires in their social agreements with communities are not delivered and this is a major source of conflict and insecurity. Corporate social agreements related to youth employment must be participatory and transparent.

However, an interviewee asserted that these agreements are formulated by the lawyers of the concession and accepted by communities without any legal opinion from a lawyer. Communities do not understand some of the legal language used in the agreements and when it comes to implementation, they are at the disadvantage and this also leads to conflicts. Interviewees stated that the trainings provided by SDI helped to provide awareness on the need for communities to have legal guidance when negotiating with concessions in developing social agreements. An interviewee mentioned that such cost could be covered by the concessions so that the interest of the communities can be protected and thereby reducing unnecessary conflicts.

Needs and priorities of affected communities:

Evaluation question 1.2 To what extent has the project responded to the needs and priorities of the target groups?

Respect for the Rule of Law (RoL) and a peaceful environment are the foundations to attract external economic investments. Interviews show that the intervention is seen as highly relevant for strengthening the capacity of local structures for early warning/early response and conflict mediation through greater awareness of the grievance handling process of concessionaires and external grievance management procedure of the RSPO. There is a general agreement among stakeholders that agricultural concessions will be around for a long time and with the passage of the LRA, the legal framework is in place that will enable communities to exert control and ownership of their customary land rights.



Discussants from MSP from Bomi County

Some informants mentioned the importance of acquiring such knowledge because it helps to reduce tension between communities and concessions. Community members interviewed are increasingly affirming that while they are not too pleased with the operations of concessions, they also in some ways benefit from the presence of the concessions so healthy mutual relationships are in the best interest of them and the concessions.

Representatives from the concessions attended trainings conducted by SDI in communities and Monrovia. However, in the view of an interviewee, the communities' approach in dealing with past grievances has not been effective and satisfactory. This assertion was confirmed by another interviewee from a government institution that the capacity of communities need to be strengthened so that conflicts can be resolved peacefully so that the interests of all parties can be protected. The involvement of concessions in training activities is a niche that has been appropriate, though the needs of communities are far beyond what SDI can address, both in terms of scale and in relation to the implementation of social agreements.

SDI is perceived to have adopted a better entry point for influencing these processes due to its long standing relationships with communities, relevant government institutions and concessions. SDI has demonstrated a sufficiently long-term commitment is perceived by interviewees as productive. Stability in the palm oil sector is equally in the interest of the government in terms of its investment image.

Employment and livelihoods:

Stakeholders emphasise their recognition of the link between conflict and the lack of access to adequate livelihoods. Indeed, the aforementioned issues around land disputes are rooted in how access to natural resources is a major determinant of access to livelihood opportunities. But it is not the only determinant.

Both formal and informal employment and the knowledge and skills required to become potential employees were stressed by some informants as important. In these aspects there is a view that the mobilisation of youth in responding violently when there are grievances pose serious security risks at the community level so the intervention is relevant and important, but that the SDI role here is modest. In effect, by expanding the approach to more holistic framework, SDI contributes to an appropriate reframing, but specific tools to support participants to generate more dynamic and sustainable livelihoods are outside of the scope of the project.

Unaddressed unemployment is problematic in that the issues around addressing unemployment are a central factor in the overarching need to redefine paradigms that portray the roles of youth in the broader society.

Implementation Modality:

For the purpose of coordination and coherence, the project was implemented using a three-pronged approach. The first approach was to build a strategic relationship with two key government institutions with two key line ministries with relevance to the sector. They are the Ministry of Agriculture (MoA) and the National Bureau of Concession (NBC). These two institutions are responsible to ensure that palm oil concessions are in compliance with government laws and policies. During communities and county level engagements, representatives from these entities present provisions of the laws and policies and to explain the role of the MSPs in its relations with concessions.

During the community trainings, the presence of representatives from the MoA and NBC are afforded the opportunity for them to hear issues of concern from community members and relay

them to policy makers for their interventions. Interviews conducted showed that outcome of this intent has been mixed. In Cape Mount county discussants recounted two incidents where MSP at the national level intervened in complaints filed by affected clustered communities against then Sime Derby and a resolution was found. Discussants in other communities interviewed could not narrate similar stories.

The second was to leverage the MSP platform to engage companies. Every county where there is agricultural or concession company, a MSP is established by the NBC. Interviews conducted revealed that the leadership and members of some of the MSPs are contractors or employees of concessions. This borders on a conflict of interest and in instances, some interviewees stated that companies use their influence over these employees to circumvent the laws and policies.

The third was to partner with the oil palm working group comprising several civil society organizations. By engaging with this platform, SDI became a member of the National Oil Palm Steering Committee (NOPSC) that is comprised of CSOs, government and the private sector.

Finding:

In conclusion, SDI has identified a relevant and viable niche in relation to prevailing needs and priorities. The trainings provided by SDI at the community and regional levels were described as relevant for responding to the needs and priorities of diverse stakeholders. There is demonstrated knowledge among community members of their land rights and human rights principles including FPIC. Activities undertaken by SDI in the implementation of the project were supportive of the ToC of the RSPO. Community members are also familiar with the grievance handling mechanism put in place by concessionaires. At the same time, the plausibility of the resulting awareness and skills being applied at significant scale across the geographical and scope of these needs is often questioned.

The evaluation found that the design was appropriate and relevant in responding to the information needs of the target communities. Working with existing structures like the MSPs established by the National Bureau of Concession (NBC) expanded the opportunity for community members to take ownership of the process of grievance management. Working with the MSPs was an appropriate approach and in the right direction in terms of expanding the channel of communication and information sharing between concessions and communities.

At the onset of the intervention, working through the MSPs appeared to be ideal as the structures already existed and are recognized by the government. With some of their leaders and members in the employ of companies, their legitimacy to adequately represent the interest of communities is questionable. On some of the MSPs, those who can read and write are in majority and the ones with considerable level of education manipulate the group and influence the decision-making processes.

AQ2: Performance of the project in terms of effectiveness in producing expected results:

Analysis

In assessing the effectiveness of the intervention in achieving expected results/objectives, the evaluation findings reflect a mixed level of achievements against the objectives outlined in the scope of work, results framework and workplan. The performance of the effectiveness was assessed at the outputs and outcomes level. The attainments of these results are tied to two fundamental objectives:

1. Create platforms at the national level to train rights-based NGOs and communities affected by Oil palm plantation on how to effectively use the RSPO standards and mechanisms, and how to effectively and efficiently engage with the RSPO so that their concerns and needs are fully taken in to account.
2. Facilitate information sharing among NGOs, affected communities and regional partners to increase the pool of actors working to bridge the existing gaps between local communities and oil palm companies in Liberia.

Outputs Level: One of the main strategic interventions was the provision of several trainings for target communities and the conduct of forums at the national level targeting government institutions and CSOs including the National Oil Palm Platform of Liberia (NOPPOL). The trainings at the national level were facilitated by staff members of SDI and representatives from government institutions linked to the sector.

The training provided by SDI has increased my knowledge about the value of our land and how to engage companies on FPIC and the use of our land. No company will expand activities on our land without our agreement. This demonstrated knowledge was also shared by other discussants in the other target communities where FGDs were held.

Discussant in one of the FGD held in Combay Community, Bomi County

Workshop topics included customary land right, content of Corporate Social Agreement (CSA), RSPO principles, and complaints filing process.

Evidence from FGDs held in the target counties indicates that men as compared to their female counterparts demonstrated a higher level of knowledge about the RSPO principles and standards and the overall issues underpinning land ownership and management in Liberia. This can be attributed to customary practices and norms that marginalize women and undermine their ability to equal access land ownership and equitable distribution of benefits and resources accrued from communities' collective land.

At the same time, women discussants in Grand Bassa and Sinoe Counties contributed meaningfully to the discussions around the factors that lead to conflict between communities and companies. Some of the issues women highlighted included the lack of formal employment opportunities for members of affected communities and their lack of participation on how their land is used. This level of engagement by women could be due to SDI's many years of social mobilization and advocacy work with communities in these counties.

Overall, results at the outputs level were to a large extent achieved. Trainings for CSOs and government entities at national level on the RSPO principles were completed. Other trainings

for CSOs and communities were undertaken and simplified versions of the RSPO were developed and distributed to communities. National information sharing meetings were held at the national level involving government, companies and CSOs which were followed by a national peer review forum. Media outreach including radio programs to create awareness on the RSPO principles were held at national and county level. Regional forums were held in Monrovia and attended by RSPO representatives who provided technical support.

Outcome level:

At this level of the assessment, the primary area of inquiry was to seek answer to the “and so what question”-the difference that has been made in the situation or relationship between concessions and communities as a result of knowledge gained through the numerous trainings provided and media outreach.

There have been facilitated processes led by SDI wherein several face to face meetings were held between concessions and communities to resolve outstanding conflict issues. These meetings were held on a quarterly basis. FGD discussants particularly in Sinoe and Bassa revealed that prior to the intervention of this project that was not the case. Relationships with the companies were hostile and often violent.

Relationship with GVL is better now as compared to 2015-2016. Communities now know how to register a complaint and who to send it to. The trainings provided by SDI helped us to know the process

Excerpts from discussants attending FGDs

In Cape Mount and Bomi Counties meetings of this nature did not take place. According to interviewees, at the time of the implementation of the project, Sime Derby was in its transition and sell-out phase and was reluctant to get involved in further discussions with communities that would commit them to addressing any further concerns from communities.

Evidence from interviews conducted demonstrates that communities can explain the internal grievance mechanism that concessions have put in place to facilitate discussions in dealing with their concerns. In Sinoe County for example, representatives from the MSP explained that when a complaint is received from any affected community, the MSP will send a written communication to the concession through its Community Liaison Officer. According to them, copies of the letter are sent to SDI, local authorities and NBC.

This channel of communication led to the resolution of a dispute in 2019 over an employee issue that the community should have benefitted from in keeping with a signed MoU that GVL breached. A community member was vetted and met the criteria to be hired but GVL reneged at the final stage. This was creating tension between GVL and the communities and the MSP, on two occasions intervened and the matter was resolved peacefully. Discussants reiterated that if the knowledge gained from the training provided by SDI was acquired earlier, the level of violence that took place in the GVL concession areas would have been prevented.

Despite the outcome of the grievance resolved above, evidence gathered from other interviewees shows that concessions are reluctant to honor communications from communities registering a complaint. Concessions will attach seriousness to the communication when SDI makes an intervention on behalf of a particular community. This is a strong indication that the power dynamics between the concessions and communities is not equal and that communities are not yet capacitated to be able to negotiate with concessions on an arm length basis.

At the time of the implementation of this project, there were several complaints from communities against concessions that have been addressed to the RSPO for its review and intervention. The submission of the complaints was facilitated by SDI who also drafted the documents. The successful submission of the complaints cannot be attributed to the activities of this intervention. By the same token, during discussions with communities, nothing was mentioned about them planning to access the RSPO grievance management procedure to submit new or additional complaints against concessions.

Feedback from community discussants notably from Bomi and Cape Mount Counties highlighted that meetings were taking place between affected communities and concessions on a quarterly basis. These meetings were financed by the concessions to take care of food and transportation of community members. In instances where financial resources were not available, these meetings were not held. The emergence of COVID-19 disrupted the conduct of these meetings thereby reducing the frequency of engagements between communities and concessions.

SDI was successful in organizing information forums at the national level. These served as a platform and an opportunity for concessions, communities, government institutions and regional actors to share information on what was taking place in the sector and some of the pressing challenges. However, interviews conducted did not generate evidence to show that there was sufficient collaboration and information sharing between and amongst the actors at the national level to improve communication between communities and concessions in dealing with the critical issues that were confronting the parties.

AQ3: The extent and success of partnerships/collaborations and to assess what were the barriers to effective implementation of the Program:

SDI implemented all of the activities directly. There was a Project Officer who was responsible for coordinating the implementation of activities with support from the Program Manager. Staff members on this project were also engaged in implementing activities of other SDI's projects and balancing the level of effort on this project as against others was a challenge. Implementation was spread across six counties that are distance apart and during the rainy season engagements with the stakeholders particularly in the Southeast was minimal. With the number of communities the project targeted, the rough terrain, the one year duration of the project and limited staff strength pushed the intervention to a large extent on the completion of activities. Because of these challenges, activities were not elevated sufficiently enough to sustain the intervention.

SDI established strategic relationship and partnership with the NBC with the Executive Director attending the official launch of the project. This gave needed visibility to the project and the involvement of staff members from NBC and MoA in accompanying SDI during community activities and facilitating training sessions was an opportunity for the government institutions to play a key role in their oversight responsibility. Despite interest demonstrated by the key government institutions regulating the sector, the lack of political will and weak logistical and institutional capacity hindered their ability to ensure compliance by concessions and strengthen engagement between MSPs and concessions.

Activities in target counties were tailored around the MSPs as the channel for communities and concessions engagement. These structures are an important opportunity for sustained

concessions-communities engagement. However, their activities are characterized by conflict of interest because some of their leaders and members are either employees or contractors of concessions. The leadership and influential members of the structures are also accused of being corrupt and seeking their self-interest.¹¹

The conflict of interest assertion was affirmed by other interviewees. Some interviewees asserted that the MSPs are perceived as political institutions because they were established by the NBC so they are not seen as entirely representing the interest of affected communities. This assertion is not most likely the case because MSPs want to be formalized through Articles of Incorporations which would make them legal entities that can sue and be sued.

In the meantime, GVL has opted to engage with another structure in Sinoe County called Conflict Resolution Committee (CRC) whose members are decided by the community. There is no indication that SDI's activities targeted this structure but having two parallel structures, one established by the NBC and another by the community will have an effect on the resolution of grievances due to competing interests.

At the same time, the capacity of the MSPs to hold meetings on their own is difficult because their membership is drawn from several affected communities that are far apart and the leaderships do not have the resources to facilitate the conduct of meetings. Respondents from interviewed confirmed that this capacity gap.

Creating awareness on the RSPO principles and sustainable palm oil cannot be done without having a healthy partnership with concessions particularly those are members or certified members. Because of its advocacy role in protecting the rights of communities to a fair share of land and forest resources, relationship between SDI and concessions is marred by mutual suspicion. Community discussants interviewed pointed out that Sime Derby at the time informed them that SDI was in their communities to prevent development from taking place in their communities.

An interviewee responded that SDI is not “friendly” to the welfare of concessions and are bias in their reports on the activities of the concessions by twisting the facts for different motives. A respondent from a government institution asserted that due to years of advocacy by SDI on behalf of communities could make concessions suspicious of them but could not confirm that SDI's reports are twisted and driven by personal motives and that relationship with communities was good until CSOs entered the dynamics. The interviewee, however, stressed that independent assessment conducted his institutions revealed that the operations of concessions are not done in a sustainable way because of continuous breaches in environmental regulations and non-compliance to Corporate Social Agreements (CSAs).

Conclusion:

Overall, SDI has a good reputation among affected communities as a result of its advocacy for communities' land rights and building solidarity with them. This role is perceived by concessions to be countered to their investment interest and that SDI does not engage in a constructive manner. SDI recognized the conflict of interest issue with the MSPs and its engagement with

¹¹ Interview conducted with a representative of a concession.

concessions. Addressing this issue without coming into conflict with a strategic partner like the NBC was a delicate matter. Moreover, working with MSP members and leaders to re-orientate their governance structures was beyond the scope of this project and could have done more harm than good because of competing and vested livelihood and economic interests.

Creating the space for more involvement by strategic government institutions was in the right direction because government has a significant role to play to ensure that palm oil investment is sustainable by demanding compliance. Weak institutional capacity and lack of political will hinder the government's ability to exercise this function effectively. CSOs like SDI can create awareness on RSPO principles which are important to enable communities participate but they do not have statutory mandate to demand compliance by concessions in respecting their national and international obligation of sustainable palm oil investment.

AQ4: Unaddressed Issues, points of contention or conflict:

The relevancy of the intervention cannot be over stated due to incidences of violence in palm oil concession areas. In many instances, the interests, goals and values between concessions and communities come into clash and this produces conflicts which do not necessarily have to be resolved through violent means. While the project has made some efforts in facilitating engagement between concessions and communities and that relationship is calm, underlying causes of past violent conflicts still persist. Just last year, angry community members set up a road block that disrupted the operations of GVL for a couple of days.

Community discussants highlighted that just compensation for destroyed crops by concessions during their expansion has not been concluded. Human resource is a prevalent issue across affected communities. Concessions are not making sufficient efforts to transform short term contracts into formal employment for qualified and competent members from the communities. Concessions' inability to readily respond to commitments in CSAs heightens frustration and a source of contention. Resistance by communities against any further expansion by concessions has been reinforced with the passage of the LRA. If not addressed, a trigger could ignite further violent conflicts reverse small gains that have been made in improving relationship between communities and concessions.

UTILIZATION PLAN

The consultant is proposing that RSPO facilitates a Learning Event one to two months after the assessment report has been finalized to engage SDI and other partners and other relevant stakeholders in the consideration of findings, conclusions, and recommendations. The outcome of such a meeting will be used by the RSPO to adjust its Community Outreach Strategy for promoting sustainable palm oil development in Liberia.

Annex A: Data Collection Instruments

Focus Group Discussion Guiding Questions

Thank you for taking time from your day to meet with us. The RSPO has contracted me to conduct an independent assessment of RSPO Community Outreach Program implemented by Sustainable Development Institute. The purpose of this assignment is to document the performance of the intervention and to use the findings to inform the design of future programs of a similar nature.

To be clear I am not assessing you in any way. Your answers will not have any impact on your involvement with the project. Your opinions are important to us and we will not include your name in the records or in the report; we hope that you will feel free to share your information and opinions with me. Our conversation will last about 2 hours. I want all of you to participate in this FGD and we will ask all of you to provide your opinions. I will take notes of my discussion with your permission.

Relevance of the project:

- How relevant is the project to national priorities and policies?
- How responsive is the project to the needs and priorities of your community?

Effectiveness:

- What do you know about RSPO principles and standards?
- What difference(s) have the project made in terms of capacity of communities to access internal grievance mechanism of the concessions?
- What challenges do you face in accessing internal grievance resolution mechanisms of concessions?

Partnership/Collaboration:

- How can you describe the relationship between the Multi-Stakeholder Platforms and concessions and with the community in addressing conflict issues?
- How would you describe the relationship with the concessions now as compared to three years ago?
- What needs to improve to strengthen the relationship with the concession?

Unresolved Issues:

What are the unresolved issues that have the potential to start conflicts in your community?

Key Informant Interview (SDI, Concessions and Government):

- What are your roles in this institution?
- To what extent are you aware of this project in terms of the design and what it set out to achieve?
- To what extent do you think the objectives have been met? Give concrete examples?

- How will you describe the relationship with other stakeholders in the implementation of the project?
- What challenges do communities face in accessing internal and RSPO grievance resolution mechanisms?
- What did not work too well with the relationship that needs to be improved? Give concrete examples.
- Closing: Do you have anything to share that we did not ask you about?