

2nd Semi Annual Report for the Project

Protection of Customary Collective
Community Land Rights in Liberia (P3CL)



For more information:

Project Coordination Unit

P3CL Project

Email: p3cl.liberia@gmail.com



Date: August 31, 2020

1. Introduction

This is the second Semi Annual Report of the project 'Protection of Customary Collective Community Land Rights in Liberia (P3CL)'. Section 1 of the report summarizes the Liberia Land Authority's (LLA) validation of the Community Self Identification phase of the Customary Land formalization. Section 2 summarizes progress towards the results agreed in the Results Framework and Section 3 summarizes key activities that are pending for the remainder of the project.

During the period under review, the project experienced challenges related to the outbreak of the COVID 19 in Liberia. The country recorded the first case in March 2020 and the government declared a State of Emergency on April 10, closing schools, places of worship and non-essential businesses, instructed non-essential civil servants to take paid leave, closed the airports, restricted travels between the various counties as well as limiting public gatherings to no more than 10 persons in a room or confined space. The State of Emergency was lifted in July 2020 – even though the country continues to record new cases.

The partners developed an emergency response focusing on awareness raising about COVID 19 and distributing prevention supplies in 24 communities with a combined population of an estimated 100,000 people. This intervention was designed to ensure that the population of the communities receiving support to formalize their Customary Land claims were adequately informed about how the corona virus spreads and the ways in which it could be prevented, and at the same time provide the communities the resources they need to prevent its spread.

This report does not detail the activities that constituted the COVID 19 response as it has been reported on separately. The COVID 19 situation is highlighted given that it is a major challenge that the partners had to deal with during the reporting period, and still have to deal with during the remainder of the project.

Given that the project is now in the second half of the final year, this Semi Annual Report is focused more on illustrating progress towards the results and less on description of activities. By focusing on the results, the partners aim to highlight what has been achieved so far and highlight where more attention will be directed during the final months of the project.

2. Liberia Land Authority and CSI Validation

The role of the Liberia Land Authority in the project

The Liberia Land Authority (LLA) has the mandate to develop policies on a continuous basis, undertake actions and implement programs in support of land governance, including land administration and management. Customary Land formalization therefore falls within the LLA's mandate, especially as it relates to regulating the process.

The partners, in addition to their consideration of the LLA's mandate, included the LLA as an Associate in the implementation of the P3CL project for the following reasons: (1) to enable the partners to benefit from the LLA's guidance in its role as an Associate; (2) to create space for the LLA's participation in the preparation of tools and guides that the partners would develop for different aspects of the Customary Land formalization process; and (3) to allow the partners to provide financial support for the LLA carry out its regulatory functions related to Customary Land formalization in a transparent and timely manner. Through this association, the partners sought to preempt potential delays that could result from resource constraints that typically affect the operations of government entities.

To formalize its role in the project, the partners established a Memorandum of Understanding with the LLA. Its key responsibilities under the MOU include:

1. Working with the partners to develop training materials, especially reviewing and providing inputs to draft materials including guides, tools, protocols and approaches, and co-author materials being developed for publication;
2. Participating in preparation and delivery of training for civil society organizations, community mobilizers, individual practitioners, and designate appropriate staff members to participate in the various training programs;
3. Chair the Project Advisory Committee and preside at the scheduled quarterly meetings of the committee;
4. Conduct activities such as; Community Self-Identification verification, undertake visits to each community to either observe the General Assembly that adopts their community bye-law, or observe community elections of the members of the CLDMC or the induction of the CLDMC and participate in partner organized visits to each of the their community to verify boundary agreements; and
5. Collaborate with partners to develop a plan for conducting the confirmatory survey of the participating communities once the procedures have been developed.

Validation of the Community Self Identification

The partners completed the CSI in all but 4 communities in 2019. In January 2020 the LLA validated the CSI process in the 20 communities that completed the CSI. The validation involved submission of documentation of the CSI process to the LLA, a review of the documentation prior to field verification activities, and intensive field verification activities carried out in all of the 20 communities that completed the CSI. The LLA completed the validation in the 20 communities and submitted its report to the partners, outlining challenges and presenting recommendations on how to further improve implementation of CSI.

The LLA highlighted two challenges including the partners' delay in submitting documentation of the CSI process and the absence of partners' staff in some project communities during the validation activities. This, according to the LLA team created additional responsibilities for the LLA to mobilize community members for meetings as part of the CSI validation process. The LLA team also noted that while generally there was awareness of the process in the project communities, the level could be increased. The team therefore recommended that in the future Customary Land formalization documentation be submitted earlier to enable them plan and implement validation activities in a timely manner and that supporting agents ensure that project staff spend more time in the field to facilitate the timely implementation projects supporting Customary Land formalization. The team also recommended that partners invite the LLA during the development of community bye-laws and formation of the CLDMCs as they provide the LLA important opportunities to observe power dynamics and other social interactions during these key moments.¹

¹¹ The LLA's full report is available from the PCU

Other activities carried out by the LLA

Prior to the CSI validation, the LLA participated in two key activities Parley Liberia organized from December 18 - 22, 2019.² These included the final Resolution and CSI Declaration signing ceremonies and formation of CLDMCs in Lukasu and Hembah communities (Clans) in Lukambeh District, Lofa County. While there, the LLA also observed the adoption of community by-laws and formation of CLDMCs in both communities. The LLA used the opportunity to hold stakeholder meetings and gather information about their participation in the Customary Land formalization process in their communities.

The LLA also participated in the first regional Learning and Experience sharing event in Gbarnga on February 20 & 21, 2020. The event was attended by County Superintendents, Paramount Chiefs, District Commissioners, Clan Chiefs, Zone Chiefs, and women leaders from Bong, Lofa and Nimba Counties. The purpose of the event was to inform local authorities on progress of the Customary Land formalization activities in the three counties and to create space for learning and experience sharing among stakeholders.



LLA Gender Specialist addressing the P3CL Regional Learning Event in Gbarnga, Central Liberia, February 2020.

3. Progress towards the Results

An external Monitoring, Evaluation and Learning consultant recruited to support the partners completed the analysis of data collected at the end of 2019, from the 24 project communities, in January 2020. The consolidated analysis, already submitted to the Tenure Facility, is used as the primary data source for the summary of progress towards the results presented in this section. Additional data sources including the LLA's report of the CSI validation and partners' documentation of the CSI process are also used. The narrative below is organized according Outcomes agreed in the Results Framework.

² These activities were not reported on the Year 1 report as the LLA had not formally reported them at the time of preparing the Year 1 report.

Outcome 1: *The LLA approved process for customary collective community land recognition completed in 24 target communities.*

All the 24 communities supported by the partners have completed the LLA approved CSI process, and the CSI process has been validated in 20 of the 24 communities. The 20 communities that have been validated are now awaiting formal certification (*scheduled for September and October*) as Land Owning Communities. Once certificated, each of them will be formally recognized as a 'Community' as per the Land Rights Act, and therefore able to present itself as such to external stakeholders.

The 4 communities in which the validation was not carried out are now awaiting the LLA validation as well. Once validated, all 24 communities covering more than half a million hectares of land would be formally recognized Customary Land Owning communities.

The second key component of the customary collective community land recognition is the governance formation, i.e. adoption of community by-laws and establishment of Community Land Development and Management Committees. Out of the 24 communities, 8 communities in Bong, Lofa and Nimba counties have completed their governance formation. The LLA attended and observed the events marking the final stages of activities in two communities in Lofa.

The remaining 16 communities are at various advance stages of governance formation and are on track to complete before the end of the year, i.e. 2020. The LLA is scheduled to carry out monitoring visits the remaining 16 communities with particular focus on governance formation.

Finally, mapping and boundary harmonization have commenced in most of the project communities. The mapping and boundary harmonization are expected to accelerate by October when the dry season starts. Conflicts related to boundaries have been noted in several communities, but none have been resolved as harmonization activities are just taking off. As partners accelerate boundary harmonization, the nature and extent of each conflict will become clearer.

As communities participating in the process have become more aware of the potential benefits of Customary Land formalization, the excitement and enthusiasm across all the participating communities have grown. On the other hand, partners are also observing that the new governance structures, now including women in regions where women are excluded from discussions on land, will face challenges related to legitimacy and authority in the short-term. This is because customary norms and practices remain strong across the country and changes in behavior will take time to become rooted.

Outcome 2: *A common methodology and set of tools for participatory land and resource mapping used to recognize and formalize customary collective land tenure rights.*

The partners and the LLA have benefited from training organized by Cadasta in late 2019. The partners have worked with Cadasta since to develop a mapping guide and refine the data collection tool to be used during the participatory mapping. The guide and the data collection tool will be reviewed and provisionally validated for use prior to accelerating the mapping activities in October 2020. The learning from application of the tools in the field, across all the 24 communities, will be used to further refine the guide and tools and present to the LLA for approval.

The mapping activities and the tools are also on track to be completed in this second half of 2020. Once completed, it will be available to stakeholders, especially CSOs carrying out customary collective community formalization activities.

Outcome 3: *Increased capacity of individuals to support communities in completing customary collective land rights recognition.*

All the partners recruited locals and trained them as Community Mobilizers or Animators to support the Customary Land formalization in their communities. This has enabled the partners to broaden the network of individuals across the project communities that have relatively good understanding of the process and capacity to guide their communities in different aspects of the Customary Land formalization process. Furthermore, community members that are actively participating in the formalization activities have been favored by their peers to serve on important bodies such as the Interim Coordinating Committee, the mapping and boundary harmonization teams or the Community Land Development and Management Committees. This has allowed the partners to directly transfer knowledge and skills through practice.

In the communities that FCI is supporting, 434 persons, including 170 women and youth, have been identified and put forward for the pending CLDMC elections/ selection. A common factor that was considered during the nomination stages is their regular participation in community meetings and their relatively good understanding of the process. Similarly, Parley Liberia trained approximately 240 persons or 30 persons per community. Fifty percent (50%) of those that were trained and actively participated in the mapping and boundary harmonization as well as governance formation activities were women. All 240 of them are actively supported their communities during the CSI activities and continues to do so at the governance formation and boundary harmonization stages. By the end of the project, the partners will have established a network of more than 500 trained community members that can be tapped to support Customary Land formalization in their region, especially in nearby communities.

While the partners have made progress through their hands-on training for locals recruited to support project implementation in their communities, training for other CSOs and independent practitioners have been limited. A consultant recruited to develop the curriculum for semi-formal training in Customary Land formalization has not delivered on schedule, which is hindering work on the handbook/ guide on Customary Land formalization. However, once the curriculum is completed, the partners will prepare and deliver training for CSOs and other independent practitioners on Customary Land formalization.

Outcome 4: *Knowledge management on community collective land tenure is improved and replicated.*

This outcome focuses on documenting lessons from project implementation and disseminating them to stakeholders. The two mode of delivery are through a dedicated website that will host all materials developed and organizing a national Learning and Experience Sharing event that will involve the participation of CSO actors from other West African countries - at the conclusion of the project. A firm has been recruited to develop the website. The firm expects to complete the site by the end of October 2020.

4. Forest and land conflicts in the project communities

Conflicts related to inter-communal boundary disputes and intra-communal land use are common in many parts of Liberia. One project community has recorded conflict directly related to project implementation. In Sehyi Clan, Nimba County a serious disagreement surfaced between a community unit (town) within Sehyi Clan and Gbein Clan, a neighboring community with which Sehyi must harmonize its boundary. Gbein Clan has advised the Seyhi CLDMC and clan leadership that they possess an Aboriginal Deed that encompasses territory being claimed by Seyhi clan.

Aboriginal Deeds have been regarded by the Land Authority (Land Commission/Interim Land Task Force) as conclusive evidence of title. This poses a potentially complex challenge to Seyhi Clan's territorial claim. Parley has notified County Authorities and the LLA Customary Land Unit to seek advice. The challenge will be reconciling the Sehyi town's self-identification with Sehyi Clan, and its purported physical location in another clan. Parley is discussing potential interest-based solutions to this problem, however both sides are deeply entrenched in their position that the land belongs to them.

In the communities that SDI and FCI support, no boundary related conflict has been documented but grievances related to local elites and Monrovia-based elites' facilitated extraction of forest products have been noted. Although these are internal grievances, it is very likely that as boundary harmonization accelerates, more conflicts will be documented.

5. Changes to the work plan, budget and activities

During the State of Emergency, the partners shifted their focus to desk work and documentation, thereby using the period of slowdown in field activities and limiting the impact on the project implementation overall. Following the lifting of the State of Emergency, the partners reviewed their work plans and adjusted their schedules of activities. Based on the adjustments, the partners have formally requested a No Cost Extension to extend implementation up to March 31, 2021.³ The three months requested will enable the partners to use the dry months of October 2020 to March 31, 2021 to avoid a rush to conclude field activities by December 31, 2020.

With the approval of the Tenure Facility, each partner reallocated portion of their budget to support the COVID 19 response. To this with minimal impact on the project, the partners tapped into budget lines that were underspent during the CSI or budget lines where they expected surpluses. In this way, the COVID 19 response related expenses did not cause a major disruption and the reallocations remained well within the 10% allowed budget shifts. The recast budget and activity plan have been submitted to the Tenure Facility.

As the partners are in the concluding stages of the governance formation and accelerating mapping activities, they will be able to comply with health guidelines related to COVID 19. For example, mapping activities typically involve 15 – 30 person teams, which makes it easy to carry out the activity with lower risk to the participants. Though the partners will remain vigilant during the remainder of the project, the

³ Parley Liberia plans to complete its field activities by the end of the year. However, joint activities such as the National Learning and Experience Sharing event and dissemination of published materials will now happen between January and March 31, 2021.

fact that none of the project communities has recorded a COVID 19 case means the risk are even lower than in other parts of the country.

The main adjustment in the work plan is the hosting of the National Learning and Experience Sharing event in February 2021. This is intended to ensure that planned publications are developed well in advance and logistical arrangements are put in place to ensure broad stakeholder participation. The No Cost Extension will therefore enable the partners to complete the project in an effective manner.

6. Outstanding activities for the remainder of the project

By illustrating progress towards the results, the partners have demonstrated that they are on track to deliver on the objectives of the project. In the remaining months, the partners will focus on the following remaining activities:

- 1) Concluding the governance formation and mapping and boundary harmonization activities and validation by the LLA. These two activities will bring to a close the Customary Land formalization activities put forward in the project proposal; and
- 2) The National Learning and Experience Sharing will be organized in February 2021 and final narrative and financial reports will be delivered by 31st March 2021.

The LLA is yet to produce a regulation to govern the conduct of Confirmatory Surveys. The partners propose to enter into negotiation with the LLA to use the 24 communities to field test the current thinking about how-to conduct these surveys. Using carefully selected communities and piloting an approach would benefit both the project communities and the LLA as it may generate lessons for improving the process. The partners' proposal is based on the consideration that the survey may require costs that were not included in the budget during the conclusion of the grant – as it was still unclear what the situation would be by 2020.