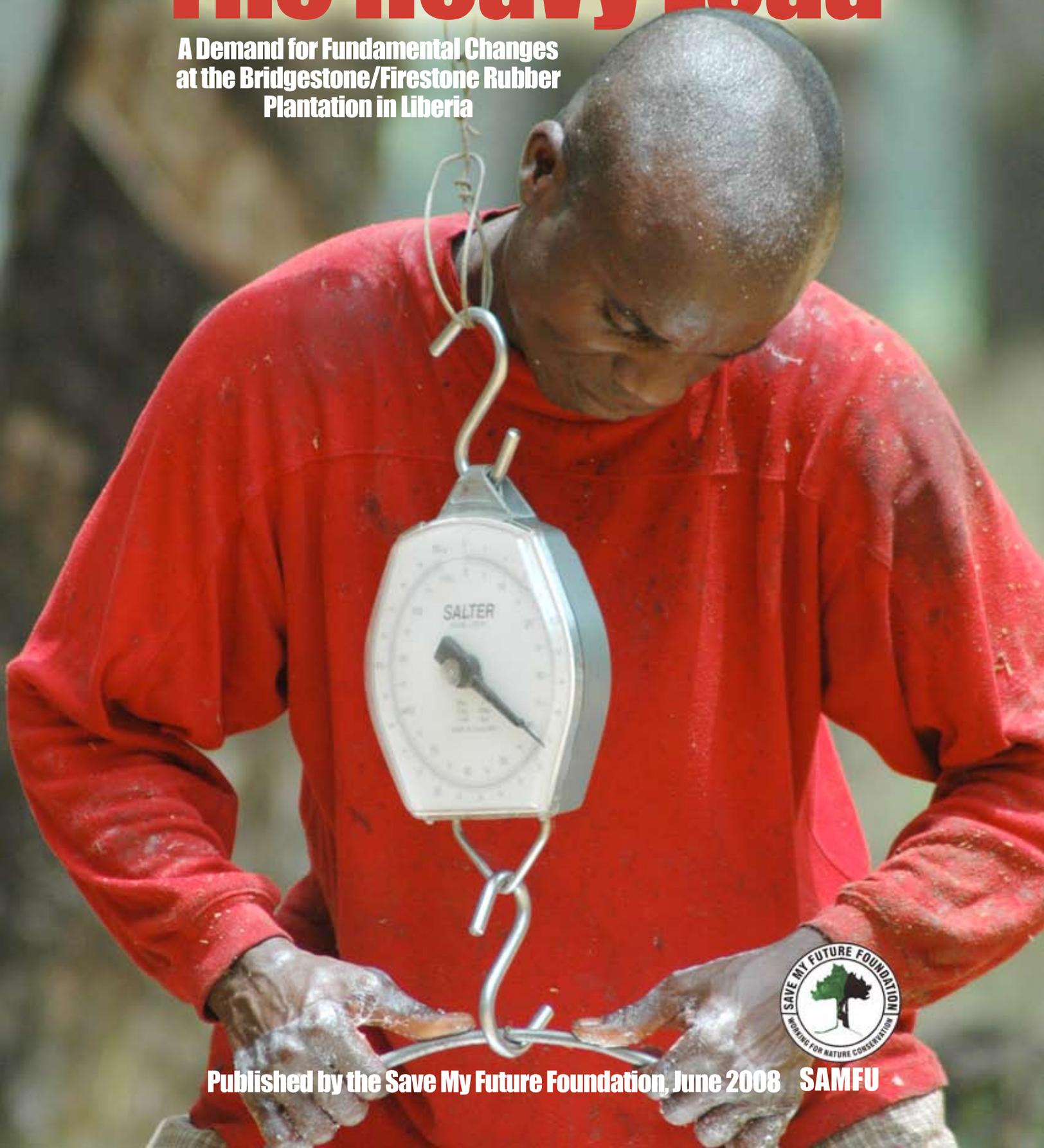


# The Heavy Load

A Demand for Fundamental Changes  
at the Bridgestone/Firestone Rubber  
Plantation in Liberia



Published by the Save My Future Foundation, June 2008 SAMFU

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## ABBREVIATIONS

CCM	Concerned Citizens Movement of Owensgroves
EPA	Environmental Protection Agency
FAWUL	Firestone Agriculture Workers Union
GOL	Government of Liberia
ILO	International Labor Organization
LAMCO	Liberian American Mining Company
Lbs	Pounds (weight) equivalent to 2.2kg
PPD	Plant Protection Department
RIA	Roberts International Airport
SAMFU	Save My Future Foundation
SOD	Special Operations Division
UNMIL	United Nations Mission in Liberia
NPFL	National Patriotic Front of Liberia
GAWUL	General Agriculture Workers Union
LNP	Liberia National Police
BIN	Bureau of Immigration and Naturalization
EMP	Environmental Management Plan
Firestone	Bridgestone/Firestone

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## ACKNOWLEDGEMENTS

SAMFU is grateful to all who have helped in one way or another to make this investigative report successful. We are especially grateful to Trocaire - Ireland for providing financial support for this work to protect the rights of laborers and their dependents at the Firestone Plantations Company. We are also grateful to our hard working staff including Andrew Tokpa, Thomas Torkolon and Robert L. Nyahn who lead the team and authored this report. Our heartfelt appreciation is also extended to our colleagues who helped edit this report and conducted the libel check. We are also grateful to other local and international stakeholders whose commitments now and in the past have set a new beginning at the Firestone Plantations Company.

## DEDICATION

This publication is dedicated to the late Madam Tuwan Sumo an employee featured in our 2005 publication. It was reported that her urinary bladder was allegedly damaged while undergoing an operation at the Firestone medical center. Even with her medical complications, Firestone required her to work or face eviction. She was working until her demise in June 2007. May her soul rest in peace.

Allegations in this report were put to Firestone Liberia, Bridgestone Americas Holding, Inc, and Firestone Natural Rubber Company on December 19, 2007. At the time of publication of this report, no response was forthcoming.

This project was sponsored by Trocaire-Ireland. However, the content of this report does not in any way whatsoever represent the views of Trocaire-Ireland.

International labor solidarity has played a vital role in supporting the workers at Firestone. We wish to recognize the leadership provided by the United Steelworkers (USW) and the direct involvement of USW International President Leo W. Gerard and Vice President Fred Redmond in working to ensure that human and workers' rights are respected.

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## Recommendations

### Firestone Plantations Company Should:

- ❖ Immediately provide public information about the presence of the Gravel Ants and Task Force on the concession, and investigate and publicly report on the various incidents of alleged wrongdoing in this report by these groups;
- ❖ Speed up the construction of waste water management systems to stop dumping waste into the Farmington River;
- ❖ Pay a living wage to all workers and include paid overtime at time and a half. Reduce current tapping quotas by half which will reduce the working hours of employees;
- ❖ Reduce the working hours of tappers to 40 hours per week;
- ❖ Tie their health and safety standards to the ILO (International Labor Organization) standards;
- ❖ Immediately build more secondary schools on the plantation for the children of Firestone's employees to complete their high school education;
- ❖ Revisit the "Firestone improved housing standard" for laborers to include electricity, running water, indoor bathroom with water closet and other facilities that are expected of an international company;
- ❖ Respect the national holidays of Liberia by allowing employees to stay at home on public holidays; Firestone management should also allow employees to stay at home on Sundays to enable employees to attend regular church services should they so wish;
- ❖ Immediately revisit the national birth certificate criterion for issuance of Firestone identification cards which presently is a prerequisite for receiving health and education benefits;
- ❖ Sign formal contracts with all employees and ensure that they fully understand their rights and obligations according to the terms of the contracts. This should be done through negotiating in good faith with the democratically elected and legally sanctioned union, FAWUL (Firestone Agricultural Workers Union of Liberia);
- ❖ Replace the current manual transportation methods used by tappers for transporting latex;
- ❖ Immediately employ all management contractors

working on the plantation and provide them benefits including health and education for their families;

### The Government of Liberia should:

- ❖ Through the EPA, regularly test the water from the Farmington River to ensure that it is safe for the use of the communities;
- ❖ Make certain that the EPA monitors the Firestone waste water management system under construction to insure that it conforms to acceptable international standards on health and safety;
  - Immediately investigate the death of Garpue Logan, who resided in one of the communities adjoining the Firestone concession, and if an offense has been committed, prosecute those responsible.
  - Compel Firestone to take steps to address the issues raised in this report;
  - Regularly monitor the policies and operation of Firestone to keep track of events on the plantation.

### The International community and individuals should:

- ❖ Pressure Firestone to take action to address issues in this report;
- ❖ Raise consciousness concerning unfair labor practices and environmental abuses being carried out by Firestone/Bridgestone by raising international consumer awareness of the Company's practices. This should be done in solidarity with the campaign to bring about the much needed reforms in Firestone Liberia.

## EXECUTIVE SUMMARY

This report is a follow up to SAMFU's groundbreaking 2005 report "Firestone: the Mark of Modern Slavery"<sup>1</sup> which succeeded in focusing the international spotlight on Firestone Liberia by exposing inhumane practices, human rights violations and environmental abuses. The report prompted Firestone to take steps to partly address some of the issues raised in the report.

Investigations carried out for this report established that three years after SAMFU's first publication, Firestone, now under immense pressure, has made some changes to address some of the problems. However, some of these changes fall far short of the holistic and far reaching reforms that are needed to improve the living and working conditions of employees.

Investigations also established that there is a presence on the Firestone concession area, of a group consisting of militias of former President Taylor's Anti-Terrorist Unit (ATU) and other militia forces under the guise of a "slashing group"<sup>2</sup> called "Gravel Ants"<sup>3</sup>. The group is allegedly set up by Firestone to curb illicit tapping. Some members of this group are allegedly harassing and torturing community members in the name of curbing illicit tapping. Another group, the PPD Task Force, is also operating at Firestone. It has also been claimed that members of the Task Force are responsible for the death of one community member.

Finally, this report also examines the availability and current state of the infrastructure for the provision of basic social services including health and education for Firestone's employees and their families.

SAMFU closely monitors and investigates the activities of Firestone and has published a report every two years since 2005 to provide on-the-ground updates about the Firestone concession area. It is an effort to increase public awareness about Firestone's activities, assist policymakers to make informed decisions and to make holistic recommendations that Firestone could use to improve its activities and policies.

## Background

In 1926, the Government of Liberia, under pressure to

service local and international debts, signed a 99-year contract with the Firestone Tire & Rubber Company<sup>4</sup> to lease one million (1,000,000) acres of land (It currently occupies some 240 square miles)<sup>5</sup> for the establishment of a rubber plantation. The total concession area of Firestone represents 4% of Liberia's territory and nearly 10% of its arable land<sup>6</sup>. The signing of this agreement was a pre-condition to Liberia receiving a loan of US/\$5 million from the Finance Cooperation of America, a wholly owned subsidiary of Firestone. The loan was payable over 40 years with revenues to be collected from Liberia's customs, postal services and internal taxes. The revenues were to be administered under the supervision of a finance advisor to be nominated by the United States – needless to say at the suggestion of the Firestone Company – and formally appointed by the president of Liberia.<sup>7</sup> This pressure led to the Liberian Government signing the 1926 Agreement largely in favor of Firestone.

After the concession was granted, Firestone began operations in 1926 using employment strategies which encouraged forced labor. For example, Firestone paid local government officials including chiefs, district commissioners, etc, monthly tokens for each person they provided as a laborer for the company. This led to people being forced by these authorities against their will to work on the plantation.

Since Firestone started the full production of latex and dry rubber in Liberia, it has produced and exported billions of tons of rubber generating enormous revenue. However, as there is no value-added production capacity in Liberia, not much has benefited the country.

The 1926 agreement should have ended in 2025 at which time the opportunity could have been given to Government of Liberia to decide any future agreements. However, the company negotiated a second concession with the National Transitional Government of Liberia (NTGL) led by Charles Gyude Bryant on the 28th of January 2005, which extended their former concession agreement by 66 additional years up to 2091. It became questionable whether or not the transitional government had the power to sign such an agreement.<sup>8</sup> Analysis of

<sup>1</sup> See [www.Samfu.org](http://www.Samfu.org) for full report

<sup>2</sup> People who under-brush the rubber farm

<sup>3</sup> A special unit of former militias in Firestone. Concession who are allegedly harassing and torturing citizens in and around the plantation.

<sup>4</sup> This is now Bridgestone/Firestone

<sup>5</sup> Maryland Law School

<sup>6</sup> "Tapping into the future," UNMIL, 2006.

<sup>7</sup> John Peter Pham, *Liberia-Portrait of A Failed State*, 2006, p. 39.

this concession shows that it highly favored Firestone and was not in the best interest of Liberia based on the following counts:

- Firestone has tax incentives which undermine Liberia's ability to generate much needed revenue;
- There is not adequate protection of employees, especially in terms of labor rights and interests;
- The concession agreement fails to hold Firestone accountable for maintaining sound environmental standards as required by the environmental laws of Liberia being applied to other companies and businesses;
- The concession agreement does not conform to standards provided for under international labor laws; and
- The concession agreement does not provide for adequate or improved housing facilities for employees and their families.

Upon taking office in January 2006, President Ellen Johnson Sirleaf's government cancelled this new Firestone concession agreement and called for a thorough review to make it more beneficial to the Liberian people. On February 28, 2008, the Government of Liberia announced that it had concluded the review of the agreement and had signed the "Amended and Restated Concession Agreement" with Firestone.

Key amendments made to the 2005 agreement in the 2008 agreements include:

- The reduction of the 2005 contractual agreement terms by 50 years from 2091 to 2041;
- The reduction of the concession area from one million acres to 118,990 acres pending a concession map ;
- An increase in the annual land rental fees for government land in the concession area from US\$ 0.50 to US\$ 2 per acre;
- An increase in the income tax rate from 25% to 30%. "The 30% rate to be retroactively applied to Firestone Liberia's 2007 net taxable income provided that the Amended Agreement was ratified by the National Legislature **on or before March 30 2008**".

The 2008 agreement was sent to the National Legislature for ratification in March 2008. On March 20th the Liberia

Senate had ratified the agreement and forwarded the agreement to the House of Representatives for Concurrence. In a one-day public hearing called by the House of Representatives on March 25, 2008, citizens of Margibi County, civil society organizations and other stakeholders, in addition to a letter sent to the House of Representatives by SAMFU, called on the House to allow sufficient time for public participation in the process. This represented the only opportunity for external scrutiny as the House of Senates had earlier ratified the agreement without debate.

The citizens, civil society organizations and other stakeholders questioned provisions in the agreement on land rental, taxes, security, housing, sanitation, water and electricity for laborers as well as issues of environmental concerns. However, the concession agreement was ratified by the House of Representatives on March 26, 2008 without making changes made on the issues raised.

According to a Liberian newspaper, The Analyst, "This swiftness of the passage of the agreement within the space of less than two weeks has forced thinking caps upon the heads of observers that powerful concessionaires are strong enough to move things according to their own desires<sup>10</sup>".

In 1988, Bridgestone bought the Firestone Plantations Company and is now the parent company with their combined headquarters in Nashville, Tennessee. The 2008 agreement also recognizes Bridgestone Firestone Diversified Products, LLC as a parent company for Firestone Liberia.

Though records on Firestone's production, taxes and revenues are not publicly available, Firestone continues to report billions of United States dollars revenues annually. For example, in 2005, Firestone reported annual revenue of US\$21.5 billion from products made mostly out of rubber exported from Liberia<sup>11</sup>.

Despite these high revenues, Firestone was the winner of the Public Eye Award<sup>12</sup> for "irresponsible corporate behavior" at a ceremony at the World Social Forum in Switzerland in 2006 and continues to provide poor working and living conditions for its employees and their families.

<sup>10</sup> See Global Witness, "Heavy Mittal", October 2006, Page 11.

<sup>11</sup> Many believe that this clause like the Clause "K" in the 1926 agreement could have pressured the Legislature to ratify the agreement without ample time for public participation.

<sup>12</sup> [http://www.analystiberia.com/firestone\\_agreement\\_mar27\\_08.html](http://www.analystiberia.com/firestone_agreement_mar27_08.html)

<sup>11</sup> <http://www.seplan.ba.gov.br/bahiainvest/ingles/investimento1.php?find=versao004>

<sup>12</sup> <http://ytjncampaignroom.blogspot.com/2007/09/stopfirestone-coalition.html>

## ECONOMIC IMPACT

### Employment

At present, Firestone is the single largest private employer in Liberia with about 7,000 employees, most of whom are tappers being paid US/\$3.38<sup>13</sup> daily. There are also approximately 4,000 management contractors<sup>14</sup> who are paid US/\$2.65 daily with no benefits from the company, such as health and education for their families. There are approximately an additional 4,000 people working on the plantation as sub-contractors for the tappers and therefore have no legal status with the company.

Firestone Natural Rubber Company CEO Dan Adomitis, speaking in an interview with CNN in 2005, stated that the daily amount earned by tappers (US\$3.38 per day) represents payment for tapping 650 trees a day. However, the tappers SAMFU spoke to during our visits to the plantation throughout our investigation since 2004 suggest it could be for tapping as many as 750 trees. This meager salary is subjected to income tax, National Social Security tax and other deductions including the two bags of rice sold by Firestone and goods credited at high prices from credit stores operated indirectly by Firestone.

### Retirement

Firestone employees are retired after 25 years of work with the company or if they have permanent work-related injuries. The Labor Laws of Liberia require that the amount of pension paid annually to an employee shall be at least forty per cent of the average monthly earnings for the last five years immediately preceding retirement. One-twelfth of the yearly amount shall be paid each month from the time of retirement until the death of the employee.

Our investigation found that many of the retirees' pension benefits were as low as US\$25 a month due to such calculation. However, many retirees do not generally understand how the retirement calculation is carried out by Firestone.

SAMFU asked Firestone to provide information on how employees' pensions are calculated but the company did not respond. Upon retirement, all other benefits including housing, education and health are withdrawn from the former employee and their families. These retirees, whose monthly wages as tappers could not permit them to have

savings or prepare themselves for the future, often return to their county of origin or move to communities adjoining the plantation to live. The retirement money is only given in person, so those who have left Margibi County where the company is located are unable to collect their money on a regular basis as the cost of transportation can, in many cases, exceed the monthly retirement benefit.

Furthermore, the process of getting monthly retirement benefits requires several processes so it is often difficult to access the pension funds on time. Many retirees, some of whom are already nursing permanent injuries, spend a large amount of time and resources before getting their already insufficient retirement benefits.

### Tax

Tracking tax payments made by Firestone to the GoL and elsewhere is almost impossible because this information is not made public. Our requests to three of Firestone's local and international managers regarding Firestone tax payment records received no response. However, analysis of tax sections in the 1926 agreement assisted us in understanding how much Firestone had paid in taxes to Liberia. The 1926 agreement between the GoL and Firestone called for a 1% tax, to the GoL, on the value of rubber exported, and calculated this on the basis of the prevailing price of the commodity on the New York Stock Market.<sup>15</sup> Under such a tax calculation scheme, it was difficult to calculate to any degree of accuracy Firestone's tax liability.

This is especially so when taking into consideration Firestone's complex production and supply chains. For example, latex is produced by the tapper, and delivered in trucks from farm storages to Firestone processing plants in Harbel. The processed rubber is then collected and carried to a Firestone controlled section within the Freeport of Liberia before it is exported on Firestone ships. This closed system of production and export could enable under-declaring the value of latex for exportation.

Under the 2008 agreement, it is indicated that "Firestone Liberia shall be taxed on its net taxable income pursuant to Liberian Laws at a rate not to exceed 30%".

<sup>13</sup> Although this amount is not below Liberia's minimum wage, the average minimum monthly wage of Liberia is not a living wage and the wage paid by Firestone is still pitifully low.

<sup>14</sup> They work for the company as contractors with no legal status therefore their families do not receive benefits such as health and education.

<sup>15</sup> John Peter Pham, *Liberia: Portrait of a Failed State*, 2004 p.39

## SOCIAL IMPACTS

### Working and Living Conditions

There are various categories of employees in Firestone. They include expatriates, national senior and junior staff, and unskilled laborers including tappers and other workers. Of all these categories, the working and living conditions of laborers bears testimony to the segregation amongst the classes of workers. For example, a tapper wakes at 4 o'clock every morning to get prepared for tapping up to perhaps 750 trees daily on a normal tapping day or 1,125 trees on a double tapping day. He earns a daily wage of US\$3.38 on a normal tapping day.<sup>16</sup> On a double tapping day, the tappers do get paid for the double tapping, but this additional work is not optional.

However, only half of the daily rate of \$3.38 is paid if a tapper fails to complete the full daily quota. Faced with these onerous quotas, tappers have little choice but to allow family members to assist them in completing their quota or hire a sub-contractor.

The tappers work every day of the year including national holidays, with the exception of a single day (Christmas day), producing high volumes of latex. For example, on one of our field visits to the plantation in November 2006, one tapper explained that he produced an average of 300 lbs of latex daily in the month of October 2006 and worked 29 days. This totals 8,700 lbs or 4.35 tons of latex in that month. When coagulated to dry rubber this could amount to about 5220 lbs of solid rubber or 2.61 tons of solid rubber.

While latex is exported by Firestone and the price is not known locally, the price for one ton of dry rubber during that month set by Firestone for purchase from private farmers was US/\$880 which equates to this tapper's monthly production valued at US/\$2,296.80 on the ground in Liberia and US/\$3,915.00 at world market prices of US/\$1,500 per ton in that month. This tapper was paid US/\$125 for that month's work. Out of the monthly wage of US/\$125, he paid one sub-contractor who helped him tap, US/\$30 and another sub-contractor, a woman who helps him clean his tapping cups, US/\$20<sup>17</sup>. When asked for further comment, he sharply reacted by saying:

*“These people are treating us like slaves because we have nobody to talk for us and we have nowhere to find a new job. You produce more than 5 tons of latex for the company a month and they don't even pay you the price of one ton.”*

This case is a typical example of the position of all the laborers with the company. These tappers work approximately 12 hours a day without safety equipment (gloves, goggles, rain boots, rain coats and other safety gears) unless they are bought by the tappers themselves. They have to carry all the latex they produce on their bare shoulders on a stick with two buckets weighing 70 lbs each.

This primitive means of transporting latex has not changed since 1926. With 140 lbs yoked across their shoulders, laborers walk to weigh stations that may be up to three miles away from the grove of rubber trees. Firestone provides no alternative means of transportation. Rubber tappers doing this backbreaking work risk injury and the development of deformities the longer they are employed. Even though SAMFU raised the issue of poor working conditions in 2005, the situation has not changed or improved.

Besides latex production, tappers are required to apply chemicals (both fungicide and stimulants) on the trees for



Carrying 140 lbs latex on shoulders

<sup>16</sup> Tapping 1 and half quota (750+375 trees) daily.

<sup>17</sup> See "Special Envoy", a documentary produced by SAMFU and French Television2

protection and to increase production. In addition they are required to under-brush the trees they tap. This workload means that many of the tappers have to hire sub-contractors to get all the work done. These sub-contractors are paid US/\$25-30 and 25 lbs (1/4 bag) of rice out of the meager monthly salary and supply of 2 bags of rice the company sells at US/\$25 to the tappers. In the instance where the tapper's family is large and can not afford the deduction of their rice supply or salary for a sub-contractor, the wife is obliged to abandon her children to assist her husband in completing his quota. Prior to SAMFU's 2005 report, the tappers children were also forced to work.

However after the publication of the SAMFU's 2005 report, Firestone immediately issued a memorandum in mid-2005 imposing strict restrictions against parents using their children to work on the plantation. Though there are still allegations of child labor on the plantation from other stakeholders, family members of tappers we saw working on the plantation who could be children informed us that they were either 18 years or above.



Woman helping her husband

As previously mentioned, huge disparities exist between laborers and other staff of Firestone. For example, a superintendent who monitors the tappers makes more than US\$700 a month, according to his educational level, resides in a well-furnished bungalow, and enjoys other benefits including excess monthly production bonuses.

In contrast, tappers and other laborers live in dilapidated houses.

Most of these houses were built in the 1930s when

Firestone started operations. These houses which are mostly one room, lack electricity, pipe-borne water, indoor latrines, indoor kitchens, living rooms and ceilings. Roofed haphazardly with asbestos, many of these structures now leak profusely.



Some of the present houses agreed to be rebuilt between 2006 and 2010. Division 41 Photo: March 12 2008

***“When it is raining we have to put all of our eating bowls around in the rooms or else the whole place will be filled with water.” A tapper Division #2 June 2007***

The 2008 agreement called on Firestone to build 2,300 houses between 2006 and 2010 according to “Firestone improved housing standards”.<sup>18</sup> The housing plan for laborers' houses provide for two bedrooms each 9ft x 12ft, a living room and two porches. There is still no provision for indoor latrine and bathing facilities, water and electricity<sup>19</sup>. Some of the new houses have already been built as described in the 2008 agreement in camps we visited including division #44, 40, 41, 38 and 11.

While SAMFU appreciates the decision by Firestone to construct new homes, the new homes remain sub-standard, as they lack all needed facilities, as do the old structures.

Even though Firestone operates a dam which produces



A new home for four families in Firestone Division 41

<sup>18</sup> See section 8.5 of the 2008 agreement p.18

<sup>19</sup> The absence of indoor latrines risks the safety of employees and their families at night especially as crime is on the increase.



Drinking water Division 15 March 2007  
of Harbel and Harbel Hills.

up to 1.5 million Kilowatts of electricity monthly, it provides electricity only for the factory and the few elite staff who live in well-built homes in the residential quar-

Additionally, clean water is a luxury on the plantation. In more than 20 camps visited unofficially by SAMFU's investigation team of three campaigners between November 2006 to date, an average of two hand pumps were seen in the camps with the average population of approximately 500 persons.

These hand pumps sit on wells that are dug by hand and therefore do not have water during much of the dry season. This situation leaves tappers and other unskilled employees and their families with no option but to drink from shallow wells and creeks. Some of the pumps are also broken down because they are not maintained regularly enough and they are not chlorinated frequently enough.



A locked hand pump. Division 41 March 2008

It was agreed in the 2008 agreement that "Firestone shall continue to construct wells or to provide other sources of potable water with the goal of providing

either water from a standpipe or, in the case of households served by wells, at least one well per every 30 houses in

divisions where there are no standpipes, by the end of the rehabilitation terms in 2015".

***"The hand pump is dried-up and the other one is spoiled. So we just have to drink any water we get." Aged woman Divison 15***

However, the quantity of wells may not make any significant difference for the provision of clean water if these wells are dug by hand and not frequently treated. Meanwhile, staff members have access to pipe borne water and specially treated drinking water located inside the processing plant.

## Education

The awareness created in 2005 by SAMFU about the deplorable state of Firestone schools led to pressure from local and international organizations. Firestone has been able to renovate all of the schools, adding additional classes to some of them and has built the Harbel Kindergarten School and the Division 44 Junior High School. In 2007, Firestone also employed 50 additional teachers to address the long-standing call to increase the number of teachers at Firestone.

Recent investigations carried out by our team suggest that there are only 23 schools in the 45 divisions with an average of two camps per division (approximately 90 camps). With the schools not closer to some of the camps, children will have to walk several miles to school. Those children who are too young to walk such distance will have to stay out of school.

In addition, children of employees without Firestone ID cards are not allowed to enroll in Firestone schools. A child can only obtain an ID card on production of a National Birth Certificate. During the 14 years of conflict (1989-2003) hospitals were not issuing birth certificates. As a result, many children do not have them and they may only be obtained from the Ministry of Health in Monrovia upon payment of a fee. Most employees (some of whom have never been to Monrovia), lack the capacity to go through the bureaucracy of the National Birth Certificate acquisition process and to underwrite the cost of US \$20, excluding transportation, for such a process. The outcome

of this scheme is that many children cannot go to school. An UNMIL report released in May 2006 “Tapping into the Future” quotes FAWUL estimating the number of children not attending schools at that time for these reasons at 60-65%<sup>20</sup>.

***“I have six children. Only three of them are going to school. The other three do not have ID cards so they are not going to school but we can’t do anything.” A tapper Division 44***

In 2006, one of the junior high schools, formerly “Staff School”, was extended to the 10th grade level and will become a full high school in the 2008/2009 school year to become the only Firestone high school in the concession area. The past absence of high schools on the plantation has prevented employees’ children from completing high school education; a situation which in effect snared many of them into becoming the next generation of tappers.

## Security

The Firestone Plant Protection Department (PPD) has checkpoints at all four key concession entry and exit points: 15 Gate, 26 Gate, Cotton Tree and the entrance close to the Roberts International Airport (RIA). Vigorous security checks are conducted upon entering or leaving the plantation to control the theft of rubber and other company assets. The PPD works at these checkpoints along with other national security officers including the Bureau of Immigration and Naturalization (BIN) and Liberian National Police (LNP).

With all of these security checks, there were a number of reports of clashes between the Firestone PPD and alleged illicit tappers. Communities adjoining the Firestone plantation also alleged harassment and torture of their citizens by the PPD and in one instance a death which prompted SAMFU’s decision to conduct an investigation into these allegations.

On our periodic visits since 2006 to Firestone, we learned that the main security issues centered around alleged illicit tapping, the disconnecting of roads passing through the plantation linking adjoining communities, an alleged incident involving the PPD use of a motor boat in which

community members were terrorized on the Farmington River, the death of Garpu Logan at Gben Creek and the presence of a group known as the “Gravel Ants.” The “Gravel Ants” are allegedly a special unit of the PPD consisting of former militias of the various warring factions who participated in the Liberian crisis. They operate under the guise of rubber bush-brushers but are allegedly contracted by Firestone to curb illicit tapping.

Though our team did not see any illicit tappers or tapping, people living on the Firestone plantation confirmed the existence of illicit tapping. They said this was caused by the high price of rubber on the local market, the presence of men of working age on the plantation working as sub-contractors who are not employed by Firestone and ex-combatants, who previously illegally occupied the various rubber plantations belonging to the GoL, and then move to the Firestone plantation. Until 2006, these ex-combatants sold their illegal rubber to Firestone, the Liberia Agriculture Company (LAC) and the Salala Rubber Corporation. The illegal operation was halted by UNMIL and GoL in August 2006 when it was believed to be undermining national security at which time the illegal tappers moved into Firestone.

To curb illicit tapping, Firestone PPD carries out regular security patrols on the plantation along with LNP officers.

Some tappers also informed us that in addition to their daily workload, they are chosen periodically to guard storage tanks until the latex is collected by Firestone trucks. Because they are not trained as security personnel, they are at a greater risk of being wounded by illicit tappers.



Firestone PPD removing handcuff from the hands of an alleged illicit tapper at the Bondiway Court. November 2006

Also during our investigative process, upon arrival at the Bondiway Magisterial Court with an international journalist in November 2006, our team saw dozens of youths who alleged they were arrested and tortured by the PPD. They were brought to the court from the Carter High Prison Center in Kakata in a Firestone truck by the PPD and LNP to the Bondiway Court for prosecution.

Almost all of the alleged illicit tappers were seen with physical bruises and one was seen with marks around his elbows indicating that he was tied. During the court proceeding witnessed by our team on that day, all of the alleged illicit tappers were released because Firestone was unable to provide evidence of any wrongdoing by these young men. The City Solicitor and Defense lawyers at the court confirmed to us that almost all of the alleged illicit tappers brought to the court are released during trials for such reasons.

Our team also looked at the present structures of the PPD and Firestone's compliance with the "Guidelines to Organize and Operate Private Security Agencies" written by the Ministry of Justice. It was observed that there are four groups of security working on the plantation. The groups include the Firestone PPD wearing Firestone's official security uniform and identity, the Liberia National Police (LNP) wearing official GoL/LNP uniforms, the PPD Task Force who use a black t-shirt marked "Task Force" as uniforms for the purpose of identification, and the "Gravel Ants" who do not wear any type of uniform whatsoever.

Our visit to Firestone in November 2006 also recorded a Firestone PPD holding cell<sup>21</sup> contrary to the guidelines. Holding cells contradict the "Guideline to Organize and Operate Private Security Agencies" in Liberia which provides private security firms the rights to arrest on the condition that they immediately turn over such person to the LNP, and does not provide security firms the rights to detain, search, evict or exclude persons.

However, the 2008 agreement provides that the PPD shall generally have the power to **apprehend** and **detain** any person in accordance with the Law, immediately inform appropriate government authorities and turn over such person no later than 24 hours after detention; the power

subject to the Law to **search** and **exclude** or **evict** unauthorized persons from the production area and from such other areas as may be properly restricted for economic, operational and security reasons.<sup>22</sup>

Another issue that raises security concerns at the plantation is that the commanders of the "Gravel Ants", seen on the plantation during our visits, are former commanders of warring factions who were commanding militias of Charles Taylor's Anti-Terrorists Units (ATU), the Special Operation Division (SOD) and militias of other former warring factions.

On December 12, 2007, our team identified two camps (Divisions #29 and #41) where these groups are stationed. In addition to the two commanders of the groups at these camps, two former militia commanders were seen also participating. Many of these men already have been accused by local human rights groups of committing various forms of human rights abuses during the Liberian crisis.

On March 12, 2008, residents of Division 29 informed us that they had insisted that the group be removed from the camp because they were harassing residents of the camp. They informed us that the group had been sent to Division 38 after they were removed from Division 29. Our visit to Division 38 on the same day confirmed the presence of the "Gravel Ants".

Another issue which drew the attention of our investigative team and prompted an investigation was the death of Garpu Logan. In August 2007, the Concerned Citizens' Movement of Owensgrove (CCM) informed us that one community member of Sagboh Town (one of the adjoining communities along the Farmington River) had allegedly been killed by Firestone PPD. According to the CCM, four fishermen who had gone fishing for crab on the Gben Creek, which separates Firestone and RIA, were intercepted by the Firestone PPD Task Force based on allegations of illicit tapping. One of the men managed to escape, two were arrested and Garpu Logan died, allegedly while trying to resist arrest. The case was reported to the RIA police.

SAMFU went to the Police station on December 12, 2007, where we were informed that the police file con-

<sup>21</sup> See Special Envoy a documentary by French Television 2 in Collaboration with SAMFU

<sup>22</sup> Amended and restated concession agreement p. 16/17

firmed the investigation into the death of Garpu Logan on May 2, 2007. It had been recorded that the family of Garpu reported to the police that four of the community members had gone fishing. One of them returned claiming that they were harassed by the PPD, but the remaining three had not been found. Two of the men were later found in a police cell at the RIA although Garpu was still missing. This led the police to the alleged crime scene where they found the body of Mr. Logan afloat on the Gben Creek. The police ordered the body to be taken from the water for examination. The police set up a 15-person so-called “Local Jury”<sup>23</sup> mainly consisting of community members. According to the police, the jury reported that Garpu Logan had drowned and there was no indication that he was tortured. The family later signed for the body for burial without any further investigation.

At the Bondiway Magisterial Court, the records did not show any case concerning the death of Garpu although they did indicate that two of the fishermen were taken there by the police.

Our team decided to investigate further and contacted family members, some members of the 15- person jury and the remaining three fishermen. In Zangar Town on December 31, 2007, family sources informed us that when Garpu went missing, they informed the RIA police and his body was later found in the creek. With the information they received from the three other fishermen and the physical appearance of the body, they requested a thorough investigation into the case because they did not believe that Garpu, a professional fisherman who could swim across the Farmington River, would have drowned in the creek.

One of the other fishermen informed us that he had gone fishing with his brother and friends when they heard the PPD speedboat approaching them. Upon reaching them, they were asked by the PPD what their mission was and they told them they were fishing. The PPD immediately accused them of coming to steal rubber. While in the process of being arrested, he immediately dove into the creek and managed to hide himself.

While hiding, he heard Garpu crying for help. He managed to get to the village and informed his family about the inci-

dent. The next day, two of his fellow fishermen were found in the RIA police cell but Garpu had not been seen. The “Local Jury” members who represented the family informed us that they observed that Garpu’s neck appeared broken and his eyes were damaged. His penis was also swollen and it appeared as though acid had been poured on his entire body as there were burn spots on his body. The substance of this account was confirmed by three of the “Local Jury” members who went on to state that the jury had made a report to this effect.

According to the family members, the police later advised them to take the body to the funeral home on the family’s account until the government arranged an autopsy from the United States. Being a typical rural Liberian family without the ability and resources to follow-up in this kind of situation, coupled with additional advice received as to the financial implications of pursuing the matter with the PPD and Firestone, they decided to bury Garpu’s body. Even without these issues, this family could not afford to pay for the funeral home service fees or further pursue the case.

Family members also informed us that a PPD Task Force member was arrested as a suspect in the killing of Garpu after he unknowingly confessed to a family member that he was part of the operation that led to the death of Garpu Logan and was later released by the police. The police did not however confirm this. SAMFU asked Firestone to provide information on the death of Garpu and there has been no response.

Another alleged incident involving the PPD speed boat



The body of the late Garpu Logan who died on May 2 2007 at Gben Creek.

<sup>23</sup> A group of local people including family members who are not medical personnel set up by the police to examine the body.

was reported on June 21, 2007, when the CCM again reported that eight canoes carrying members of adjoining communities and some fishermen capsized when the speed boat made high speed circles around the canoes on suspicion of illicit tapping.

***“If the occupants of the canoes didn’t know how to swim, it would have been a disaster.”***  
**Henry Bweh-CCM**

Some of the occupants of the canoes were reportedly arrested and taken to the RIA police station while others were missing. While the missing persons were not yet found, the CCM raised an alarm for fear that they had drowned. When the occupants were later found, the head of the CCM was arrested and detained by the police on suspicion of spreading false information. He was later released without charge. Two occupants of the canoes confirmed the CCM’s version of events. On our trip to the police station on December 12, 2008 to confirm this incident, the police informed us that they could not make any comment without instructions from the commander who could not be contacted.

## **Health Conditions**

Before the civil crisis in Liberia, Firestone operated the Du-Side Medical Center which was then one of the best hospitals in Liberia. During the civil crisis, the hospital was looted by fighters from various warring factions which rendered it useless. In May 2007, it was finally renovated. The hospital, in addition to the Harbel Health Center, now caters to employees of Firestone and some of their dependents from the 45 sub-divisions into which the concession is divided.

However, the presence of these health facilities has not and still does not provide treatment for all the employees’ dependents. Like the school system, most of the employees’ children and dependents who do not have Firestone identification cards are denied treatment unless they can pay US\$25 for each visit to the hospital. Many employees, especially tappers and unskilled laborers, cannot afford this amount and therefore resort to the use of herbs or un-prescribed drug treatments.

In May 2007, one infant named Princess, died in Division 44 Walker Camp when the investigative team arrived. Her grandfather, an employee of the company informed us that he could not afford the US\$25 to allow her to receive treatment at Firestone Hospital.

***“She is my granddaughter. We carried her to the hospital but because I don’t have money, they didn’t treat her.”*** Princess’ grandfather.

Additionally, the health facilities are insufficient. In many divisions, laborers depend on dispensaries which operate during work hours. They depend on mobile communication radios placed in their bosses’ (superintendents’) vehicles to call for ambulances during emergencies. The absence of the superintendents in camps without cell phone coverage at night makes it difficult to get medical attention, which sometimes leads to complications and sometimes results in death.

## ENVIRONMENTAL IMPACTS

### Water Pollution

The Firestone rubber processing plant is located in Harbel City, Margibi County which is on the banks of the Farmington River. The processing plant was built in the 1930s and is separated from Owensgroves and other communities by the Farmington River. These communities use the Farmington River for their household chores including fishing, drinking, transportation, bathing, etc. The company has been dumping waste from the processing plant into the Farmington River since it was built.



Dumping waste from Firestone processing plant into the Farmington River

In 2005, the community at Owensgrove reported that some of its members were getting sick and dying and that they feared that it was as a result of pollution in the Farmington River.

***“Our people are getting sick and dying of a strange sickness. We don’t know the cause but we think it is the pollution from the river.”***

***Henry Bweh-CCM***

In order to ascertain the validity of the community’s claims and to further investigate the allegations made in SAMFU’s 2005 report, water samples<sup>24</sup> were collected in collaboration with an international partner in November 2006, and carried to France for a laboratory test.

Three international experts interpreted the tests from the water samples based on the World Health Organization Guidelines for Drinking Water 2006. They found a very high discharge of ammonia into the river. The qualification limit for ammonia indicated by the laboratory testing

the water in France indicates 5microS/cm while the pollutions in the water showed 459 microS/cm. Ammonia can be converted into nitrite in the body which is especially harmful to the health of children, pregnant women and the elderly. For example, nitrite consumed in drinking water while pregnant, leads to the birth of blue babies.<sup>25</sup>

Another pollutant reported in the analysis of the water result was a very high level of Chemical Oxygen Demand (COD) which signifies the release of significant amounts of organic waste. The qualification limits for COD by the Laboratory was 30 mg/L. COD found in water shows the level of 495 mg/L which is more than 15 times above qualification limits in the water test result.

Some experts state that the health risks would show up in people who eat the fish from the water.<sup>26</sup> The links between the pollution and illnesses from eating contaminated fish could not be confirmed by SAMFU due to the limited testing available in Liberia. However, in 2004 a 38-year old fisherman confirmed that he received information from Médecins Sans Frontières that his illness (severe swelling of the leg) was caused by fishing in the polluted waters from the Farmington River<sup>27</sup>.

***“If Firestone stops dumping waste into the Farmington River, our river will live again and be useful to us.”***

The water analysis reports received by SAMFU were packaged and presented to the Environmental Protection Agency (EPA) for action in April 2007.

In the March 2007 Firestone Environmental Management Plan (EMP), Firestone identified the primary environmental issues caused by them as the discharging of ammonia in waste water into the Farmington River, the discharge of solid rubber in waste water into the Farmington River, the potential release of raw material into the environment, the generation and storage of used oil, the discharging of storm water into the Farmington and Wah Creek and air emissions<sup>28</sup>. This EMP was rejected by the EPA because it did not meet their standards of an Environmental

<sup>24</sup> See water testing result on [www.samfu.org](http://www.samfu.org).

<sup>25</sup> Babies who are born with a bluish tone which suggest oxygen deprivation

<sup>26</sup> See water analysis report annex1

<sup>27</sup> See Tapping into the future 2006

<sup>28</sup> See executive summary and Table 4 “Firestone Liberia Environmental Management Plan”, March 2007

Management Plan.<sup>29</sup> Since that time there has been no report from the EPA of a new EMP from Firestone.

Even though Firestone has not responded to SAMFU's request for their waste management plan, SAMFU has seen Firestone running drainage pipes from their factory to a destination in its plantation. We have been unofficially informed by sources in Firestone that it is intended to re-route waste water discharged from its processing plants. While this is underway, waste water is still being discharged from drains running from the Firestone processing plant into the Farmington River.

## Air Pollution

Harbel City, where Firestone's processing plant is located, hosts more than 10,000 inhabitants including employees and non-employees of Firestone. The processing of rubber involves the use of boilers to process chemical rubber which emits a heavy dark smoke with an irritating smell into the air covering Harbel City during the daily processing periods. The smell of the smoke makes breathing fresh air difficult during the processing periods.

In April 2007, the Executive Director of the EPA accused Firestone of air pollution in the Harbel area. However, there is no report of what action the EPA or Firestone has taken to remedy the situation.



Make-shift bathroom in Division 11 Nursery camp

## Sanitation

Houses built by Firestone are built without modern latrine facilities. The camps are built with general outdoor pit-latrines and communal bathrooms. Maintenance is difficult and has resulted in the tappers and their families using nearby bushes as an alternative for latrines and individual families either use these latrines and bathrooms or build make-shift ones.

This situation has led to

medical problems including cholera and diarrhea, on the Plantation. The 2008 agreement requires Firestone to build an outdoor pit latrine and bathrooms for each household no later than 2011<sup>30</sup>. Similar bathrooms were built in 2006 and are already in poor condition and are therefore unusable.

<sup>29</sup> [http://laborrights.org/press/Firestone/enviro\\_publicagenda\\_041907.html](http://laborrights.org/press/Firestone/enviro_publicagenda_041907.html)

<sup>30</sup> This exposes employees and their families to security risks especially at night with increased waves of armed robbery, and ritualistic killings in Liberia.

## TRADE UNION ISSUES

Until the recent election in July 2007 of new representatives for Firestone Agriculture Workers Union of Liberia (FAWUL), the Aggrieved Workers Committee of Firestone complained that FAWUL, for all intents and purposes, had been controlled and dominated by the General Agriculture Workers Union of Liberia (GAWUL) and the company management. Firestone and GAWUL “hand-picked” candidates for office who were prepared to “tow” the company line and workers have never seen or been allowed to vote on their contracts.

A single example used by the Aggrieved Workers Committee was a specific article from the current collective bargaining agreement which makes clear the company’s total power over its workforce. Article 27 covering wages states: “The wage policy is solely at the discretion of the Company and dictated by the overall economic and financial position of the Company.”

Workers staged a two-week wildcat strike in February 2006 because they were fed up with the abusive past and present conditions, namely; the withholding of union dues paid by employees of Firestone allegedly by FAWUL, GAWUL and the Company; the lack of union democracy; the poor living and working conditions of workers and their families; and historically, the foreign exchange scheme set-up between Charles Taylor’s rebel faction government and Firestone which led to the 37.5% reduction of employees’ salaries between 1992-1997. The workers demanded the formation of a real union and improvements in working and living conditions.

President Ellen Johnson Sirleaf and other government officials stepped in and mediated a settlement which included commitments from Firestone to build better housing and more schools and clinics. The company-dominated union was left in place and proceeded to negotiate a concessionary collective bargaining agreement with management later that year.

Throughout 2006 and 2007, the Aggrieved Workers Committee, the group that organized the wildcat strike, continued to press the government to investigate the alleged mismanagement of workers’ dues by FAWUL.

After extensive negotiations and investigations, the government, supported by plantation workers and Liberia’s two major labor federations, suspended FAWUL and called for elections to usher in an independent and democratic union.

At the end of April 2007, workers once again engaged in a strike to protest Firestone management’s efforts to delay the elections. During the strike on April 27, 2007, police reportedly brutalized peaceful striking workers with batons and sticks, chased harmless workers throughout Harbel, broke into houses and beat many innocent people which resulted in dozens of injuries. Two dozen workers were injured so badly that they were forced to miss work while they underwent treatment. Subsequently, one of the injured workers died as a result of wounds suffered during the attack. In addition, tear gas was fired into Harbel’s densely populated communities without regard for children, women and the elderly. It appears that many innocent workers were not only unnecessarily arrested, but unreasonably detained. Those responsible for these brutal acts must be held accountable.

International labor organizations including the United Steelworkers (USW) and the international arm of the American Federation of Labor and the Congress of Industrial Organizations (AFL-CIO), the Solidarity Center and the International Labor Rights Forum (ILRF) were deeply disturbed and organized an international outcry when notified of the events of April 27, 2007 at the Firestone rubber plantation in Harbel.

FAWUL, under the leadership of Madam Jean Stewart, was suspended by the Labor Ministry in early 2007, and the Ministry called for a new election which was held on July 8, 2007. The aggrieved workers, running as a political coalition, won votes from approximately 4,700 employees (approximately 75% of the eligible voters) winning all seats in a resounding and overwhelming election. Local and international observers, including and led by the USW and the Solidarity Center, monitored the elections at the request of the government and reported that the elections were fair, free and democratic.



Some striking workers and residents of Harbel removed from prison cell waiting in police office for instruction to be freed. December 12, 2008

had gone on a sixteen day strike to demand the recognition of their elected leaders.

During this strike, five persons were reported to have been wounded by UNMIL's gunfire while trying to disperse angry striking workers and dozens (some non-employees) were imprisoned at the RIA Police station. The imprisoned people were released after frantic efforts by the Margibi County Superintendent, the newly installed FAWUL leadership and some Margibi County lawmakers. At the police station on December 12, 2007, the police informed SAMFU that they were waiting for instructions from the Justice Ministry to release the men because they had not been charged even though they had been imprisoned for up to six days<sup>31</sup>. The newly elected President of FAWUL also informed SAMFU that two employees were dismissed from their jobs by Firestone because they were seen as the main spokesmen for the workers during the strike.

On April 17, 2007, FAWUL informed SAMFU that they engaged Firestone in several meetings to try and allow the men back to work but Firestone had refused. FAWUL filed a formal complaint to the Ministry of Labor and is waiting for a response. SAMFU spoke with Firestone's Public Relations Manager regarding this matter. He informed us that he could not comment on the dismissal but SAMFU should send a written communication to Firestone Liberia Manager Mr. Charles Stuart. On December 19, 2007, SAMFU wrote to Firestone Liberia requesting information on allegations in this report, but has yet to receive a reply. We spoke to the two employees on April 19, 2008, who confirmed that they were illegally

An injunction filed against the elections was ruled in favor of the aggrieved workers on December 21, 2007 by the Supreme Court after the workers

dismissed.

dismissed.

International organizations in the "Stop Firestone Coalition",<sup>32</sup> and the United Steelworkers and the Solidarity Center are calling for the immediate incorporation of the ILO standards into Liberia's rubber industry so that workers have a voice in determining their future. Strong letters were published internationally and signed by the President of the United Steelworkers and the Executive Director of the Solidarity Center supporting this call for support of ILO standards for the Liberian labor movement. They also called for the rights of employees to associate, organize and bargain collectively which are necessary to protect workers from Firestone/Bridgestone's irresponsibility. These standards will ensure that workers have:

- The right to establish and join organizations of their own choosing without previous authorization or interference from employers. Such unions must be democratically elected and free from influence or interference from management or government. It also provides for the right for workers to elect new leadership if union leaders are found to be corrupt or in the control of management.
- The right to strike.
- The right to be protected from acts of anti-union discrimination, including that a worker not be prohibited from joining a union or dismissal of a worker because of union membership or participation in union activities.
- Full protection from all forms of forced or compulsory labor.
- Effective abolition of child labor.
- Protection against all forms of discrimination in respect to employment and occupation regardless of race, color, sex, religion, political opinion, or union affiliation or activism.

<sup>31</sup> The Liberian Law requires that people cannot be held in detention for more than 48 hours without charge.

<sup>32</sup> The Stop Firestone coalition is campaigning to hold the Firestone Tire and Rubber Company accountable for over 80 years of exploitation in Liberia since 1926.

## CONCLUSIONS

After thorough investigations into operations of Firestone, SAMFU has come to the following conclusions:

1. The government of Liberia is not regularly monitoring the operations of Firestone to understand and put into place mechanisms to curb the problems the workers of Firestone face.
2. Firestone has taken some steps to improve its education system highlighted in our first publication including, the introduction of a high school, the employment of 50 additional teachers and renovation of the dilapidated schools and the construction of a few new ones. However, the facilities remain grossly inadequate.
3. The National Birth Certificate criteria for issuing Firestone identification cards to employees' children are denying them access to health and education.
4. Firestone PPD has been given considerable powers to carry out security operations in the concession area, and as a result, it seems that they have on occasion used excessive force to handle alleged criminals and there are grounds to suspect that this has led to the death of one person and injury to many others. These powers have been increased in the 2008 agreements between Firestone and GOL. The presence of the group known as the Gravel Ants is raising security concerns on the plantation.
5. Firestone has taken no steps to improve the working conditions of its employees, especially its tappers.
6. Firestone is constructing new homes in some camps on the plantation. However, the steps taken to build new homes will not materially improve the living standards of the employees since they lack facilities that are required to make them comfortable and are not being built to a reasonable international standard.
7. Firestone has completed the renovation of the Du-Side Hospital but like its educational system the health facilities are inadequate and too centralized to meet the health needs of the employees and their dependents. The process of acquiring the ID card is also depriving employees' chil-

dren from medication and health care.

8. Firestone is running drainage pipes to re-route waste water from the Farmington River though waste water is still being dumped into the river. The issue of air pollution still remains a concern.

### Organization profile

The Save My Future (SAMFU) Foundation is a non-governmental organization established in 1987 by Monsignor Robert G. Tikpor and two Liberian conservationists. SAMFU was founded out of the cherished love and the desire to protect the natural heritage of Liberia and is fully registered, incorporated and accredited under the laws of the Republic of Liberia.

SAMFU's mission is to facilitate and promote participatory, community-based, sustainable, natural resource management and development in Liberia. This is being pursued through an educational and empowering process in which the people form partnerships with each other and with those able to assist them in identifying their priorities, in mobilizing resources and assuming the responsibility to manage and control the resources they depend on. The organization's activities are directed towards the protection of the environment, facilitation of conservation and the promotion of social justice, equality and respect for human rights.

SAMFU envisages a new Liberia in which natural resources are managed sustainably to ensure a healthy environment and decentralized development under the rule of law.

SAMFU uses Participatory Rapid Appraisal and other techniques to help rural people identify their problems and needs and organize and mobilize resources to meet those needs. The information gathered is focused on the environment, social justice, human rights and sustainable development. The information is disseminated for the purpose of creating awareness and lobbying for policy change.

*“If you have seen the people who produce the latex for the rubber products you use; the place they live, the kind of work they do, the food they eat and the amount of money they take home in salaries...you will be conscious of who produces the rubber you use on a daily basis.”*

