Making FPIC Work in West Africa

GVL
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Discussion Points

1. Introduction
2. Challenges
3. Approach
4. Challenges Remaining
5. Inputs Received and Our Thoughts
6. Where now with FPIC

Liberia: A new frontier for palm oil

- West coast of Africa
- Republic formed in 1847
- “Democratic” within small elite franchise
- 20th century success (mining, logging, rubber) benefited the elite
- # 175 out of 187 countries - UN Human Development Index 2013
- 4th lowest GDP per capita
- Main economic activities
  - Basic livelihoods agriculture
  - UN and NGO sector flows
  - Mining
  - Rubber
- Poverty Reduction Strategy
  - Palm oil important
  - Admirable Government objectives and leadership, but lack of down line capacity
Introduction

History

- Pre-RSPO membership, consent and agreements reached with communities on basis of simpler FPIC understanding at that point
- Mis-steps, complaint to RSPO after membership, including some true merit

New approach

- Restructured approach with help of TFT
- Fundamental philosophy and beliefs did not change: belief in the communities’ right to their lands, in their freely and self made decisions

Key question: HOW

- What needed to develop was HOW to make this happen right
  - HOW to properly understand and account for people’s rights and
  - HOW to adhere to and to promote them,
  - HOW to well and relevantly inform and be transparent, and
  - HOW to navigate fairly and businesslike in the local community, social, political and behavioral environment.
Challenges

FPIC Practice and Skills
- Lack of useful FPIC guidance – 2008 guide dated, general, theoretical, weak and unstructured
- No ready FPIC skills available in Liberia or Africa, or importable
- FPIC training generally not available to, nor structured for, companies’ needs
- Skill level and knowledge of NGO’s/Civil Society

Societal Situation
- No knowledge or examples of successful plantations – oil palm initiatives funded by WB had failed in 1970’s and 1980’s through corruption
- High illiteracy rates, mixed English, local tribal languages only verbal
- Remote elites vs locals, different priorities
- Local peoples feel urgent needs for jobs and development – almost no alternative options to subsistence farming, logging, hunting, artisanal gold
- Volatile social jealousies
- Simmering or dormant land issues brought to the fore, as there now is some value from land and community borders start to matter
- Highly personalized rivalries and politics, culture of political patronage

Approach to FPIC – with No Deforestation (Lots of detail..)
- Forest Conservation Policy – FCP – working with Greenpeace and TFT
- Developed/structured FPIC “SOP” with TFT help
- Extensive information dissemination – written and tribal languages verbal
- FPIC process agreement
- FPIC typically 18-24 month process – MOU agreement text considered and negotiated 6-12 months
- Communities self selected representatives
- Multiple rounds of Participatory Mapping
- RSPO “HCV” added with RBA and High Carbon Stock HCS (Developed with Greenpeace and TFT) decisions tree – for all new areas
- CFFL-Communities Future Farm Lands planning
- Local communities have been decisive and clear about agreements, challenge is how to involve remote stakeholders
- Employee civic activities policy in central role
- Provisional agreements, to be finalized after actual mutual experience
- Communities choice of advisors based on their trust
The HCS Decision Tree

The HCV Assessment

Green Consultancy Inc.
FPIC Flowchart
Participatory Community Mapping

The Community Self Map
Ground Walks - GPS
Local Plan Map

The Joint Community Plan
Community decisions how to proceed

- How does the Community wish to proceed? Provisional or Final MOU?
  - Provisional MOU (PFC 24: Provisional MOU Draft)
    - Negotiation on Provisional MOU to proceed with land preparation works and employment creation during final MOU and Social Agreement negotiation
  - Final MOU (PFC 26: Final draft MOU and Social Agreement)
    - Negotiation on Final MOU and Social Agreement
      - MOU and Social Agreement Signing and Endorsement
- Final MOU (PFC 25: Signed Provisional MOU)
- Final MOU (PFC 27: Signed and Ratified Final MOU and Social Agreement)

Challenges Remain

- Community impatience, eagerness, demands to go ahead quick
- New hopes rekindle old conflicts and opportunity seeking
- Understanding what modern oil palm really means – scale, jobs, disciplines, training – making the “i” in FPIC more real
- Distant elites and politicians vs local citizens’ agendas – personalized political agendas
- Communities aspirations balance/coexistence with conservation goals, no deforestation, High Carbon Stock preservation, biodiversity protection
- Community advisory – eg legal, environmental, maps skills, NGO/CS skills and relationships with communities
- Intra & inter communities historical relationships and trust
- Smallholder/Outgrower models adaptation from Malaysian and Indonesian success stories to local culture, communities
Some Inputs Received and Our Thoughts

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<thead>
<tr>
<th>Topic</th>
<th>Inputs</th>
<th>Thoughts and Issues</th>
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<tbody>
<tr>
<td>The “i” in FPIC - Information</td>
<td>Much more “information” to communities about impacts, what will happen</td>
<td>Agreed to develop further ways</td>
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<td>Seeing is knowing</td>
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<td>Land Agreement steps</td>
<td>Should not make provisional agreements, only make final agreements</td>
<td>Protect parties</td>
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<td>Many uncertainties</td>
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<td>Possible with fuller experience</td>
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<td>Jobs</td>
<td>Jobs should be taken out of agreements</td>
<td>Communities demand agreements on jobs</td>
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<td>Legal assistance</td>
<td>Mandatory communities have lawyers and advisors</td>
<td>Community choice</td>
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<td>Some do, some not, Quality, integrity, who pays?</td>
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<td>Valuation of land rental</td>
<td>Land is more valuable</td>
<td>Payment for land rental is one element amongst several</td>
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<td>Smallholder program</td>
<td>Exact details are needed</td>
<td>Agreed. Need to be adapted for Liberia and communities</td>
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<td>Individual farmer compensation</td>
<td>Crop compensation is too low/high for individual farmers</td>
<td>For now, not touching any land that has crop plants</td>
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Concluding Points

• Many lessons learned
• Many people sharing thoughts with us

• Need acceptance of reality that FPIC practices can only evolve by actually doing and adapting, and changing what does not work – FPIC guides to be much more practical, solution oriented, updated

• Only possible by third party stakeholders genuinely working with community and company together, accepting this reality

• Requires working on the ground with actual communities