



INFORMATION SHARING, CONSULTATION AND AWARENESS RAISING PARTICIPANTS IN FISSEBU DISTRICT, LOFA COUNTY  
PHOTO CREDIT: USAID LIBERIA LAND MANAGEMENT ACTIVITY

# USAID LIBERIA LAND MANAGEMENT ACTIVITY

## QUARTERLY PROGRESS REPORT JANUARY I – MARCH 31, 2022 (FY2022/Q2)

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## TABLE OF CONTENTS

List of Tables.....	ii
List of Figures.....	ii
List of Exhibits .....	ii
ACRONYMS .....	iii
EXECUTIVE SUMMARY .....	iv
1 Introduction .....	I
1.1 PROJECT OVERVIEW .....	I
1.2 TARGET AUDIENCES AND STAKEHOLDERS .....	I
2 Activities, Achievements, and Progress .....	2
2.1 CROSS-CUTTING ISSUES .....	4
3 Year One Work Plan Activities.....	4
3.1 OBJECTIVE 1: COMMUNITIES OBTAIN DEEDS TO THEIR COMMUNAL LAND.....	4
3.2 OBJECTIVE 4: COMMUNITIES UTILIZE ALTERNATIVE DISPUTE RESOLUTION (ADR) TO RESOLVE DISPUTES AND GRIEVANCES.....	9
4 Coordination Activities .....	10
4.1 STAKEHOLDER ENGAGEMENT .....	10
5 Monitoring and Evaluation.....	12
5.1 PROGRESS ON PERFORMANCE INDICATORS .....	12
6 FY 22 Q2 Progress Narrative .....	10
6.1 LEARNING QUESTIONS .....	10
7 Performance Indicators .....	10
8 Key Activities for Next Quarter.....	20
9 Management and Administrative Issues.....	10
9.1 STAFFING .....	20
10 Financial Progress .....	21
Appendices.....	22
APPENDIX I: QUALITY ASSURANCE AND SURVEILLANCE PLAN TRACKING .....	22

## LIST OF TABLES

Table 1:	Number of participants mobilized for the public consultations .....	6
Table 2:	List of organizations attending Thematic Group Meetings .....	8
Table 3:	Status of the communities on CLRf.....	13
Table 4:	List of participants disaggregated by gender .....	13
Table 5:	List of participants disaggregated by gender .....	20

## LIST OF FIGURES

Figure 1:	The Six Steps of the CLRf Process in Liberia .....	1
Figure 2:	Mission Director, [REDACTED] giving some encouraging remarks at the LMA launch during the NLC in Buchanan, Grand Bassa Country – March 01-03, 2022. Photo courtesy, LMA.....	3
Figure 3:	Nora Bowier making a presentation on the CLRf process at the Launch of Project. Photo Courtesy, [REDACTED]/LMA, .....	7
Figure 4:	Nyandemoilahun Town Chief [REDACTED] welcoming the assessment team to Wulukoha as the town elders and leaders sit back and watch. Photo Courtesy, [REDACTED] .....	7
Figure 5:	LMA and its Local Partners meeting with LLA Chairman and technical staff to reinforce collaboration and coordination of project Activities. Photo Courtesy [REDACTED] SDI II	

## ACRONYMS

ADR	Alternative Dispute Resolution
AQL	Acceptable Quality Level
AWP	Annual Work Plan
CBO	Community Based Organization
CDCS	Country Development Cooperation Strategy
CLDMC	Community Land Development and Management Committee
CLRF	Community Land Rights Formalization
CSI	Community Self-Identification
CSO	Civil Society Organization
CSWG	Civil Society Working Group
EU	European Union
FAO	Food and Agriculture Organization
FO	Field Office
FTI	Forestry Training Institute
GEP	Geomatics Education Program
GESI	Gender and Social Inclusion
GOL	Government of Liberia
GPS	Global Positioning System
GUC	Grants under Contract
HO	Home Office
IDH	Sustainable Trade Initiative
ILRG	Integrated Land and Resource Governance
IP	Implementing Partner
LC	Land Commission
LGSA	Land Governance Support Activity
LLA	Liberia Land Authority
LMA	Land Management Activity
LOP	Life of Project
LRA	Land Rights Act
MAP	Multi-Actor Platform
M&E	Monitoring and Evaluation
MP	Marking Plan
NLC	National Land Conference
PDG	Peace and Democratic Governance
PSE	Private Sector Engagement
QASP	Quality Assurance and Surveillance Plan
RAI	Responsible Agriculture Investment
RRF	Rights and Rice Foundation
SIDA	Swedish International Development Cooperation Agency
SDI	Sustainable Development Institute
TDS	Talking Drum Studio

TOCO Task Order Contracting Officer  
TOCOR Task Order Contracting Officer's Representative  
USAID United States Agency for International Development

## EXECUTIVE SUMMARY

During the reporting period (Q2 FY22), the Liberia Land Management Activity (LMA) set in place a strong foundation of collaboration with the Liberia Land Authority (LLA) and other stakeholders across Liberia's land sector. Highlights from the Q2 FY22 reporting period follow and will provide the foundation that will ensure strong implementation of LMA's project activities:

- Supported planning and implementation of the National Land Conference (NLC), held on the week of March 1-3, 2022, in commemoration of 3 years of implementing the 2018 Land Rights Act (LRA), held in Buchanan, Grand Bassa County. The conference brought together **344** delegates, including **121** women;
- Facilitated thematic group discussions on various topics, in preparation for the NLC, critical to the land sector, including Women and Youth, Customary Land Formalization, and Decentralization. These thematic group discussions resulted in the development of concept notes with key recommendations submitted to the LLA;
- Officially launched the LMA Activity on March 2, 2022, during the NLC. The project was launched by the LLA Chairman, in the presence of LLA Board of Commissioners and other Government of Liberia (GOL) development partners and officials from national and international agencies, including USAID, the World Bank, the European Union (EU), the Swedish International Development Cooperation Agency (SIDA), the Food and Agriculture Organization (FAO), and the Sustainable Trade Initiative (IDH).
- Selected communities for the Year 1 Community Land Rights Formalization (CLRf) activities;
- Successfully conducted community entry activities into Lofa County, including the communities of Fissebu, Vavala and Palama;
- Coordinated with the Liberia Land Authority (LLA) on partnership strategies with the project;
- Developed community selection and tracking tools to track community progress through the six stages of the CLRf process;
- Met with donor agencies and other land sector stakeholders to introduce LMA and discuss synergy opportunities, including IDH, EU, Lantmateriet, the Cadasta Foundation, and relevant GOL agencies, such as the LLA, the Ministry of Justice, and the Ministry of Gender Promotion;
- Conducted a capacity assessment of 90 local community-based organizations (CBO) and civil society organizations (CSO) for their eligibility to apply for potential grants under LMA and;
- Completed the assessment of nine new communities in Lofa County: Hassala, Wulukoha, Lower Guma, Central Guma, Upper Guma, Hembeh, Wanwoma, Lukasa and Tahamba.

LMA faced and addressed significant challenges during the reporting period. LMA have begun to develop a strong working relationship with the LLA, but overall coordination remains challenging due to the focus under LMA on the community-led approach to the CLRf process, instead of a focus on LLA capacity building. Although LMA will continue to coordinate with the LLA to ensure their participation in completing and documenting the CLRf process, USAID's support will be critical in coordinating with the LLA leadership and explaining the US Government's (USG) development approach.

The COVID-19 pandemic has continued to provide a challenging environment for meetings and larger collaboration, resulting in reduced attendance and participation in events to ensure social distancing. Liberia's poor internet infrastructure and connectivity issues have limited the ability to have effective remote meetings outside of Monrovia. LMA has used phone calls and other relevant platforms where necessary, and conducted in-person meetings whenever possible to ensure activities move forward.



## I INTRODUCTION

### I.1 PROJECT OVERVIEW

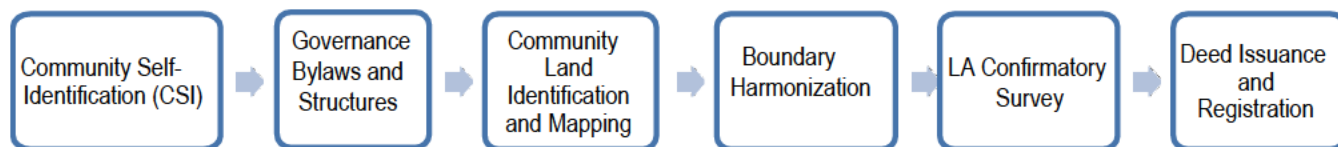
The purpose of the Land Management Activity (LMA) is the effective and inclusive management of communal land through land tenure processes. Its aim is to support Liberian communities in obtaining deeds to their customary land per the 2018 Land Rights Act (LRA) and to support the improved use of customary land for sustainable, equitable economic benefit.

Issues of land ownership are central to two Development Objectives (DOs) of USAID/Liberia's 2019-2024 Country Development Cooperation Strategy (CDCS), which LMA objectives and results will support: DO 1- Market Driven, Inclusive Economic Growth Supporting Increased Job Creation; and DO 2- Effective and Inclusive Governance Catalyzed through Reform and Greater Accountability. The LRA presents a natural opportunity to advance these DOs, especially as the Act demonstrates a commitment to invest authority in local communities to govern the use of their own land through CLDMCs. By focusing on CLDMC development, USAID will be investing in the GOL's vision of local governance while giving communities tools to serve their own interests. LMA presents an opportunity to build on past USAID investments to assist Liberian communities to achieve effective and inclusive governance of their land and resources, with a focus on the following four objectives:

1. Communities obtain deeds to their communal land;
2. Communities plan and manage communal land for productive use;
3. Women, youth, and other marginalized groups participate in and benefit from communal land management; and
4. Communities utilize Alternative Dispute Resolution (ADR) to resolve land disputes and grievances.

The LRA includes a six-step process for formalizing community land rights (see Exhibit I) with the end result being a deed issued by the communities to understand their land rights and how they are shared among all community members and to more effectively and equitably govern and manage their land. The LRA also includes provisions for establishing Community Land Development and Management Committees (CLDMC), inclusive governance bodies that are charged with communal land decisions and the development of land use plans.

Figure 1: The Six Steps of the CLRF Process in Liberia



The CLRF process is lengthy and complex, and few communities are capable of navigating the process alone. With the support of international donors, Liberian civil society organizations (CSOs) have worked to help communities through the process and meet requirements associated with each step to ultimately secure land deeds.

### I.2 TARGET AUDIENCES AND STAKEHOLDERS

To achieve the above goal and objectives, LMA is working closely with the Government of Liberia (GOL) through the Liberia Land Authority (LLA) to engage with a wide range of audiences and stakeholders at the national and local levels, focusing on local communities, to achieve effective and

inclusive governance, with a focused effort of engaging women, youth, and disadvantaged groups. USAID interventions are focused on six priority counties. LMA will select communities from these counties to implement project activities, specifically targeting communities in Lofa, Nimba, Bong, and Grand Bassa to maximize the project's comparative advantage, and to ensure substantive utilization of local solutions, considerable private sector engagement (PSE), judicious use of Grants Under Contract (GUCs), and sound incorporation of environmental and climate considerations. LMA plan to begin activities in Lofa, Nimba and Bong in year one, and begin activities in Grand Bassa in year two.

To work with communities throughout the CLRF process, LMA has concentrated support to select communities within the counties of Nimba, Bong, and Lofa in Year 1 of the project. By concentrating early efforts in these three counties, LMA will leverage CLRF facilitation previously supported by USAID's Land Governance Support Activity (LGSA), including the existing CLRF work facilitated in Lofa. LMA is also able to capitalize on the community radio stations in Nimba and Bong and has already started working through partner stations in target communities in Lofa.

## **2 ACTIVITIES, ACHIEVEMENTS, AND PROGRESS**

The CLRF process paves the way for communities to understand their land rights, how they are shared among all community members, and to more effectively and equitably govern and manage their land. The LLA continues to work on issuing regulations that will further clarify the CLRF process and other portions of the Land Rights Act. The LLA have also begun to incorporate innovative technology that includes digitizing data and documents and other practices to effectively advance land tenure for Liberian communities. Nevertheless, delays remain, as communities often lack a full understanding and need assistance in moving through the complex process. In addition, issues have arisen within and among communities that often stall the process. The LLA is also required to certify and be involved throughout the CLRF process, but continues to face funding constraints, which creates delays. LMA's primary goal is to identify these challenges and find solutions to facilitate and expedite the process.

This section provides a narrative overview of LMA's key achievements for Q2 FY22.

### **2.1 CROSS-CUTTING ISSUES**

**The National Land Conference (March 01-03, 2022):** LMA supported both financially and technically the organization and execution of the National Land Conference (NLC), hosted by LMA partner, Rights and Rice Foundation (RRF) and the LLA, in concert with the Ministry of Agriculture and the College of Forestry and Agriculture of the University of Liberia. The three-day conference was held in Buchanan, Grand Bassa County. The event was co-sponsored by 19 national and international sponsors and donors, including USAID, and was attended by about **344** delegates (among them **121** women) from civil society, development partners, academia, and government. The event was also attended by international diplomats and county and traditional leaders. The theme of the first National Land Conference was "Celebrating three years of Liberia's 2018 Land Rights Act".

The participation of the USAID Mission Director, [REDACTED] at the conference highlighted the USG's long-term support to the GOL. As stated in his opening remarks, "Securing customary land rights is critical to strengthening Liberia's democracy, sustaining peace, promoting economic growth and the sustainable management of land and environmental resources, and empowering women, youth and marginalized populations."

As the primary goal of LMA is to strengthen the capacity of communities to participate in the effective management of their land, the Mission Director urged land sector stakeholders to 1) continue to support rural communities in the formalization process of their community land; 2) make the most of



the conference by sharing lessons and best practices and incorporate them into ongoing and future efforts to fulfill the potential of the Land Rights Act to contribute to women's economic empowerment; 3) ensure inclusive participation in the management of land and natural resources; 4) assist communities to formalize the right to their land; and 5) prevent conflict and sustain peace. He confirmed that USAID, through LMA, will continue to support the Liberia Land Authority to guide local communities as they go through the legal process to acquire deeds to their community lands. To conclude, he encouraged local communities to not only become deed holders but to also utilize those deeds in ways they can transform their lives and those of their children and grandchildren.

**Figure 2: Mission Director, [REDACTED] giving some encouraging remarks at the LMA Launch during the NLC in Buchanan, Grand Bassa Country – March 01-03, 2022. Photo courtesy, LMA**



**Official Launch of the LMA:** The Project was officially launched by Honorable [REDACTED], Chairman of LLA, in the presence of the Board of Commissioners. Honorable [REDACTED], Vice Chair of Liberia Land Authority, praised the United States for its long-term support, citing historical ties dating as far back as the formation of Liberia in the 1820s. The conference officially launched the LMA project and provided a venue for the LMA team to network with multiple development partners working and supporting the management of the land sector in Liberia. The presence of the Mission Director, the Deputy Democracy, Rights and Governance (DRG) Office Director, and the LMA Task Order Contracting Officer's Representative (TOCOR) was highly appreciated and gave the project added credibility with the LLA and other sector stakeholders at such a significant event. The Mission Director in his speech highlighted the link between land tenure security and democracy, stating, *"land reform is critical to sustaining peace in Liberia, and is also central to strengthening Liberia's democracy and transparent and accountable institutions."*

It is important to note that the NLC was also used as a venue to issue certificates of completion of the self-identification process (Step #1 of the CLRF process) to 31 communities supported under the USAID funded Integrated Land and Resource Governance (ILRG) project.

Figure 3: [REDACTED] making a presentation on the CLRF process at the Launch of Project. Photo Courtesy, Richlue O Burphy/LMA



### 3 YEAR ONE WORK PLAN ACTIVITIES

ECODIT's implementation approach, including grants under contract (GUC) under each objective, aims to address the challenges and leverage the opportunities prevalent within Liberia's land sector. These activities are in accordance with the new land rights laws and evidenced CLRF best practices generated by USAID's previous Land Governance Support Activity (LGSA) project.

#### 3.1 OBJECTIVE 1: COMMUNITIES OBTAIN DEEDS TO THEIR COMMUNAL LAND

ECODIT works to provide Liberia's dynamic civil society with training and resources to hone their advocacy efforts vis-à-vis the GOL, enabling the latter to better respond to citizen demands for secure land rights; to empower target communities to secure deeds through a pathway established in law; and to operate effective land and resource governance systems that equitably serve all community members.

Throughout implementation of LMA, ECODIT and its local partners work towards effectively incorporating Gender, Equity and Social Inclusion (GESI) considerations into all project activities and undertaking specific interventions that singularly address goals of inclusion to increase women, youth, and other marginalized populations' participation in, and benefit from, customary land management.

##### 3.1.1 TASK 1.1: WORK WITH CSOS TO GUIDE COMMUNITIES IN FOLLOWING THE CLRF PROCESS TO OBTAIN DEEDS FOR THEIR COMMUNAL LAND

**Selection of Target Communities:** During the reporting period, the LMA staff and its local partners SDI, TDS and RRF had a series of meetings with the LLA, other donors, and implementing partners to collect information on communities that previously initiated the CLRF process, including which steps

have been completed, and which steps and/or validations are outstanding and why, and also which CSOs or CBOs are operational within each community. Based on the assessment findings, LMA determined the type of assistance to be provided to target communities to help them advance and effectively complete the CLRF process and enable them to acquire title deeds to their communal lands. LMA will intervene in the selected communities to ensure continuation of work that was previously provided by SDI under LGSA, and other partners, such as the EU, Parley-Liberia, and the Sustainable Trade Initiative (IDH). Focus will be on providing assistance to complete the CLRF process, giving guidance to help communities build partnership with the private sector for potential investments; promoting participatory land planning and productive use of the lands; and providing training on conflict management using ADR techniques to address existing conflicts or conflicts that may have evolved during the CLRF process.

As of today, the project identified 17 communities in Lofa, with ten additional communities that will be targeted in Nimba and Bong (five communities in each of the two counties). By the end of year one, the Project plans to be in all 27 target communities.

**Implementing Partners Orientation Session (February 21, 2022):** In advance of the community entry trip into Lofa county, LMA organized a one-day orientation session on the CLRF process for the staff of all LMA local implementing partners (TDS, RRF and SDI) to prepare them to better navigate the six steps of the process (*Community Self Identification, Good Governance, Land Identification and Mapping, Boundary Harmonization, Confirmatory survey by the LLA, and finally, the issuance and registration of the deed*). As a result, the team will be able to guide target communities, through their established Community Land Development and Management Committees (CLDMC), to understand their land rights and the importance of following the steps in order to secure their land deeds.

**Community Entry in Lofa:** LMA successfully conducted project entry activities in the initial three selected communities of Fissebu, Palama and Vavala. Preliminary project activities conducted included: 1) introducing the LMA project to community and county stakeholders including local authorities, community leaders, women, youth, marginalized groups, and CSOs; 2) Creating an overall awareness about the LMA Project; 3) informing and obtaining buy-in from community stakeholders on the goal and objectives of the project; and 4) laying the foundations for the work to take place that will lead to communities' obtaining land deeds.

The LMA team did outreach to communities' traditional leaders, youth and women's groups, and local elders during town halls and group meetings to discuss the CLRF process, learn from the communities' past experiences, and develop a plan for continuing the process. A total of a hundred ninety-five (195) people, including eighty-two (82) women, were mobilized for the public consultations. Through the consultations, the project aims to deepen communities' knowledge and seek the buy-in of key local governmental authorities (chiefdoms, clan and town chiefs), traditional leaders and galvanize their full cooperation and increased ownership of the project.

The project was well perceived by subgovernment officials, local communities, and traditional leaders (Town Chief of Clan), who all appreciated USAID's approach of working directly with specialized national NGOs to assist local communities in understanding their land tenure rights, acquiring skills in planning, and productively using their communal lands, as well as addressing land disputes through alternative dispute resolutions.

Other activities during the trip included radio talk shows (in Zorzor District and Voinjama City) to broadcast key messages to inform citizens about the project's objectives and the importance of their participation, as well as providing information about the CLDMC meetings and the upcoming community consultations activities. A multitude of phone calls were received during the radio show from callers asking specific questions on project activities, geographic coverage, and duration. The radio show successfully engaged communities in project implementation and receiving feedback from the general public and other professionals, CSOs, and local authorities.

Some of the concerns noted during the community entry trip were centered around boundary disputes. The boundary disputes were identified to be one of the challenges affecting the communities that has stalled the completion of the CLRF process. Communities sought information on how and to what extent the project could help them resolve their boundaries issues. The lack of coordination between the community's leaders and the CLDMCs was also identified as a challenge. During our meetings with the CLDMCs, there were complaints related to their legitimacy, as members asserted that they are not recognized in their communities, which affects the work they are trying to do. Boundary disputes will remain as long as the demarcation of boundaries are not completed and agreed upon, and that step is still on going in many communities based on assessment findings. To mitigate this concern, LMA will launch ADR support in target communities and continue to collaborate with LLA to increase the participation of their technical staff in the implementation process of planned activities at the community level. The plan is to minimize the time gap between the completion of the boundary harmonization and the conduct of the confirmatory survey.

Another issue that was raised during the organized group meetings is the lack of women and youth's effective participation in the decision-making processes. Apparently, they can talk if they are members of organizations but cannot express themselves publicly in front of men outside the CLDMC. In Vavala, for example, a women expressed the need for women to have equal access to land for sustainable livelihood and economic empowerment. According to Pastor Zawu, the inclusive participation of the different intergenerational groups, especially from clans to clans to identify boundary problems, and in finding durable solutions to land issues, should be a high priority for the project. The project will continue to prioritize working with local communities to increase participation and inclusion of different social groups in land matters through public consultations, awareness raising, advocacy, and leadership trainings. Some recommendations to be considered for programming actions:

- Provide support to address the issue of boundary harmonization/negotiation and demarcations. In particular, providing more focus on community self-identification (CSI) and identifying old boundary lines before establishing new lines. The CSI process should include the requisite authority and adjacent communities who are affected by the boundary harmonization.
- Conduct more awareness and information campaigns at the community level using simple Liberian English or local dialect because of the low level of literacy. Most communities are not aware of the Land Rights Act that was established and in use. They said the laws need interpretation so the least literate in the community can understand and have their say into the land matter in Liberia. The production of simple messages in dialects would be more appropriate and germane for communities to understand the laws of their customary land.
- Conduct more gender integration activities to ensure more women, youth, and marginalized groups to have full participation and support to the project. In fact, Gender integration requires continuous work with the whole community (men and women) and a close consideration of each society's traditions and beliefs. The Project is conducting an assessment to learn about men's attitude in target communities and the findings will guide the LMA approach to address gender considerations. LMA will also conduct gender trainings in all target communities, including a Training of Trainers (TOT) for community leaders in FY22 Q3. LMA will follow these trainings with roll-on trainings, and awareness and information campaigns on the importance of gender integration in decision making processes.

Table 1: Number of participants mobilized for the public consultations

Community	Gender			Age Ranges		
	M	F	Total	18 - 35	≥ 35	Total
<b>Palama Community</b> , Palama Clan – (Sub units-Telemu, Salayea, Tinsu, Ganglota, Beyan’s Town) Lofa County	42	23	65	27	38	65
<b>Vavala Community</b> , Vavala Clan, (Sub-Units- Gbanway, Yarpuah, Tailemai, Sucronmu, Kpaiyea) Lofa County	44	21	65	24	41	65
<b>Fissebu, Gizzima</b> Clan, Zorzor District, (Fissebu community, Gissima Clan (Sub-Units- Beawu, Kpadoma, Karbata, Wolimai & Marbosu) Lofa County	36	29	65	31	34	65
<b>Grand Total</b>	122	73	195	82	113	195

**Assessment of additional communities in Lofa (March 16-21, 2022):** In addition to the three initial communities, LMA completed the assessment of nine additional Communities in Lofa, specifically Hassala, Wulukoha, Lower Guma, Central Guma, Upper Guma, Hembah, Wanwoma, Lukasa and Tahamba. Based on findings, we noted that all these communities did not make noticeable progress on implementing the CLRF. It is evident that none of the target communities has completed all step as most of them are still in the beginning steps. The assessments will be followed by the signing of an MOU between IDH and USAID. A draft memorandum of understanding (MOU) between USAID and IDH is being finalized, as we plan to conduct community entry in all additional communities before end of March.

In all nine communities, the assessment team met with the town chiefs, CLDMC members, elders, and other town leaders. In Tahamba, for example, the team had a focus group discussion with 25 members and leaders of the community including one CLDMC member. The communities were able to provide information on the activities and support provided through IDH projects on the CLRF process, but they could not provide documents to authenticate their statements.

Figure 4: Nyandemoilahun Town Chief [REDACTED] welcoming the assessment team to Wulukoha as the town elders and leaders sit back and watch. Photo Courtesy: [REDACTED] LMA





### 3.1.2 TASK 1.2: SUPPORT EFFORTS TO ADVANCE REGULATORY AND INSTITUTIONAL REFORMS THAT ACCELERATE AND EXPAND CLRF

In order to advance regulatory and institutional reforms that accelerate and expand the CLRF, LMA worked with a number of CSOs at two main levels to support the CLRF process and ensure inclusive involvement of multi-actor groups in enhancing the implementation process of the Land Rights Act.

**Support to Civil Society:** LMA supported civil society organizations through their umbrella organizations, the CSO Working Group (CSWG) on land, and the Multi Actor Platform (MAP) in their effort to enhance and support the implementation of the Land Rights Act. During these meetings, the CSWG critically reviewed and prepared key proposals to enrich the draft of the secondary regulations and procedures document that are now being discussed and nearing finalization for effective integration into the LRA. The CSWG provided a position paper which has been shared with the LLA and other donors supporting the land sector to finalize these regulations. Key provisions of the position paper include: a) Progress made in the application of 2018 Land Rights Act; b) Concept note on decentralization; c) Policies/ regulations/ coordination; and d) Customary Land Survey Implementation.

Draft regulations on the Land Rights Act to include, the National guideline for systematic titling of customary land, guideline for the conduct of confirmatory survey of the customary land, regulation for the vetting of tribal certificates, and guide on boundary harmonization of customary land. Civil society proposals or inputs to these regulations and guidelines on the Land Rights Act, are contained in Appendix 2: Civil Society Organization Inputs to the Draft Regulations on the Land Rights Act.

**Thematic Group Meetings:** To support efforts to advance the regulatory reform to accelerate the CLRF process, LMA supported and participated in various internal review sessions at the LLA. This included a review of documents on regulations, guidelines, and procedures especially related to the formalization of customary land that LLA developed for the implementation of the LRA. LMA supported three of the key thematic working groups, convened to prepare the policy papers for discussions at the NLC. The key thematic working groups supported during this reporting period were: 1) Boundary Harmonization Procedure; 2) Guidelines for the Conduct of Confirmatory Survey of Customary Land; and 3) National Guide for Systematic Land Titling of Customary Land. These meetings contributed to the development of key policy documents that formed part of the conference deliberations. Two of the policy briefs presented during the plenary at the NLC were Women and Youth and Customary Land Formalization. These policy documents were also discussed in the breakout sessions.

**Table 2: List of organizations attending Thematic Group Meetings**

THEMATIC GROUPS	NO. OF CSOs	NAMES OF ORGANIZATIONS
Women and Youth Thematic Working Group (WYTWG)	Seven (7)	<ul style="list-style-type: none"> <li>• Welthungerhilfe (WHH)</li> <li>• Farmers' Union of Liberia (FUN)</li> <li>• Liberia National Students Union (LINSU)</li> <li>• Federation of Liberian Youth (FLY)</li> <li>• AGRO TECH</li> <li>• Women Care Initiative (WOCI)</li> <li>• ACT</li> </ul>
Customary Land Rights Thematic Group	Twelve (12)	<ul style="list-style-type: none"> <li>• USAID LMA</li> <li>• SESdev</li> <li>• FORUMCIV</li> <li>• SAMFU</li> <li>• RRF</li> <li>• SDI</li> <li>• LANDESA</li> <li>• ActionAid</li> </ul>



THEMATIC GROUPS	NO. OF CSOs	NAMES OF ORGANIZATIONS
		<ul style="list-style-type: none"> <li>• DEN-L</li> <li>• Parley</li> <li>• FCI</li> </ul>
Monitoring of land services	Six (6)	<ul style="list-style-type: none"> <li>• USAID LMA</li> <li>• CENTAL</li> <li>• ActionAid</li> <li>• Lantmatariet</li> <li>• Liberia Land Authority</li> <li>• Talking Drum Studio</li> </ul>
Technical Organizing Committee (TOC)	Five (5)	<ul style="list-style-type: none"> <li>• USAID LMA</li> <li>• Welthungerhilfe (WHH)</li> <li>• RRF</li> <li>• Liberia Land Authority</li> <li>• Ministry of Agriculture</li> </ul>

**Grants Under Contract:** In order to strengthen public awareness of the need for regulatory reforms and achieve formalization of community land rights, LMA launched the Grants Under Contract (GUC) process to support Community Based Organizations (CBOs) in target counties to contribute to the achievement of project objectives. LMA received eligibility applications from more than 60 CBOs. The screening process of prospective CBOs is completed and a total of 15 eligible CBOs (Lofa (9); Bong (3); and Nimba (3)) were identified. From April 6-8, 2022 LMA organized a Training of Trainers (TOT) on grant management and proposal writing for project and its subcontractor's staff. Following the TOT, training sessions will be provided to representatives of eligible CBOs. Each participating CBO will then be invited to respond to an RFA and submit a technical proposal. In accordance with the LMA grants manual, the review team will include LMA and local partners and will select grantees to conduct project activities in the 27 communities for the first year. The grantees will be subject to USAID approval, and ECODIT home office. (ECODIT may restrict eligibility to a funding opportunity based on preapproved conditions specified in ADS303).

**LLA Organized Training (February 1-5, 2022):** LMA was invited by LLA to participate in a regional training on the processes of Customary Land Rights Formalization held at the SDI office located in Duazon, Margibi County. The five days training was organized by LLA in collaboration with the Swedish mapping, survey and land registration Authority (Lantmateriet) with support from SIDA. Participants were represented from five counties: Montserrado, Bomi, Cape Mount, Gbarlolu and Margibi. Training focused on topics such as introduction to gender, women and youth land rights; How to facilitate community self-identification processes; community engagement and awareness raising; and documenting and reporting the CLRF process.

**GEP at the Forestry Training Institute (FTI):** As reported in the last Quarter, LMA conducted an assessment of GEP at the Forestry Training Institute (FTI). The main objective of the assessment was to ensure that previous USAID investments are still in practical usage and to see how LMA could build on them. The assessment focused on the following:

1. The physical infrastructure, computer lab, instructional classroom, dormitories, and facilities;
2. Technology, hardware, and software, including internet facilities;
3. Curriculum and the staffing; and
4. Resumption of classes and timetables.

During this Quarter, LMA conducted a follow-up meeting at FTI in preparation for the enrollment of the new class of students, and to carry out publicity to provide awareness of the recruitment process, dates, and a venue for the sitting of the aptitude test. Two key activities were identified that could be carried out by the project: a) a GEP training focusing on GIS for Land Administration and GIS for Cartography and Photogrammetry; b) Partner with FTI to use the modern surveying equipment procured by the LGSA project for the use in confirmatory surveys of project communities.

However, LMA determined that FTI was not able to keep the GEP running without donor support and will need additional funds in order to re-open the GEP. It became evident on this follow-up trip that the overall financial assistance required to re-start the GEP is well above the financial capacities of the LMA currently. ECODIT is in discussion with USAID to closely analyze project's current funding situation and approach and support to the GEP through the Forestry Training Institute (FTI).

### **3.2 OBJECTIVE 4: COMMUNITIES UTILIZE ALTERNATIVE DISPUTE RESOLUTION (ADR) TO RESOLVE DISPUTES AND GRIEVANCES**

LMA will support land disputes and grievances to be resolved appropriately through alternative dispute resolution methods. The project will assess and strengthen the capacity of CLDMCs and other established ADR institutions to mediate and conciliate land-related disputes that arise during the CLRF process and beyond; identify and support effective channels for resolving disputes; and mobilize civil society to advance ADR policy and legal reforms. This is planned for year two.

#### **Task 4.1 Enhance Civil Society's Role in Advancing Land ADR Policy and Legislation**

Nothing to report during this period, activities planned for year two.

## **4 COORDINATION ACTIVITIES**

Since its inception on July 19, 2021, LMA has laid a foundation of collaboration and engagement with the LLA. Overall coordination with the LLA remains challenging due in part to the LLA's anticipation of support that LMA is not designed to provide. LMA will continue to coordinate with the LLA to ensure their participation in completing and documenting the CLRF process. USAID's support will be critical in coordinating with the LLA leadership and explaining the US Government's (USG) development approach.

### **4.1 STAKEHOLDER ENGAGEMENT**

Coordination with LLA: LMA held a series of meetings with GOL counterparts within LLA. On January 20, 2022 the project participated in a meeting organized by LLA with CSOs and stakeholders involved in the CLRF implementation process. During the meeting, the LLA Chairman and Executive Director provided an update on the status of the draft regulations and guidelines developed with support of the World Bank. Drafts of the documents were shared with the CSO community in early February for their feedback.

Immediately upon her arrival in Monrovia, the COP, accompanied by the Land Administration and Management Specialist and the Land Tenure Specialist, attended a courtesy visit with the LLA Executive Director, the Vice Chair, and the Commissioner in charge of land use and planning. During the visit, they noted that the LLA still discussed their interest in having LMA provide direct support. According to the Executive Director, LLA has very limited operational financial resources and that hampers their effectiveness in implementing the new land management policy. The COP once again reiterated LMA's commitment to ensure effective collaboration between the project and LLA.

Prior to the community entry in Lofa, the LMA technical team along with its local partner, TDS, met with the LLA outreach & communications division. The purpose of the meeting was to ensure that key

messages are in line with LLA's approved key messages to streamline awareness activities. A second meeting was held with the ADR department of LLA, where the team outlined some challenges, they are facing with their 2022 work plan, including training of customary Justice actors, data collection and survey on harmful traditional practices, and the need to reconvene the technical working group meetings that should be reporting to the steering committee.

As part of the project's quest to establish synergy, strengthen relationships, and encourage LLA ownership of the project and their participation in LMA's implementation process, a meeting was held at the LLA on Thursday, March 17, under the chairmanship of the LLA represented by the Executive Director. There were 18 participants representing the LLA and LMA. Representatives of the LLA who attended included the Executive Director, Departmental Directors of Projects, Administration, Human Resources & Customer services, Land Use & Planning, and other technicians, and LMA staff at the meeting included the Chief of Party, the Land Administration & Management Specialist, and representatives of all three project partners (SDI, RRF and TDS).

The main objective for LMA was to build a strong collaboration, information sharing, and coordination with the LLA. The meeting started with a welcome statement by the Executive Director of the LLA, followed by opening remarks of LMA's Chief of Party highlighting the objectives of the project and emphasizing the need for collaboration and ownership of the project by the LLA. "This project is a Liberian project, and I am only here to give support for its implementation," Ms. [REDACTED] stated. The COP's statement was buttressed by the Land Administration & Management Specialist, Archie Bawo, who reiterated the project's implementation approach in terms of providing capacity building and support to communities through the CLDMCs and CBOs. Since project inception, the team has worked towards building collaboration with not only LLA, but also with other partners supporting the land sector in Liberia, to ensure their active participation.

The LLA raised several technical issues that the Executive Director said had previously been raised during the meeting with the Mission Director, including their statutory responsibility to conduct confirmatory survey, steps validation and certification, and their support and participation in project outreach, awareness, and sensitization activities.

Following the intervention of the Executive Director, other LLA technical staff also discussed points related to the identification and selection of additional communities in target counties. LMA reiterated that the team will continue to share project documents with them including the draft community selection criteria, and LLA will be invited in the planning sessions of the next community entry plans. We also discussed project capacity building support with specific reference to the Geomatics Education Program at FTI. The Executive Director designated the Director of Program, [REDACTED], as the focal point for the project.

***Action points were decided as followed:***

1. The project, through the Land Administration & Management Specialist, will resubmit to the LLA the Approved 1<sup>st</sup> Year Work Plan and final draft Community Selection Criteria.
2. The LLA will conduct an internal technical meeting to review files submitted by the LMA and organize how the LLA proceeds with its collaboration strategy for the LMA and that will be followed by another joint meeting with the LMA.
3. Key messages will be approved by the LLA following meetings with LMA for both generic and specific activities messaging.
4. The LLA should ensure that staff is available during planning and field activity implementation.

The meeting was technically successful because there was a genuine feeling of the need to work together collaboratively, but at the same time, the project has to be cognizant of administrative and policymaker feedback; for example, the Chairman sent a particularly resonant message when he stated, “We need to get LMA to tell us how every dollar is being spent, or we will decide to work with the LMA or not to work with the LMA.”

**Figure 5: LMA and its Local Partners meeting with LLA Chairman and technical staff to reinforce collaboration and coordination of project Activities. Photo Courtesy: [REDACTED], SDI**



**IDH:** The COP along with the Land Administration and Management Specialist continue to follow up with IDH and EU on the handover of previous communities supported for CLRf process. Following the meeting, seven of the nine IDH communities have been confirmed for the handover process. Mr. Silas Siakor of IDH indicated that he would be discussing with Parley to turn over the remaining 2 communities of Lukasu and Hembeh. Funding for their work in these communities was previously provided by the Tenure Facility. It was agreed to draft an MOU between USAID and IDH to highlight collaboration principles and define roles and responsibilities of each party.

**European Union:** The Short-Term Land Tenure Specialist and Land Administration and Management Specialist met with the EU’s Programme Manager – Rural Development & Climate Change, [REDACTED], and Action Aid representative, [REDACTED] on January 31, 2022, to discuss EU activities past and present. They discussed their previous nationwide work and their current work in the Southeast. LMA is considering targeting some of the former EU communities that are situated within the LMA’s focused counties.

**Lantmateriet Project:** LMA, through its Land Administration and Management Specialist and Short-Term Land Tenure Specialist, with Lantmateriet Program Manager [REDACTED] and Legal Expert [REDACTED], discussed coordination within the land sector. [REDACTED] provided an overview of Landmateriet’s support to the LLA, including the Community Land Intervention Monitoring and Management Tools (CLIMT), support to the GEP, and the use of Talking Books. Lantmateriet indicated its willingness to support up to 15 female students at the GEP but needs to coordinate with the LLA, as there are movements by the LLA to conduct a new geomatic education program. Lantmateriet support to the GEP will be coordinated through the LLA, new advance Geometric Education program at the African Methodist and Episcopal University (AMEU).

**Association of Professional Land Surveyors of Liberia:** On January 20<sup>th</sup>, 2022, LMA, through its Land Administration and Management Specialist, attended the Association of Professional Land Surveyors of Liberia (APLSUL) to launch the changing from the use of rubber stamps to the use of iron seals on deeds, diagrams and other documents. This change will assist in decreasing forgery, duplication, and stealing of surveyors' stamps by unlicensed surveyors, thereby improving Liberian citizens' confidence in the survey sector. The Land Administration and Management Specialist highlighted the support provided to the Association and the survey sector in general by USAID over the years, and emphasized the need for continued improvement. The event was attended by Commissioners of the LLA, high level surveyors and members of APUSUL.

## 5 MONITORING AND EVALUATION

### 5.1 PROGRESS ON PERFORMANCE INDICATORS

LMA developed the year one Monitoring and Evaluation (M&E) Plan, which was approved by USAID. It is comprehensive and covers all aspects of activity monitoring, evaluation, and learning for LMA. It also includes indicators and the Performance Indicator Reference Sheets (PIRS). Benchmark data will be collected to establish baselines as the project is entering target communities and the assessment of communities' current status regarding their advancement in the CLRF process is ongoing.

**Development of Monitoring, Evaluation and Learning (MEL) tools:** LMA has developed data collection tools, as required by USAID, for project activity monitoring and evaluation. The tools developed include the following: a) LMA indicator standard operating procedures for all 14 indicators; b) LMA indicator cover sheets for all 14 indicators; c) Data management steps for LMA activities; d) Data/document request form; e) Activity attendance form for all LMA activities; f) Beneficiary Feedback Form; and g) data collection tools for all 14 indicators.

**Filing System and Data Security:** To ensure data quality assurance LMA continues to train local subcontractors' M&E staff on how to collect and store data using the system. The project has a standardized system of box filing of all project indicators in reference to proper data management as required by USAID and following the international standards for data management. All of the project data are in a lockable filing cabinet in the M&E office.

## 6 FY22 Q2 PROGRESS NARRATIVE

During this reporting period, the project used a qualitative methodology, called Learning Questions, to begin gathering data. The project administered questionnaires (community assessments on the CLRF process) to collect data on nine additional communities in Lofa County. In addition to the assessments, a series of focus group discussions were organized, during which 149 participants including 29 women were interviewed. Women's participation in local level decision-making processes remains low and LMA will endeavor to increase participation. Participants were selected by typical case sampling, which involved identification of individuals that are "typical" representatives based on the following characteristics: (a) homogeneity and anonymity in sex, education level, and economic status; and (b) age greater than 18 years.

The data analysis method used was an inductive coding style. This is an iterative analysis often referred to as a grounded analysis. The analysis uses coding to section of text / data to easily categorize the level of each community on progress made on the CLRF process.

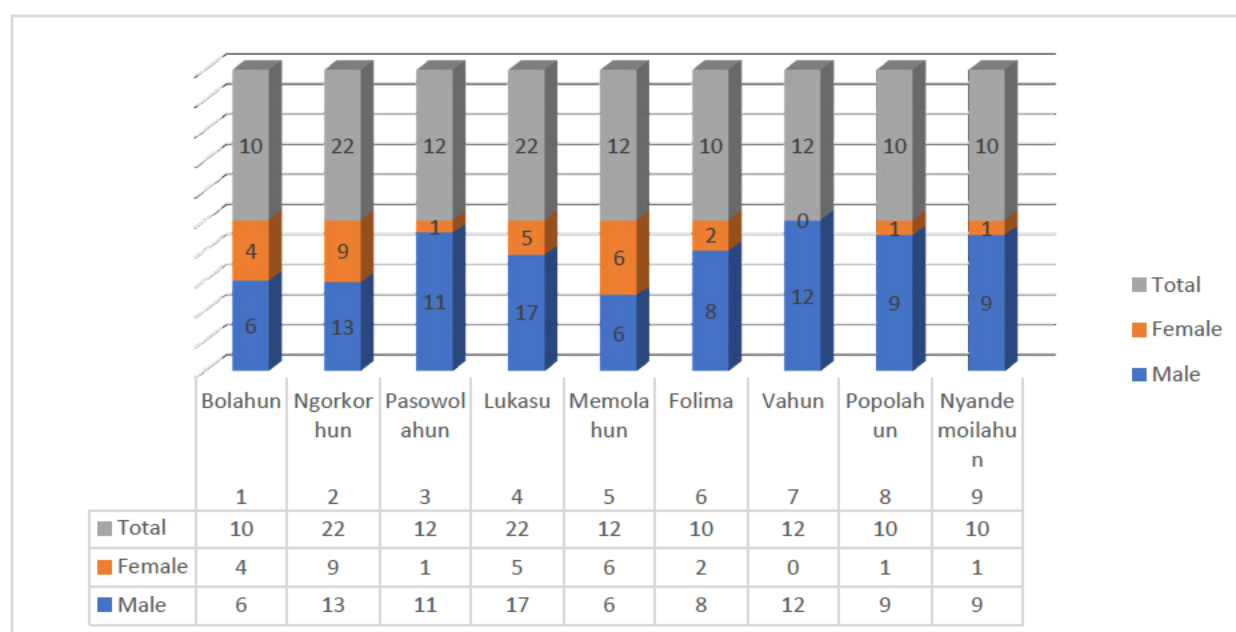
The assessment revealed that all nine communities visited made some progress in their CLRF process. However, they are all at the beginning steps in the process and that is an indication that project still has to provide more support to target communities.

The following in the table shows the current status of the communities regarding progress made in the formalization process of their community land.

**Table 3: Status of the communities on CLRF**

Community self-identification	By-laws	CLDMC Formation	Participatory Mapping	Boundary Harmonization	Confirmatory Survey	Community Title Registered
Completed	Completed	Completed	Completed	Not started	Not started	Not started

**Table 4: List of participants disaggregated by gender**



## 6.1 LEARNING QUESTIONS

During the reporting period, the project collected data on two learning questions (LQs) related to 1) women's participation and leadership positions in their communities; and 2) specific risks and context factors that may have negative impacts on implementing the CLRF process steps and how target communities mitigated these risks. The team interviewed 29 women in the nine (9) communities in Lofa county through focus group discussions. Below are major findings for each learning question:

Regarding LQ3: "To what extent do women, youth, and other marginalized group members perceive themselves to be fully participating in the CLDMC?" the following questions were administered:

1. Is there a CLMDC structure established in this community?
2. Are there women members of the CLMDC?
3. If yes, how many women?



4. Do women have voices in the CLDMCs? Do women express their specific points of view and are they considered when different from men's?
5. Is there youth and marginalized representation in the CLMDC?
6. Are their views recognized in the CLMDC? Do youth express their specific points of view and are they considered when different from the others?

In general, there are women elected as members of CLDMCs in all 9 communities. As per the established by-laws, electing women in the CLDMC is mandatory. Most of the women interviewed expressed that they do have a voice within their organization and that they participate and are consulted in the decision-making processes of their CLDMCs. In Vahun, [REDACTED], a member of the CLDMC, asserted as a CLDMC member, she participated in some trainings and learned a lot on customary land and women's land rights. "I know how important it is for a woman to own a land and the benefit on her people," she said.

Regarding LQ5: "What specific risks and context factors are having an impact on target communities in achieving CLRf process steps, and how have communities mitigated these risks?" the following questions were administered:

1. Are there any factors that are slowing down the CLRf process?
2. If yes, please explain.
3. Is there any boundary dispute in your community?
4. If yes, has it been resolved?
5. How do you resolve boundary disputes in your community? Is the process participatory?
6. How do you intend to mitigate the risks in achieving the CLRf processes?

For LQ5, the team interviewed a total of 149 participants from the nine communities. Among them, 29 are women. In general, the main factor that is slowing down the CLRf process in these communities is the ongoing disputes around boundary harmonization. When asked about how they resolve these boundary disputes in their communities, the response was that they use traditional mechanisms to address/resolve these disputes. For example, in Vahun and Gbarpolu, dwellers were able to address the existing boundary dispute between the two communities through traditional mechanisms. The chiefs and elders from both communities got involved to resolve the land conflict by using the Poro society – a local reconciliation and negotiation method (Poro society is usually for men only). Through the traditional mechanism, the two communities were able to resolve their boundary dispute in a peaceful manner rather than reverting to the use of force or coercion.

However, many women indicated that regarding land issues, they were not involved in the dispute resolution process. Based on these preliminary findings, as planned, LMA will reinforce the capacities of target communities in adopting approaches to mitigate the risks in effectively implementing all six steps of the CLRf to attain project objectives. The assessment on men's attitude to be conducted by LMA will guide future interventions in all target communities.

#### **6.1.1 INTERMEDIATE RESULT (IR 1): COMMUNITIES OBTAIN DEEDS TO THEIR CUSTOMARY LAND**

***EG.10.4-5 Number of parcels with relevant parcel information corrected or incorporated into an official land administration system (whether a system for the property registry, cadaster, or an integrated system) as a result of USG assistance***

Project is required to report on this indicator starting year 2 of activity implementation.

***1.1.1: Number of land surveyors successfully completing certification from the Geomatic Education Program (GEP) the Forestry Training Institute (FTI)***

Project support to GEP training is under review with USAID.

***1.1.2: Number of steps in the six-step CLRF process completed by communities (total number of steps across all communities supported)***

LMA supported 3 initial communities (Vavala, Palama and Fessibu) to review and complete four of the six steps of the CLRF process in Lofa county. They are By-Laws, governing the CLDMCs Formation and Participatory Mapping, boundary harmonization and negotiation, and confirmatory survey.

***1.1.3: Number of regulations or guidelines drafted or advanced with the LLA to guide communities and CSOs through the steps of the CLRF process***

During this period, LMA, through its local subcontractor, Right and Rice Foundation (RRF), supported LLA in reviewing the draft regulations and guidelines on the CLRF. At this stage, the validation process for the regulations and guidelines by the LLA is ongoing.

***1.1.4: Number of CSOs and CBOs trained to support communities in the CLRF process***

During Q2, LMA trained and supported three CBOs in three communities in Lofa county to advance in the implementation of their CLRF process.

**6.1.2 INTERMEDIATE RESULT (IR 2): COMMUNITIES PLAN AND MANAGE CUSTOMARY LAND FOR PRODUCTIVE USE**

***2.1.1: Number of CLDMCs with land use plans that are actively implemented and regularly updated.***

Although LMA is required to report on this indicator starting in year 2, project has made some progress providing training to CLDMC members in three target communities on land governance, focusing on organizational development and internal good governance practices.

***2.1.2: Number of CLMDCs that have increased revenue***

Reporting on this indicator is planned for year 2.

***2.1.3 Number of individuals provided training, information, and/or legal advice with respect to negotiating contracts and agreements with the private sector.***

Reporting on this indicator is planned for year 2. However, LMA is engaging in initial discussions with some private sector actors for synergy opportunities in some of project target communities.

**6.1.3 INTERMEDIATE RESULT (IR 3): WOMEN, YOUTH, AND OTHER MARGINALIZED POPULATIONS PARTICIPATE IN AND BENEFIT FROM CUSTOMARY LAND MANAGEMENT**

***3.1.1: Number of CLDMCs in which women, youth, and other marginalized groups hold leadership positions***

During this period, all CLMDC's supported have women, youth, and other marginalized groups as members. However, very few CLMDCs have women in leadership positions.

***3.1.2: Number of CLDMCs that prioritize agreements with private sector entities specifically with women- and/or youth-led community enterprises or associations***

Reporting under this indicator is planned for year 2.

6.1.4 INTERMEDIATE RESULT (IR 4): LAND DISPUTES AND GRIEVANCES RESOLVED APPROPRIATELY THROUGH ALTERNATIVE DISPUTE RESOLUTION

**4.1.1: Number of CLDMCs that have a grievance resolution mechanism**

Reporting under this indicator is planned for year 2.

***EG 10.4-3 Number of disputed land and property rights cases resolved by local authorities, contractors, mediators, or courts as a result of USG assistance***

During Q2, there have been no disputed land and property rights cases resolved by local authorities, contractors, mediators, or courts as a result of USG assistance.

**Cross-Cutting: Number of meetings or other forums held between CSOs/CBOs and the GOL with the purpose of advancing policy, legislation and/or regulations on ADR**

## 7 PERFORMANCE INDICATORS

#	Type of Indicator	Indicator	Result Measured by Indicator	Reporting Frequency	Data Source & Collection Method	Baseline (Source) Date / Value	Year 1 Target	Q2 Achievement	Year 1 Achievement	Percent of Achievement	Life of Project / End-line
1	Standard	EG.10.4-5: Number of parcels with relevant parcel information corrected or incorporated into an official land administration system (whether a system for the property registry, cadaster, or an integrated system) as a result of USG assistance	IR 1: Communities Obtain Deeds to their Customary Land	Annually	Collected from land agencies' database annually, CLDMCs, or organizations who report to the LLA with clear evidence of formalized land rights in hard copies or electronic forms	0	0	0	Not planned for year one	0%	TBD
2	Custom	1.1.1: Number of county-based land surveyors successfully completing certification from the Geomatic Education Program (GEP) the Forestry Training Institute (FTI).	IR 1: Communities Obtain Deeds to their Customary Land	Annually	Individuals receiving certificate in surveying technology with confirmation from the FTI.	0	10	0	Not planned for year one	0%	50
3	Custom	1.1.2: Number of steps in the six-step CLRF process completed by communities (total number of steps across all communities supported).	IR 1: Communities Obtain Deeds to their Customary Land	Annually	<b>Baseline Survey required</b>  Field reports from IPs and LLA, partners/grantees working with communities	0	TBD	4	Not planned for year one	0%	TBD
4	Custom	1.1.3: Number of regulations or guidelines drafted or advanced with the LLA to guide communities and CSOs through the steps of the CLRF process	IR 1: Communities Obtain Deeds to their Customary Land	Annually	LMA activity reports and LLA records; copies of proposed, drafted or adopted guidelines	0	1	0	Not planned for year one	0%	4

#	Type of Indicator	Indicator	Result Measured by Indicator	Reporting Frequency	Data Source & Collection Method	Baseline (Source) Date / Value	Year 1 Target	Q2 Achievement	Year 1 Achievement	Percent of Achievement	Life of Project / End-line
5	Custom	<b>1.1.4:</b> Number of CSOs and CBOs trained to support communities in the CLRF process	<b>IR 1:</b> Communities Obtain Deeds to their Customary Land	Quarterly	Completed participants attendance forms, attendance records. Records from IPs. Annual reports from CSOs. Direct observations by LMA staff.	0	10	3	-	30%	70
6	Custom	<b>2.1.1:</b> Number of CLDMCs with land use plans that are actively implemented and regularly updated.	<b>IR 2:</b> Communities Plan and Manage Customary Land for Productive Use	Quarterly	CLDMC and IP records collected by LMA staff	0	0	0	Not planned for year one	0%	15
7	Custom	<b>2.1.2:</b> Number of CLDMCs that have increased revenue	<b>IR 2:</b> Communities Plan and Manage Customary Land for Productive Use	Annual	CLDMC financial record review conducted by LMA staff	0	0	0	Not planned for year one	0%	10
8	Custom	<b>2.1.3</b> Number of individuals provided training, information, and/or legal advice with respect to negotiating contracts and agreements with the private sector.	<b>IR 2:</b> Communities Plan and Manage Customary Land for Productive Use	Quarterly	LMA training and other activity records. Completed participant attendance forms.	0	0	0	Not planned for year one	0%	150
9	Custom	<b>3.1.1:</b> Number of CLDMCs in which women, youth, and other marginalized groups hold leadership positions	<b>IR 3:</b> Women, Youth, and Other Marginalized Populations Participate in and Benefit from Customary Land Management	Annually	<b>Baseline Survey Required</b>  CLDMC elections, LMA staff collected records	TBD	0	0	Not planned for year one	0%	TBD

#	Type of Indicator	Indicator	Result Measured by Indicator	Reporting Frequency	Data Source & Collection Method	Baseline (Source) Date / Value	Year 1 Target	Q2 Achievement	Year 1 Achievement	Percent of Achievement	Life of Project / End-line
10	Custom	<b>3.1.2:</b> Number of CLDMCs that prioritize agreements with private sector entities specifically with women- and/or youth-led community enterprises or associations.	<b>IR 3:</b> Women, Youth, and Other Marginalized Populations Participate in and Benefit from Customary Land Management	Annually	CLDMC bylaws and LMA internal records reviewed	0	0	0	Not planned for year one	0%	12
11	Custom	<b>4.1.1:</b> Number of CLDMCs that have a grievance resolution mechanism.	<b>IR 4:</b> Land Disputes and Grievances Resolved Appropriately through Alternative Dispute Resolution	Annually	CLDMC bylaws and LMA internal records reviewed	0	0	0	Not planned for year one	0%	12
12	Standard	<b>EG 10.4-3</b> Number of disputed land and property rights cases resolved by local authorities, contractors, mediators, or courts as a result of USG assistance	<b>IR 4:</b> Land Disputes and Grievances Resolved Appropriately through Alternative Dispute Resolution	Quarterly	LMA/IP records that report on ADR efforts.  CLDMC-level meetings that mention ADR activities.	0	0	0	Not planned for year one	0%	TBD after communities are selected
13	Custom	<b>Cross-Cutting:</b> Number of meetings or other forums held between CSOs/CBOs and the GOL with the purpose of advancing policy, legislation and/or regulations on ADR	Cross-Cutting	Quarterly		0	3	3	This activity will begin in quarter two	100%	12
14	Custom	<b>Cross-Cutting:</b> Number of public awareness raising activities on land management issues and community land rights	Cross-Cutting	Quarterly	LMA Activities	0	5	2	This activity will begin in quarter two	40%	55



## 8 KEY ACTIVITIES FOR NEXT QUARTER

The following is a list of key activities LMA plans to conduct during the next quarter.

- Implement activities in the three initial communities of Fissebu, Valava, and Paloma, including information and awareness campaigns, community consultations, and boundary harmonization and confirmatory survey workshops
- Community entry in additional communities in Lofa, Nimba, and Bong
- Continuous training of CLMDCs in organizational development and the CLRF process in year one target communities
- Organization of Grant Management and proposal writing training for eligible CBOs in Lofa
- Finalize and release the call for initial grants to CSOs
- Award grants to selected CBOs
- Year two work planning

## 9 MANAGEMENT AND ADMINISTRATIVE ISSUES

**Accreditation of ECODIT:** The accreditation process of ECODIT, Inc Liberia as an INGO in Liberia is still ongoing. All documents have been reviewed and accepted by the Ministry of Finance and Development Planning. The challenge with obtaining the Accreditation is a Sectorial Clearance from the Liberia Land Authority. ECODIT has engaged Bropleh and Associates to obtain the sectorial clearance on behalf of ECODIT to finalize the process.

**Tax Clearance:** Processing of tax clearance for the first three months (Oct-Dec 2021) successfully completed. LMA received a certificate valid for three months.

### 9.1 STAFFING

LMA leadership analyzed the current staffing situation and made some adjustments for more effective project implementation. The proposed alternative staffing plan was approved by USAID. The project now has a full-time Subcontracts and Grants Manager. During November, LMA had two resignations from the original GESI Specialist (Key Personnel) and the M&E Specialist. ECODIT responded by quickly launching a public recruitment process and conducting interviews. Qualified candidates for both positions were identified, vetted, and secured. The GESI candidate as key personnel was submitted to USAID for review and approved. The Private Sector Engagement Specialist role should be filled by the start of year two of project implementation, as per the technical approach developed. Below is the updated list of current LMA staff members.

Table 5: LMA Staffing Plan

NAMES	POSITIONS

NAMES	POSITIONS

## 10 FINANCIAL PROGRESS

The following financial summary provides a snapshot of actual expenditures for the quarter ending 31 March, 2022.

### Quarterly Financial Report

Quarter Covered: January - March 2021 (FY22 / Q2)

Prime Contractor: ECODIT LLC

USAID Task Order No.: 72066921F00005

Mod No.: N/A

Project Title: Liberia Land Management Activity

USAID IDIQ Contract No.: 7200AA18D00022 (STARR II IDIQ)

Period of Performance: July 19, 2021 – July 18, 2024

Type of Task Order: Cost Plus Fixed Fee (CPFF) - Completion

Client: USAID / Liberia

Obligated Amount:	
CPFF Invoiced to Date as Percent of Obligation:	

Cost Item	Budget Estimate	Expenditures through Last Quarter	Expenditures FY22Q2 (Estimated)	Cumulative to Date	% of Budget
1. Personnel					
2. Fringe Benefits (per NICRA, corporate only)					
3. Allowances					
4. Travel, Transportation, and Per Diem					
5. Equipment					
6. Contractual (Subcontracts)					
7. Grants Under Contract (GUCs)					
8. Other Direct Costs (incl. CCN Fringe)					
Total Direct Costs (incl. GUCs and Subcontracts)					
10. Indirect Costs (per NICRA)					
11. Fixed Fee (deliverables based)					
<b>TOTAL COST PLUS FIXED FEE (CPFF)</b>					

## APPENDICES

### ○ APPENDIX I: QUALITY ASSURANCE AND SURVEILLANCE PLAN TRACKING

DELIVERABLE/SERVICE REQUIRED	PERFORMANCE STANDARD	AQL	PRIMARY METHOD OF SURVEILLANCE	FREQUENCY	STATUS	COMMENTS
Project Management Deliverables						
Annual Work Plans	Deliverable submitted on time	100%	Document review and approval	Annually, or when revised	Submitted	
Environment Monitoring and Mitigation Plan	Deliverable submitted on time	100%	Document review and approval	Annually, or when revised	Submitted	
Monitoring and Evaluation Plan	Deliverable submitted on time	100%	Document review and approval	Annually, or when revised	Submitted	
Quality Assurance and Surveillance Plan (QASP)	Deliverable submitted on time	100%	Document review and approval	Annually, or when revised	Submitted	
Quarterly Progress Reports	Deliverable submitted on time	100%	Document review and approval	Quarterly	Submitted	
Annual Progress Reports	Deliverable submitted on time	100%	Document review and approval	Annually		
Accrual's report	Submitted on time	100%	Submission email	Quarterly	Submitted	
Annual Inventory Report	Submitted on time	100%	Submission email	Annually		
Reporting on Foreign Taxes	Submitted on time	100%	Submission email	April 16 of each year		
Short-Term Consultant Reports, Technical Reports and Other Developed Materials	Deliverables, as needed, submitted on time	95%	Document review	Quarterly	Submitted	Community Selection Criteria and Methodology
Demobilization/ Disposition Plan	Deliverable submitted on time	100%	Document review and approval	Six months prior to contract end		
Final Report	Deliverable submitted on time	100%	Document review and approval	Contract completion		
Technical Deliverables (TO Section F.4.2)						

DELIVERABLE/SERVICE REQUIRED	PERFORMANCE STANDARD	AQL	PRIMARY METHOD OF SURVEILLANCE	FREQUENCY	STATUS	COMMENTS
Grants Manual	Deliverable submitted on time	100%	Document review and approval	90 days after award, or when revised	Submitted	
Objective 1: Communities obtain deeds to their customary land						
Criteria for the selection of target communities completed	Deliverable submitted on time	95%	Document review and approval	Year 1	Draft Completed and submitted to USAID for approval	
Guide for the registration of customary land (prepared under LGSA) updated	Guides updated, adhering to current land legislation and GOL guidance documentation, including forms and/or templates	95%	Deliverable reviewed and approved	By Year 3		
One costed plan for communities prepared to outline cost for completing the CLFP per community.	Deliverable approved	95%	Deliverable reviewed and approved	By Year 3		
Training Manual finalized to outline procedures along each step of the CLFP. The manual will be a living document and will be updated as new trainings are identified.	Scheduled as described in approved work plans(s)	95%	Project records / reports	Quarterly or annually		
Comprehensive evidence-based tools and processes to guide communities to complete all steps for CLFP finalized	Scheduled as described in approved work plans(s)	85%	Deliverables reviewed/ project records / reports	By Year 3		
Organized system to track and/or store information for registered communities established (e.g., written profiles on the history and makeup of the community, governance bylaws, land use plans, maps, etc.)	Scheduled as described in approved work plans(s)	85%	Deliverables reviewed/ project records / reports	By Year 2, and updated as needed		
Advocacy plan concluded with CSWG and the MAP	Scheduled as described in approved work plan(s)	85%	Deliverables reviewed/ project records / reports / direct observation	Year 1	Planning in process	
Work with CSOs, grantees, and LLA to finalize a coordinated messaging unique to all communities including advocacy messages and leverage innovative channels and medium	Scheduled as described in approved work plan(s)	85%	Project records / reports	Year 1 – 4 <i>*Replicated as new communities are on ramped to the activity</i>	Ongoing	
Methods and procedures for the recruitment of new cohorts or surveyors at the GEP established.	Scheduled as described in approved work plan(s)	85%	Deliverable reviewed/ project reports / direct observation	Year 1	Ongoing discussions with USAID	

DELIVERABLE/SERVICE REQUIRED	PERFORMANCE STANDARD	AQL	PRIMARY METHOD OF SURVEILLANCE	FREQUENCY	STATUS	COMMENTS
An up-to-date needs assessment for services that communities will need from the LLA at county and national level conducted	Deliverable submitted one time. Scheduled as described in approved work plan(s)	95%	Assessment report/ Deliverable review	Year 1	Draft Completed and submitted to USAID for approval	
100 New surveyors trained in modern land surveying technology from the GEP at FTI.	Scheduled as described in approved work plan(s)	85%	# of surveyors trained/ project records/ reports	By Year 4		
100 customary communities registered, and deeds obtained, or deeds at final step ready for LLA to issue	Scheduled as described in approved work plan(s)	85%	Deeds issued by LLA/ Status report of communities CLRF process/ project records/ reports	By Year 4		
Objective 2: Communities Plan and Manage Customary Land for Productive Use						
Template/model for Communities Land Use Plan finalized	Scheduled as described in approved work plan(s)	100%	Deliverables reviewed/ project records/ reports	Year 1	Planning is ongoing	
In collaboration with the LLA, review and update the Land Use Plan Template, relying on key lessons learned from implementations at the early stages of the program	Scheduled as described in approved work plan(s)	85%	Deliverables reviewed/ project records/ reports	Year 3		
Produce/revise/finalize community by-laws with a clear outline on mechanism to update and enforce communities land use plans.	Scheduled as described in approved work plan(s)	85%	Project records/ reports	Year 1- 4 <i>*Replicated as new communities are on ramped to the activity</i>	Currently being drafted	
Produce a guide to layout strategies on how CLDMCs can negotiate and engage with the private sector.	Deliverable submitted on time	95%	Deliverable reviewed/ project record/ reports	Year 1	Planning is ongoing	
Develop a model business plan on how communities will transact with their land to the benefit of members.	Deliverable submitted on time	95%	Deliverable reviewed/ project record/ reports	Year 2		
Produce a report on the legal and political feasibility of tax incentives for companies partnering with communities on an equitable basis	Deliverable submitted on time	95%	Deliverable reviewed/ project record/ reports	Year 2		
Objective 3: Women, Youth, and Other Marginalized Populations Participate in and Benefit from Customary Land Management						
A gender / inclusion analysis developed to assess the impact of implementation on	Deliverable submitted on time	95%	Deliverable reviewed/ project record/ reports	Year 3		

DELIVERABLE/SERVICE REQUIRED	PERFORMANCE STANDARD	AQL	PRIMARY METHOD OF SURVEILLANCE	FREQUENCY	STATUS	COMMENTS
marginalized populations, including women and youth						
An institutionalized knowledge sharing platform established for women and youth serving on CLDMCs to share experiences	Quality and accessibility of KM platform; number of people accessing the platform	95%	Monitoring platform use/ project record/ reports	Year 2		
Objective 4: Land Disputes and Grievances Resolved Appropriately through Alternative Dispute Resolution						
In collaboration with the LLA, conduct an assessment of local ADR capacity in the counties of operation and recommend a model for dispute resolution	One Deliverable per County selected	85%	Review of deliverables/ project records/ reports	Year 1 – 4 <i>*Replicated if/when new counties are on ramped to the activity</i>	Planned for next quarter	
Standard operating procedures on dispute resolutions produced in collaboration with the LLA.	Deliverable submitted on time	85%	Review of deliverables/ project records/ reports	Year 2		
In collaboration with the LLA and CSOs, support the adoption of a revised Land Dispute Resolution Policy that is consistent with the LLA.	Number of consultative meetings held to discuss draft policy; participation of CSOs/stakeholders	85%	Project records/ reports	Year 2		
Drafting and supporting the adoption of a national ADR legislation.	Number of consultative meetings held to discuss draft policy; participation of CSOs/stakeholders	85%	Review of deliverables/ project records/ reports	Year 3		
Finalize report documenting disputes presented to CLDMCs and the number of those resolved, including dispute resolution success story.	Deliverable submitted on time	95%	Review of deliverable/ project records/ reports	Year 4		



### Inputs of Civil Society to the draft Regulations on the Land Rights Act (LRA) of 2018

#### Introduction

The Liberia Land Authority (LLA) shared with the CSO-Working Group on Land Reform (CSO-WGLR) draft regulations for the implementation of the Land Rights Act (LRA) of 2018.

The CSO-WGLR in turn consulted some relevant stakeholders including its international and organized a series of technical working sessions of members of the CSO-WGLR through which the working reviewed the draft regulations.

The document contains the comments on the draft regulations that resulted from the consultation and the working sessions.

#### Appreciation

The CSO-WGLR acknowledge with deep appreciation the spirit of consultation and participation in decision making on the governance of the land sector which the LLA has exhibited by sharing the draft regulations which will define how the LLA will implement the LRA with stakeholders including, particularly the CSO-WGLR for review and input. Not only that, the CSO-WGLR also want note with appreciation that the LLA did a good job in covering many or almost all the relevant issues that needed to be considered in regulations to ensure proper implementation of the LRA.

#### General Comments

The reviewed the draft regulations and make these comments on them on the basis basic principles and fundamental ground which are outlined below.

#### Definitions

Except for (new) words or terms not already defined in the LRA, any definition of a word or term already defined in the LRA should be verbatim – exactly as it is defined in the LRA. The definition of said word should not in way be changed or modified.

#### Free, Prior and Informed Consent (FPIC)

The overarching and overriding principle with which the CSO-WGLR reviewed and commented on the regulations in the principle of FPIC. The principle is that, and because it is guaranteed in and by the LRA, since the coming into (legal) force of the LRA, there is not supposed to be any interference by any person(s), group(s), institution(s) nor even the Government with the surface or use of customary land without the FPIC of the community(ies) that own the land. (LRA Article 33.3) except on two grounds:

- One, if it is a right – concession, permit, award or the like – **already granted** in the land by the Government prior to the LRA coming into force; and
- Two, if it relates to the Government's right to extract Mineral Resources from beneath the land

With the exceptions of these two conditions, any act or attempt by anyone to interfere with, use, transfer, change the status of, and/or take customary land for whatever reasons without the FPIC of the community constitutes land grab, a violation of the rights of the community(ies) to their customary land(s), and a clear breach of the law.

## REGULATION 5. REVOCATION

Except as to a statute or other provision of law, upon coming into force, these Regulations shall supersede any previous Regulations, Manuals, Guidelines, Policies, Instructions, or Directives of any governmental entity in respect of land in Liberia, which are inconsistent with these Regulations, to the extent of that inconsistency.

Where any provisions of these regulations shall be found inconsistent with provision(s) of the LRA, the said provision(s) of the LRA shall supersede that/those of the regulations

## REGULATION 6. DEFINITIONS

The CSO-WGLR strongly suggest that the regulations do not repeat definitions contained in the LRA, and instead only need to define terms that are NOT already defined in the LRA. Article 6 can simply state that the LRA is relied on for definitions. This would – for example – prevent the regulations from repeating the mistaken definition of Government Land as including Proposed Protected Areas (PPAs)

However, where it is seen as necessary to define certain terms in the regulations which are already defined in the LRA, then the definition should be stated verbatim, exactly as defined in the LRA. Where a definition for a term included in the regulation differs from the definition in of the same term in the LRA, the LRA definition SHALL take precedence and the different definition in the regulation shall be considered null and void.

**“Community Land”** means the land owned by a community and used or managed in accordance with customary practices and norms, which may include, but is not limited to residential land, wetlands, communal forestlands, and fallow lands.

This definition should be changed to what the LRA Article 2 definition: “Means Customary Land owned by a particular Community.”

**“Community Member”** means a Liberian citizen irrespective of age, gender, belief or religious backgrounds who was (i) born in the community; or (ii) whose parent(s) was born within a community; or (iii) who has lived continuously within the community for at least seven years; or (iv) a spouse of a community member, both of whom reside in the community.

The community should be left with the responsibility to define in their by-laws who their community member is provided said definition shall be consistent with both their customs and tradition and does not violate the law.

**“Concession”** means a person who has been granted a concession by the Government.

Can a community grant to a person concession on their customary land? If not? And how does a land that community grants to a person for commercial or business operations for a specified period of years called?

**“Customary Land”** means Community Land owned by a particular Community.

The LRA defines the term (see LRA Article 2) as: “Means the land owned by a community and used or managed in accordance with customary practices and norms, and which include, but is not limited to residential land, farmland, communal forestlands, and fallow lands. Unless expressly stated otherwise, the term “Customary Land” in this Act is inclusive of all categories set forth in Article 38(1) of this Act (i.e. LRA)”

For consistency, if the term is already defined in the LRA, the LRA definition should be used verbatim

**“Days”** means calendar days however, where the day for doing an act falls on a Saturday, Sunday or public holiday, the days shall extend to the first following day that is not a Saturday, Sunday or public holiday.

In light of this definition, what is the implication if the community or an NGO/CSO exclusively or jointly carry out an act or conduct an activity (or act) on a Saturday or Sunday, for example?

**“Deed of Community Lands”** means the **final Deed** that is presented to a community by the Authority to evidence community ownership of Customary Land.

In light of this definition, are there various types of deeds of which the ‘final deed’ is one type? If so, what are the different types of deeds and differentiate one from the other?

**“Government Land”** means land owned by the Government, including but not limited to lands on which are located: the offices of Ministries, Agencies, and Parastatal bodies; military bases; roads; ~~ports~~; airports; public schools and public universities; public hospitals and public clinics; public libraries and public museums; public utilities; ports; as well as Protected Areas and **Proposed Protected Areas** as of the Effective Date of the Land Rights Act of 2018, and must be conserved and managed for the benefit of all Liberians.

PPA on customary land remain customary / community land.

Refer to the LRA definition of Government Land. But more than that, it should be noted, that if while Protected Areas – that is, land(s) gazetted prior to the effective date of the LRA – are considered as Government Land, if lands were only proposed as Protected Areas but were not gazetted prior to the coming into force of the LRA, there is no basis on which they should be excluded from the community land estate. Left alone this article would be an arbitrary deprivation of customary property, and therefore unlawful and unconstitutional. PPA on customary land remain customary / community land.

It will be a clear act of violation of the communities' right to the principle of Free, Prior and Informed Consent (FPIC) guaranteed in the LRA (see LRA Article 33.3) that

*"Any interference with or use of the surface of Customary Land require the Free, Prior and Informed Consent (FPIC) of the Community"* with two exceptions: 1) except for Concessions, contracts, permits and other rights previously granted in Customary Land by the Government prior to the Effective Date of this Act; and 2) subject to the Government's Constitutional right to extract all Minerals Resources found below the surface of the Land. PPAs are not rights granted by the Government prior to Effective Date of the Act nor are they Mineral Rights. PPAs are neither concessions granted prior to the LRA no Mineral Resources and therefore qualify under these exceptions. Therefore, to declare PPAs as Government Land is tantamount to land grab and a clear contravention of the LRA and violation of the protection of customary land provided for in the LRA.

**“Lease”** means to grant to a person or group of persons, for a **term of years**, the right to possession and use of the land of another in exchange for rent or other consideration.

Change the term of years to a specified period of time.

**“Proposed Protected Area”** has the meaning ascribed to it in the National Forestry Reform Law of 2006.

See the comment above under Government Land concerning Proposed Protect Area.

Besides, an explanation is needed regarding how the communities' rights to their customary land including right to exclude others, to possess and use, to manage and improve, and to transfer portion provided under LRA Art. 32.2. I, ii, iii, and iv and the right to FPIC (LRA Art. 33.3) will be protected and respected in automatically turning their Customary Land to Government Land.

**Protected Areas (Pas) and Proposed Protected Areas (PPA)**

Regulations 19.23, 19.24 and 19.25.

19.23 All lands gazetted by the requisite government ministry, department or agency as Protected Areas before the Effective Date of the Act shall not form part of Community Land.

19.24 All lands designated by the requisite government ministry, department or agency as Protected Areas, but which were not gazetted as such before the Effective Date of the Land Rights Act of 2018, shall be considered as Protected Areas.

19.25 The relevant government ministry, department or agency may negotiate with a community the conditions under which the lands in Regulation 19.24 may be gazetted as Protected Areas.

- If a land was gazetted before the LRA, then it “shall not form part of Community Land” (Regulation 19.23)
- But if the land was only designated (proposed) as Protected Areas, but which was not gazetted as such before the Effective Date of the Land Rights Act of 2018, the it shall be considered as Protected Areas. (Regulation 19.24)
- The government may negotiate with a community the conditions under which the lands in Regulation 19.24, the land which were not and have not been gazetted may be gazetted as Protected Areas.

Because a community even has the right to establish a protected area on their land (LRA Art. 38.1.f), the conditions under which community customary lands may be taken from them and turned into government land by turning them into protected area must be clearly laid out in these regulations and shall be required to comply with the rights of the community as reference above:

- LRA Art. 32.2. I, ii, iii, and iv
- LRA Art. 33.3
- LRA Art. 38.1.f, among others

**“Public Land”** means the land which is not presently used by the Government for its facilities and operations and is also neither private land nor customary land.

The definition of public land is a confusing and a recipe for contestation, if not conflict. Even here, the regulations do not define public land as it is defined in the LRA Art 6:

“Public Land: Means land which is not Government Land, Private Land or Customary Land.” The term therefore needs open, free and frank discussion for clarity. For now, the LRA definition should suffice.

**“Spouse”** means a person who is married to a Community Member under a civil, religious or customary union, or a person in any other union recognized under the marriage laws of Liberia.

It is the understanding that since a Community Member is (must be) a Liberian citizen, a spouse can only become or be considered a Community Member if s/he is a Liberian citizen. Otherwise, clarity is needed on the matter.

**“Statutory Deed of Community Lands”** means the instrument issued by the Liberia Land Authority to communities after the completion of a Confirmatory Survey.

Clarity is needed on whether there is a difference between a Statutory Deed of Community Lands and a Final Deed or not. (See **Deed of Community Lands above**)

## 7. COMMUNITY SELF-IDENTIFICATION

Regulation 7.3 The self-identification process shall cover:

- i. number of clans or other divisions;

This should be rephrased to read “number of villages, towns, clans or other divisions” as a community can be any one or groups of these units.

7.4 A person is a Community Member where that person is a Liberian citizen irrespective of age, gender, belief or religious background:

d) is a **spouse** of a Community Member, both of whom reside in the community.

See comments above relating to spouse and community member.

7.8 A person who acquires membership of a community shall have the same rights, privileges and responsibilities of an **ordinary member** of the community according to the category in which they are.

By the use of 'ordinary members' of the community, is regulation suggesting there are other types of community members who are not ordinary? If so, it needs to be clarified and stated what the other types are and what rights and limitations do they have in relation to ordinary members. Other than there are no other types of community members, then the use of the description ordinary member is not necessary and should be deleted.

## 8. IDENTIFICATION OF COMMUNITY LANDS

8.2.b the members of the community have exercised **exclusive possession** over the land for a period of not less than fifty years, including through farming, hunting, fishing, and other cultural, religious, social and economic activities;

The LRA Art. 32.3.ii talks about exclusive or continuous use or possession and not just only exclusive possession. So, the omitted descriptive words should be included in this regulation 8.2.b.

## 10. COMMUNITY SOCIAL MAPPING

10.5 The Committee shall execute the mapping exercise at minimal cost using community resources and Community Members for the exercise.

Under this regulation 10, it would be good to specify that it's not the CLDMCs job alone to conduct mapping, but that instead the CLDMC should be playing a facilitating role to ensure that mapping is done in an inclusive and participatory way, one that involves as many members and sections of the community as possible.

The idea of 'Minimum cost' could be subject to different interpretations and even result to abuse or exploitation

11.9 **The Authority shall execute the Confirmatory Survey and Mapping exercise and shall bear the cost of the exercise.**

This is good, if necessary, effort is made to enable and ensure that it is done accordingly.

12.3 A person who has a claim or interest in a Community Land, which is the subject of an intended registration or transaction, may lodge a **caveat** in a form specified by the Authority.

The word caveat as used in the regulations should be defined for the ordinary person to understand.

13.2 The Authority shall issue a unique identification number in respect of every Community Land, the subject of a Statutory Deed.

The numbering system should be designed such that it will be easy to identify each land by the community, clan, and county, at the minimum.

14.1 Within fourteen days of the coming into force of these Regulations, the Authority shall publish a notice in at least three newspapers, radio or television stations of national coverage, the website of the

Authority, and the Gazette, requiring all holders of Tribal Certificates to submit their certificates to the Authority for validation within a specified **period**.

It should be made clear for the specified period for submission of tribal certificate to not exceed six (6) months, at the most

14.2 The Authority shall ensure that the notice in Regulation 14.1 is additionally circulated by the **County Land Boards** in all communities within their jurisdiction and employing the means ordinarily used by each community for the dissemination of comparable information.

This is good but whether the County Land Boards will have been established and functional in all the counties by the time the Regulations come into force, and if not, how the circulation be conducted.

14.5 The Authority and the relevant Community Land Development and Management Committee shall conduct a thorough **validation process for each Tribal Certificate**, including:

What will happen if the community whose land is affected has not self-identified and/or does not have a CLDMC in place, how will the vetting of the Tribal Certificate be done? How will the community participate?

14.5.b ensuring that the Tribal Certificate was not obtained by **fraud**, duress or other unconscionable means;

If it is established that the tribal certificate was acquired through fraud and/or that forgery occurred, the land should revert to the community and the Criminal Conveyance Law and/or any other relevant law(s) should be invoked to prosecute the perpetrator of the fraud/forgery

14.7 The input in Regulation 14.5 shall be generally representative of the community and shall have representation from **women and other disadvantaged** groups, and members of the community shall be allowed to freely voice their opinions about the Tribal Certificate.

Include youth as well as to read “representation from women, youth and other disadvantaged groups”

14.13 For the purposes of the validation of a Tribal Certificate, development means any improvement on the land after the grant of a Tribal Certificate such as buildings, structures, commercial, industrial **or other activities** that predates the coming into force of the Land Rights Act, provided that this cutoff date shall not apply to Tribal Certificates granted after the coming into force of the Land Rights Act.

First, the other activities should be specified to include life crop, life tree, cash crop. Second, it should be noted that provided the tribal certificate was not issued while the moratorium on the issuance of tribal certificates was still in force. The lawyer(s) should research the facts surrounding this issue.

15.1 A community shall hold an advertised meeting, in the way in which community meetings are ordinarily **held**, at which a Committee shall be selected to draft by-laws for the community, utilizing a process agreed by the community at the meeting and in accordance with the Land Rights Act and any Regulations and Guidelines issued by the Authority.

If the community meets according to their ordinary means, they could meet on Saturday, or Sunday... So, what will happen in light of the definition of ‘Days’? What if the meeting held with and/or organized by a CSO/NGO?

15.4 The Committee shall be representative of the community and shall have representation from minority and disadvantaged groups, including women for whom certain **incentives** may be established to



ensure their full and equal participation in the decision-making process.

Incentives here needs to be defined or explained now or at some point in a guideline or so in order to avoid misinterpretation, exploitation or raising of unreasonable expectations

16.3 The **Committee** shall be the highest-decision making body of a community in respect of land and any other matter as provided for under the community by-laws in accordance with Article 36.2 of the Act.

This provision contradicts LRA 36.2 which provides that it is the community members acting collectively that are the highest decision making body, and not the committee. Therefore, this 16.3 should be better clarified to agree with the LRA and inconsistency or ambiguity of who is the highest decision.

16.7 Every allegation of misconduct made against a member of the Committee shall be inquired into by a subcommittee of the **Committee** established for the purpose, which shall give the member an opportunity to be heard and an opportunity to confront any accusers, and shall issue a report to the Committee.

Investigation of member(s) of the committee should be established by the community members acting collectively in line with LRA 36.2.e to avoid conflict of interest

16.8 The **subcommittee** referred to in Regulation 16.7 may recommend the suspension or removal of the member, or other course of action to the Committee:

- a) where the member is in violation of these Regulations or the community by-laws; or
- b) where the member has engaged in corruption, has been negligent or incompetent in the discharge of their duties; or
- c) any other reasons provided in the by-laws.

See comments under 16.7 above in relation to LRA Art. 36.2.a

16.10 The functions of the Committee shall include:

- k. taking decisions in respect of the Community Land in accordance with the customs, traditions and **practices** of the community;

Provided said customs, traditions and practices conform to the LRA, and are captured or referenced in the community's by-laws to ensure predictability and fairness

16.11 All decisions of the Committee shall be by **consensus**.

The by-laws should define what is meant by consensus by or for the community.

16.12 Members of the Committee may not be compensated for their services to the community, save for reimbursement of reasonable **expenses** incurred in the ordinary conduct of the business of the Committee.

The by-laws should define what reimbursement of reasonable expenses mean

## 17. COMMUNITY EDUCATION AND CAPACITY BUILDING

17.3 The training program for the community shall cover matters **including** but not limited to the followings:

## 18. COMMUNITY LAND USE AND MANAGEMENT

18.1 A Community Land Development and Management Committee shall perform various land use and management functions including:

- a) allocating land for agricultural, residential, commercial, industrial and mining use, cultural shrines and heritage sites, protected areas, forest land and any other uses the community may deem appropriate, as provided for in the LRA;

18.4 Notice of each meeting shall be given at least four times each week before the date of the meeting, using the local language of the community between the hours of 8am and 6pm and employing the means ordinarily used by the community for the dissemination of comparable information.

The time (i.e. for giving notice for meeting) should left to each community to decide according to their customs and traditions and referenced in their by-laws

18.6 The Committee shall at the first meeting, discuss generally the purpose of the meeting and begin to identify the parameters for arriving at the decision to reserve up to a maximum of ten percent of Community Land to be held as Community Public Land depending on the size of available land.

Add the word, phrases and/or conditions added and colored blue.

18.7 No later than one month after the first community meeting, the community shall convene in various ward-based and identity groups, including women, youth, and persons with disability, to discuss and arrive at a general consensus on the various parameters for reserving ten percent of Community Land to be held as Community Public Land, including:

It should state “No later than one month after the first community meeting, the community shall convene in various ward-based and identity groups, including women, youth, and persons with disability, to discuss and arrive at a general consensus on the various parameters for reserving up to ten percent of Community Land to be held as Community Public Land”. Because the LRA specifies 10% as a maximum, and the community can therefore specify less than 10%, including none (0%!), if they so decide.

- h) the suitability of the site, including consideration for natural hazards such as flooding, earthquake, cyclone, subsidence, slip, drainage, and erosion etc.;

18.10 At the close of the final meeting referred to in Regulation 18.9, the consensus arrived at by the community shall serve as the basis for the reservation of ten percent of Community Land to be held as Community Public Land.

Should say “At the close of the final meeting referred to in Regulation 18.9, the consensus arrived at by the community shall serve as the basis for the reservation of up to a maximum of ten percent of Community Land to be held as Community Public Land”

## 19. CATEGORIES OF COMMUNITY LAND USE

### *Community Mining Lands*

19.17 No government ministry, department or agency shall authorize any person to conduct mining activity on Community Mining Land without prior consultation with the community

No government ministry, department or agency shall authorize any person to conduct mining activity on Community Mining Land without the free, prior and informed consent (FPIC) of the community.

#### *Community Protected Lands*

19.23 All lands gazetted by the requisite government ministry, department or agency as Protected Areas before the Effective Date of the Act shall not form part of Community Land.

Comments on Regulations 19.23 – 19.30 on Community Protected Lands needs serious amendment, not least because most of it adds little or nothing to the LRA itself. Of particular concern:

**Regulation 19.23** is **not** needed in the LRA regulations. Headline statements on tenure types and what they include and what they do not include is the job of the LRA, **not** its regulations.

If some version of Article 19.23 is insisted on by the LLA, then the need to ensure constitutionality dictates that there should be scope for communities to contest the lawfulness of the assumption that the gazettment of those protected areas extinguished all pre-existing customary property rights, because that assumption is not necessarily safe in all cases. It would be unconstitutional to prevent a community from defending a legitimate property right in or interest over any land, gazetted or otherwise.

This approach is supported by the general public policy which the LRA represents, which is that protected area should be considered a land-use type, that can be supported on community, private or government land, and therefore should not be specific to any single tenure type. i.e. there's no longer public policy basis for the legal contention that protected areas should be government land, as it is accepted that community land can contain community protected areas – see article 19.29 of the regulations for example.

As such (if this is included at all) it would have to say something like: “All lands gazetted by the requisite government ministry, department or agency as Protected Areas before the Effective Date of the Act shall not form part of Community Land, except for areas where pre-existing customary rights of communities were not lawfully extinguished by the act of gazettment.

19.24 All lands designated by the requisite government ministry, department or agency as Protected Areas, but which were not gazetted as such before the Effective Date of the Land Rights Act of 2018, shall be considered as **Proposed Protected Areas**.

**Regulation 19.24 is arguably unconstitutional:** “All lands designated by the requisite government ministry, department or agency as Protected Areas, but which were not gazetted as such before the Effective Date of the Land Rights Act of 2018, shall be considered as Protected Areas.” **This must be deleted.** If they were not gazetted, there's no basis on which they should be excluded.

This provision of the regulation (for example 19.24) is trying to elevate PPAs to the status of PAs without due process, particularly the principles FPIC of affected community/ies, thereby violating the LRA by ignoring community's customary rights to their lands. LRA 33.3 requires the FPIC of communities for any interference with the surface or use of community customary land save for rights already granted prior to the LRA's coming to force in Government's right to Mineral Resources.

19.24 The relevant government ministry, department or agency **may** negotiate with **a** community the conditions under which the lands in Regulation 19.24 may be gazetted as Protected Areas

Should read: The relevant government ministry, department or agency shall negotiate with the relevant community (ies) the conditions under which the lands in Regulation 19.24 or Proposed Protected Areas shall be gazetted as Protected Areas subjected to the Free, Prior and Informed Consent (FPIC).

The reason is that since the passage of the LRA, communities have rights to their customary lands and that right must be protected under the law as such.

## 20. COMMUNITY MANAGEMENT OF NATURAL RESOURCES

**Regulations 20.1 – 20.76** is mainly about concessions, and seems strangely rooted in the pre-LRA concession model, whereby rights in land were granted by the government. Is the intention of the regulation to ‘regulate’ only new concessions on community land, or also concessions that were granted before the LRA? It’s not precisely clear.

Post-LRA the situation should be that it is for communities to decide whether to lease their land to private companies or not, and if so, instead of the regulation speaking of compensation and benefit sharing, it should be referring to land rental and other terms and conditions negotiated and agreed by the community with the company in the form of a lease.

### *Information on Impending Concessions*

20.1 A Community Land Development and Management Committee shall at all times liaise with all relevant governmental entities involved in the grant of concessions for any information related to their Community **Land**.

Should continue from the end – Land – to add: provided the relevant government entities shall first publicize the information about the pending concession in relevant newspapers, radio stations, public notices with coverage in and accessible to and in the relevant communities and through relevant websites.

20.4 The subcommittee may co-opt any number of **experts** as may be needed to assist the subcommittee in all of the processes leading up to the community negotiation positions, and for the purposes of negotiations with the concessionaires.

What will happen if and when the need for expert(s) arise(s) but the community cannot afford the cost of bringing such expert on board and no CSO/NGO is working with the community to provide or play such an expert role, what will the LLA do to assist the community with necessary expert advice (e.g. similar to how the Public Defender system works in court process) so that they can be properly guided to assist them make informed decisions on the issue at hand.

20.9 At the start of the public hearing, the subcommittee, with the assistance of such experts as the subcommittee deems necessary, shall present to the meeting in simple, effective, non-technical language, the essence of the key provisions in the **concession agreement**, and in particular the economic, social, environmental, cultural, and other impacts on the community of the undertakings implicated by the concession.

Replace **concession agreement** with **impending concession** to show that the concession in question is a proposed and NOT a concession already signed.

20.10 The community shall freely deliberate on the presentation of the subcommittee, assess the terms of the **concession**, and possibly revise the community negotiation positions

Should be stated as “The community shall freely deliberate on the presentation of the subcommittee, assess the terms of the impending concession, and possibly revise the community negotiation positions. Basically, qualify the concession by the description impending for the same reason stated above under regulation 20.9.

## ○ **GOVERNANCE, MANAGEMENT AND ADMINISTRATION**

20.12 The subcommittee shall, based on the revised community negotiation positions, and having regard for the best interests of the community, negotiate on behalf of the community, an agreement with the concessionaire which shall include:

- n) a minimum of **five percent carried interest** collectively owned by the community;

The regulation needs to say clearly what the 5% undiluted free carried interest means, how it will be determined overall and per community and at what frequency or point and/or manner it will be provided to the community (LRA Article 48.3)

Also, add (y)) 20.12.y) after the x) to the following: Concessionaire policy, investor policy, and other national and international standards applicable to the concessionaire

The free, prior and informed consent of the community shall be sought by the concessionaire before the commencement of concession activities and shall in particular:

20.13 The free, prior and informed consent of the community shall be sought by the concessionaire before the commencement of concession activities and shall in particular:

- a) be obtained without **coercion, intimidation, manipulation, fraud or bribery;**

Undue influence should be added to read: be obtained without coercion, undue influence, intimidation, manipulation, fraud or bribery;

20.15 Where a community lacks the expertise to effectively negotiate the agreement, the concessionaire shall provide financial or other resources for the procurement of the necessary expertise in a timely and effective manner and **the concessionaire shall not determine directly or indirectly the experts for the community, in order to avoid conflict of interest.**

The free, prior and informed consent (FPIC) of the communities as provided for in the LRA should take precedence in the case of disagreement between a pending concessionaire and the community.

Based on the above, Regulation 20.15 should read “Where a concessionaire and a community fail to arrive at an amicable agreement the concessionaire shall respect the decision of the community and will not proceed with any activities on the customary land in question” in keeping with their right to FPIC.

## **21. ESTABLISHMENT OF DISPUTE RESOLUTION SUBCOMMITTEE.**

21.1 A Community Land Development and Management Committee shall establish an alternative dispute resolution body called a Dispute Resolution subcommittee, which shall be reflective of the community, and shall have the requisite balance of representation along the lines of **gender**, disability, and traditionally underrepresented groups.

Add age after gender

21.2 The subcommittee shall have jurisdiction to receive, hear and determine any dispute in respect of the **Community** Land.

Add the before the community

## 22. COMPOSITION OF THE SUBCOMMITTEE

22.2 The subcommittee shall comprise the following persons:

a) Chairperson;

Safeguards needs to be put in place to ensure that women are able to serve in such other capacities or positions as chairperson and/or secretary and not just be mere members or treasurer as the case was predominantly in the forestry sector/CFDC?

Additionally, enabling conditions need to be created or promoted that women are able to head some of the subcommittees that the community will set up so that if only the heads of subcommittees are called to a process/event (e.g. training or meeting)s, at some women can be at the table, and not an all-men headed subcommittees

22.5 A person shall only be eligible for appointment as a member of the subcommittee if that person:

a) is above the age of eighteen years;

If above 18 years is the minimum age a community member must attain in order to qualify for appointment as a member of the subcommittee, is there another situation where a community member 18 years or less is eligible to participate in the activities of the CLDMC or the collectivity of the community for decision making? Or is not being more than 18 years an automatic disqualification for participation in the community's land matter? In other words, what is rational for stating more than 18 years as a precondition for a community to be appointed to the subcommittee?

## 23. QUORUM OF MEETINGS

23.3 The subcommittee shall, as far as practicable, arrive at decisions by consensus, and where the subcommittee is unable to arrive at a decision by consensus, they shall decide it by a simple majority vote

Why not by significant majority and why not apply said principle to other areas of decision making (e.g. other committees, the CLDMC, and the collectivity of the community members, that is, across the board)?

23.4 Where there is a tie in a vote, the Chairperson for the time being shall have a casting vote, in addition to the original vote of the Chairperson.

See comments above under 23.3

## 25. SUBMISSION OF DISPUTE

25.3 Where the complainant confirms the record, they shall place their mark thereon, such as a signature or thumbprint, evidencing verification of the contents.

Where the complainant is non-literate, to ensure that what s/he is placing his/her mark on is correctly what the secretary has read, provision should be made to allow the complainant to request a literate member of the community or trusted other to also read and confirm it and append his/her mark on it as well as a witness



25.5 The complaint shall set forth clearly:

- d) the names and particulars of witnesses the complainant intends to call to testify in support of their case; and

There is a possible risk that if the person complained is a powerful person and s/he gets to know the identity of the witnesses well in advance of hearing the complaint, s/he (they) could temper with the complainant(s) to back off. Why not withhold the identity of the witness(es) until when they are needed to testify?

## 26. HEARING OF DISPUTES

26.1 In resolving disputes, the subcommittee and its members shall:

- q) generally, comply with the principles and protections enshrined in national and international human rights instruments such as;

The capacity building training for the community and/or CLDMC should cover these principles and protections to equip the committee and the communities in the proper understanding and application of said instruments

## 27. DETERMINATION OF DISPUTE

27.1 The subcommittee shall use the applicable customary law of the community in the determination of a dispute

As referenced in the community's by-laws should be added to read as follows: The subcommittee shall use the applicable customary law of the community, as referenced in the community's by-laws, in the determination of a dispute

Appeals from Dispute Resolution subcommittee of the Community Land Development and Management Committee to County Land Dispute Resolution Officer

27.9 The subcommittee shall keep a true and faithful record of all proceedings of the subcommittee and transmit copies to the County Land Dispute Resolution Officer after a decision is reached on each case.

The subcommittee should transmit/submit copies to the CLDMC and for the CLDMC to in turn transmit copies to the County Land Dispute Resolution Officer

## 28. RIGHT TO APPEAL

85.5 The appeal shall ordinarily be made in writing, but where a person is unable to write out their appeal for submission, they may present their appeal orally to the County Land Dispute Resolution Officer, who shall write down in detail the entire appeal, and read back, translate and explain the contents of the appeal as recorded so that the person lodging the appeal may confirm, deny or correct the record.

There should be safeguard to ensure that what the CLDR Officer reads, translates and explains to the person making the appeal is exactly what is written by the officer. (See comments under 25.3 above: Where the complainant is non-literate, to ensure that what s/he is placing his/her mark on is correctly what the secretary has read, the complainant shall have the right to request a literate member of the community or trusted other to also read and confirm it and appendix his/her mark on it as well as a witness)

## 29. COUNTY LAND DISPUTE RESOLUTION OFFICER TO HEAR APPEAL

29.4 At any stage of hearing the appeal, the County Land Dispute Resolution Officer may on his or her own, or at the request of a party to the appeal, summon any person to attend to give evidence, or to produce any document in his or her possession.

Add s to the person.

29.8 In hearing the appeal, the County Land Dispute Resolution Officer shall:

a) apply the relevant customary law;

Add at the end: as indicated or referenced in the by-laws of the community

d) recuse himself or herself where he or she has an interest in the proceedings;

If s/he recuses himself/herself, then who sits in his/her stead?

q) generally, comply with the principles and protections enshrined in national and international human rights instruments such as: I - ix.

The qualification for the CLDR Officer should include education, knowledge and/or relevant experience in the relevant national and international human rights instruments

### 30. DETERMINATION OF APPEAL

30.4 The County Land Dispute Resolution Officer shall communicate his or her decision to the parties in a language and manner understandable to the parties, and shall make available to the parties the record of proceedings, if they so wish

For the County Land Dispute Resolution Officer to make available to the parties the records of the proceedings should not be if the parties wish, but an obligation for the officer to provide same to them.

### 32. COMPOSITION OF THE COMMITTEE

32.2 The Committee shall comprise:

and

e) at least two other persons, and where applicable, no more than half of whom shall belong to the same gender, and who will serve as members of the Committee

There should be provisions for the committee to include civil society representative(s) or slot(s)

### 37. COMMITTEE TO HEAR APPEAL

Where will the committee hear the appeal? Ideally, it should be in the county from where the appeal originates to avoid logistical and/or other hindrances to appearing of persons cited and/or visits to the land or community in question. Ideally, the hearing should be held as close as possible to community the appeal concerns.

### JUDICIAL REVIEW OF DECISION OF THE DISPUTE RESOLUTION COMMITTEE OF THE LIBERIA LAND AUTHORITY BY THE CIRCUIT COURT

#### 39. JUDICIAL REVIEW OF DECISION OF THE DISPUTE RESOLUTION COMMITTEE OF THE LIBERIA LAND AUTHORITY BY THE CIRCUIT COURT

39.2 A person shall ensure that they have exhausted all administrative processes for the resolution of their case within the Liberia Land Authority, before making an application for Judicial Review.

It should be added to the above, after the Review: provided that the administrative processes are those described herein including the appeal to the Authority's Dispute Resolution Committee.

39.3 A person may bring an application for Judicial Review of a decision of the Committee on the following grounds:

f) unjustified denial of an opportunity to give evidence;

The idea of unjustified denial vs justified denial needs to be defined and/or explain to be clear and subjected to individual interpretation and abuse.

39.4 A person seeking Judicial Review of a decision of the Committee shall a Petition **for** Judicial Review within one month from the date of the decision against which the Review is sought

Change the 'for' to file.

#### **41 APPEAL TO THE SUPREME COURT FROM A DECISION OF THE CIRCUIT COURT ON JUDICIAL REVIEW**

41.2 The Authority shall monitor disputes and dispute resolution processes, generate learning from these and feed the results in **the** policy reform for the purpose of preventing and minimizing disputes, and to improve dispute resolution processes

Delete the 'the' before policy reform to read: The Authority shall monitor disputes and dispute resolution processes, generate learning from these and feed the results in policy reform for the purpose of preventing and minimizing disputes, and to improve dispute resolution processes.

## PART III- INVENTORY OF GOVERNMENT LANDS

### 42. IDENTIFICATION OF GOVERNMENT LANDS

42.1 For the purposes of this Regulation, Government Land includes:

e. lands identified as Protected Areas or those used or set aside for parks, reserves for flora and fauna, forests and watersheds, and other areas necessary to maintain ecological balance or environmental protection, as determined and certified by the relevant government agency

**Regulation 42.1(e)** is problematic for similar reasons, which states that Government Land includes: “lands identified as Protected Areas or those used or set aside for parks, reserves for flora and fauna, forests and watersheds, and other areas necessary to maintain ecological balance or environmental protection, as determined and certified by the relevant government agency”.

While there is a legal argument that Protected Areas may be Government Land (though as above, there should be a route for contesting this where gazettement did not lawfully extinguish pre-existing customary land rights and interests). The working group doesn't think there is any legal basis for the rest of this sub-article which could lead to ambiguity – what areas of land were used or set aside in those ways and which were not gazetted as protected areas?

The definition of Government Land should be in sync with the LRA definition of Government; for example, 42.1. f, (e.g. lands used for religious, charitable, or educational purposes, cultural in and/or by communities or local or national NGOs) cannot automatically qualify and be considered as Government Land

It might be useful to insert something like the following although not really material for a Regulation -

The Forest Development Authority and the Environmental Protection Agency (EPA) shall work closely with communities to formulate and institute basic conditions under which Liberian communities are encouraged and assisted to identify important natural resource areas within their community lands or customarily associated public land areas to be designated as Community Protected Areas, and subject to monitoring by the appropriate state authority.

42.3 Within one month of the coming into force of these Regulations, the Authority shall request all government ministries, departments and agencies to provide a detailed report on all Government Lands within their mandate and as defined in Regulation 42.1.

What if by this time some of the communities whose lands might be affected by this exercise had not been self-identified? How will they participate in this exercise, for example, in challenging any of the claims, where necessary?

42.5 The report shall be submitted to the Authority within three months of the request, unless an extension is granted by the Authority.

The Authority should be required and able to publish and disseminate the report so that the respective counties and communities can access them as a safeguard to ensure transparency.

### 43. SURVEY OF GOVERNMENT LANDS

43.1 The Authority shall conduct a survey to confirm the data on the lands identified by the government ministries, departments and agencies under Regulation 42.4.

See comments above under 42.5

43.7 The Authority shall make announcements in English and in at least two local languages on radio stations with national coverage and on local radio stations, to the effect that the details of Government Lands surveyed are available at the local County Land Board for assessment by the public

Add to the provision after the 'radio stations', and before the 'to' "provided no major local language spoken in the county of concerned is left out"

#### 45. PROBATING, REGISTRATION AND DEEDING

45.4 The Government of Liberia shall, on behalf of the government ministry, department or agency to which ownership and control has been assigned by the Authority, have the same rights and responsibilities for the land as a private land owner.

Add at the end, after 'owner' the following: "provided government land remains as it is defined in the LRA."

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