Public-Private Partnerships, Gender Equality, and Women's Rights in Sierra Leone: A Focus on Addax Bioenergy

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Abstract

This article argues that public-private partnerships (PPPs) as a vehicle for financing public infrastructure are antithetical to long-term social development, including women's rights and gender equality, because of their profit-oriented focus. A case study of Addax Bioenergy Sierra Leone (ABSL) illustrates this point. ABSL is a partnership between the Sierra Leonean government and a private sector entity to expand the country's electricity supply using cane bagasse from ethanol distilling. The project's objectives were short-lived due to several factors, including the project funders' lack of transparency and accountability. At the community level, ABSL's land acquisition, labour, and production practices reinforced gender-based discrimination and affected women's rights to resources and livelihoods. In more specific terms, women lost access to fertile lands for agricultural production, which affected the food security of their households. In addition, they experienced an increased workload. The contamination of water resources also affected women more disproportionately than men. This study, therefore, argues that PPPs bent on profit maximisation are detrimental to achieving social development and gender equality and stifle women's advancement in society.

Keywords: Public-private partnerships, Addax Bioenergy Sierra Leone (ABSL), Sierra Leone, land acquisition, accountability

Introduction

The Government of Sierra Leone (GoSL) adopted a twin objective of promoting PPPs as a funding mechanism for infrastructural development but glossed over their gender (in)equality dimensions. The use of the PPP model emerged as part of the GoSL's move from humanitarian assistance to long-term development. It was first included in Sierra Leone's Agenda for Change, the country's second-generation poverty reduction strategy (PRS) of 2008-12 (GoSL 2008a). On the other hand, gender equality and women's rights appeared in the country's political and development discourses with the publication of the Truth and Reconciliation Commission (TRC) Report in 2004 (GoSL 2004). The TRC's recommendations comprise legal, political, social, and economic reforms that are the basis of the GoSL's gender equality and women's empowerment development framework. Despite the TRC's recommendations, gender inequality is pervasive across Sierra Leone. The country is ranked 162nd out of 170 nations on the United Nations Development Programme's (UNDP) 2021 Gender Inequality Index (UNDP 2022) and 112th among 146 countries on the World Economic Forum's 2023 Global Gender Gap Index (WEF 2023). The PPP projects have come at a critical time of pervasive gender inequality. At the same time, there have been processes to bridge the gender gaps in development, and it was expected that projects such as ABSL would quicken the pace of gender equality and not regress it. However, as this paper will show, ABSL's activities in its operational sites have deleterious effects on women's rights and gender equality. While in the context of Sierra Leone, PPPs are intended to complement the Government's developmental efforts, the lack of accountability and transparency towards affected communities and people has been blamed for the failure of some of the projects to achieve their objectives (Sall 2020).

This introduction is followed by an overview of the discourse on gender equality in PPPs, focusing on the two dominant perspectives: neo-liberal and social justice. The paper then discusses the state of Sierra Leone's infrastructure sector since the end of the civil war in January 2002 to situate the ABSL energy project within this context. A detailed discussion of Sierra Leone's PPP structures, including its legal and regulatory mechanisms, is outlined in section four. Section five critically examines the case study firm ABSL from inception in 2008 to 2022. This section also focuses on gender equality and women's rights in the country and explores the impact of ABSL's actions in this area. In addition, it considers the ongoing effects of the COVID-19 pandemic on the Sierra Leonean economy and on gender dynamics. The section finally reviews ABSL's response to COVID-19 and the resulting impact on its operations.

This article is based on a review of various secondary sources, both published and unpublished, from the Government of Sierra Leone (GoSL), non-governmental and civil society organisations, and international and regional multilateral organisations. The focus is on organisations that are both critics and promoters of PPPs to assess how implementing the PPP has undermined gender equality and women's rights in the case study operational area.

An Overview of the Discourse on Gender Equality and Public-Private Partnerships

Two contrasting perspectives dominate the discourse on gender equality in PPPs. The neo-liberal view, touted by the International Financial Institutions (IFIs) led by the World Bank Group (WBG) and donor governments, is fed to recipient governments as the development framework that will solve their infrastructure deficit. The IFIs argue that in the Sustainable Development Goals (SDG) era, investing in more sustainable infrastructure and promoting gender equality are the two vital global development priorities (World Bank 2019). Thus, in making their case for integrating these identified priorities into their neo-liberal agenda, they note that improved infrastructure can promote economic development, which can reduce poverty, and that global infrastructure-investment needs, estimated at USD94 trillion through 2040, require crowding in significant private investment and developing projects through PPP models. Regarding gender equality, it was observed that gender inequalities deprive women of their fundamental rights and opportunities and impede economic development outcomes. The WBG argues further that by including a gender perspective in PPP frameworks (planning, design, development, implementation, monitoring, and evaluation of infrastructure projects), women will have equal access to transport, electricity, water, and sanitation services (World Bank 2022). It also notes that projects using "…a gender lens can equip local women with skills, experience, and tools to participate in decision-making and governance; and contribute towards ending gender-based violence or take measures to remove barriers to female employment, entrepreneurship and ownership of productive assets, for example by promoting skills development for men and women or supporting women-owned businesses throughout the project lifecycle" (World Bank 2022, 1).

In contrast, the social justice viewpoint articulated by its campaigners, such as gender equality and women's rights activists, civil society organisations (CSOs), and trade unions, has debunked the IFIs' arguments on how PPPs promote gender equality. Activists note that PPPs increase gender inequality rather than reduce it (Eurodad et al. 2019). For instance, they argue that using the PPP models to achieve long-term social goals and to provide services is impossible given its ideology of maximum gain in a short span, which results in costlier and riskier implementation than through public provision, thereby restricting access to services for the very poor. They also state that PPPs undermine the State's capacity to deliver gender-transformative public services and infrastructure or promote decent work due to the pursuit of profit.[i] In more concise terms, and related to the foregoing points, PPPs, like many neoliberal projects, are designed with a framework which Chomsky (1999) terms profit over people. This is because it disregards how the projects deepen the vulnerability of communities and various social groups, such as women. As will be shown later, it is worth noting that even though Sierra Leone has a robust PPP architecture, it is profoundly gender-insensitive despite the prominent role of the IFIs in its development.

The Infrastructure Sector in Post-war Sierra Leone

Sierra Leone's ailing infrastructure was decimated during the 11-year civil conflict (1991-2002), unleashing untold misery on its citizens and destroying the country's social, economic, and physical infrastructures. For example, about seventy-five per cent of privately-operated vehicles were burnt or destroyed, and several boats, feeder roads and bridges were destroyed (World Bank 2001). Electricity generation declined drastically from a peak of 196 gigawatt (GW) hours in 1984 to 25-30 GW hours in 2000 (GoSL 2003). In the provincial headquarters of Bo and Kenema in the southern and eastern provinces, respectively, electricity generation nearly collapsed (GoSL 2008b). The country's installed electricity capacity as of 2021 was 100 megawatts (MW), targeted to increase to 350MW by 2023 (United States Government 2021).

Following the end of the civil war in 2002, the GoSL prioritised its development goals to focus on "conflict resolution; restoration of security; democracy and good governance […]; physical infrastructures that would lay the foundation for achieving sustainable growth and poverty reduction" (GoSL 2005, 57). The infrastructure sector aimed to improve energy supply, road and transport networks, and to build information and communications technology (GoSL 2008a). Due to the infrastructural gaps, the government resorted to private sector funding through PPP models to achieve these goals for public infrastructure projects in the water, power, roads, ports, airports, and telecommunications sectors (GoSL 2013).

PPPs in Sierra Leone: Institutional, Legal, and Regulatory Frameworks

Creating a legal platform for private investment in public infrastructure development started with the publishing of PPP regulations under the Public Procurement and Disposal Act (PPDA 2005) in 2009. The PPDA outlined the GoSL's commitment to PPPs as a priority financing and development model to address the infrastructure budget shortfall and provided a pathway for the enactment of a law for PPP delivery (GoSL n.d.a). This agenda was further buoyed by the Private and Financial Sector Development Project, which sought to support the country's efforts to generate more foreign and local investments and build government capacity to engage in sustainable and beneficial PPPs (Korseh-Hindowa 2019). Together, these culminated in the adoption of the PPP Policy and the enactment of the PPP Act. No. 11 2014. The Act set the standards for PPP procurement based on service delivery, risk transfer, and a good governance process (GoSL n.d.a). It also paved the way for establishing the Public-Private Partnership Unit (PPPU).

Sierra Leone's PPP architecture comprises the Office of Presidential Infrastructure Initiative (OPII) and the PPPU.[ii] The former structure was established in 2018 to act as the Government's centre of expertise to lead transformational infrastructure development in the country. The OPII has identified several short-, medium- and long-term priority infrastructure projects (Investing in Sierra Leone 2023). The PPPU was established in 2014 as an agency in the Presidency. Its mandate includes promoting, facilitating, and streamlining, the inception, negotiation and implementation of all PPP agreements between public authorities and private partners (GoSL n.d.b). The Unit is also charged with the responsibility of ensuring that all PPP arrangements comply with the Act. However, the Unit's mandate does not extend to the President's 'Priority Projects' (GoSL n.d.b).

The PPPU was funded by the African Development Bank (AfDB), the International Finance Corporation (IFC), the United Kingdom's Department for International Development (DfID), and the World Bank. The World Bank and IFC supported the GoSL in drafting the PPP Bill to ensure adherence to international best practices (DfID 2014; 2018). Between 2013 and 2015, the GoSL, AfDB, and UNDP provided resources worth GBP2,140,000 to support the establishment of the PPPU. The PPPU offers technical support to OPII on infrastructure projects that are private-sector-led in terms of financing. The PPPU works in the energy, agriculture, fisheries, transportation, health, and education sectors. Four projects are underway in the energy sector, one each in the transportation and fishing sectors.[iii]

Situating the Emergence of ABSL within Sierra Leone's Development Agenda

ABSL straddles Sierra Leone's energy and agriculture sectors. According to one of its investors, the AfDB, the project was fully aligned with the GoSL's social investment and development objective policy as outlined in its second-generation poverty reduction strategy (AfDB 2009). AfDB (2009) also notes that the ABSL project was in line with the National Sustainable Agriculture Development Plan and the sector-wide Smallholder Commercialisation Programme, aimed at achieving the objectives of the PRS. Regarding Sierra Leone's energy sector, it was observed that the immediate post-war landscape was characterised by inadequate production capacity, a non-integrated transport system, and a distribution system with only 35,000 connections (World Bank 2011).

Against this background, the GoSL called upon the World Bank's Public-Private Infrastructure Advisory Facility (PPIAF) to assist in its post-war recovery programme by providing technical assistance to review various options on the financing, ownership, and operation of the power sector to ascertain the feasibility of private sector participation in the industry. The PPIAF recommended a combination of government facilitation with private resources and international community assistance as a gateway to increasing the country's energy access rate. This recommendation resulted in a review of the performance of the National Power Authority (NPA) and the Bo-Kenema Power Service, the leading power operators in the country, and the enactment of the 2005 NPA Act. The Act allowed private sector participation in the energy sector, ending the NPA's monopoly over electricity generation, transmission, supply, and related matters. Finally, the passage of the 2011 Electricity Act unbundled the country's energy sector.

Almost ten years since the 13-year Electricity Sector Reform roadmap was set in motion, Sierra Leone's electricity situation has improved but remains abysmal. The sixteen per cent electricity access rate is among the lowest in the world, with roughly ninety per cent of the country's 172,000 users located in the urban parts of Freetown (Kargbo 2021). Only five of the 16 district capitals are partially supported by a combination of small diesel units and mini-hydro-power plants (Kargbo 2019). The electrification rate in rural areas is almost non-existent. And yet, increasing access to electricity in Sierra Leone would immensely benefit women's daily lives by reducing time poverty, improving safety and security, and expanding women's labour market opportunities. Due to the country's low energy access, ABSL successfully negotiated participation in its energy sector.

Background to ABSL

Although operational before the commencement of Sierra Leone's PPP programme, ABSL is classified as a PPP project since a private sector entity co-funded by eight development financial institutions (DFIs) partnered with the GoSL to generate electricity (Lanzet 2016). ABSL became operational in 2011 after a three-year negotiation between the GoSL, local leaders in the project areas, and ABSL officials. The company is a wholly-owned subsidiary of the Swiss-based Addax and Oryx Group Limited (AOG). The parent company was formed in 1987 as an oil, gas, and bioethanol exploring and trading company and is a critical player in Africa's energy industry.[iv]

ABSL, the first large-scale sugarcane ethanol project in Africa (World Bank 2011), was established in 2008 to create a sustainable biofuel investment model (Saddler 2011). It was touted as a transformative project as it was expected to significantly improve the socio-economic conditions in its operational area (World Bank 2011). The project comprises a sugarcane estate, an ethanol refinery, and a biomass power plant (SiLNoRF et al. 2021). It was expected to produce about 90,000 cubic metres of ethanol per annum for the European Union (EU) market and 32 MW of nominal electrical power for the ethanol refinery, of which 15 MW would be sold to Sierra Leone's national grid through a power purchase agreement with the NPA (AfDB 2009).

ABSL is situated in the chiefdoms of Makari Gbaniti and Bombali Sheboro in the Bombali District and Malal Mara Chiefdom in the Tonkolili District in the Northern Province of Sierra Leone (AfDB 2009). In the west and south, it is surrounded by the Rokel River, from which it was authorised to draw water for irrigation (ActionAid 2013). It was estimated that ABSL would utilise two per cent of the Rokel River water (Wahlin 2017). Even though the lands were leased in 2010, cane cultivation started much earlier, and ethanol and electricity production commenced in 2014 (Lanzet 2016). ABSL leased a total of 57,000 hectares of land, more than the net needs of the project (AfDB 2009), but only used 23,500 hectares (SiLNoRF et al. 2021). However, the lease included a relinquishment clause allowing ABSL to return unused land, with a five-year grace period within which land had to be either developed or given up. Farmers could continue their operations on the land that would be given up.[v]

As argued later in the paper, ABSL's large-scale acquisition of fertile farmlands affected both female and male farmers. However, women farmers bore the brunt of the adverse effects of the company's operational activities.

Gender Equality and Women's Land Rights in Sierra Leone

Women's land rights are the focus of this paper because Sierra Leonean women account for seventy-five per cent of the country's agricultural labour force (FAO 2018; FAO and ECOWAS 2018). However, their rights and access to land are hindered by customary law (which is primarily based on patrilineal inheritance) and legal barriers in the constitution (FAO 2018; FAO and ECOWAS 2018). Although women are the primary producers and farmers in Sierra Leone, under customary law, even women who are members of land-owning families are barred from filing lawsuits over land disputes in court in certain parts of the country. They have little or no access to desirable land; are left out of transactions involving family land; have no rights of inheritance and succession related to land; and are inadequately represented in land-related decision-making at various levels (Conteh and Thompson 2019). Furthermore, women cannot seek recourse within the formal legal system because it exempts customary law from non-discrimination provisions and restricts applying customary law in civil matters. Given the country's biased and discriminatory land ownership, land reform advocates have demanded equity for women, marginalised groups, and "non-natives" to end discriminatory practices inherent in the country's leasehold system. Land reform is also championed by IFIs such as the WBG to improve investor access to land (Oakland Institute 2011).

Unlike other parts of the country, the Northern Province, where ABSL operates, is known for its strict adherence to the customary practice of denying women access to and ownership of land (Sesay 2015). ABSL followed this discriminatory practice by failing to establish a quota guaranteeing female employment in the company:

> Several women said they wished for more opportunities to work with ABSL, and company decision-makers would like to employ them because they are more reliable and conscientious machine operators. However, they also reported that employing women had often caused problems with husbands

> and speculated that many women were likely barred by their husbands from seeking jobs with ABSL (Stockholm Environment Institute (SEI) 2015, 34).

To understand the impacts of land acquisition and production practices on women, it is important to unpack the nature of land, gender, and production relations in the communities. The land in the area is suitable for different production types. The lowlands are flooded seasonally and are used for rice and vegetable production. The drier parts of the lands, which are also deemed infertile, are used to produce crops such as rice, corn, cassava, beans, pepper, garden eggs and groundnuts. The production of crops is based on different land management practices such as shifting cultivation and fallowing. In addition, the fallow lands also become commons where fuel wood, medicinal plants, herbs, construction materials, game hunting and other resources are gathered for daily subsistence (Marfurt et al. 2016). The uplands are used for cash crops such as oil palm, which are processed into palm oil for local consumption and market trade. These multiple land uses tie in with livelihood diversification and multiple livelihoods, making the people more resilient to shocks. It is also important to note that within these varied production systems, people can meaningfully secure their food and nutritional security all year round. The foregoing point about land use in the area also highlights the utility of all lands where no land is wasted. In this context, the land dispossession certainly impacted the communities' production resilience.

The varied land use and management practices create room for ensuring land use rights for women, which is important to the construction of their autonomous livelihoods in the context of their resource poverty. Customary land access norms also anchor women's roles in their communities and households with their social reproduction roles. For example, women's access to the commons (land and water) is essential to livelihood security. The water sources are used for dry season vegetable production, which women engage in for income and household consumption. Although women have suffered systemic discrimination, they can still navigate these land and water sources through access to the many forms of pre-existing land and natural resources using customary norms and practices; this lessens their vulnerability. But with land acquisition and women's shrinking access to lands they customarily use, their vulnerability deepened (Marfurt 2019).

The acquisition also cut through gendered land use patterns in the communities where spaces and production practices attached to them are deemed female and recognised as such. Even in a patriarchal land ownership structure, space in the agrarian communities is marked as gendered, creating opportunities for women. For example, women use fallow lands to produce crops that regenerate the soil. They can also derive other types of livelihoods from the land. Also linked to the gendered division of labour is segmented work; men cultivate rice while women predominantly grow vegetables and carry out specific tasks on household rice fields. Both men and women use swamplands for rice production. In the dry season, the same lands become feminised spaces again, with women engaging in dry-season vegetable farming. Sesay (2015) documents the deepening of women's land access crisis after ABSL's land acquisition. Critically linked to this is the impact of chemicals used for spraying the plantations on land and water resources. The contamination affected agricultural production because women use these water sources for vegetable production. Also, it affected the safety of the food produced.

Unsurprisingly, women protested ABSL's second plantation development in the Bombali District, where it was getting ready to cultivate the swampland known as *boliland* used for rice cultivation. The company abandoned the project because of the protests and demonstrations by the women. Marfurt et al. (2016, 5) quote the women as saying,

> They [ABSL] told us they just need the upland for their sugarcane plantation, not boliland! This [the boliland] is the area we usually plant rice. We, the women, are not happy, and we did not agree to give the boliland to Addax.

Wedin et al. (2013) note the deleterious effects of Addax's operations on food security.

Female farmers struggled to support their families, including paying for their children's education (SiLNoRF and BfA 2016). Some women were displaced from their agricultural land because they changed from bush fallowing (long fallow period, which can only be done if there is a large tract of land available) to cultivation or intensive agriculture with a short fallow period. Changing cultivation has low productivity in terms of output per hectare (Arifin and Hudoyo 1998). The cost of production, labour, fertiliser, and farm tools also increased (SiLNoRF and BfA 2016). One female farmer notes, "Addax has not made our lives better since they occupy our farmlands" (Sesay 2015, 49).

In response to the shortage of farmlands and the high cost of living, some female farmers took up charcoal burning as a survival strategy. According to one female farmer, "These days, I have no access to farmland because Addax took over our family land. I can't pay my children's school fees, except if I engage in charcoal burning, which is still inadequate to address my family's needs" (Sesay 2015, 49). Charcoal burning is not only detrimental to the environment because of the greenhouse gas that it emits, but it also causes deforestation and leads to biodiversity loss and respiratory health problems. The women also stated that the company's activities have resulted in a scarcity of firewood and complained about the long hours spent gathering fuelwood. However, others were pleased that the company allowed them to collect the stumps from the cleared fields (SEI 2015). Access to the stumps means the women of Mayengbe will no longer have to walk long distances to fetch fuelwood and will have time to engage in other productive or leisure activities.

ABSL's appropriation of a large swathe of fertile lands (bolilands) and the inadequacies of its social programmes intensified food insecurity in its operational area. Rice yields within the project's location fell to 170 kg/ha compared to 250 kg/ha outside the project area (SiLNoRF and BfA 2016). Food (vegetables and fruits) such as potato leaves and krenkren that were free around the bushes and fields later became scarce and had to be bought. This made the diets of children less diverse. Food insecurity in the area was characterised by reduced food intake by adults by up to five days a week, the absence of a buffer stock of pulses that could last throughout the year, the rationing of food portions for children because of falling supplies, and the consumption of fewer varieties of food (Yengoh and Armah 2015). One female farmer summarised it thus:

> "I was farming rice with other tuber crops. When the produce was too much to be kept for ourselves, we sent some to our brothers and sisters in the city. I processed gari (a local flour produced from grated cassava) to send the children to school […] I am suffering now, always hungry. My children have been sent out of school because I cannot pay their fees" (9521).

Social programmes such as the Village Vegetable Garden (VVG) were meant for women, the main vegetable growers, but have yet to improve their situation. The initiative was introduced in 2013 to contribute to the diversification of food and healthier diets because the Farmer Development Programme (FDP) focuses on rice production (SiLNoRF and BfA 2016). However, despite a 50-year land lease, ABSL offered participants only a year's free enrolment and encouraged them to register as Farmer-Based Organisations (FBO) at the end of the programme.[vii] However, many participants reported that the programme was poorly organised, and they received wrong, rotten, or pest-infested seeds (SiLNoRF and BFA 2016). Participants with fields close to the river complained of flooding, others of non-profitability and the subsequent loss of lands they used for planting. Referring to a Swedwatch investigation, the Swedish FAO Committee (2014, 54) reported that a few participants benefited from VVG and could sell some of their produce in the market; however, in interviews with 30 women from seven villages in 2012, there were 117 grievances compared with only 16 positive remarks.[viii] On the other hand, the FDP, established in 2010, focused on rice production, which was more lucrative and favoured male farmers (SiLNoRF and BfA 2016).

The outcome of ABSL's gender-related discriminatory practice includes displacement, loss of access to fertile land used for food production and increased workload. Although women typically do not own land, their access to farmland diminished with the presence of ABSL. As most farmlands are under long leases, female farmers lost their livelihoods as leased areas overlapped with their fields. The company's presence also made female farmers' access to farmlands challenging due to the stiff competition for land to grow sugarcane, which, unlike jatropha (a non-food crop for ethanol), cannot be grown on marginal lands (SiLNoRF and BfA 2016). Also, women's workload increased during the farming season because of men's employment in ABSL.

Furthermore, ABSL's activities, such as land clearance and the damming of rivers, worsened the water quality, and the chemicals used by the company contaminated the water during the rainy season (SEI 2015). Fish stock in the Rokel River decreased, and fishing in the streams stopped due to the levelling and drainage of the land. As a result, women had to travel either to Makeni or Freetown to buy fish (SiLNoRF and BfA 2016). The extra time spent on these chores reduced the participation of women in productive activities, increased physical fatigue, and left them with little time for leisure and relaxation.

The project's impact on women is also important in the context of employment and labour relations and conditions. As of May 2015, only six per cent (231) of ABSL's 3,850 employees were women (SiLNoRF and BfA 2016, 7). The lack of a women-focused employment initiative is surprising at one level because AfDB, one of the project's DFI's, is a leading proponent of gender equality and women's rights on the continent, and specifies that at least thirty per cent of its project beneficiaries across Africa are women. On the other hand, the action of the DFIs in their engagement with ABSL should not be surprising as it has been observed that commitments to development finance for gender equality are lower than in other sectors. For instance, an analysis of publicly available data from the Organisation for Economic Co-operation and Development's (OECD's) Development Assistance Committee (DAC) members that have specific feminist foreign policy and/or feminist development policies showed that their USD2.37 billion commitment to women's equality organisations and institutions represented only nine per cent of their USD26.1 billion commitment to the government and civil society sector and only two per cent of their total USD117.6 billion gender-focused aid (Papagioti et al. 2022, 3). [ix]

Gender statistics in terms of employment is further evidence of the disconnect between the gender strategies stipulated by financing institutions and those of the projects they finance. This shows that either the gender strategies are mere rhetoric in the "smart economics" framework or the finance institutions lack the mechanisms to monitor the gender indicators of the projects. As Compton (2020) argues, projects of this nature crafted for sustainability and national development are coercive and restrict constructive criticism and thinking that can enable an imagination of alternatives. They often undermine local populations while prioritising the needs of foreign investors.

There is light at the end of the tunnel regarding women's land rights with the adoption in 2022 of Sierra Leone's premier land bills, the Customary Land Rights and National Land Commission Acts. The Acts include provisions expected to increase transparency in the land sector, promote the security of tenure and inclusive economic growth, eliminate discriminatory practices against women, reduce poverty, and boost women's development and youth access to land (Jalloh 2022). The Customary Land Rights Bill's gender-sensitive provisions include guarantees of equal rights to women and men to own, hold, use, inherit, succeed, or deal with land (GoSL 2022a). Furthermore, the bill states that any customary law that excludes, limits, or inhibits women from owning, holding, using, transferring, inheriting, succeeding to, or dealing with land will be annulled. The National Land Commission bill provides at least 30% participation of women in Village, Chiefdom and District Land Committees (GoSL 2022b).

While land rights activists, progressive individuals and organisations have lauded the signing of these Acts, an executive of Socfin, a major palm oil-producing investor in the country, is critical of the Customary Land Rights Bill because "it will block investments, make things expensive and result in enormous blackmail by various communities" (Fofana 2022,1).[x]

Socio-economic Impact of ABSL in Northern Sierra Leone

ABSL was expected to bring social benefits to its operational sites. The World Bank argued that benefits would include creating employment opportunities; raising household incomes; stimulating local economic growth, including options for microenterprises and small businesses; and generating much-needed electricity (World Bank 2011). Other social benefits included reduced carbon emissions; increased agricultural productivity and food production in the project area; enhanced access to markets and social services for the local population; and skills training. However, annual project monitoring reports for 2011-15 by the Sierra Leone Network on the Right to Food (SiLNoRF), Bread for All (BfA) and other critics of large-scale land investments in Sierra Leone have demonstrated how ABSL's presence in the project area has had both beneficial and adverse impacts.

ABSL was open to dialogue with stakeholders, paid the land lease and acknowledgement fees, provided a treatment and prevention centre for Ebola, increased household incomes, made infrastructure improvements, provided skills training for many workers, and fulfilled its employment obligations. The FDP, among the company's multiple social programmes, encouraged male farmers to grow more rice, while the VVG improved the livelihoods of some women and provided food security for others. Liaison committees and a formal grievance mechanism set up by ABSL paid heed to the concerns of the communities. In addition, a multi-stakeholder forum (MSF) administered by the University of Makeni provided a platform for discussing concerns among various stakeholders and civil society groups. It monitored project development (Wahlin 2017).

However, the adverse impacts outweighed the positive. Poor employment opportunities, the failure of its social programmes, and the inadequate compensation paid to land leasers strengthened the criticism against ABSL (APRODEV 2013). Also, the loss of income from farming by female farmers resulted in a loss of economic independence as their access and control of takings from the sale of farming surpluses dwindled or disappeared. Consequently, they lost their ability to provide basic household foods, which is the responsibility of wives (Yengoh et al. 2015). The Roundtable on Sustainable Biomaterials (RSB) certification for ABSL's biofuel project was deemed improper because it was awarded without a thorough audit. When the company was awarded the sustainability certification in February 2013, it had an unresolved water issue with one of the communities. As per ActionAid (2013, 6), while water is not one of the sustainability criteria of the Renewable Energy Directive, it is one of the 12 principles and criteria of the RSB. ABSL also disregarded the RSB's criteria regarding food security, landowners' free prior and informed consent (FPIC) and voluntary resettlement. As a result of these violations, ABSL's presence resulted in increased poverty, the out-migration of young people, alcoholism, and domestic violence in its operational areas (Lanzet 2016, 13).

The production and provision of electricity was a key selling point used by ABSL to convince national and local governments and community residents to accept its proposal for building an ethanol factory. Critics who challenged the entire project and the electricity provision were denounced as anti-development agents (SiLNoRF and BfA 2016). Although the company started electricity supply in November 2014, SiLNoRF and BfA observed that:

> In reality, the production of electricity lasted a few weeks. It is still not public knowledge as to the exact timing and how much electricity was produced and supplied to the national grid … (SiLNoRF and BfA 2016, 8).

Electricity generation halted in 2015 due to the Ebola outbreak but resumed under Sunbird Bioenergy Mabilafu Project (SBMP), the new owner of ABSL (SiLNoRF and BfA 2020). Again, there was no disclosure of the amount of electricity produced and sold to the national grid. SBMP's contract was cancelled in 2018 with a change of government because of the exorbitant cost of electricity. The cancellation of the contract resulted in delayed employees' salaries and land lease payments to chiefdoms, showing how dependent SBMP was on the GoSL's patronage.

Failure of ABSL: Downsizing, Transition to Sunbird Bioenergy and the Sale to Browns Investment Plc

ABSL scaled down its activities on 1 July 2015, five years after signing the 50-year land lease. The DFIs exited the project in December 2015, and the new owner, Sunbird Bioenergy Africa Limited (Sunbird Bioenergy Group), came on board in September 2016. ABSL claimed that project goals were not met because of low sugarcane yields, low ethanol production, higher production costs due to Ebola, theft and sabotage by local communities (Lanzet 2016). However, Walin (2017) noted that undisclosed cost overruns of an estimated EUR150 million, coupled with a twenty-seven per cent decline in ethanol prices in the EU, and the outbreak of Ebola, also contributed to ABSL's demise.

While AOG repaid the debt financing to the DFI lenders who supported the project, other investors such as Sweden-based DFI Swedfund and Netherlands Development Finance Company FMO sold their ABSL shares back to the parent company (Wahlin 2017). Since the DFIs did not conduct human rights due diligence before exiting the ABSL project, dialogue with local communities deteriorated and holding the company accountable became harder. Local employees lost their jobs. Over 1,000 permanent workers were placed on garden leave with 45% of their monthly salaries, and over 2,000 short-term (casual) employees were made redundant (SiLNoRF and BfA 2016).[xi] ABSL's social programmes, including the FDP and the VVG, were first scaled-down and later closed. The loss of income and the end of mitigation measures resulted in increased food insecurity, high school dropout rates and societal problems such as gender-based violence, alcoholism, and child abandonment (Wahlin 2017).

The closure of ABSL was finalised on 30 September 2016, with a 75,1% stake being transferred to a group of investors led by Sunbird Bioenergy, a company with questionable financial and ownership structures (Lanzet 2016), while AOG held the remaining 24,9% (AOG, Press Release 2016, 1). Critics have wondered how a high-profile project like ABSL, which saw participation from several DFIs, could fail, and questioned why the GoSL allowed the sale of ABSL to a company with a dubious financial history.[xii]

Unfortunately, the sad story of ABSL did not end with the sale to Sunbird. SBMP sold the company in 2019 to a group of Sri Lankan business tycoons in collaboration with Browns Investments Plc. Like Sunbird Bioenergy, Browns Investments Plc also has an intricate financial history. Browns Investments PLC's purchase of 66,67% of Grey Reach Investments in May 2019 gave it an ownership stake of a little over 50% of Sunbird Bioenergy Sierra Leone. However, a forensic analysis of the deal by SiLNORF and BFA shows that there was no sale as Browns Investments is the primary owner of B Commodities ME in the United Arab Emirates, which acquired Grey Reach in 2019 (SiLNORF and BFA 2020).

ABSL was sold at a bargain price to Browns Investments PLC. Browns bought fifty per cent of ABSL's equity for USD30 million, putting the total equity value at USD60 million, a sixty per cent loss compared to 2011, when the company's equity was worth about USD150 million. It is said that the loss translates to about USD90 million of equity. Based on the poor financial outcomes of the sale, SiLNoRF and BfA 2020 argued that:

> The high investments in this project combined with its loss in value strengthen the argument that these large-scale monocultures in the hands of big companies are in no way 'sustainable' development. We must invest in better, alternative ways of farming. (10)

At one level, it can be argued that the lack of accountability and transparency by all actors connected with ABSL was due to a near absence of local laws protecting landowners and land users, on the one hand, and an ill-equipped international human rights framework for protecting cultural and social rights, on the other (Bonanomi 2015, cited in SiLNORF and BfA 2020). At another level, however, Lanzet pointed to the irresponsible behaviours of the DFIs despite various instruments intended to promote accountability and transparency in the field and to their home governments. It concluded that for the DFIs, "their accountability is not towards the 'intended beneficiaries of (…) cooperation' but solely to their constituents and shareholders" (Lanzet 2016, 34).

The Effects of COVID-19 on the Sierra Leonean Economy and ABSL

The COVID-19 pandemic disrupted the economy and reversed most gains achieved since the end of the Ebola virus outbreak in 2016. The country's gross domestic product (GDP) contracted by 3,1% in 2020 (Diaz 2021), and the fiscal deficit increased by 2,6 percentage points of GDP to 5,8% in 2020 and 5,9% in 2021 (Kargbo 2022). Rising public debt reached seventy-nine per cent of GDP in 2021 due to continued fiscal deficits, currency depreciation, and limited access to concessional sources of financing. Thus, the World Bank recommends prudent budgetary management to balance emerging expenditure needs and limited fiscal space. Although the country's real GDP growth is projected to average 4,4% between 2022-24, the growth outlook faces significant downside risks and uncertainties because of the war in Ukraine, which started in 2022; global inflationary pressures; and the continued threat of COVID-19 outbreaks. Given this grim global outlook, it was unsurprising that in August 2022 protesters took to the streets to complain about the high cost of living in the country. The gender dimensions of the coronavirus lockdown and curfew measures to curtail the spread of the disease affected more women than men, and female-headed households (FHHs), which comprise one-third of the country's households, bore the brunt of the aftermath of the measures (Levine et al. 2021). The pandemic increased food insecurity among FHHs, domestic violence increased by twenty-three per cent across households, and the incidence is forty-two per cent higher among adolescents and young girls. The silver lining is that over ninety per cent of respondents report cases of domestic violence to helplines and designated authorities.

The country recorded its first case of COVID-19 on 31st March 2020; by June that year, the country had reported 1,327 infections, 55 deaths, and 788 recoveries (Srivatsa 2020). The COVID-19 pandemic and the Government's measures to contain the spread of the disease affected the company greatly, as over 11.5 million litres of ethanol were unsold, and millions of US Dollars' worth of sugarcane perished because of travel restrictions across the country (SiLNoRF and Bread for All 2020). In response, SBMP retrenched 3,000 of its 5,000 workforce in 2022. While many of the terminated workers were permanent employees entitled to redundancy compensation per the collective agreement outlined in the Sierra Leone Gazette of the Ministry of Labour and Social Security Act, the company refused to fulfil its obligations to the sacked workers (SiLNoRF and Bread for All 2020). A complaint was lodged with the Legal Aid Board, which is primarily responsible for providing legal services to vulnerable members of society. The Legal Aid Board could not intervene because Sunbird sought counsel from the Ministry of Labour. Regrettably, the latter supported the company's non-payment of the redundancy benefit to the aggrieved workers, a violation of Article 22 of the redundancy compensation which also created impetus for continued impunity with the connivance of state officials (SiLNoRF and Bread for All 2020).

Conclusion

The analysis of ABSL/SBMP operations in Sierra Leone debunks the narrative of the IFIs, DFIs and recipient governments that PPPs as a funding mechanism can advance social development. ABSL/SBMP failed to provide the sustained electricity it promised, despite the robust financial investment from eight DFIs, including two African DFIs/development Banks, and tax incentives from the GoSL. This happened because of the false premise on which it was anchored.[xiv] Instead of a better life, with food security and decent work, the inhabitants in ABSL's operational areas were left more impoverished than before the company's arrival.

As shown throughout the paper, ABSL's presence has been detrimental to women in its operational site. For instance, women have suffered displacement and lost access to fertile land and their economic independence. Other unfavourable experiences female farmers had to endure ranged from an increased workload due to the reduction of male labour during the farming season, to contamination of water resources, which affected agricultural activities and destroyed aquatic life, leading to food insecurity in the area. Furthermore, ABSL's presence increased social deviance, such as alcoholism, domestic violence, high school dropout rates, child abandonment, and further marginalisation of women.

Gender discrimination in rural Sierra Leone regarding female employment and other discriminatory practices will, hopefully, be a thing of the past with the implementation of provisions in the National Land Policy (NLP), the Customary Land Rights, and the National Land Commission Acts. The Acts include provisions expected to increase transparency in the land sector, promote the security of tenure and inclusive economic growth, eliminate discriminatory practices against women, reduce poverty, and boost women's development and youth access to land. In particular, the Customary Land Rights Bill's gender-sensitive provisions include guarantees of equal rights to women and men to own, hold, use, inherit, succeed, or deal with land. It also states that any customary law that excludes, limits, or inhibits women from owning, holding, using, transferring, inheriting, succeeding, or dealing with land will be annulled. The National Land Commission bill provides at least 30% participation of women in Village, Chiefdom and District Land Committees (GoSL 2022b).

The robust provisions of the bills, including the requirements to promote responsible investment, and especially the curtailment of land acquisitions to 5,000 hectares at the initial phase of investment, can reverse the ongoing land grabs across rural Sierra Leone and protect the rights of land-owning families, including women.

Endnotes

1. Fair wages, safe working conditions, opportunities for training and advancement, and the right to organise and collective bargaining.
2. This idea developed from the Presidential Infrastructure Champion Initiative (PICI) and was born out of a proposal by South Africa in 2011 at the African Union (AU) Summit to accelerate regional infrastructure development enabled through the political championing of projects. The initiative serves as a high-level platform to put Africa on the right track towards unlocking its potential and achieving the "Africa we want", as noted in Agenda 2063, the blueprint and master plan for transforming the continent into a global powerhouse of the future.
3. The ongoing PPPs in the energy sector include the Bumbuna Phase II Hydro Power Project, the Western Area Generation Project (Kissy HFO Project), Solar Era, 25 MW Betmai Hydro, Addax Bioenergy Sierra Leone (ABSL)/Sunbird, Planet Core Solar, and the Rural Renewable Energy Project.
4. The company is incorporated in Malta, a European tax haven. As a result, its financial reports are unavailable for scrutiny in the public domain.
5. Approximately 2,000 hectares were developed as part of the Farmer Development Programme (FDP), which works in conjunction with the Food and Agriculture Organization (FAO) to secure the per capita food baseline in the project area. A further 1,800 hectares were used as ecological corridors and buffer areas to protect existing pockets of biodiversity. The land for the irrigation pivots was chosen based on the criteria of agricultural sustainability, proximity to the factory and water sources, and avoidance of villages, forests, and food-producing areas to minimise economic and physical displacement.
6. This concept describes anyone who is not entitled, by customary law, to rights to land in the provinces.
7. Groups registered as FBOs could access government aid to build and cultivate their plots.
8. The most frequent grievances were short employment periods (19), no access to land (17), low salary (13), poor harvests from rice planted by the smallholders (12) and failed promises in respect of the construction of schools and the development of the local community (11). Positive remarks included women being able to do business with workers on the project (3), using the salary from working on the project to build a house (2) or buying rice (2).

9. Canada, France, Germany, Luxembourg, the Netherlands, Spain, and Sweden.
10. Socfin is a Luxembourg-based company engaged in palm oil production that has been accused of land grabbing and has had frequent scuffles with landowners.
11. ABSL's national workforce was dominated by casual workers (daily wage earners) without social entitlements such as annual leave, sick leave, and redundancy benefits. As of March 2015, only 3,4% of the 3,850-strong workforce were permanent staff with fixed monthly salaries; 38,2% were permanent staff with daily-rated salaries, subject to the number of working days in a month; the remaining 58% were temporary workers employed on fixed-term contracts ranging from three to six months annually.
12. The business director of Sunbird Bioenergy's parent company NoCOO Limited, Richard Antony Bennett, is also a non-executive director of China New Energy Limited (CNEL) "with whom Sunbird cooperates closely" (Bread for the World 2016, 32). The group of companies under CNEL was insolvent and traded as a non-going concern, as per a December 2015 financial report, by which time the group had net liabilities of EUR803,000. Since its May 2011 Initial Public Offering (IPO), CNEL's share price had dropped from GBP10 to GBP1 on 8 July 2016.
13. Its purchase of 66.67% of Grey Reach Investments gave it just over 50% of Sunbird Bioenergy Sierra Leone. However, Browns Investment did not buy its stakes in Grey Reach directly as it is the ultimate holding company of B Commodities ME in the United Arab Emirates, which acquired Grey Reach in 2019.
14. African Development Bank and the Industrial Development Corporation of South Africa

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