Gender Equality, Women’s Rights And Public-Private Partnerships In Sierra Leone’s Agro-Energy Sector: A Case Study Of Addax Bioenergy Sierra Leone (ABSL) Ltd
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GENDER EQUALITY, WOMEN’S RIGHTS AND PUBLIC-PRIVATE PARTNERSHIPS IN SIERRA LEONE’S AGRO-ENERGY SECTOR:
A CASE STUDY OF ADDAX BIOENERGY SIERRA LEONE (ABSL) LTD

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Dakar, Senegal

ABSTRACT
This chapter uses the social justice perspective on public-private partnership (PPP) to argue that PPPs as a funding mechanism does not promote social development including women’s rights and gender equality because it is premised on profit-making from the provision of social services, which is opposed to long-term change advocated by social activists. In doing so, it debunked the mainstream perspective being pushed by international financial institutions (IFIs) and their associates of PPPs as an instrument for social development as it showed the pitfalls of this perspective by using the example of Addax Bioenergy Sierra Leone Limited (ABSL).

In undertaking this task, the article detailed how the IFIs led by the World Bank shepherd Sierra Leone’s PPP process by providing technical assistance for the development of its PPP framework. While ABSL started operation in 2008, before the formalisation Sierra Leone’s PPP process in 2014, it is being used as the case study because a private sector entity went into partnership with the Government of Sierra Leone (GoSL) to generate electricity, which is a public utility. ABSL’s operation also straddles the agriculture, and as such, was identified as a land grabbing initiative. Even though ABSL had the backing of eight reputable development finance institutions from Africa and Europe, its operation failed woefully because the project was built on a faulty foundation. In general, the company’s failings included the casualisation of labour, failure of social programmes, violation of the principle of free prior and informed consent (FPIC) and social and environmental standards, inadequate compensation of land leasers, involuntary resettlement of project residents, among others. In particular, the failure to supply adequate electricity, increased poverty and food insecurity, youth out-migration, alcoholism, domestic violence, inter alia.
On the issue of gender equality and women’s rights, the primary focus of the study, ABSL reinforced the practice of gender discrimination in its operational site by refusing to employ adequate women in its factories, the non-adoption of an employment quota to guarantee work to women. Other women-specific loss due to ABSL’s presence range from displacement, loss of access to fertile land used for food production, food insecurity, water contamination, which increased women’s workload as they had to travel long hours to fetch water, firewood and buy food for cooking and cut into their time for leisure and relaxation. Given the data from ABSL’s work area, it can be argued that PPPs do not promote gender equality and women’s rights, but stifle women’s advancement in society.

However, the adoption of the National Land Policy (NLP), and Namati’s efforts in developing Model Land Bills for the implementation of the NLP, with provisions to enhance women’s rights and gender equality in all sectors of Sierra Leone’s rural economy.

**Abbreviations**

A4D  Agriculture for Development  
ABSL  *Addax Bioenergy Sierra Leone Limited*  
AfDB  African Development Bank  
AIDI  African Infrastructure Development Index  
AITF  Agribusiness Investment Task Force  
AOG  Addax and the Oryx Group Limited (CH)  
APC  All People’s Congress  
BfA  Bread for All  
BIO  Belgian Investment Company for Developing Countries  
BKPS  Bo-Kenema Power Service  
BOO  Build-Operate-Own  
BOOT  Build-Operate-Own-Transfer  
BOT  Build-Operate-Transfer  
CNEL  China New Energy Limited  
CSO  Civil Society Organisation  
DBOM  Design-Build-Operate-Maintain  
DEG  *Deutsche Investitions-und Entwicklungsgesellschaft* (German Investment Corporation)  
DFI  Development Finance Institutions  
DiD  Department for International Development (UK aid)  
EAIF  Emerging Africa Infrastructure Fund  
EDFI  European Development Finance Institutions  
EVD  Ebola Virus Disease  
EGTC  Electricity Generation and Transmission Company  
ESHIA  Environmental, Social and Health Impact Assessment  
EU  European Union  
EWRC  Electricity and Water Regulation Commission  
FAO  Food and Agriculture Organization  
FBO  Farmer-Based Organisation  
FDI  Foreign Direct Investment
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tr>
<td>FDP</td>
<td>Farmer Development Programme</td>
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<td>FFLS</td>
<td>Farmer, Field and Life School</td>
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<td>FIAS</td>
<td>Foreign Investment Advisory Services</td>
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<td>FMO</td>
<td>Netherlands Development Finance Company (NL)</td>
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<tr>
<td>FPIC</td>
<td>Free Prior and Informed Consent</td>
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<td>GBP</td>
<td>Great Britain Pound (Sterling)</td>
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<td>GHG</td>
<td>Greenhouse Gas</td>
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<td>GoSL</td>
<td>Government of Sierra Leone</td>
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<td>GST</td>
<td>Goods and Service Tax</td>
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<tr>
<td>GW</td>
<td>Gigawatt</td>
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<td>GWH</td>
<td>Gigawatt Hours</td>
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<td>HRDD</td>
<td>Human Rights Due Diligence</td>
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<td>ICF</td>
<td>Investment Climate Facility</td>
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<tr>
<td>ICT</td>
<td>Information Communications Technology</td>
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<tr>
<td>IDC</td>
<td>Industrial Development Corporation (ZA)</td>
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<tr>
<td>IFC</td>
<td>International Finance Corporation</td>
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<tr>
<td>IFC-PS</td>
<td>IFC-Performance Standards</td>
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<tr>
<td>IFI</td>
<td>International Financial Institution</td>
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<tr>
<td>ILO</td>
<td>International Labour Organization</td>
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<td>IMF</td>
<td>International Monetary Fund</td>
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<td>IPO</td>
<td>Initial Public Offering</td>
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<tr>
<td>ITC</td>
<td>International Trade Centre</td>
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<td>JICA</td>
<td>Japan International Cooperation Agency</td>
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<td>kW</td>
<td>Kilovolt</td>
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<tr>
<td>MIGA</td>
<td>Multilateral Investment Guarantee Agency</td>
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<tr>
<td>MoE</td>
<td>Ministry of Energy (SL)</td>
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<td>MoU</td>
<td>Memorandum of Understanding</td>
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<td>MSF</td>
<td>Multi-Stakeholder Forum</td>
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<td>MW</td>
<td>Megawatt</td>
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<tr>
<td>ND</td>
<td>No Date</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organisation</td>
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<td>NLP</td>
<td>National Land Policy</td>
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<td>NPA</td>
<td>National Power Authority</td>
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<td>NSADP</td>
<td>National Sustainable Agriculture Development Plan</td>
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<td>PFSD</td>
<td>Private and Financial Sector Development</td>
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<td>PIDG</td>
<td>Private Infrastructure Development Group</td>
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<td>PPA</td>
<td>Purchasing Power Agreement</td>
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<td>PPDA</td>
<td>Public Procurement and Disposal Act</td>
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<td>PPIAF</td>
<td>Public-Private Infrastructure Advisory Facility</td>
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<td>PPP</td>
<td>Public-Private Partnership</td>
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<td>PPPU</td>
<td>Public-Private Partnership Unit</td>
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<td>PRS</td>
<td>Poverty Reduction Strategy</td>
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<tr>
<td>RABI</td>
<td>Remove Administrative Barriers to Investments</td>
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<tr>
<td>RED</td>
<td>Renewable Energy Directive</td>
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<tr>
<td>RMB</td>
<td>Renminbi</td>
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<tr>
<td>PMDC</td>
<td>People’s Movement for Democratic Change</td>
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<tr>
<td>RSB</td>
<td>Roundtable on Sustainable Biomaterials</td>
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<tr>
<td>SAP</td>
<td>Structural Adjustment Programme</td>
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<tr>
<td>SCP</td>
<td>Smallholder Commercialisation Programme</td>
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<td>SDGs</td>
<td>Sustainable Development Goals</td>
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1. INTRODUCTION

The near-total destruction of Sierra Leone’s ailing infrastructure during the country’s civil war was a stumbling block to the nation’s post-war development. The government of Sierra Leone (GoSL) put the restoration of the infrastructure sector as one of the pillars of its post-war development agenda. The aim was to move the country from post-war humanitarian assistance to socio-economic development and poverty reduction. To achieve this goal, the GoSL sought counsel from the World Bank’s Public-Private Infrastructure Advisory Facility (PPIAF) in 2009 (World Bank, 2011). The PPIAF provided technical assistance to support public enterprises by entering into long-term contractual arrangements with private sector service providers, and developing minimum standards and regulations governing private-public partnership (PPP) contracts (World Bank, 2011). Their effort resulted in the inclusion of PPPs as a funding mechanism for Sierra Leone’s infrastructure development in the “Agenda for Prosperity”, the country’s third generation poverty reduction strategy (PRS) (2013-2018) (GoSL, 2013).

Since then, the PPP financing model has been operationalised, and several projects have been instituted. Even though the main actor pushing Sierra Leone’s PPP agenda, the World Bank Group, is promoting gender equality in PPPs, Sierra Leone’s PPP legal framework is gender insensitive. In order to understand the issues of gender equality and PPPs in Sierra Leone, this chapter will be divided into two broad sections. The first section provides the background context on the concepts, the infrastructure sector, the PPP regulatory framework, and the energy and agriculture sectors. The second section focuses on Addax Bioenergy Sierra Leone Limited (Addax/ABSL), the case study for this report which looks at
women’s rights, resistance, and struggles against Addax Bioenergy, the social and economic impact of ABSL and the downsizing of Addax, and the transfer to Sunbird Bioenergy.

2. **GENDER EQUALITY AND PPPs**

The discourse on PPPs and gender equality is dominated by two perspectives: the first view is promoted by donor governments and international financial institutions (IFIs), on the one hand, while, on the other, there is the position of social justice campaigners, such as gender equality and women’s rights activists, civil society organisations (CSOs) and trade unions, who criticise the viewpoints of the former. The IFIs, led by the World Bank Group (WBG) and their cohorts, are pushing for PPPs to be the instrument for financing the United Nation’s Sustainable Development Goals (SDGs). In furtherance of their agenda, they are assisting countries to develop PPP regulatory frameworks to provide advice and finance for PPP projects (Eurodad, 2018). In the case of Sierra Leone, the WBG, through its various agencies, has been instrumental in shaping the nation’s PPP agenda. Although the country’s PPP framework is gender insensitive, the World Bank has developed a robust argument making the case for gender mainstreaming in PPP programmes and projects by advancing the development of infrastructure to reduce poverty while promoting gender equality and women’s empowerment in the long term (WBG, 2019).

On the other hand, CSOs, trade unions, women’s rights organisations, and other social justice entities have pointed out that it is impossible to use the PPP framework to promote social development not only because it undermines it, but also because it is flawed. These flaws are obvious in relation to their impact on gender equality: the lack of data on the positive impact of PPPs, particularly on women; the narrow approach of PPPs to gender equality; and the way in which the success of PPPs is measured (Eurodad, 2019). Furthermore, they argue that PPPs and social development, including gender equality and women’s rights, are diametrically opposed to each other, because the former are based upon achieving profit from the provision of a service, while the goal the latter is to attain long-term change (Eurodad, 2019). This chapter will use the perspective of social justice organisations in analysing the Addax case study to highlight how Addax Bioenergy Sierra Leone Limited (ABSL) has undermined women’s rights and social development in its area of operation.

3. **OVERVIEW OF SIERRA LEONE’S INFRASTRUCTURE SECTOR**

Sierra Leone’s horrendous civil conflict between 1991-2002 unleashed untold misery on its citizens, and, in tandem, the country’s social, economic, and physical infrastructures were destroyed. It is estimated that over 75,000 lives were lost, about 4,000 young men abducted
into the rebel fold, and nearly half of the population was internally displaced or became refugees in neighbouring countries (GoSL, 2003). In the infrastructure sector, the transport sub-sector, about 75 per cent of privately operated vehicles were burnt or destroyed, several boats were sunk in the coastal areas, feeder roads were dug out, and bridges damaged by the rebels (World Bank, 2001). Also, many water facilities in rural and urban areas (IMF, 2005), as well as fishing infrastructures, were destroyed (IMF, 2005). Concerning the power and energy sector, electricity generation declined drastically from its peak of around 196 GW hours in 1984 to about 25-30 GW hours in the year 2000 (GoSL, 2003). Also, the total electricity from the National Power Authority (NPA) declined from 117 GWH in 2002 to 29 GWH and 28 GWH in 2006 and 2007, respectively (GoSL, 2008). At the same time, the electricity generation in the provincial headquarters of Bo and Kenema in the southern and eastern provinces, respectively, almost collapsed (GoSL, 2008).

The nation was ranked among the bottom six countries on the African Infrastructure Development Index (AIDI) between 2006 and 2009 (AfDB, 2011). Despite significant investment in the sector since 2009, the country’s average of 7.4 on the AIDI for 2009-11 is half of the continental average of 14.8 over the same period (AfDB, 2015). Its standing on the AIDI between 2016-2018 has been among the bottom ten countries (AfDB, 2018). Also, Sierra Leone has one of the lowest penetration rates for public utility services, and some of the highest costs on the continent (AfDB, 2018). Furthermore, its infrastructure deficit worsened due to the high rate of urbanisation (AfDB, 2018). As per the AfDB, the Millennium Challenge Corporation’s diagnostic study states that the nation’s most binding constraints which stifle growth are linked to its huge infrastructure shortfall in energy and road transport, which, if not adequately addressed, will restrict private sector growth (AfDB, 2013).

Following the end of the 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). In relation to infrastructure, the GoSL’s aim was to improve energy supply, the road and transport network, and to build information communications technology (ICT) (IMF, 2008). As mentioned earlier, the government introduced the idea of using private sector funding for public sector projects in the country’s water, power, roads, ports, airports, and telecommunication sectors through the use of public-private partnerships (PPPs)(GoSL, 2013). As per the government, “PPP will also be explored
to ensure that environmental issues are taken on board in the implementation of projects. Government will ensure that the national environment is conducive to private sector participation through reviewing relevant legislation.” (GoSL, 2013: p. 154)

4. **PUBLIC-PRIVATE PARTNERSHIPS IN SIERRA LEONE: INSTITUTIONAL, LEGAL, AND REGULATORY FRAMEWORKS**

Sierra Leone’s PPP journey followed the usual trajectory of implementing the World Bank’s and the International Monetary Fund’s (IMF) free-market agenda, the structural adjustment program (SAP) in the 1980s, the PRS in the 2000s, and, later, the PPP platform in the 2010s. Following the GoSL’s request to the PPIAF for technical assistance to establish an enabling policy and legal framework for PPP operation in the country (World Bank, 2011: p. 1), several laws were enacted, agencies were streamlined, and permanent improvement was made to the country’s business environment. For instance, the Companies Act brought Sierra Leone in line with international standards (World Bank, 2011: p. 1). In addition, the PPP framework and the Institutional Development Plan for the Central PPP Unit were submitted to the government in November 2009 (World Bank, 2011: p. 2). As a result of these initiatives, Sierra Leone’s rank on the World Bank’s Doing Business Index improved by 20 places between 2006-2011 (World Bank, 2011: p. 2).

Private sector investment in public infrastructure in Sierra Leone started about 20 years ago, but it was not undertaken within a PPP legal framework (GoSL, NDa). Instead, the Privatisation Act of 2005, the Public Procurement and Disposal Act of 2005, and the Companies Act of 2009 were used as the implementing frameworks (GoSL, NDa). The process to create a legal platform for private investment in public infrastructure development started with the publication of the PPP Regulations under the Public Procurement and Disposal Act (PPDA 2005) in 2009 and culminated in the adoption of the PPP Policy in 2014 (GoSL, NDa). The PPDA outlined the GoSL’s commitment to PPPs as a priority mechanism to address the country’s infrastructure budget shortfall as well as providing a pathway for the enactment of a law for PPP delivery (GoSL, NDa).

The GoSL recognised PPPs as having the potential to mobilise both funding and expertise for infrastructure development, and was willing to work with private investors to share the costs, benefits, and risks of infrastructure development through PPPs (Solution Africa, 2019). As stated above, Sierra Leone’s PPP agenda was buoyed up by the government’s Private and Financial Sector Development (PFSD) project. The project was to support the country’s effort to improve investment, generate more foreign and local
investment and build government capacity to engage in sustainable and beneficial public-private partnerships (Solution Africa, 2019). The United Nations Development Programme’s (UNDP) technical assistance for the PFSD was to ensure that the GoSL achieved its development goals. To push its PPP agenda further, the government undertook policy, legal and institutional reforms to create frameworks for appraising and managing PPPs to develop major infrastructure projects in the country. This resulted in the submission of the PPP Act for parliamentary approval in 2013 (Solution Africa, 2019). The enactment of the PPP Act No. 11 2014 institutionalised the process in Sierra Leone.

The PPP architecture includes the Policy, the Act, and the Regulation (GoSL, NDa). The PPP Policy adopted in 2014 outlines the government’s commitment to PPP as a priority mechanism to address the country’s infrastructure budgetary deficits and to tap into private-sector efficiencies in developing and maintaining infrastructure (GoSL, NDa). It also provided the basis for the passing of the PPP Act (GoSL, NDa). In broad terms, the act set the standards for PPP procurement, based upon delivery of service, risk transfer, and good governance process (GoSL, NDa). It also paved the way for the establishment of the PPPU. The major categories of PPPs in Sierra Leone include Management Contracts, Service Contracts, Lease Contracts and Concession Contracts (GoSL, NDc: p. 15). PPPs are further sub-categorised into Build-Operate-Transfer (BOT) contracts, Build-Operate-Own-Transfer (BOOT) Contracts, (BOO) Contracts, and Design-Build-Operate-Maintain (DBOM) (GoSL, NDc: p. 15).

5. THE PUBLIC-PRIVATE PARTNERSHIP UNIT
The establishment of the Public-Private Partnership Unit (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 funding was to establish, support and build capacity within the PPPU (DfID, 2014). The World Bank and IFC supported the GoSL in the drafting of the PPP Bill to ensure international best practice (DfID, 2014, 2018). The GoSL, African Development Bank and UNDP provided resources to the tune of 2,140,000 GBP over two years 2013-2015. A breakdown of support is outlined in Table 1 below.

Table 1: Donor Support for the Establishment of the Public-Private Partnership Unit

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<thead>
<tr>
<th>Item</th>
<th>Funder</th>
<th>Amount</th>
</tr>
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<tr>
<td>Staff salaries and running costs</td>
<td>GoSL</td>
<td>………490,000 GBP</td>
</tr>
</tbody>
</table>
International PPP Advisor  | UNDP  | ..........250,000 GBP
Financial and legal advisors and training | AfDB  | ..........200,000 GBP
Equipment, technical assistance, and studies | DFID  | ........1,200,000 GBP
Total |  | ..........2,140,000 GBP

Source: DfID Annual Review Summary Sheet 2014.

Although the PPPU has been in existence since 2011, it was formalised after the adoption of the PPP Act in 2014. Apart from the “President’s Priority Projects”, the PPPU is solely in charge of all PPPs in the country. The PPPU staff have been capacitated with skills in economic viability analysis, best practices in procurement and effective negotiation strategies (Solution Africa, 2019). Four staff members of the Unit were trained in Ghana’s African Institute of Management Science in 2018 to identify and appraise PPP projects and develop PPP policies (Solution Africa, 2019). As a result of their training, they were deployed in the implementation of two-solar and hydro-power projects (Solution Africa, 2019). Finally, it has been argued that the PFSD support resulted in improvement in the preparation of tender documents by procurement staff of participating ministries, department and agencies, better management of the procurement process and greater participation in negotiations (Solution Africa, 2019).

The PPPU’s mandate is to promote, facilitate, and streamline the inception, negotiations, and implementation of all PPP agreements between public entities and private partners (GoSL, NDb). The unit’s functions include providing technical and legal support to the PPP process to ministries, departments, agencies, and local councils in working with the private sector to deliver public services (World Bank, 2020). It includes project identification, the execution of feasibility studies to help determine a project’s viability, and the management of the PPP procurement process for the selection of a private partner to implement and deliver on the agreed project (GoSL, NDb). It is also responsible for ensuring that all PPPs arrangements comply with the Act and this includes the development of selective PPP procedures and matters incidental thereto (GoSL, NDb).

6. SIERRA LEONE’S PUBLIC-PRIVATE PARTNERSHIP LANDSCAPE

The country’s PPPU works in the energy, agriculture, fisheries, transportation, health, and education sectors. The current PPP landscape consists of four projects in the energy sector, and one each in the transportation and fisheries sectors (see Annex 1-Table 2 for details). The ongoing PPPs in the energy sector include Bumbuna Phase 11 Hydro Power Project, Western
Area Generation Project (Kissy HFO Project), Solar era, and 25 MW Betmai Hydro, listed in Table 1, Addax Bioenergy Sierra Leone/Sunbird, Planet Core Solar, and UNOPS. Table 3 details (see Annex 1 for details) 12 PPP opportunities in the country, comprising five opportunities in transport, two in health, and one each in the energy, housing, the city council, tourism, and the water sectors.

6.1. **Situating the Emergence of Addax Bioenergy Sierra Leone within Sierra Leone’s Development Agenda: The Energy and Agriculture Sectors**

Addax straddles Sierra Leone’s energy and agriculture sectors. The African Development Bank, one of the Addax’s investors, states that the project is aligned to the GoSL’s social investment and development objective policy as outlined in its second-generation Poverty Reduction Strategy, “the Agenda for Change 2008-2012” (AfDB, 2009: p. 3). Moreover, it was stated that the project is fully aligned with the Sierra Leone investment policy because it is a large agricultural and industrial project that:

i) Will provide job opportunities for Sierra Leoneans at all skill levels;

ii) Provide significant foreign direct investment;

iii) Is export-oriented;

iv) Makes extensive use of local raw materials;

v) Will ensure the development and transfer of a variety of skills and technology;

vi) Will produce a surplus of electricity for commercial purposes; and

vii) Makes use of renewable energy renewable resources (AfDB, 2009: p. 3).

Furthermore, the project was also touted for being in line with the nation’s “National Sustainable Agriculture Development Plan (NSADP)”, including the nation-wide initiative “Smallholder Commercialisation Programme (SCP), a sector-wide framework for achieving the objectives of the “Agenda for Change” (AfDB, 2009: p. 3).

6.1.1. **The Energy Sector**

The immediate post-war energy sector was characterised by inadequate production capacity, a non-integrated transport system, and a distribution system with only 35,000 connections (World Bank, 2011: p. 2). As a result, the PPIAF was called upon to assist in reviewing the options available on the financing, ownership, and operation of the power sector, and to produce a report on the viability of private-sector participation in the sector (World Bank,
The outcome of the PPIAF’s engagement was a PPP Diagnostic Report and Recommendations for the Energy Sector in 2002 (World Bank, 2011: p. 3). In a nutshell, the PPIAF recommended a combination of government facilitation with private resources and international community assistance as a gateway to increasing the rate of access to energy in the country (World Bank, 2011: p. 2). The funding was used to review the performance of the two power operators in the country, the National Power Authority (NPA) and the Bo-Kenema Power Service (BKPS). Subsequently, the 2005 NPA Act amended the 1982 Act to allow private sector participation in the energy sector, thereby repealing the NPA’s monopoly over the generation, transmission, supply of electricity, and related matters (World Bank, 2011: p. 2). Furthermore, the GoSL’s paper entitled “The Sierra Leone Energy Sector: Prospects and Challenges” accepted many of the PPIAF recommendations that “private sector financing or public-private partnerships for the establishment of solar home systems (for lighting, water pumping, and so on), for the implementation of biogas digesters (for cooking, lighting, and motive power applications), and the establishment of windmills (for lighting, water pumping, among others) should be vigorously pursued for homes, schools, hospitals, community centres, among others across the country” (World Bank, 2011: p. 3).

Following the repeal of the 2005 Act, the 2011 Electricity Act was passed by parliament to unbundle the country’s energy sector. The NPA was divided into two agencies to be supervised by the Ministry of Energy (MoE), the Electricity Generation and Transmission Company (EGTC), and the Electricity Distribution and Supply Company (EDSA), both institutions becoming operational in January 2015 (World Bank, 2016: p. 2). The EGTC is tasked with generation and transmission at high voltage levels (161 kV), and the EDSA is responsible for sub-transmission and electricity distribution (33 kV and below) (World Bank, 2016: p. 2). The Electricity and Water Regulation Commission (EWRC) has the responsibility to determine and review tariffs (World Bank, 2016: p. 2). In addition, the Electricity Sector Reform mapped out an implementation of reform activities over thirteen-years:

- **Recovery period (up to mid-2018):** completion of the implementation of the Electricity Act, development of a procurement framework, development of off-grid licences, and a review of procedures for collecting revenue and managing electricity theft within EDSA.

- **Transition period (mid-2018-2020):** sector prepares for financial stability but continues to operate under an incomplete commercial framework and without an
adequate financial flow from contractual agreements. Decisions must be taken regarding the necessary qualifications of individuals before they are entrusted with the following: construction, erection, repair, or alteration of any installation or apparatus; the responsibility of any installation; the operational control of an apparatus; the development of a mini-grid regulation to create an enabling environment for off-grid energy production.

- Delivery period-mid-term (2021-2025): sector policy objectives are delivered. The sector’s institutional and organisational structure prepares itself to deliver the long-term (2026-2030) objective for universal access to electricity. One of the key conditions to effectively attaining this vision is to focus on raising awareness and building capacity among the institutional players in the electricity sector (GIZ, 2018: p. 41).

During this period, old projects will continue, and new ones will be initiated.

While the country’s electricity situation has improved, it is still abysmal. For instance, the country has one of the lowest electricity access rates in the world (World Bank, 2019). The electricity access rate is about 16 per cent, with about 90 per cent of the 172,000 customers located in the urban parts of Freetown (World Bank, 2019). Also, only five of the 16 district capitals are partially supported by a combination of small diesel units and mini-hydropower plants (World Bank, 2019). Finally, the electrification rate in rural areas is almost non-existent (World Bank, 2019). To achieve the objective of universal access to electricity in the country, the GoSL is using various energy platforms such as hydroelectricity, thermal generation and solar power to provide electrical power across the nation. A host of development partners, including the World Bank, the Japan International Cooperation Agency (JICA), the DfID, and several PPP arrangements are being used to promote energy for all in the country.

6.1.2. The Agriculture Sector
Sierra Leone’s agriculture agenda promotes foreign investment and a market-led approach for the private-sector development of commercial agriculture. The strategy is premised on the belief that the private sector drives the organisation of value chains that bring the market to smallholders and commercial farms, a concept known as Agriculture for Development, or “A4D” as per the World’s Bank 2008 Report (Oakland Institute, 2011: p. 11). The strategy was adopted in the NASDP, signed in 2009 (Oakland Institute, 2011: p. 11). The overall objective of the NSADP is to “increase the agriculture sector’s contribution to the national
economy by increasing productivity through commercialisation and private sector participation” (Oakland Institute, 2011: p. 11). The programme’s focus is on agriculture products as commodities, and the Plan aims to facilitate access to markets and value addition for a selected range of agricultural commodities such as rice, cassava, palm oil, cocoa, fisheries, and non-timber forest products (firewood, charcoal, rattan, raffia) (Oakland Institute, 2011: p. 11). The emphasis on large-scale commercial agriculture is credited to the electoral victory of the All People’s Congress (APC) in 2007 (Oakland Institute, 2011: p. 11).

The Sierra Leone People’s Party (SLPP), the party that ruled from 1996-2007, prioritised food security and the right to food as part of its development agenda (Oakland Institute, 2011: p. 9). It encouraged smallholder agriculture as a valid component of the country’s overall development strategy (Oakland Institute, 2011: p. 9). It is worth noting that the SLPP is currently the ruling party (2018-2023) and has continued with the PPP model of financing infrastructure projects.

The APC government discarded the SLPP’s food security agenda and promoted large-scale commercialisation of agriculture in the country. It must be noted that the industrial-scale agriculture projects are in contradiction to the government’s SCP. The SCP is a 400 million USD programme to run for five-years (2010-2015) promoted by the GoSL (Oakland Institute, 2011: p. 15). The initiative aimed to empower the rural poor to increase their food security and income on a sustainable basis in order to lead to long-term economic development and poverty reduction (IFAD, 2013: p. 1). However, the hidden message in the government’s campaign promoting the SCP is the notion that family farming is inefficient and unproductive (Christian Aid, 2013: p. 13).

On the other hand, critics of the “new agriculture” note that “the agribusiness framework will benefit only traders and retailers while transforming smallholders into out-growers within the global division of labour, rather than sustaining the ecological and cultural integration of small-scale farming” (Christian Aid, 2013: p. 12). ABSL is part of the GoSL’s industrial-scale agriculture programme or what civil society organisations have termed as land grabbing. According to the 2015 National Land Policy, land grabbing refers to as “an act of claiming ownership of a piece of land without following appropriate procedures recognised by statutory or customary law in Sierra Leone” (GoSL, 2015: p. xii).

A host of institutions were established to further the government’s agenda for the commercialisation of agriculture. The Sierra Leone Investment and Export Promotion
Agency (SLIEPA), the focal point in promoting the agenda, was created by an act of parliament in 2007 to replace the Sierra Leone Export Development and Investment Corporation. Its operation commenced in May 2008 as the country’s “official agency to assist and inform investors and exporters” on conducting business in Sierra Leone. The agency was established with direct assistance from the WBG’s International Finance Corporation (IFC) and its Foreign Investment Advisory Services (FIAS), the DfID, and the International Trade Centre (ITC), in both financial and capacity-building terms. The IFC also provides foreign consultants (“technical assistance” or “advisory services”) to promote investment opportunities in sugar and palm oil, the raw stock for agrofuels (GoSL, 2015: p. 13). The SLIEPA promotes these large-scale agriculture projects with mouth-watering incentives to attract investments to the country. These include exemptions from import duties on agricultural equipment, machinery, agro-chemical and other inputs, corporate tax exemptions, complete foreign ownership, and full repatriation of profits (GoSL, 2015: p. 14). In addition, investors are offered guidance on possible locations for oil palm and sugarcane plantations and on how to lease land in the country (GoSL, 2015: p. 14). SLIEPA advertises Sierra Leone as a prime location for agricultural investments, touting the extremely low rural labour rates by comparing them to the higher rates in other agricultural investment destinations, such as Brazil, Thailand, and Indonesia (Oakland Institute, 2011: p. 13). Its website states:

“Sierra Leone is ideal for resources, a tropical climate, rich soil, and lowland and high land area. A current base of production in staple food (rice, cassava, vegetables), cash crops (sugar, cocoa, coffee, ginger, and cashew) and tree crops (oil palm, coconut). [Sierra Leone] has potential for significant expansion. A communal/chiefdom land tenure system and strong government make land easy to obtain in most agricultural areas through secure long-term leases.” (GoSL, 2015: pp. 13-14)

The key points used by the agency to attract potential investors include:

- Agricultural labour cost ranges from 2 USD to 3 USD per day, on a par with other African countries, and considerably less than alternate locations in Asia or Latin America.

- Labour regulation is relatively flexible, with productivity-based payments widely applied.
Leases on good agricultural land range from 5 USD to 20 USD per year (compared to 100+ USD in Brazil, 450+ USD in Indonesia and 3,000+ USD per hectare in Malaysia).

Currently, there is no charge for the utilisation of water resources.

Electricity rates are high, but it is expected that palm oil producers will generate their own power and sell to the grid, so high rates are beneficial.

Tax rates are very attractive, with 0 per cent, corporate income tax 0 per cent on imported inputs for qualified investors. (GoSL, 2015: p. 14)

Other WBG initiatives to promote land commercialisation and privatisation include SLIEPA’s Agribusiness Investment Task Force (AITF), the Investment Climate Facility (ICF) (GoSL, 2015: p. 15) land registration in the Western Area where land is freehold (GoSL, 2015: p. 15), and the IFC’s programme to Remove Administrative Barriers to Investments (RABI). The AITF introduces investors directly to communities and local authorities in order to access land (GoSL, 2015: p. 15). The ICF project aims to digitise all land holdings and issue a deed to landowners (GoSL, 2015: p. 15). The Sierra Leone Business Forum (SLBF) (with SLIEPA) was established under the RABI framework as the primary vehicle for public-private dialogue on improving the business environment (GoSL, 2015: p. 15). In addition, investors in Sierra Leone are protected under accords with two World Bank-affiliated risk agencies, to wit, the African Trade Insurance Agency (GoSL, 2015: p. 15) and the Multilateral Investment Guarantee Agency (MIGA). Both entities provide various types of insurance to protect their investment, including political risks (GoSL, 2015: p. 15). Due to the pro-investment climate in the country, foreign direct investment (FDI) increased from 8 million USD per year between 2000-2005 to 81 million USD in 2007 (GoSL, 2015: p. 15).

**6.2. Women’s Land Rights in Sierra Leone**

Sierra Leone was bequeathed a dual land tenure system by the British colonial government at independence because the country was ruled as two separate entities - the Colony, and the Protectorate. The colony constitutes Freetown, the capital city and its environs, where landownership is based upon freehold, which means that land can be freely bought and sold. On the other hand, landownership in the rest of the country is based upon leasehold (Oakland Institute, 2011: p. 18). Land within this legal system is viewed as the “property” of the indigenous land-owning families, known as “natives”, with usufruct land rights (Oakland Institute, 2011: p. 18).
Institute, 2011: p. 18). As per the 1927 Protectorate Land Act, land leases in the provinces cannot exceed 50 years for non-natives (including Krios, foreigners, foreign companies, and even missionary churches), with possible extensions of up to 21 years (Oakland Institute, 2011: p. 18).

Even though women are the primary producers and farmers in the society, they are discriminated against, and denied ownership, access to, and control of land (FAO, 2016). As such, they operate in an informal and precarious system without any legal titles to land (FAO, 2016). Their access to land is hindered by customary law, on the one hand, and by legal barriers in the constitution, on the other. In the case of the former, women are discriminated against even when they are members of land-owning families. The discriminatory practices include insensitivity laws, such as women not being allowed to bring lawsuits over land disputes to court in certain regions of the country; poor or non-allocation of desirable land to women by male heads of families or chiefs; the lack of the definition of rights under communal and family ownership, resulting in women being left out of transactions involving family land; rights of inheritance, and succession related to land under customary law; inadequate representation of women in land-related decision making at various levels; and lack of avenues for redress or holding male heads of families and chiefs accountable for decisions that adversely impact women’s rights (Conteh and Thompson, 2019: p. 8). Regrettably, women cannot seek recourse within this formal legal system because it exempts customary law from the non-discrimination provision in Section 27 (1) of the constitution. Also, Section 76 of the Courts Act of 1965 includes certain restrictions on the application of customary law in civil matters within the formal court system where it would be repugnant to natural justice, equity, and good conscience; moreover, the application of gender discriminatory customary laws and practices outside of formal court system are not monitored (Conteh and Thompson, 2019: p. 9). It is based upon these discriminatory acts against women that the National Land Policy (NLP) of 2015 called for a constitutional amendment and the repeal, modification, or elimination of all prejudiced laws, policies, customs, and practices against women (Conteh and Thompson, 2019: p. 9).

Land reform advocates have demanded equity for women, all marginalised groups, and “non-natives”, in order to end the inherent discriminatory practices in the leasehold system. Land reform is also championed by international financial institutions such as the WBG in order to improve investor access to land (Oakland Institute, 2011: p. 18). Their efforts led to the enactment of the long-awaited NLP and the incorporation of the Voluntary
Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forest (VGGT) (Namati, 2015) into the policy. The yet to be implemented policy has provisions to individualise land, end the distinction between “native and non-native” rights to land, strengthen women’s access and control over land, create a binding framework for responsible large-scale investments in land, situate land management structures at community level and bring certainty to land transactions with the introduction of compulsory title registration system (Namati, 2015). In addition, the policy proposed eight strategies to promote women’s rights to land and property.

The Food and Agriculture Organization (FAO) provided technical assistance to ensure that the land policy embodies the principles and best practices from the VGGT. The UNDP provided financial support to the policy development team, and the World Bank was the sole financier of the Land Governance Assessment Framework (Awoko, 2017). The World Bank has also offered 10 million USD to the GoSL to support the land policy implementation process (Awoko, 2017). Namati, a global network of grassroots legal advocates working on land and environmental justice in Sierra Leone, drafted two land bills in 2020 that are gender-sensitive, and promote women’s land rights and participation. The Model Customary Land Bill aims to give legal effect to provisions in the 2015 NLP which protects land rights under customary law for all citizens. It covers wide-ranging issues including non-discrimination, ownership, administration and management of customary land, gender equality, investment, and dispute resolution (Namati, 2020a: p. 1). One of the outstanding proposals of the bills is the provision to stop land-grabbing in Sierra Leone. The Model Customary Land Bill set out a land size limit of 5,000 hectares for large-scale acquisitions with provision for extension based upon guidelines (Namati, 2020b). The terms on which the 5,000 hectares can be exceeded are detailed in the Model Land Commission Bill (see Annex 5). The provisions and the stringent terms for expansion, if approved by the GoSL, will be the beginning of the end of the exploitation of land-owning families by multinational corporations, IFIs, local authorities, and the GoSL. Hopefully, this will put an end to the issue of land-grabbing, which is rampant in large-scale projects in rural Sierra Leone.

In relation to gender equality, the proposed bill states that the right to make decisions concerning family land should be taken by a super-majority of 75 per cent of male and female members, 18 years old and over, and that all transactions on family land that are not approved by the super-majority are illegal. It also prohibits anyone (male or female) who is acting as the head of the family from taking decisions about the sale or lease of family land by
themselves. It also states that men and women in the family have the same rights and powers in relation to the family land (Namati, 2020b: p. 1). In addition, the bill guarantees equal rights to both men and women to own, hold, use, transfer, inherit, and succeed to land under customary law, and guarantees the right of women to act on behalf of their family on land issues (Namati, 2020b: p. 2).

The objective of the Model Land Commission Bill is to establish the National Land Commission and other land administration bodies in Sierra Leone in line with the 2015 NLP. The bill includes provisions for the registration of the title to private land, a modern national land title registry, modern land surveying and mapping, guidelines for national land use planning, a land taxation regime, and co-management of foreshores (Namati, 2020b: p. 1). The bill includes a requirement that not less than 40 per cent of women should be institutional members of the Board, Land Commissioners, district-level Commissioners, Chiefdom Land Committee and Town/Village Area Land Committee (Namati, 2020b: pp. 1-2). If Namati’s proposals are accepted, they would not only lead to women’s land rights in their entirety, but also to transparency and inclusivity in all land deals in the country. However, it is not going to be an easy task, as the Minister of Lands, Country Planning, and the Environment did not participate in the virtual presentation of the Model Land Commission Bill to Parliament in May 2020.

6.3. Background to Addax Bioenergy Sierra Leone (ABSL)

Although ABSL became operational prior to the commencement of Sierra Leone’s PPP programme, however, it is however, classified as a PPP project because a private sector entity in partnership with Development Finance Institutions (DFIs) went into partnership with the GoSL to generate electricity, a utility by a private sector entity (Bread for the World, 2016: p. 37). ABSL became operational in 2011 after a three-year negotiation between the GoSL, local leaders in the project areas, and officials of Addax. The company is a fully owned subsidiary of the Swiss-based Addax and the Oryx Group Limited (AOG). AOG, the parent company, was formed in 1987, as an oil, gas, and bioethanol exploring and trading company, and a key player in Africa’s energy industry (Bread for the World, 2016). Its activities include Upstream; Downstream supply; storage distribution; Bioenergy, capital investments and real estate (Bread for the World, 2016). The company is incorporated in Malta, a European tax haven (Bread for the World, 2016: p. 25). Since Malta offers a high level of anonymity and privacy, the financial report of AOG is not in the public domain (Bread for the World, 2016: p. 25).
Addax was established in 2008 to create a sustainable investment model for biofuels in Africa (Business Wire, 2011). The project was to develop a Greenfield integrated agricultural and renewable energy product to produce fuel ethanol and electricity (AfDB, 2009: p. 1). It was expected to produce about 90,000 imetres 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 will be sold to Sierra Leone’s national grid through a Purchasing Power Agreement (PPA) with the NPA (AfDB, 2009: p. 2). The project aimed to assist in halting the EU’s dependence on fossil fuels and also reduce greenhouse gas (GHG) emissions (Business Wire, 2011). The EU’s Renewable Energy Directive (RED) of 2009 establishes that 10 per cent of fuels from renewable sources should be added to all fossil fuels in the community in order to improve its carbon footprint and bring Europe closer to its GHG reduction objectives thus paving the way for a secure market for ABSL’s bioethanol (Business Wire, 2011: p. 12).

The project is located in the Chiefdoms of Makari Gbaniti and Bombali Sheboro in the Bombali District and Malal Mara Chiefdom in the Tonkolili District, both in the Northern Province of Sierra Leone (AfDB, 2009: p. 1). The project area is surrounded, to the west and south, by the Rokel River, from where the project will draw water for irrigation (ActionAid, 2013: p. 5). It is estimated that 2 per cent of the water from the Rokel River will be used for irrigation by ABSL (Swedwatch, 2017). Even though lands were leased in 2010, cane cultivation started earlier, and ethanol and electricity production commenced in 2014 (Bread for the World, 2016: p. 13). Addax leased a total of 57,000 hectares of land, which is more than the net needs of the project (AfDB, 2009: p. 2). However, the lease includes a relinquishment clause allowing ABSL to give up lands that are not needed for its operations with a 5-year grace period until lands are either developed or given up, farmers are free to continue their operations (AfDB, 2009: p. 2). The project used 14,300 hectares of land constituting 10,000 hectares of irrigated sugarcane estates, land for the project’s infrastructure including an ethanol factory, a power plant, resettlement areas, roads, and irrigation infrastructure and supporting infrastructure such as a power line connecting the power plant to the national grid (AfDB, 2009: p. 1). In addition, approximately 2,000 hectares were developed as part of the Farmer Development Programme (FDP). The FDP was developed in conjunction with the FAO to secure the per capita food baseline in the project area (AfDB, 2009: p. 1). The FDP is expected to impact positively on food availability beyond current levels (AfDB, 2009: p. 1). A further 1,800 hectares were used for
ecological corridors and buffer areas to protect existing pockets of biodiversity (AfDB, 2009: p. 1). The land for the irrigation pivots was chosen based upon the criteria of agricultural sustainability, proximity to the factory and water sources, and various sustainability criteria such as the avoidance of villages, forests and food-producing areas, with the aim of minimising economic and physical displacement (AfDB, 2009: p. 1).

The land lease is for 50 years with the possibility of a further 21 years renewal. Rents from the annual rental fee of 12 USD per hectare was divided among the different stakeholders as follows: 50 per cent to landowners, 20 per cent to Chiefdom and District Councils and 10 per cent to the national government (Oakland Institute, 2011: p. 24). Addax’s employment figures vary depending on the source. While the Memorandum of Understanding (MoU) states that 3,000 people will be employed in the first phase of production (2010-2013), increasing to 4,000 in phase two of production (2013-2015) (Oakland Institute, 2011: p. 24), the ABSL website acknowledges no more than 2,000 “direct jobs”, without outlining the characteristics of the term “direct jobs”. The ABSL’s ESHIA puts the employment figure at 2,200 permanent and 2,500 seasonal workers, locally recruited.

The presidential adviser on private sector development described the project as the country’s “flagship” investment (Oakland Institute, 2011: p. 24). His statement was bolstered by the president who travelled to the project area with Mr Gandur, the Swiss owner of AOG to sign the MoU on 9 February 2010 (Oakland Institute, 2011: p. 24). The president’s open support for the project was not only because he was the head of state, but also because the site is in his area of origin. However, the opposition SLPP expressed concern that the use of land to produce bioenergy consumes land that should be used for food production, and that food security is at risk. This notwithstanding, the APC and its ally in parliament, the People’s Movement for Democratic Change (PMDC) party supported the MoU, and the Sierra Leone parliament ratified it on 10 November 2010 (Oakland Institute, 2011: p. 25). The MoU has a stabilisation clause that states that “Addax shall be exempt from any law that comes into effect or is amended, modified, repealed, withdrawn or replaced, that has a material adverse effect on Addax (or its contractors or shareholders)” (Christian Aid, 2013: p. 13). This means that future governments and generations are locked into the terms of this MoU, and presumably the actual lease, until 2060 (Oakland Institute, 2011: p. 25). Also, Clause 7 (i) states that “All disputes shall be referred to and finally resolved by arbitration in London before three arbitrators under the Rules of Arbitration of the International Chamber of Commerce from time to time” (Christian Aid, 2013: p. 14). This amounts to the denial of
justice to the land-owners, as they cannot afford to travel to seek justice (SiLNoRF & BfA, 2014: p. 9).

While Addax was granted very favourable tax exemptions that will allow it to save 135 million USD on its tax bill over the next ten years (SiLNoRF & BfA, 2014: p. 2), the GoSL introduced a new levy of 15 per cent, the “goods and services tax” (GST) starting in January 2010 to increase the domestic revenue base. The use of tax incentives to attract FDI has been widely criticised. As per the IMF, tax incentives could “result in a loss of current and future tax revenue, encourage rent-seeking, attract footloose firms, be outside the budget and non-transparent, and in the case of tax holidays, constitute a particularly ineffective way of promoting investment” (Christian Aid, 2013: p. 65). As Table 4 below shows, in addition to the general exemptions for all companies, Addax enjoyed extra concessions from the government.

**Table 4: Tax Incentives for Agribusinesses and Addax**

<table>
<thead>
<tr>
<th>Standard Rate For All Companies</th>
<th>Incentives for All Agribusinesses</th>
<th>Special Deal For Addax Bioenergy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corporate Income Tax</td>
<td>Exemption for 10 years</td>
<td>Special Deal: Exemption up to 31 December 2022 (13 Years)</td>
</tr>
<tr>
<td>Import Duty on Raw Materials/Agricultural inputs 3%</td>
<td>Exemption</td>
<td>Same</td>
</tr>
<tr>
<td>Import Duty on Plant/Machinery Equipment 0% for 5 Years</td>
<td>Same</td>
<td>Same</td>
</tr>
<tr>
<td>Withholding Tax on Interest 15%</td>
<td>Same</td>
<td>Special Deal: 5%</td>
</tr>
<tr>
<td>Withholding Tax on Dividends 50% Exemption</td>
<td>Same</td>
<td>Same</td>
</tr>
<tr>
<td>Profit from Leasing Property: Tax Deductible Allowance of 20%</td>
<td>Same</td>
<td>Special Deal: Lease Rents are allowable reduction not subject to withholding tax</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>Special Deal: other bona</td>
</tr>
</tbody>
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fide business payments and expenses are deductible against tax and not subject to withholding tax


AOG mobilised two African development finance institutions and six European development finance institutions (EDFIs) to fund ABSL. The Netherlands Development Finance Company (FMO) and the Emerging Africa Infrastructure Fund (EAIF) were the co-lead arrangers for 142 million Euro provided by the DFIs (Cordiant, 2011). The following DFIs invested in the project: the German Investment Corporation (DEG - Deutsche Investitions-und Entwicklungsgesellschaft), the Belgian Investment Company for Developing Countries (BIO), the EAIF, FMO, the AfDB, the South African Industrial Development Corporation (IDC) and the Canadian Cordiant-managed ICF Debt Pool. Sweden’s development finance institution Swedfund and FMO joined Addax and Oryx Group as equity partners (Cordiant, 2011). The amount for the total investment has conflicting figures ranging from 257 million Euro, 267 million Euro, 400 million Euro to 455 million Euro (See Annex 3) (Bread for the World, 2016: p. 27).

ABSL adopted a slew of environmental and social standards and safeguards to show its commitment to managing various social and environmental risks. These include the South African Industrial Development Corporation’s “Code of Ethics”, the AfDB’s “Integrated Safeguard System”, the “Equator Principles”, the “Guiding Principles on Business and Human Rights” and several in-house standards of the DFIs (Bread for the World, 2016: p. 19). In 2009, all 16 EDFIs adopted the “Principles of Responsible Finance” which is based upon the “United Nations (UN) Declaration of Human Rights”, the “ILO-Core Conventions”, and, more specifically, the IFC-Performance Standards (IFC-PS), which became the reference standards for all other standards and safeguards (Bread for the World, 2016: p. 19). All DFIs except the IDC and AfDB adopted the IFC-PS, which were conditional to the contractual relations of all the other DFIs with Addax (Bread for the World, 2016: p. 19). Addax’s association with the DFI’s played a role in the company receiving the first African Certification by the Roundtable for Sustainable Biomaterials (RSB) (Swedwatch, 2017: p. 20). The certification in February 2013 will enable the entry of Addax’s biofuels onto EU markets when production started in 2014, as it would have satisfied the EU’s requirement that all biofuels that count towards its renewable targets to have a certificate of sustainability
verification (ActionAid, 2013: p. 5). Moreover, the company became the first operation in Sierra Leone to be registered as a Clean Development Mechanism project of the UN Framework Convention on Climate Change (ActionAid, 2013: p. 20).

Local and international non-governmental organisations (NGOs) have contradicted Addax’s glowing portrayal of itself as an environmentally sustainable project that will create a win-win situation for all stakeholders, ensure food security, and protect livelihoods, among others. They have shown that Addax’s operations violated the Roundtable on Sustainable Biomaterials (RSB) criteria through its negative impact on food security, the principle of free prior and informed consent, and involuntary settlement (SiLNoRF & BfA, 2013b). Furthermore, they noted that project disregarded the land rights of local communities and threatened their livelihoods (ActionAid, 2013, p. 3). Consequently, they demanded the withdrawal of ABSL’s RSB certification for not only flouting the criteria, but also because the audit process was weak and not adequate to assess biofuel projects (SiLNoRF & BfA, 2013b). In response to its critics, not only did Addax ignore their observations and criticisms, it went on to state that its objective was to develop a comprehensive business model which integrates environmental and social programmes, innovative land-acquisition processes, transparency, disclosure, stakeholder engagement, and mitigation efforts (FAO, 2014, p. 33). Addax Bioenergy further stated that it was “fully aware of the debate around land-related investments in Africa and is committed to demonstrating that private investment can lead to a virtuous circle of responsible and sustainable development” (FAO, 2014, p. 33).

6.4. Women’s Rights and Gender Equality in Addax’s Operational Site

Unlike other parts of the country, the Northern Province where Addax is operating is known for its strict adherence to the customary practice of denying women both access to, and ownership of, land (Sesay, 2015). ABSL has followed this practice of discrimination against women 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.” (SEI, 2015)

Given this reality, it is unsurprising that the share of female employment with Addax stood at a dismal 6 per cent as of May 2015 (SiLNoRF & BfA, 2016: p. 7). Addax’s reluctance to rock the boat is unsurprising because the DFIs did not include the promotion of
women’s rights as a one of the values the company should abide by. What is most surprising however, is that AfDB, one of the DFIs, has a minimum 30 per cent quota on all its funded projects with its Member Countries but failed to advocate for its application in ABSL.

Some of the outcomes from Addax’s operations on women include displacement, and loss of access to fertile land-used for food production, and food insecurity, among others. Although women do not own land, their access to farmland, a valuable resource, diminished with the presence of ABSL. For instance, as most of the farmlands are under long leases, female farmers lost their livelihoods due to overlapping areas with their fields. The presence of Addax also made access to farmlands for female farmers difficult 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 & BfA, 2016: p. 43). Furthermore, ABSL’s activities, such as land clearance and the damming of rivers decreased the water quality, and the chemicals used by company contaminated the water in the raining season (SEI, 2015: p. 32). Also, fish stock in the Rokel river decreased because of Addax’s activities, and fishing in the streams stopped due to the levelling and drainage of the land. As a result, women have to travel either to Makeni or to Freetown to buy fish (SiLNoRF & BfA, 2016: p. 34). The extra time spent on these chores reduced the participation of women in productive activities, reduced their leisure and relaxation time, and increased their physical fatigue.

Also, life became challenging for most female farmers as they struggled to support their families, which includes paying for their children’s education (SiLNoRF & BfA, 2016: p. 43). Some women were also displaced from their agricultural land because they changed from bush fallowing farming (long fallow period which can only be done if there is a large tract of land available) to cultivation or intensive farming with a short fallow period (SiLNoRF & BfA, 2016: p. 48). Changing cultivation has low productivity in terms of output per hectare (Arifin and Hudoyo, 1998: p. 2). The cost of production, labour, fertiliser, and farm tools increased for female farmers, making life unbearable for them, as they have to pay more for everything (SiLNoRF & BfA, 2016: p. 48). Reporting on this situation, one female farmer notes that, “Addax has not made our lives better since they occupy our farmlands” (SiLNoRF & BfA, 2016: p. 48).

In response to the shortage of farmlands and the high cost of living, some female farmers took to charcoal burning as a survival strategy to make ends meet. 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 I engage in charcoal burning, which
is still inadequate to address my family’s needs” (SiLNoRF & BfA, 2016: p. 48). Charcoal burning is not only detrimental to the environment because of the GHG which it emits, but also causes deforestation and biodiversity loss, as well as respiratory health problems. The women also stated that the company’s activities have resulted in a scarcity of firewood and complained about the gruelling time spent on gathering fuelwood. However, another group of women were pleased that the company allowed them to collect the stumps from the fields that it has cleared (SEI, 2015: p. 32).

Addax’s appropriation of a large swathe of fertile lands (bolilands) and the failure of its social programmes to mitigate against the impact on food security, resulted in food insecurity in its operational area. For instance, rice yields within the project’s location are lower at 170 kg/ha compared to 250 kg/ha outside of the project area (SiLNoRF & BfA, 2016: p. 34). Also, food (vegetable and fruits) that were previously available for free around the bushes and fields prior to Addax’s arrival became scarce and are being sold. This made the diets of children, in particular, less diverse (SiLNoRF & BfA, 2016: p. 4). Food insecurity in the area is characterised by more regular (up to five days a week) reduced food intake by adults, the absence of buffer stock of pulses to last throughout the year, the rationing of food portion for children because of falling supplies and the consumption of a lower variety of food (Yengoh and Armah, 2015: p. 9521). The effects of ABSL’s operation on food security is captured by one female farmer 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.” (Yengoh and Armah, 2015: p. 9521)

Measures such as the Village Vegetable Garden (VVG) have not improved the situation of the women in the area. The programme was introduced in 2013 to contribute to the diversification of food and to create healthier diets because the focus of the FDP was on the production of rice (SiLNoRF & BfA, 2016: p. 33) which is distinctly in favour of male farmers. Women were the primary beneficiaries of the VVG, as they are the leading vegetable growers in the area as in other places in the country. The VVG growers included cassava and groundnuts to boost food production. Even though the land lease is for 50 years, Addax only offered a one-year free enrolment to participants in the programme. Participants were encouraged to register Farmer-based Organisations (FBO) at the end of the programme.
Registering as an FBO comes with both costs and benefits. Registered groups can access governmental aid to build up and cultivate their plots (SiLNoRF & BfA, 2016: p. 16). However, many participants reported that the programme was badly organised, as they were supplied with wrong, rotten, or pest-infested seeds. For instance, they were given carrot and cabbage seeds, instead of sweet potato and hot pepper seeds. Participants with fields that were close to the river complained of flooding, others of the non-profitability of the programme and the subsequent loss of the lands that they used for planting (SiLNoRF & BfA, 2016: p. 33). However, a few participants benefited from the VVG, as they were able to sell some of their produce in the market.

Overall, Addax’s impact on women’s lives was rated poorly, as the women had experienced more grievance than positive impact:

“Women reported a total of 117 grievances compared to 16 positive remarks. The most frequent grievances were, too short employment (19 grievances), no access to land (17), the salary is too low (13), rice planted by the smallholders gave poor harvests (12) and promises about schools, development of the local community have not been fulfilled (11). The positive features of Addax according to the views of the interviewed women were that women could do business with workers on the project (3), the salary from working in the project could be used to build a house (2) or to buy rice (2).” (FAO, 2014: p. 36)

6.5. Resistance and Struggles Against Addax

In June 2013, over 2,000 local staff at the Addax Estates at Mabilefu and Rokel in the Malal Mara Chiefdom in the Tonkolili District protested against the poor working conditions in the company. Their grievances include, among others, “disrespect and violation of the human rights of local staff; disregard for Sierra Leone’s labour laws; interference in staff union activities; failure to deliver on promises; falsification of information; and dispensation of expired drugs through the company doctor” (Politico SL, 2013). The workers stated further that they “no longer find pleasure in working with Mr John Moult, the General Manager and his inner circle” (Politico SL, 2013), and “they will not enter into any negotiations until we receive irrevocable confirmation of his departure” (Politico SL, 2013). They also wanted the “number of expatriates to be cut down considerably … to minimise cost” (Politico SL, 2013).

Masethele, a small village in the Malal Mara chiefdom objected to its entire land space of 2,796 acres being leased out to Addax by the chiefdom council because they were dissatisfied with both the lease agreement and the lack of consultation prior to its finalisation.
Addax paid a fixed rent of 3.60 USD per acre, and, in a bid to make the lease more palatable to the communities, ABSL introduced “acknowledgement agreements” directly with representatives of land-owning families (Sierra Express Media, 2013). Under these agreements, an additional 1.40 USD per acre was paid to land-owners who acknowledged Addax’s lease agreement of 50 years signed with the chiefdom councils (Sierra Express Media, 2013). The Mashele community did not accept its allotted share of the rent paid by ABSL to the chiefdom council because, as one female resident states, “the council should have asked us if we wanted to lease our entire village to Addax, but they didn’t, and we don’t want to give all our land to Addax” (Sierra Express Media, 2013). The community was steadfast with their demand and remained resolute even when pressure was applied from above (Sierra Express Media, 2013).

Addax’s insistence on its right to the entire village under the lease agreement and the community’s resolve to hold on to their land led to a gridlock which lasted over two years (Sierra Express Media, 2013). In late 2012, Namati with support from SiLNORF started representing the community in negotiations with Addax to reach an acceptable agreement between both parties (Sierra Express Media, 2013). In the end, it was agreed that the Addax’s leasehold title would cover 626 acres instead of the entire village land of 2,796 acres (Sierra Express Media, 2013). Thus, Addax would pay rent and other proceeds only for the land under sugarcane cultivation. The signing of the agreement on 8 March 2012, was the first time the company signed an acknowledgement agreement for an area smaller than their original leased lands (Sierra Express Media, 2013). In addition, the opposition of the communities of Woreh Yeamah and Woreh Wanda to Addax’s use of their lands was resolved in 2013 (SiLNoRF & BfA, 2014: p. 16).

6.6. The Social and Economic Impacts of ABSL’s in Northern Sierra Leone

Even though ABSL aimed to become a model for sustainable large-scale agriculture investment in Africa and committed itself to following wide-ranging social and environmental criteria, the project has been found to be wanting in fulfilling these obligations. These failings include the casualisation of labour, the failure of the social programmes, and the violation of the principle of free prior and informed consent (FPIC), among others. Addax’s national workforce was dominated by casual workers who were daily wage-earners, without social entitlements, such as annual leave and sick leave, and without redundancy benefits. As of March 2015, only 132 (3.4%) persons of Addax’s workforce of
3,850 were permanent staff with fixed monthly salaries. For the others, 1,472 (38.2%) employees were permanent staff, but their salaries were rated daily, subject to the number of working days in a month. The remaining 2,246 (58%) were casual, temporary workers employed on fixed-term contracts ranging from 3 to 6 months a year (SiLNoRF & BfA, 2016: p. 13).

The project violated FPIC rights of land-owners who claimed they were duped by both Addax and the local authorities who enticed them with juicy promises that were not forthcoming to handover their lands. They also stated that the rent was not negotiated but imposed by the government and Addax. The landowners noted further that they agreed to rent out degraded and marginal lands to the project, not their entire villages including residential areas, road, forest, among others. It is because of this landgrab that they are requesting a renegotiation of the lease (SiLNoRF & BfA, 2013b).

Based upon the annual monitoring reports for the years 2011-2015 by the Sierra Leone Network on the Right to Food (SiLNoRF) and Bread for All (BfA) and other critics of large land-scale investments in Sierra Leone, Addax’s presence in the project area had both beneficial and adverse impacts. On the positive side, it was observed that Addax Bioenergy was open for dialogue with its stakeholders, paid the land lease and acknowledgement fees, provided a treatment and prevention centre for Ebola increased household incomes, made infrastructure improvements, saw to the provision of skills training for a significant number of workers, and fulfilled its employment obligations. The company’s social programmes, such as the FDP, encouraged farmers to grow more rice, and the VVG was established to improve the livelihoods of women and to provide food security. Also, liaison committees and a formal grievance mechanism to receive the grievances and concerns of the communities and to facilitate their resolution were established. In addition, a multi-stakeholder forum (MSF) administered by the University of Makeni as a platform for discussing concerns among the various stakeholders and civil society groups was also established. It was also tasked with monitoring the project and its development (Swedwatch, 2017: p. 24).

However, the adverse impacts outweigh the positive ones in Addax’s operation. They range from increased poverty and food insecurity, to the out-migration of young people, to alcoholism, and domestic violence, among others (SiLNoRF & BfA, 2014; Christian Aid, 2013). Furthermore, poor employment opportunities, the failure of the FDPs, and the inadequate compensation of all land-leasers to Addax strengthen the case of the critics of the impact of ABSL (Approdev, 2013). The RSB certification of Addax for its biofuel project
was deemed improper because it was awarded without a thorough audit. Also, it was observed that the RSB’s definition of sustainability was inadequate, as it focused only on GHG, ignoring the other two pillars of sustainability-social equity and long-term economic profitability for all stakeholders (SiLNoRF & BfA, 2013a). It was further noted that the certification should not have been awarded to a company that was evolving rapidly and had not started production (SiLNoRF & BfA, 2013b). Finally, the company violated the three criteria of RSB for food security, free prior informed consent (FPIC), and involuntary resettlement (SiLNoRF & BfA, 2013b).

The production and provision of electricity was one of the selling points by Addax to convince the national government, the local government and community residents to accept their proposal of building an ethanol factory in Sierra Leone. Critics who challenged the entire project and the notion of electricity provision were decried as anti-development agents (SiLNoRF & BfA, 2013b: p 22). Although electricity was provided 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 ... The production of electricity is a total failure on the part of Addax not only to communities but the nation as a whole. We are still grappling with the fact that Addax was unable to produce enough sugarcanes for processing of ethanol and bagasse necessary to generate electricity for the national grid.” (SiLNoRF & BfA, 2013b: p. 22)

6.7. The Downsizing of Addax and the Transition to Sunbird Bioenergy

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 a new owner, Sunbird Bioenergy, came on board in September 2016. As per ABSL, the project goals were not met because of low sugarcane yields, low production of ethanol, and theft and sabotage from the local communities (Bread for the World, 2016: p. 30). The undisclosed cost overrun of about €150 million also contributed to Addax’s demise (Bread for the World, 2016: p. 30). These challenges were compounded by the fall of the EU price for ethanol by almost 27 per cent in 2013, and the unexpected outbreak of the Ebola Virus Disease (EVD) in Sierra Leone in 2014 (Swedwatch, 2017: p. 26). One of the most affected areas in the country included Addax’s operational site. The EVD outbreak resulted in considerable delays as most ABSL’s contractors declared “force majeure” and were evacuated (Swedwatch, 2017: p. 26). The
company provided support towards the containment of the spread of the disease by building Ebola isolation and treatment units and donating vehicles and equipment (Swedwatch, 2017: p. 26). The following DFIs supported Addax’s effort to contain the spread of the EVD - the Austrian Development Agency provided 274,000 Euro, FMO 160,000 Euro, and the Private Infrastructure Development Group (PIDG) gave 60,000 USD (Bread for the World, 2016: p. 32).

While AOG repaid the debt financing to the DFI lenders who supported the project, Swedfund and FMO sold their shares in ABSL back to AOG (Swedwatch, 2017: p. 26), and local employees lost their jobs. The DFIs were denounced for not conducting human rights due diligence (HRDD) in line with the UN Guiding Principles on Business and Human Rights (UNGPs) before exiting the ABSL project, as it resulted in lack of transparency as dialogue with local communities deteriorated and made it harder to hold the company accountable for its impact (Swedwatch, 2017). Approximately 100 staff were retained to oversee and maintain the company’s facilities, more than 1,000 permanent workers were placed on garden leave with 45 per cent of their monthly salaries, which is insufficient to live on, and over 2,000 short-term employees (casual) were made redundant (SiLNoRF & BfA, 2016: p. 1). The scale-down also affected all ABSL’s social programmes - the FDPs, the VVGs, the Farmer, Field and Life School (FFLS), the construction of VIP latrines, the health and sanitation projects, and the provision of water wells (SiLNoRF & BfA, 2016: p. 33). The programmes were first scaled down, and later disappeared, as activities were later discontinued (SiLNoRF & BfA, 2016: p. 33). Overall, the winding down of Addax affected all sectors of society. The loss of income and the end of the mitigation measures resulted in increased food insecurity, school dropout rates, and societal problems such as gender-based violence, alcoholism, and child abandonment (Swedwatch, 2017: pp. 34 & 35).

The closure of ABSL was finalised on 30 September 2016, with the transfer of 75.1 per cent of the ownership to a group of investors led by Sunbird Bioenergy Africa Limited (Sunbird Bioenergy Group), with AOG holding the remaining 24.9 per cent (Sunbird Energy, 2016). Sunbird Bioenergy describes itself as “an energy company with a portfolio of sustainable biofuel projects in sub-Saharan Africa, that takes a comprehensive approach to biofuel projects, which includes fair agricultural land leases, sustainable farming and feedstock production, world-class biorefineries as well as inclusive community development and improved livelihoods” (Sunbird Energy, 2016). However, the glowing picture painted by
Sunbird was debunked by critics who brought to light the company’s intricate financial and ownership structure:

“… Sunbird Bioenergy … belonging to NoCOO LDT. NoCOO’s Business Director is the British national Mr. Richard Antony Bennett and the company had a capital with a nominal value of 1,000 GBP on 31.12.2014 (NoCOO, account). Sunbird Bioenergy details on its website (www.sunbirdbioenergy.com) plans to install and operate biofuel productions in 19 African and Asian countries three of which are currently under development in Zimbabwe (talks with the government), Nigeria (feasibility study) and Zambia (obtained licence to invest USD 150 million) (Sunbird, 2013).

Richard Bennett is at the same time a Non-Executive Director of China New Energy Limited (CNEL) with whom Sunbird cooperates closely. CNEL has a market capitalisation on the London Stock Exchange of GBP 4.64 million and since its IPO on 27.5.2011 saw its share price dropping from 10 GBP to 1 GBP on July 8, 2016 (CNEL, Shares). In its financial report as of 31.12.2015 the group of companies under China New Energy report ‘that the capital structure at year end was in an insolvent situation and indicated the Group’s trading as non-going concern unless there is extenuating circumstance. The Group incurred a net loss of RMB 25.6 million (€ 3.6 million) during the year ended 31 December 2015 and is incurring losses, the Group had net liabilities of RMB 5.7 million (€ 803,000) at end of year’ (CNEL, Reports).” (Bread of the World, 2016: p. 32)

The failure of ABSL and its sale have not gone unnoticed, as it was advertised as the beginning of a new era in large-scale agriculture investment on the African continent. Critics have questioned how a high-profile project with the participation of several DFIs could fail? Moreover, the burning question that has been asked is why the GoSL allowed the sale of Addax to a company with a dubious financial history and which lacks the financial wherewithal to re-operationalise the project to move it forward (Bread of the World, 2016: 33).

7. CONCLUDING REMARKS
The application of a social justice perspective in the discussion of PPPs as a funding instrument in Sierra Leone contradicts the narrative being touted by the IFIs and governments of PPPs as the funding instrument for social development programmes. ABSL failed to provide sustained electricity that it promised, despite the robust financial investment from eight DFIs, including two African DFIs/development banks, and tax incentives from the
GoSL. This show that PPPs are not the vehicles to promote social development that they are purported to be. Instead of a better life, with food security, decent work with good conditions and wages, the inhabitants in Addax’s operational area were left more impoverished than they had been before the company’s arrival.

Concerning gender discrimination, ABSL encouraged the promotion of a culture of discrimination against women, as it refused to implement a gender quota to advance female employment in its operation. Hopefully, the operationalisation of the provisions of the NLP in the two model bills by Namati will enhance women’s rights in all sectors of Sierra Leone’s rural economy. Furthermore, the robust provisions of the bills including provisions to promote responsible investment, especially the curtailment of land acquisitions to 5,000 hectares at the initial phase of investment, will positively impact upon the ongoing land-grabbing phenomenon occurring across rural Sierra Leone and protect the rights of land-owning families, including women.

**Notes**

1. Energy, telecommunications, road, social infrastructure, and access to sanitation.
2. Includes the capital city Freetown and the entire peninsula.
3. See Annex 1 for details.
4. ICF is a WBG entity which receives funding and expertise from the IFC. It is a “public-private partnership” backed by several of powerful sponsors, including Anglo American, Coca Cola, Shell Foundation, SAB Miller, Unilever, and Standard Bank.
5. Absolute and permanent tenure in which land can be bought and sold freely.
7. See Sections 6.2 & 6.5 above.
ANNEXES

Annex 1

Planet Core Solar

IFC is supporting Planet Core Solar through a 40 million USD funding to generate 50 MW of electricity within one or two years. A 25 MW power plant will be built in Makarie Gbanti, Bombali District, 195 kilometres from Freetown, the capital city. The remaining 25 MW will be produced by several mini-hydro plants in Kambia, Port Loko, Kamkewi, Kono, Mile 91, Moyamba, Pujehun, Bo, Kailahun, and Bonthe. The energy will be sold by EDSA for onward distribution to customers.¹

United Nations Office for Project Services (UNOPS)

The Rural Renewable Energy Project is funded by the UK’s DfID and implemented by the UNOPS. The project represents a drive for clean energy access, together with the sustainable growth of the country’s energy capacity. The 345 million GBP project is expected in several phases over a period of four years. The first phase, which was successfully completed in July 2017, involved the installation of solar power in community centres. The second phase extended access to electricity to houses, schools, and businesses in 50 rural villages, by installing distribution networks in each village. This will create 50 independent mini grids. In addition, the project has been opened up to private sector companies, which were invited to tender their services to run power supply networks in each village through a competitive selection process. It is projected that private sector involvement will generate 5.7 million GBP (approximately 7.5 million USD) worth of co-investment in the final phase, developing larger mini grids in an additional 40 villages. The project is set to be completed by the end of the year 2020.²

## Annex 2
### Table 2: Current PPP Projects

<table>
<thead>
<tr>
<th>Project</th>
<th>Brief Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bumbuna Phase II Hydro Power Project</td>
<td>Joule Africa, an internationally renowned developer, demonstrated interest in Bumbuna II hydro-electric project that will provide additional 146MW. Joule has completed feasibility studies and subsequently conducted value engineering work that enhances affordability of the project. The PPA and IA have been negotiated and signed. The Bumbuna Phase II power project will complement the existing 50 MW Bumbuna Phase I project and it is a strategic action to achieving the Sector’s sustainable energy strategy for all.</td>
<td>The Power Purchase Agreement (PPA) another project document approved by cabinet and subsequently ratified by Parliament.</td>
</tr>
<tr>
<td>Kissy HFO-Power Project (128MW)</td>
<td>GoSL through EDSA partnered with TCQ of UAE and Globeleq of UK to conclude a 20 years Build-Operate-Transfer (BOT) Independent Power Purchase (IPP) arrangement that will deliver 128MW in three phases. Phase I will generate</td>
<td>The Power Purchase Agreement (PPA) and other project documents approved by the cabinet and subsequently ratified by the House of Parliament.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solar ERA</td>
<td>GoSL through EDSA has an IPP agreement with Solar Era for development of a solar power generation project - 25 MW with a 1” phase 5 MW and that is to be constructed in Bo District. The PPA and IA have been negotiated and signed and the developer is working on obtaining financing to incept construction.</td>
<td>Financial Close. Developers are sourcing finance for the Project.</td>
</tr>
<tr>
<td>25MW Betmai Hydro</td>
<td>Sewa Energy Resources, a company incorporated in Sierra Leone, conducted a feasibility study (undertaken by CEMMATS Group SI Ltd.) on a run-off-river close to Magbogba village in the Saunda Futowusu Chiefdom.</td>
<td>Power Purchase Agreement (PPA) and Implementation Agreement approved through Executive Clearance and subsequently ratified by Parliament.</td>
</tr>
<tr>
<td>Project</td>
<td>Description</td>
<td>Status</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Fish Harbour and Industrial Processing</td>
<td>Sierra Leone is concluding several work streams to ascertain EU certification for the exporting of marine products. This project will enhance the marine industry by developing a docking facility and processing platform for the local market and exporting purposes.</td>
<td>Concept note developed and the unit in collaboration with the Ministry of Fisheries are sourcing funding for the feasibility.</td>
</tr>
<tr>
<td>Transshipment Container Part (TIDFORE Project)</td>
<td>The PPP Unit partnered with the Ministry of Transport and Aviation in the development of a transshipment container port on a 25-year BOOT PPP arrangement. Sky Rock Management Limited and National Port Development formed an SPV Concessionaire and contracted TIDFORE on an EPC contract basis to construct the new part in accordance with the specified design. The financing is provided by ICBC Bank of China.</td>
<td>Concession Agreement and other project documents were approved by the cabinet and subsequently ratified by parliament.</td>
</tr>
</tbody>
</table>

**Source:** Handbook for Public-Private Partnership in Sierra Leone.
Annex 3: Addax’s DFI Partners

The Netherlands Finance Company (FMO)
FMO is the Dutch development bank. It supports developing and emerging markets by investing in ambitious entrepreneurs. FMO believes a strong private sector leads to economic and social development, empowering people to employ their skills and improve their quality of life. FMO focusses on four sector that have high development impact: financial institutions, energy, housing, and agribusiness. With an investment portfolio of EUR 5 billion, FMO is one of the largest European bilateral private sector development banks.

Emerging Africa Infrastructure Fund (EAIF)
EAIF is a public private partnership able to provide long-term USD or EUR denominated debt or mezzanine finance on commercial terms to finance the construction and development of private infrastructure in sub-Saharan Africa. EAIF provides loans to projects across a wide range of sectors including telecoms, transport, water, and power, amongst others. The fund is advised by Frontier Markets Fund Manager (FMFM) a division of Standard Bank. FMFM also advises GuarantCo, a guarantee fund which credit enhances local currency debt issuance by private municipal and parastatal entities for infrastructure projects in lower income countries around the world.

African Development Bank (AfDB)
The AfDB Group’s mission is to help reduce poverty, improve living conditions for African and mobilise resources for the continent’s economic and social development. With this objective in mind, the institution aims at assisting African countries-individually and collectively-in their efforts to attain sustainable economic growth. To this end, the Bank seeks to stimulate and mobilise internal and external resources to promote investments as well as provide its regional member countries with technical and financial assistance.

BIO
BIO is a Development Finance Institution (DFI) established in 2001 in the framework of the Belgian Development Cooperation in support private sector growth in developing and emerging countries. BIO finances the financial sector, enterprises, and private infrastructure projects. Endowed with a capital of EUR 465 million, BIO provides tailored long-term financial products (equity, quasi-equity, debt and guarantees) and finances technical assistance programmes and feasibility studies. BIO also encourages its business partners to implement environmental, social and governance standards. BIO operates as an additional partner to the traditional financial institutions and looks for projects with a balance between
return on investment and development impact. BIO is a member of EDFI (European Development Finance Institutions).

**Infrastructure Crisis Facility Debt Pool (ICF-DP)**

ICF Debt Pool addresses the continuing restricted availability of financing for emerging market infrastructure caused by the retraction of major commercial institutions from emerging markets as they continue to re-focus their lending on their lending activities on their home markets. The ICF-DP is a 500 million fund of loans supported by the German government and funded by KfW Entwicklungsbank under a guarantee from the German government. The ICF-DP was launched in October 2009 and is managed by Cordiant Capital Inc, a manager of emerging markets fund management and their demonstration of the highest ethical and regulatory standards. Cordiant is a signatory to the UN Principles for Responsible Investment.

**Swedfund International AB**

Swedfund International AB offers risk capital and know-how for investments in Africa, Asia, Latin America, and Eastern Europe (non-EU members). Swedfund’s vision is to contribute to the development of viable business thereby stimulating sustainable economic development in its investment countries. Swefund is specialised in the field of complex investment environments with a high level of country risk. With a broad spectrum of financial solutions, combined with knowledge and experience. Swedfund enables its partners to invest more successfully.

**Industrial Development Corporation (IDC) of South Africa Limited**

The IDC is a self-financing South African national development finance institution whose primary objectives are to contribute to the generation of balanced, sustainable economic growth in Africa and its economic empowerment of the South Africa population, thereby promoting the economic prosperity through the building of competitive industries and enterprises based on sound business principles. The IDC’s mission is to be a primary driving force of commercially sustainable industrial development and innovation to the benefit of South Africa and the rest of the African continent.
## Annex 4

### Table 4: DFI Co-financing of Addax Bioethanol Sierra Leone

<table>
<thead>
<tr>
<th>DFI</th>
<th>Debt as per 16.6. 2011* 55.6 percent</th>
<th>Per 31.12.2015 Additional Finance** Million Euro</th>
<th>Equity= 44.4 percent*** million Euro</th>
<th>Cash Million Euro</th>
</tr>
</thead>
<tbody>
<tr>
<td>AfDB</td>
<td>25</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DEG</td>
<td>20</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PIDG: ICF-DP</td>
<td>21</td>
<td>27,70 USD</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PIDG-EAIF</td>
<td>20</td>
<td>31.31 USD</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IDC</td>
<td>22</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FMO</td>
<td>25***</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO</td>
<td>10</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DFI 2011 debt, total</td>
<td>147,23</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Swedfund</td>
<td></td>
<td>10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FMO</td>
<td></td>
<td>25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Addax Bioenergy</td>
<td></td>
<td>72.1</td>
<td>19.76</td>
<td></td>
</tr>
<tr>
<td>Total various quotes</td>
<td>258/267/400/455</td>
<td>493</td>
<td>107,1</td>
<td>19.76</td>
</tr>
</tbody>
</table>

*(Cordiant, 2011) by *** (PIDG, Data 2), *** as informed by AfDB letter dated 20.6.2016, available with Bread for the World**** shown in different documents both as loan and equity.
Annex 5

Terms on which Land Exceeding 5000 Hectares may be Acquired

1. The investor should have used up all or substantially all the initial land acquired for its business.

2. The investor should not be in breach of its lease agreement with the communities or in breach of any of its licence conditions from the Environment Protection Agency, the National Minerals Agency or any other government regulator.

3. The investor shall draft and submit a business case for additional land setting out the following:
   
   (a) The reason/s for the additional land and the amount of land required.

   (b) The available funds to be invested in the additional land.

   (c) The likely impact of the additional acquisition on land supply within the community or communities hosting the investment.

   (d) Timeframe for the utilisation of the additional land.

   (e) Likely impact of the additional acquisition on the sources of water across the communities.

   (f) Alternative methods of achieving its business aims without additional acquisition of land.

4. The investor should provide evidence of initial discussion with communities on the additional acquisition and “in principle” consent from the community.

5. The investor should have been supporting a robust out-grower scheme within its area of operation.

6. The investor should undertake additional environmental, social and health impact assessment in respect of the additional acquisition.
References


