



## **LIBERIA**

# **Country Assessment Report**

## **Land for Life – An initiative to foster multi-actor-dialogue on land governance and responsible agricultural investments**

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# **LAND FOR LIFE – AN INITIATIVE TO FOSTER MULTI ACTOR DIALOGUE ON LAND GOVERNANCE AND RESPONSIBLE AGRICULTURAL INVESTMENTS**

## **Country Assessment Report**

March 2019

## **DISCLAIMER**

The views expressed in this paper do not necessarily reflect the views of the Welthungerhilfe or the Government of Liberia.

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## ABBREVIATIONS AND ACRONYMS

AFT	Agenda for Transformation
BMZ	German Federal Ministry of Economic Cooperation and Development
CAADP	Comprehensive African Agriculture Development Programme
CFDC	Community Forest Development Committee
CLDMC	Community Land Development and Management Committee
CNDRA	Center for National Documents and Records Agency
CoCoDAC	Concession Communities Development and Advocacy Committee
CRL	Community Rights Law
CSOs	Civil Society Organizations
ECOWAS	Economic Community of West African States
EU	European Union
FAO	Food and Agriculture Organization
FDA	Forestry Development Authority
FED	Food Enterprise Development
FPIC	Free Informed Prior Consent
FTI	Forestry Training Institute
GVL	Golden Veroleum Liberia
HCV	High Carbon Value
iPRS	Interim Poverty Reduction Strategy 2007
L4L	Land for Life Initiative
LADA	Liberia Agribusiness Development Activity
LASIP	Liberia Agriculture Sector Investment Plan
LGSA	Land Governance Support Activity
LLA	Liberia Land Authority
LNRDS	Liberia's National Rice Development Strategy
LRA	Land Rights Act
MAP	Multi Actor Partnership
MOA	Ministry of Agriculture
MPP	Multi Player Partnership
MSP	Multi Stakeholder Partnership
NAIPs	National Agricultural Investment Plans

NDPs	National Development Plans
NGO	Non-Governmental Organization
NLIS	National Land Information System
PAPD	Pro-Poor Agenda for Prosperity and Development
PPCC	Public Procurement and Concessions Act
RAI	Responsible Agricultural Investments
RRF	Rights and Rice Foundation
SDG2	Sustainable Development Goal 2
SDG7	Sustainable Development Goal 7
SDPL	Sime Darby Plantation Liberia
SIDA	Swedish International Development Cooperation Agency
UL-PIRE IRB	University of Liberia-Pacific Institute for Research & Evaluation Institutional Review Board
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security
WHH	Welthungerhilfe



## Executive Summary

“Many countries that attempted to do land reform and are still in the process, marveled at our progress made so far. And this is due to the fact that from the very inception of our reform processes, we recognized the need for a multi-stakeholder collaboration and all stakeholders and land actors came together with a joint effort to ensure the success of our process. The victory we celebrate today could not be possible without a multi-stakeholder partnership involving government, donor communities, international partners, civil society organizations (CSOs), and the customary communities. This same spirit is needed even more for the implementation of the law as it is crucial to our land reform process.”<sup>1</sup>

The Liberia Country Assessment findings clearly reveal that the land tenure governance situation is still fragile, based on the key challenges that must be overcome to realize effective and equitable implementation of the Land Rights Act (LRA), which include a) dearth in capacity of the Liberia Land Authority (LLA) in core land administration and management knowledge and skills required in developing and effectively administering land policy, law and regulations, and land-related service delivery, b) integration of VGGT and FPIC in the LRA Implementation Strategy to ensure food security for customary communities, and responsible agricultural investments by private investors to spur and sustain economic growth and development, c) formation of a multi actor partnership (MAP) to enhance collaborative implementation of the Land Rights Act, and d) inadequate budgetary allocation from the government for effective and efficient implementation of the LRA at the national and decentralized level.

The land tenure governance situation is made more insecure by contradictory natural resource management policies and laws and an unclear legal framework.

Sustained technical assistance and support is urgently needed to address the natural resource management policy and legal gaps; dearth in capacity of the Liberia Land Authority (LLA) in core land administration and management knowledge and skills; integration of VGGT and FPIC in the LRA Implementation Strategy; facilitation of a multi actor partnership between the Liberia Land Authority and the relevant stakeholders of the land sector identified by the country assessment; and provision of budgetary support to the LLA mainly for technical training (knowledge, skills and systems) and capacity building (equipment and appropriate technologies) to address the institutional capacity and resource gaps identified by the country assessment.

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<sup>1</sup> Interview given to the Land for Life team by Dr. Cecil Othello Brandy, former chairman of the Liberia Land Authority

## 1. Introduction

The Land for Life (L4L) project focuses on capacity building for civil society actors in multi-player processes (MPP). Civil society organizations in the four programme countries (Sierra Leone, Liberia, Burkina Faso, Ethiopia) are weak, with low organizational skills and little skill in advocacy. Civil society is often fragmented, there is little cooperation or even competition. The civil society players in all four programme countries are not implementing partner organizations, but they are the most important target group. In all four countries, Welthungerhilfe identified organizations that have different strengths and weaknesses in the field of organizational ability, relevant technical capacities and advocacy experience. In Sierra Leone, it is an organization of a national network, which includes 15 national member organizations; in Liberia, the organization is a member of the national working group on land rights; in Burkina Faso, it is farmers Association and Union, and in Ethiopia, it a local NGO with experience in promoting small farmers within the framework of agricultural value chains. Although they already participate in MAP in part, they have never systematic training to do so.

Implementation of the Liberia Country Assessment for the Land for Life Initiative involved a) the review of relevant documents and reports on Liberia's land tenure governance reforms, b) consultation with and receipt of Certification of Human Approvals from the University of Liberia-Pacific Institute for Research & Evaluation Institutional Review Board (UL-PIRE IRB) on the protocol during the implementation of the study to confirm human subject procedures, c) interviewing of key informants from Liberian Senate, Liberia Land Authority (LLA), Ministry of Agriculture (MOA), Food and Agriculture Organization (FAO), World Bank Group (IBRD), Delegation of the European Union (EU) to Liberia, Swedish International Development Cooperation Agency (SIDA), United States Agency for International Development (USAID), Land Commissioners of Sinoe, Bomi and Montserrado counties, civil society organizations at the national and county level, and d) residents of customary communities affected by the Golden Veroleum Liberia (GVL) and Sime Darby Plantations Liberia (SDPL) concessions.

The qualitative data (written notes of the interviews) obtained from the key informant interviews, and the data obtained from the desk review was analyzed and the results formed the basis for the findings and recommendations that the country assessment report contains. The draft Country Assessment Report was validated by the relevant land sector stakeholders at a workshop organized and executed by WHH and RRF, and the inputs that the participants contributed have been integrated into the final country assessment report.

## 2. Key Findings: The Context

### 2.1 Overview of Land Governance

One of the main triggers of the recent Liberian civil conflict, and a critical constraint to Liberia's sustained and inclusive economic growth, is its dual land tenure systems.

Liberia faces land tenure challenges, mainly related to its unique historical and political context.

Liberia was founded by immigrant ex-slaves from the United States of America and the Caribbean, who attempted to create a Western Statutory System of land ownership mainly for the Americo-Liberian immigrant settler class. The system is based on individual ownership of land in fee simple, consummated with issuance of Title Deeds by the office of the President of Liberia, which are probated by the Monthly Probate Courts of the Judicial branch of government and registered by the Deeds Registry of the Center for National Documents and Records Agency (CNDRA) of the Executive branch of government.

The indigenous African people that populate the rural parts of Liberia, commonly referred to as the hinterland, use a Customary Land Tenure system. The system is based on communities collectively possessing and using the customary lands that are located within the boundaries of their territories, which boundaries are mutually recognized and respected by the neighboring communities that share common boundaries with the community that has possession rights to the customary lands of its recognized territory. The possession of customary lands possessed by communities is based on history of occupancy and use of the customary lands.

Customary land is prone to land disputes within communities, between and among communities, and between communities and the government, usually with competing claims of land rights to same parcels of customary lands, largely due to the informal nature of land rights under the customary land tenure system.

Liberia's dual land tenure systems reflect a long-standing division between the urban elites and the indigenous African people that are largely dependent on subsistence and smallholder farming for their livelihoods.

Throughout coastal Liberia, the urban elites use a Western Statutory System of land ownership based on fee simple titles for individuals. Whereas in the Liberian hinterland, the indigenous African people use their own customary land tenure system, which is based on communal ownership of Customary Landholdings<sup>2</sup>.

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<sup>2</sup> Customary land is land which is owned by indigenous communities and administered in accordance with their customs, as opposed to statutory tenure usually introduced during the colonial periods. Common ownership is one form of customary land ownership.

Some of the main land tenure issues in Liberia today are: a) the legal status of customary land rights; b) the ownership of trees and other forest resources on customary lands; c) displacement of customary communities directly linked to government-awarded land-based concessions, i.e., large-scale commercial forestry, mining (mineral resource extraction), agroforestry (rubber, oil palm, and cocoa plantations), d) urban poverty, and e) women's land rights.

## 2.2 Overview Food Insecurity, and Responsible Agricultural Investments

The issue of poverty is pervasive in all the counties visited during the country assessment. Approximately 83.3 percent of the population lives on less than \$1.25 a day (Borgen, 2017). This figure of \$1.25 could even be possibly smaller in the South-eastern counties like Sinoe and River Cess, considering the visible effects of hunger and poverty encountered during the assessment. According to the Borgen Report, about 16% of households are food in-secure and 2% are severely food insecure.

Food makes up a large portion of Liberian families expenses, with one fourth of Liberian families spending more than 65 percent of their income on food. Many family members rely on other coping strategies to survive. One major coping strategy is begging.

Joblessness is a real problem. Farmers in the assessed areas depend on farming as a means of livelihood and employment, but with the loss of their land to concession agriculture, many farmers and indigenous people have lost their main livelihood. Sinoe is one of Liberia's 15 counties and it has 17 districts. As of the 2008 Census, it had a population of 104,932, making it one of the least populous counties in Liberia (Google.com, 2019). Golden Veroleum currently employs about 3600 employees from Grand Kru and Sinoe. This is just about 3.4% of the entire population of Sinoe and does not include Grand Kru. The concessions cannot absorb the population affected by the acquisition of land and destruction of agrarian livelihood.

In Bomi, there are reports that the Oil Palm concession, Sime Darby is contemplating closing or scaling down its operations due to losses it has incurred in the last five years. This may have an impact on employment and food security in the county of Bomi. The few persons who were employed by the company may lose their jobs and join the growing number of farmers who have lost their land to concessions.

The losses of GVL emanate from the fact that the concession has not been able to expand its business according to its timetable on the lease agreement. This inability to expand stem from land acquisition difficulties and the lack of a viable land tenure system in Liberia. Acquiring land from local communities has been very difficult, especially with regards to determining the real owners.

Insufficient access to education has contributed and still contributes greatly to poverty and hunger in Liberia. Only 26.7 percent of children in Liberia are enrolled in school (Borgen, 2017). There are major problems with education in Liberia and in the assessed areas. The cost to establish schools and fit them with the necessary teaching tools is high, and the educational performance that comes out of such schools is low. The problems that

have been documented include shortage of teachers, under-qualified teachers and poor teacher performance.

Statistics indicate that 43% of Liberian people are illiterate and 53% are aged under 20. It is imperative better education is essential for breaking the cycle of poverty (Anon., 2019).

## 2.3 Legal and Policy Framework

### 2.3.1 Existing Legal and Policy Framework on Land Governance

The Constitution of Republic of Liberia, adopted in 1986, contains fundamental rights for the benefit of all citizens of Liberia. Articles 22(a) and 23(b) of the Constitution of Liberia contain the fundamental rights that each and every Liberian citizen has to own property alone, and in association with others, provided that only Liberian citizens have the right to own real property within the Republic of Liberia. Article 23.b empowers the Legislature to “enact laws to govern the devolution of estates and to establish rights of inheritance and descent for spouses of both statutory and customary marriages, so as to give adequate protection to surviving spouses and children of such marriages” (Assembly, 1986).

Land rights and land tenure administration and management are concurrently regulated by Statutory Law and Customary Law, but the former has always superseded the latter on legal practice because the only legal instrument that conveys land and confers fee simple<sup>3</sup> ownership title to land in Liberia is the Title Deed under Statutory Law, not the Tribal Certificate under Customary Law.

Following are the key land legislations that regulated land tenure administration and management in Liberia prior to enactment of the Land Rights Act of 2018, which include land policy, laws, and regulations:

*Table 1: Existing Policy, Laws and Regulations on Land Governance in Liberia*

No.	Policy, Laws, and Regulations	Sectors of Influence	Line Ministries & Agencies Responsible
1.	Constitution of Republic of Liberia, adopted in 1986	Fundamental rights of the citizens of Liberia	<ul style="list-style-type: none"> <li>• Supreme Court of Liberia</li> <li>• Judicial Circuit Courts</li> <li>• Ministry of State for Presidential Affairs</li> <li>• Ministry of Internal Affairs</li> </ul>

<sup>3</sup> A permanent and absolute tenure of an estate in land with freedom to dispose of it at will, especially in full fee simple absolute a freehold tenure, which is the main type of land ownership.

No.	Policy, Laws, and Regulations	Sectors of Influence	Line Ministries & Agencies Responsible
			<ul style="list-style-type: none"> <li>• Liberia Land Authority</li> </ul>
2.	Public Lands Law – Title 32 of the Liberian Code of Laws Revised, 1956	Governance of Public Lands	<ul style="list-style-type: none"> <li>• Ministry of State for Presidential Affairs</li> <li>• Ministry of Internal Affairs</li> <li>• Monthly Probate Courts</li> <li>• Deeds Registry of the Center for National Documents and Records Agency (CNDRA)</li> </ul>
3.	The Domestic Relations Law of 1973	<ul style="list-style-type: none"> <li>• Property rights of married women</li> <li>• Conveyance of property by spouses</li> <li>• Right of action by or against married women, by wife or husband against the other for torts</li> <li>• Property rights awarded to a successful wife</li> </ul>	<ul style="list-style-type: none"> <li>• Supreme Court of Liberia</li> <li>• Judicial Circuit Courts</li> <li>• Monthly Probate Courts</li> <li>• Deeds Registry of the Center for National Documents and Records Agency (CNDRA)</li> </ul>
4.	The Equal Rights of the Customary Marriage Law of 1998	<ul style="list-style-type: none"> <li>• Formal recognition of customary marriages</li> <li>• Extension of property rights protections of spouses married under civil law, to spouses married under customary law.</li> <li>• Property rights in customary marriages</li> </ul>	<ul style="list-style-type: none"> <li>• Supreme Court of Liberia</li> <li>• Judicial Circuit Courts</li> <li>• Ministry of Internal Affairs</li> </ul>
5.	The Gender and Development Act of 2001	<ul style="list-style-type: none"> <li>• Promotion of gender equality</li> <li>• Women’s advancement,</li> <li>• Children’s welfare</li> <li>• Social protection in Liberia.</li> </ul>	<ul style="list-style-type: none"> <li>• Ministry of Gender, Children and Social Protection</li> </ul>
6.	An Act to Govern the Devolution of Estates and	<ul style="list-style-type: none"> <li>• Dower rights</li> </ul>	<ul style="list-style-type: none"> <li>• Supreme Court of Liberia</li> </ul>

No.	Policy, Laws, and Regulations	Sectors of Influence	Line Ministries & Agencies Responsible
	Establish Rights of Inheritance for Spouses of both Statutory and Customary Marriages (Approved October 7, 2003)	<ul style="list-style-type: none"> <li>Administration of deceased husband's estates</li> </ul>	<ul style="list-style-type: none"> <li>Judicial Circuit Courts</li> </ul>
7.	Liberia National Gender Policy (2010-2015)	<ul style="list-style-type: none"> <li>Demonstration of the government's political will to eliminate all forms of gender-based discrimination to achieve gender equality.</li> <li>Framework for mainstreaming gender</li> <li>Empowering women, children, and vulnerable people.</li> </ul>	<ul style="list-style-type: none"> <li>Ministry of Gender, Children and Social Protection</li> </ul>
8.	The Land Rights Policy of 2013	<ul style="list-style-type: none"> <li>Categorization of lands in Liberia</li> <li>Formalization of land ownership</li> <li>Access to and management of natural resources</li> </ul>	Liberia Land Authority
9.	Land Rights Act of 2018	<ul style="list-style-type: none"> <li>Land rights</li> <li>Land use planning</li> <li>Land services</li> </ul>	<ul style="list-style-type: none"> <li>Supreme Court of Liberia</li> <li>Judicial Circuit Courts</li> <li>Liberia Land Authority</li> </ul>

Source: Desk review findings (Liberia Country Assessment, 2018)

### 2.3.2 Existing Legal and Policy Framework on Food Security and Responsible Agricultural Investments

The government of Liberia has instituted several policy programs aimed at improving food security and responsible agriculture investment in Liberia. The following policies and strategies were crafted and introduced to reduce poverty, end hunger and malnutrition, achieve food security and nutrition (SDG2), and provide decent work and economic growth (SDG7):



Table 2: Existing Policies and Strategies on Food Security and Responsible Agricultural Investments

#	Policy	Sectors of Influence	Line Ministries Responsible
1	Poverty Reduction Strategy	Economic Development	Ministry of Finance Development Planning
2	Food Security and Nutrition Strategy	Agriculture and Health	Ministry of Agriculture and the Ministry of Health
3	The Liberia Agriculture Sector Investment Plan I	Agriculture	Ministry of Agriculture
4	The Liberia Agriculture Sector Investment Plan II	Agriculture	Ministry of Agriculture
5	Agenda for Transformation (Aft), 2013	Economic Development	Ministry of Finance and Development Planning
6	Vision 2030	Economic Development	Ministry of Finance and Development Planning
7	Statement of Policy Intent for Agriculture of October 2006	Agriculture	Ministry of Agriculture
8	Enhanced Competitiveness and Linkages to Markets, MOA 2011	Agriculture	Ministry of Agriculture
9	Liberia's National Export Strategy	Economic Development	Ministry of Agriculture and Ministry of Commerce & Industry
12	Pro-poor Agenda for Development and Prosperity	Economic Development	Ministry of Finance and Development Planning
13	National Rice Development Strategy of Liberia Doubling Rice Production by 2018	Economic Development	Ministry of Agriculture and the Ministry of Commerce & Industry

Source: Desk review findings (Liberia Country Assessment, 2018)

The most significant of the policies of the listed policies above are the Liberia Agriculture Sector Investment Plan II, the Pro-poor Agenda for Prosperity and Development, Commodities export strategies of the Agriculture and Commerce Ministries. The Agenda for Transformation and Vision 2030 have been updated with the PAPD of the new government.

### *The Liberia Agriculture Sector Investment Plan II*

Food availability, accessibility, and utilization are major challenges on account of low production and productivity, bad road conditions, high post-harvest losses, low levels of incomes, and poor systems of coordination and information management. Liberians are therefore net buyers of food, making reducing the real cost of food a major food security objective. The LASIP program was designed to address the above issues.



LASIP is composed of several programs ranging from Food and Nutrition Security, Competitive Value Chains and Market Linkages, Institutional Development and Land and Water Resources Development. The LASIP program draws on sections of the Liberian Poverty Reduction Strategy.

*The Pro-poor Agenda for Development and Prosperity: Vision 2030, the Agenda for Transformation, the Poverty Reduction Strategy*

The Pro-Poor Agenda for Prosperity and Development 2018 to 2023 (PAPD) is the second in the series of 5-year National Development Plans (NDP) anticipated under the Liberia Vision 2030 framework. It follows the Agenda for Transformation 2012-2017 (AfT). It is informed as well by lessons learned from the implementation of the Interim Poverty Reduction Strategy 2007 (iPRS) and the Poverty Reduction Strategy (2008-2011).

The fundamentals underpinning the PAPD are: i) Liberia is rich in human and natural resources; but ii) is deprived of development largely because its human capital lacks the knowledge to transform the natural resources into wealth—whether through farming, mining, fishing, or other productive ventures that require technology or financial investments. Consequently, Liberia is relatively rich in natural capital but relatively poor in relations to its peers in both human and produced capital. Moreover, because of a legacy of entrenched inequality in access to development opportunities, widespread infrastructure deficits and pervasive poverty have become the binding constraints to future growth and prosperity (Agriculture, 2017).

### 2.3.3 Women's Land Rights

Liberian laws that regulate land tenure administration contain important gaps which make them difficult to apply in a systematic and consistent manner. In particular, these laws fail to define and provide for marital property regimes. Joint property remains a major challenge as the Domestic Relations Act does not give any indication as to how joint property arises and how it is managed within marriages. These gaps in land legislations prevent the systematic documentation of land rights.

In Bomi, the team documented a story from a member of the Bomi Rural Women platform. This story had to do with the status of a woman with regards to loss of land and estate during a divorce. And though the property in question belonged to the wife's father, but was developed by the wife and her husband, the husband took total custody and evicted the wife after divorce. The wife had no recourse since the union was informal.

Marriage informality is a rising trend in the areas visited by the team; many marriages are not formalized. This is a problem for women, as the informal marriages do not assign any rights. (Land Links, 2018).” Women are generally excluded from groups that make decisions about land governance at the community level. Women's role in official land governance institutions is limited when compared to men's roles, with fewer women in positions of decision-making authority in both the customary system and the statutory governance system (including at the municipal, county and national levels). Women are

also disadvantaged due to norms requiring male accompaniment, lack of consultation and under-recognition of women's land rights and inheritance rights.

## 2.4 Current Situation: Land and Food Insecurity, and Responsible Agricultural Investments

### 2.4.1 Land Governance

The Land Rights Act (LRA) was passed by the Liberian Legislature and signed into law by the President of Liberia in September 19, 2018, and published into handbills on October 10, 2019.

The Liberia Land Authority (LLA) and the Land Governance Support Activity (LGSA), which is funded by the United States Government (USG) through the United States Agency for International Development (USAID), have drafted the Land Rights Act Implementation Strategy, which stakeholders have commented on and is now being finalized by the Liberia Land Authority.

As part of the LRA implementation process, the LLA and civil society actors are developing key messages for dissemination of the LRA to Liberian citizens and foreign investors.

The land tenure situation in Liberia is still fragile. It is made more insecure by contradictory natural resource management policies and laws, an unclear legal framework, and a dearth in capacity in core land administration and management disciplines required in developing and effectively administering land policy, law and regulations, and land-related service delivery.

Prior to formulation of the Land Rights Policy in 2013, and the subsequent enactment of the Land Rights Act in 2018, the land policy and land laws of Liberia have not been coherent with key elements of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT), and the human rights guidelines on Free Prior Informed Consent (FPIC)<sup>4</sup> relative to Responsible Agricultural Investments (RAI). This can be attributed to the fact that land tenure legislations prior to the Land Rights Policy of 2013 and the Land Rights Act of 2018 did not fully respect the timeless customary land tenure system practiced by rural communities throughout Liberia, due to the informal nature of customary landholdings, which is the foundation of the customary land tenure system in Liberia.

The previous land laws of Liberia did not recognize customary land rights, and because of that the government has not sought to obtain the Free Prior Informed Consent of rural communities before awarding parts of their customary landholdings to foreign investors for agricultural, forestry and mineral extraction investments. It is apparently for this reason that the Government of Liberia has not applied the FPIC and VGGT guidelines

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<sup>4</sup> Free, Prior and Informed Consent (FPIC) is a specific right that pertains to indigenous peoples and is recognized in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). It allows them to give or withhold consent to a project that may affect them or their territories.

when it awards customary landholdings to foreign private investors for development of agricultural, forestry and mineral extraction businesses, consequently, the private investors awarded concessions by the government have also not effectively applied the FPIC and VGGT guidelines and principles when acquiring large swaths of customary lands for development of plantations, commercial forestry, and mineral extraction operations, thus frequently exposing affected rural communities to land-grabbing by the government to rent to foreign investors, which leaves affected rural communities highly vulnerable to land tenure and food insecurity.

#### 2.4.2 Food Insecurity and Responsible Agricultural Investments

In order to encourage responsible agricultural investments and to combat food insecurity, the government is promoting several policy documents on the export strategies in cocoa, palm oil and rubber. The National Export Strategy aims to help diversify economic activities to ensure greater in country value, to increase the scope of smallholder activities and to improve livelihoods beyond Monrovia, traditionally the hub of the Liberian economy (MOCI, 2014). Currently, producers of the palm oil, rubber and cocoa export the raw commodities to Europe and other parts without any value addition.

In food production, the government has crafted several strategies around the production of rice, cassava, roots and tubers. “The Liberia’s National Rice Development Strategy (LNRDS) described in this document aimed to achieve self-sufficiency by doubling the local rice production by the year 2018. The proposed strategy aims to achieve this by increasing rice productivity in both upland and lowland ecosystems and by expanding the land area under rice cultivation in the lowlands (MOA, 2018).” The government is supporting several large scale rice production and processing centers in Lofa, Nimba and Bong County.

There is also the Liberia Cassava Strategy which is aimed at the production and commercialization of roots and tubers in Liberia. It is also encouraging the production of cassava and processing into high quality flour for import substitution on the Liberian market. To this end, the Food and Enterprise Development program of USAID supported policy efforts on the domestication of ECOWAS protocols for seeds, fertilizer and agrochemicals, as well as establishing a policy of 10% cassava composition in all flour produced in Liberia (Future, 2016). The Liberia Agribusiness Development Activity (LADA) is the offshoot of the FED program.

Unfortunately, budgetary support to food security by the government is inadequate to limit the effects of hunger and poverty. The government has signed two accords in support of the Liberia Agriculture Sector Investment Plan (LASIP 1-2) but unfortunately it has not been able to provide the budgetary support to accomplish the aims of the programs. The Malabo and Maputo accords call for the government to provide at least 10% of its budget to agriculture. During the last 12 years of the administration, that amount was not provided and so far, during the current administration, it has not yet been allocated.

“The Comprehensive African Agriculture Development Programme (CAADP) has contributed to reviving commitment to agricultural development. In 2003 African Union member states signed the Maputo Declaration which aimed to assist African countries in achieving Millennium Development Goal 1 - to halve poverty by 2015. The 2014 Malabo Declaration reaffirms key commitments from the 2003 Maputo Declaration. Through the CAADP process, countries developed National Agricultural Investment Plans (NAIP) which identified key priority areas for investment. The first generation NAIPs have lapsed and many African countries are in the process of developing their second NAIP. Countries must ensure that their NAIP 2 is aligned with the Malabo declaration (Mkandawire, 2018). ”

### 3. Key Findings: The Challenges: Land and Food Insecurity, and Responsible Agricultural Investments

#### 3.1 Key Challenges Related to Implementation of the Land Rights Act

The Land Rights Act contains compromised language and inconsistencies, which leaves room for different interpretations of the law. For example, there is no clear definition of what *developed and undeveloped* portions of customary lands under tribal certificates means. Furthermore, questions on how the validation process for tribal certificates will be designed to distinguish between *valid and invalid* tribal certificates, remains to be answered. And the very tight timeframe for the tribal certificates validation process, and customary lands boundary self-identification, casts doubts on the effective and efficient implementation of these tasks.

There are clear gaps and incoherence between the land governance reforms and agricultural investment agendas. For instance, what will happen regarding overlapping concessions (mining, forestry, agriculture), and what is their relationship with customary landholdings? There is need for more transparency and inclusiveness regarding relevant land reform and agricultural investment processes. For example, the review process of concession agreements, completion of the land inventory (which is critical for proper allocation of customary lands for concessions and communities), and formulation of LRA regulations, require total transparency.

#### 3.2 Key Institutional and Resource Challenges of the Liberia Land Authority

**Capacity dearth at the Liberia Land Authority in view of the huge tasks ahead, at national and at the decentralized level:** The Liberia Land Authority is currently experiencing a dearth in capacity in core land administration and management disciplines that are required in developing and effectively administering land policy, law and regulations, and land service delivery. The LLA urgently require technical and financial support to acquire the needed competencies to promulgate regulations and implement them with the required effectiveness and efficiency in delivering land-related services of high quality, in order to become responsive to delivering the land-related services that citizens and corporate entities need.

**Prioritization of investment in the implementation of the Land Rights Act:** Donor cooperation and coordination of implementation of the LRA seems to be working but, implementation of the LRA run the risk of being donor-driven and unsustainable because donor investment compared to government investment in the implementation of the LRA clearly shows that donor investment far outstrips government investment. For example, allocation in the national budget for the LLA for the current fiscal year is approximately US\$1.2 million, mainly for salaries and recurrent administration costs; the budget of the World Bank-funded Liberia Land Administration Project is US\$7 million; the budget for the USAID-funded Land Governance Support Activity is \$15.5 million; the budget for the EU-funded Land Rights for Liberia project is approximately Euro 3 million; and SIDA support for land registration, which is in the pipeline, is expected to be substantial.

**Parallel Land Governance Structures at Community Level:** There is an existing community forest governance structure that is known as the Community Forest Development Committee (CFDC). What does this mean for the institutionalization of the Liberia Land Authority at community level through the Community Land Development and Management Committee (CLDMC) prescribe by the Land Rights Act?

Citizens question the legitimacy of local government officials who are responsible for land tenure administration, because in their view, they have not earned the right to govern land tenure administration as they have not emerged from democratic processes through which they can be replaced if the citizens are dissatisfied with them.

Citizens question the transparency, accountability, consistency, predictability, and impartiality of the current land governance processes because the outcomes are unpredictable and not in accordance with published laws and regulations; timely and equitable legal redress and enforcement of laws by an impartial judiciary is uncertain; the current system that does not demonstrate good stewardship by responding to questioning and explaining its actions.

The current dual land tenure systems are not equitable in the view of citizens, because they do not deal impartially with individuals, communities and corporate entities in providing non-discriminatory access to records and services; and they are not sustainable as they do not balance the economic, social, and environmental needs of the present and future generations.

The existing land tenure systems are not locally responsive and participatory because they have not yet located service provision at the closest level to citizens, consistent with efficient and cost-effective service delivery; and these systems have not enabled citizens to participate fully in land governance through consensus-building; and have not effectively engaged civil society without curbs on the media relative to freedom of expression and association.

The dual land tenure systems currently in force in Liberia have not provided security and stability to all citizens as it relates to security of livelihoods through security of land tenure, particularly with reference to the customary land holdings of rural communities and awarding of agricultural, forestry and mining concessions by the government.

There is an acute shortage of qualified land tenure administration officials who are dedicated to integrity, at the county and district levels. Land tenure administration officials are perceived by citizens as not performing their duties diligently and objectively without seeking bribes, instead of giving independent advice and fair judgments. There is no clear separation between the private interests of land administration officials and politicians, and the affairs of government.

### 3.3 Key Challenges Related to Food Insecurity and Responsible Agricultural Investments

The gap and the lack of coherence between land governance and agricultural investment agendas is a serious challenge to food insecurity in Liberia. The concessions have had a hard time acquiring land from customary land owners mainly due to the lack of legal land ownership instruments by customary people. Land acquired by concessions is usually claimed by several different clans or tribes. This confusion of land ownership has delayed plantation, mining and forestry exploitation activities.

All the concessions have crafted creative measures to include land custodians in the transactions of land purchases or agreements. In Sinoe, Golden Veroleum has set up the process of signing MOUs with several various groups as regards land acquisition, but yet the process is still fraught with problems. Many farmers still do not understand how much land has been surveyed by the company. They are also confused as to where the land boundaries are. The land boundaries are important since many communities have access to forests, mining areas and are on the edge of oil palm plantations.

#### 3.3.1 Need for more transparency and inclusiveness with regards to relevant processes (e.g. review process of concession agreements, prioritization of LRA regulations)

Due to research undertaken by GROW Liberia in 2015, efforts were made to provide processes for advancing more inclusive negotiations regarding land acquisition. GROW recommended transactional advisors that would undertake to improve activities around Free Prior and Informed Consent (FPIC). The transactional advisors would be independent parties and spearhead negotiations for land acquisition for the concession. However, many of the concessions are signing MOUs which provide elements of FPIC and spell out benefits and timing for affected communities. These MOUs are provided to the communities and they are advised to have their lawyers or other family members review before signing. The MOUs also contain land area, amount of land but is short on information about land boundaries and inventory. The inventory issue is a major cause for the defaulting on the MOU by the custodians.

Another issue engaged was the content of the concession lease agreement. Efforts are currently being made to review the content and intent of the wording of concession agreements.

Unlike the forestry sector, which is governed in large part by a single piece of regulatory legislation, no general management law regulates Liberia's agricultural sector. Instead, a number of laws impact the awarding and operation of agricultural concessions. All of these



laws should be interpreted in light of the fundamental rights protected in the Liberian Constitution. The 2010 amended Public Procurement and Concessions Act, which applies generally to concession agreements in Liberia, provides the main procedural requirements for awarding agricultural concessions. The Public Procurement and Concessions Act (PPCC) requires that the government hold a public stakeholder discussion on the possibility of a concession and provide public notice of the investment opportunity. The government must hold a competitive bidding process that includes conducting due diligence on bidding companies before beginning contract negotiations. A few Liberian laws set limitations on the substantive terms of agricultural concession contracts. The Public Lands Law sets a maximum duration of fifty years for agricultural concessions (LOWENSTEIN, 2017).

### 3.3.2 FDA & LLA land governance structures at community level: already existing community forest governance structure – Community Forest Development Committee (CFDC)

In a workshop on March 7, 2019 the Sustainable Development Initiatives made observations on the FDA and LLA land governance structures at the community level. SDI noted that there were "Contradictions" between the Community Rights Law (CRL) and the Land Rights Law (LRL), and therefore the government and stakeholders should work together to build a cohesive bridge between the two laws (Sendolo, 2019).

Although both laws propose governance structures and instruments on the community level that theoretically complement each other; nevertheless, SDI observes that differences between the two laws as to who is a community member and who is eligible for administrative office might lead to conflict. CRL sets the basis for it to foresee paid community forestry management positions and regulate benefit sharing, and the LRL prohibits salaries for communal land governance bodies and obliges higher government levels to carry costs incurred by communal land administration (SDI, 2019).

### 3.3.3 Existing Multi Stakeholder Partnerships on Natural Resources at National and County level

The existing platforms for multi actor partnership must have a coordinating body in order to share information and collaborate. Research shows that only a few of platforms are managed effectively. For creating a platform leadership strategy, the ecosystem, whether in agriculture, land or other systems, governance needs to address three challenges (Mukhopadhyay, 2018).

1. Platforms need to deploy effective coordination mechanisms to manage interdependency between multiple partners
2. There needs to be a strategy in place to achieve improved performance.
3. A platform leader needs to ensure its sustainable central position in the ecosystem

The FAO's VGGT, NBC's MSP are currently struggling due to weak coordination between the various players.

## 4. Key Findings: The opportunities and priorities

### 4.1 Opportunities related to policy context

#### 4.1.1 Land Governance

The legal rights conferred on rural communities by the Land Rights Policy of 2013 and the Land Rights Act of 2018, regarding ownership of customary lands and the natural resources thereon, provides an excellent opportunity for the government, private investors, civil society, and international development agencies (donors and INGOs) to work together to effectively implement the VGGT principles and FPIC guidelines to realize equitable land tenure security for all stakeholders in Liberia.

Key opportunities for implementation of the Land Rights Act centers on multi actor partnership collaboration.

There are very well organized civil society organizations (CSOs) with considerable outreach at local level. For example, national CSO Working Group on Land Rights now has branches in 13 of 15 counties of Liberia. Some of the best practices of the successful Government-CSO collaboration realized in passage of the LRA into law can and should be replicated in developing harmonious messages for the country-wide dissemination of the LRA.

The draft Responsible Agriculture Investment Promotional Guide provides opportunities for the LLA to engage with and involve CSOs, communities, and private investors in arrangement of customary land acquisition processes for concessions.

The key challenges for multi actor partnership collaboration for effective implementation of the Land Rights Act include, but are not limited to, the following:

**Coordination of land governance reform:** This is an issue of serious concern because while coordination among donors seem to be effective, however, there are potential issues of coordination between the LLA and other land sector actors. For example, with other government land sector actors including the Forestry Development Authority (FDA), Forestry Training Institute (FTI), Ministry of Agriculture, Ministry of Internal Affairs, Ministry of Mines and Energy, Environmental Protection Agency (EPA), and other actors such as civil society (organizations and communities), and foreign private investors (business).

**Current engagement methods of existing Multi Stakeholder Partnerships:** The existing MSPs are those affiliated with VGGT, NBC, IDH, CSO Oil Palm Working Group, LNGO Coalition on Natural Resource Management, which are active at national and county level, but they seem to be operating in silos, i.e., they don't share information among themselves, resulting significant knowledge gaps. For example, the MSP affiliated with the



National Bureau of Concessions (NBC) is concession-focused and they not coordinate with other MSPs that are also working on land governance reform in Liberia to share their goals, engagement strategies and experience.

#### 4.1.2 Food Security and Responsible Agricultural Investments

Liberia is in the process of implementing the following policies and strategies in an attempt to reduce poverty, end hunger and malnutrition, achieve food security and nutrition (SDG2), and provide decent work and economic growth (SDG7). The most recent and applicable policies, plans, strategies are indicated below:

Table 3: Policies, strategies and programs on Food Security and Responsible Agricultural Investments

No.	Policy	Project Development Objective	Year
1	Statement of Policy Intent for Agriculture	A revitalized and modernized food and agriculture sector that is contributing to shared, inclusive and sustainable economic growth and development.	2006
2	Food Security and Nutrition Strategy (FSNS),	The key objectives of the FSNS are to make certain that all Liberians have reliable access to the food they need and are able to utilize that food to live active and healthy lives.	2015
3	Strategy for Mainstreaming Gender Issues in Agricultural Programs and Projects	This Policy Memorandum provides policy advice to the government of Liberia (GOL) in an effort to mainstream gender issues in policies, programs, and projects supporting agricultural production and value-chain development.	2010
4	Agenda for Transformation (Aft)	The Agenda for Transformation (Aft) is the Government of Liberia's five-year development strategy. It follows the Lift Liberia Poverty Reduction Strategy (PRS), which raised Liberia from post-conflict emergency reconstruction and positioned it for future growth.	2014
5	Responsible Agriculture Investment Promotional Guide	Promoting responsible investments in agriculture and food systems through better contractual arrangements between farmers and the private sector	

Source: Desk review findings (Liberia Country Assessment, 2018)

The draft Responsible Agriculture Investment Promotional Guide provides opportunities for involvement of communities in arrangement of land acquisition processes for concessions and contractual arrangements between farmers and the private sector. In Liberia, the government has initiated the revision of their investment approval processes so they are consistent with the Voluntary Guidelines and the recommendations from the participants of the learning program. The work in Liberia is led by the Ministry of Agriculture. (FAO, 2018).

The government is also working with nongovernmental organizations in promoting its national food production strategies. It is working with the Liberia Agribusiness Development Activity (LADA) of USAID, the Food and Agriculture Organization of the UN and other food security groups to promote strategies aimed at entrepreneurship development and farming as a business.

Experience from within Liberia and its current concession arrangements show that an agricultural strategy based on plantation agriculture does not generate sustainable, broad-based agricultural growth. Wage labourers do not usually earn incomes sufficiently high to generate the important effects derived from increased spending on non-farm goods. Emphasizing smallholder agriculture does not, however, necessarily imply that Liberia negates the establishment of plantations. Liberia's longer term priority seems to be with determining how larger, agro-industrial enterprises could work in collaboration with a large number of smallholders working individually or in some type of communal association. This is the current policy of the Ministry of Agriculture, working with enterprises both in rice and cassava.

## 4.2 Opportunities related to ongoing programmes and initiatives

### 4.2.1 Land Governance

The opportunities related to ongoing programs and initiatives mainly include land reform projects funded by the World Bank Group, the United States Agency for International Development (USAID), the European Union (EU), the German Federal Ministry of Economic Cooperation and Development (BMZ), and the United Nations Development Programme (UNDP).

The details of ongoing land governance reform projects currently being implemented by the Liberia Land Authority (LLA) in collaboration with the donor agencies listed above are shown in Table 2 below.

The most significant land governance reform projects that are focused on building the institutional, regulatory and service delivery capacities of the Liberia Land Authority to ensure effective implementation of the Land Rights Act are those funded by the World Bank Group, the United States Agency for International Development, and the United Nations Development Programme.

The most significant land governance reform projects that are focused on building the advocacy capacity of civil society organizations, as well as the capacity of customary communities to self-identify and demarcate customary lands for the purpose of obtaining legal ownership title to their customary lands are the projects funded by the European Union and the German Federal Ministry of Economic Cooperation and Development (BMZ).

Table 4: Ongoing Projects and Initiatives on Land Governance Reform in Liberia

No.	Intervention	Project Development Objective	Project Components	Donor	Implementer	Approximate Funding	Duration
1.	Liberia Land Administration Project	<p>a) Support the operationalization of the Liberia Land Authority.</p> <p>b) Inform the development of a new land administration system.</p>	<p>Component 1: Support to the Liberia Land Authority</p> <p>Component 2: Support inventory and analysis of tribal land certificates</p> <p>Component 3: Support options for land administration</p> <p>Component 4: Project Coordination, Monitoring and Evaluation</p>	World Bank Group	Liberia Land Authority (LLA)	US\$5,000,000	September 28, 2018 to October 31, 2022
2.	Land Governance Support Activity (LGSA)	<p>a) Strengthen policy, legal and regulatory framework for land governance</p> <p>b) Improve functionality of GOL land governance institutions</p> <p>c) Strengthen protection of customary land rights</p> <p>d) Strengthen stakeholder engagement in land governance</p>	<ul style="list-style-type: none"> <li>• Supports the establishment of more effective land governance systems.</li> <li>• Strengthening of land governance human and institutional capacity</li> <li>• Development of a customary land rights recognition model based on the Land Rights Policy that can be scaled up</li> <li>• Support of stakeholder engagement in land governance</li> </ul>	United States Government (USG) through the United States Agency for International Development (USAID)	Liberia Land Authority (LLA)	US\$15,570,000	2015 to 2020

			through communications and outreach and strengthening of local capacity through the provision of land sector services.				
3.	Land Rights in Liberia: equitable access to land for the poor and marginalized in Nimba, Lofa, Bong and Margibi counties	<p>The project focused on advocacy efforts to encourage the passing of the Land Rights Act, through awareness raising at national, county and community level, and by improving the advocacy and organisational capacities of Civil Society Organisations (CSOs) at different levels, with a special focus on the CSO Working Group on Land Rights.</p> <p>Once the law was passed, the project, in collaboration with the Liberian Land Authority, shifted support for communities to self-identify and manage their customary lands, and provides legal assistance where needed.</p> <p>Stakeholders at different levels are being linked to ensure the documentation of challenges and lessons learnt in the execution of the Land Rights Act in Liberia.</p>	<ul style="list-style-type: none"> <li>• Advocacy for passage of the Land Rights Act, through the CSO Working Group on Land Rights.</li> <li>• Collaboration with the Liberian Land Authority to support communities to self-identify and manage their customary lands.</li> <li>• Linkage of stakeholders at different levels to ensure the documentation of challenges and lessons learnt in the execution of the Land Rights Act.</li> </ul>	European Union (EU)	Catholic Agency For Overseas Development (CAFOD)	1,000,000 Euro	January 2017 to January 2020

4.	Land Rights for Liberia: Civil society action on land rights to stabilize Liberian democracy (in Montserrado, Bomi, River Gee, Grand Gedeh, Maryland and Sinoe Counties)	The project focused on advocacy efforts to encourage the passing of the Land Rights Act, through awareness raising at national, county and community level and by improving the advocacy and organisational capacities of Civil Society Organisations (CSOs) at different levels, with a special focus on the CSO Working Group on Land Rights; in collaboration with the Liberian Land Authority, provide support for communities to self-identify and manage their customary lands; and link stakeholders at different levels to ensure the documentation of challenges and lessons learnt in the execution of the Land Rights Act in Liberia.	<ul style="list-style-type: none"> <li>a) Advocacy for passage of the Land Rights Act, through the CSO Working Group on Land Rights.</li> <li>b) Collaboration with the Liberian Land Authority to support communities to self-identify and manage their customary lands.</li> <li>c) Linkage of stakeholders at different levels to ensure the documentation of challenges and lessons learnt in the execution of the Land Rights Act.</li> </ul>	European Union (EU)	DEUTSCHE WELTHUNGERHILFE EV	1,000,000 Euro	January 2017 - January 2019
5.	Land Rights for Liberia: Supporting communities self-determination and land rights in Liberia	The project focused on advocacy efforts to encourage the passing of the Land Rights Act, through awareness raising at national, county and community level and by improving the advocacy and organisational capacities of Civil Society Organisations (CSOs) at different levels,			Sustainable Development Institute (SDI)	957,750 Euro	January 2017 - January 2020

		with a special focus on the CSO Working Group on Land Rights. Once the law passes, the project, in collaboration with the Liberian Land Authority will support communities to self-identify and manage their land and provide legal assistance where needed. Stakeholders at different levels shall be linked to ensure the documentation of challenges and lessons learnt in the execution of the Land Rights Act in Liberia.					
<b>6.</b>	Land for Life Initiative	The project focuses on capacity-building for civil society actors in multi-player processes (MAP).	<ul style="list-style-type: none"> <li>• Advocacy training for the CSOs Working Group on Land Rights</li> <li>• Systematic training on MAP</li> <li>• Formation of new MAP and/or strengthening of existing MAP on land rights and responsible agricultural investments</li> </ul>	German Federal Ministry of Economic Cooperation and Development (BMZ)	Welthungerhilfe (WHH) & Rights and Rice Foundation (RRF)	1,268,650 Euro	Apr 2017-Dec 2019
<b>7.</b>	National Land Information System (NLIS)	Liberia Land Authority (LLA) has created a new Survey Division	Capacity building for surveying of lands in Liberia	United Nations Development Programme (UNDP)	Liberia Land Authority (LLA)	US\$89,747.40	April 3, 2018

## 4.2.2 Food Security and Responsible Agricultural Investments

The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) sets out internationally-accepted principles and standards for responsible practices, providing a framework for governments, the private sector and civil society to use when developing policies and programmes for improving food security (FAO, 2014).

Liberia started the implementation process of the VGGT with two multi-stakeholder workshops in June 2014 and October 2015. Led by the government, in particular the Ministry of Agriculture, these workshops were primarily targeting Government Ministries and Agencies, CSOs and the private sector. The civil society participation was organized through the National Civil Council of Liberia, specifically the Land Rights Working Group made up of 18 CSOs.

FAO worked together with civil society to implement this project in Liberia in order to capitalize on these ongoing efforts for VGGT implementation and reinforce the capacities of CSOs and grassroots organizations to participate meaningfully in these multi-stakeholder dialogues, working groups and forums relevant to the implementation of the VGGT at country level.

Following are some of the opportunities that have accrued from multi stakeholder partnerships in Liberia:

### 1. Collaboration

The activities of the project have been closely linked to other VGGT initiatives (both directly and indirectly connected) taking place in the country. In close coordination with the VGGT Secretariat and the Liberia Land Authority (LLA), in the organization of four regional awareness-raising workshops (Gbarpolu, Grand Gape Mount, Grand Bassa and Rivercess counties) and a national radio sensitization campaign on the implementation of the VGGT and in support of the passage of the Land Rights Act.

### 2. Strengthening CSO networks

The Training of Trainers workshop helped to create a link with the USAID-funded Land Governance Support Activity (LGSA) in particular in support of the ongoing discussions for the passage of the Land Rights Act. They thereby became aware of the CSO Working Group on Land Rights and the basis for an increased collaboration between donors and CSOs was established.

### 3. Links to national policies

The activities of this project contributed to strengthening the capacities of CSOs to engage in the national multi stakeholder process. The participation in the multi stake holder platform, as well as the many informational campaigns undertaken (e.g. radio campaigns), in particular in relation to the passage of the draft Land Rights Act, demonstrates the

importance of disseminating information and increasing awareness and capacities of local actors in order to effectively engage in the national processes.

#### 4. National Bureau of Concessions (NBC)

In continuation of efforts aimed at promoting peace and preventing conflict in concession affected communities across Liberia, the National Bureau of Concessions (NBC) with support from the United Nations Development Programme (UNDP), has established a Multi Stakeholders Platform (MSP) in Grand Kru County. Citizens of affected communities in concession areas in the county, comprising youth, women, chiefs, and representatives of Civil Society Organizations, on Tuesday, June 26, 2018 established the “Concession Communities Development and Advocacy Committee” (CoCoDAC) to help promote, maintain and enhance peace in their communities and the county at large (UNDP, 2018).

#### 5. Sustainable Trade Initiative Multi Stakeholder Platform

IDH aims to support Sime Darby, the Liberian government, and the local communities to protect the High Carbon Value (HCV) forests and develop out-grower oil palm models that improve community livelihoods. The IDH and the Government of Liberia and Sime Darby are collaborating to develop inclusive community out-grower schemes with benefits-sharing structures for communities, and tying these to forest protection. IDH’s role includes, but is not limited to, the following:

- Co-develop the community oil palm out grower model with strong production, protection and inclusion elements.
- Build a national-level multi stakeholder coalition made up of the relevant public, private and civil society actors that will support the program.
- Attract funding from PPI Fund and development finance institutions, contract implementing partners

#### 6. CSO Working Group on Land Rights

The Civil Society Organizations Working Group on Land Rights in Liberia is a group of over 30 Civil Society Organizations dedicated to working for community land rights in Liberia, has presented to the general public some of the major consensus reached in the proposed revised 2018 land rights bill, which addresses the disparities that the CSOs highlighted in the 2017 Land Rights Bill.

This working group collaborated with the Liberian Senate through a series of working sessions to address some of the challenges within the 2017 bill, before it was passed and was very instrumental in its passage. This working group in its revised land rights bill highlighted tribal certificate, public land, and protected land amongst other things, to be addressed before the passage of the law by the Liberian Senate.



### 4.3 Priorities and Thematic Areas

There were several thematic areas arising out of the validation workshop of the Country Assessment Report. The questions, concerns, and recommendations from these thematic group sessions are presented below:

#### Group 1: Protection of Customary Land Rights

Issues on the thematic topic:

During the workshop, it was agreed that there needs to be a clear message on the three types of land tenure systems. There was also an issue about the initial processes of the implementation of the Land Rights Act. For example, the demarcation of customary land and the validation of tribal certificates.

Recommendations:

- Additional research focusing on gender is critical
- Land Actors and donors should support communities to acquire title to their customary land
- Land Rights awareness is needed
- Group one recommended that Customary land needs to be demarcated before validating tribal certificate

#### Group 2: Protection of Women's Land Rights

Key issues in the thematic topic:

- i. Communities lack the awareness and understanding of the LRA and there is need for massive and clear awareness by CSOs and other actors.
- ii. Local traditional and cultural practices will be a serious challenge for the implementation because bending culture for any reason is already a problem. One example is the issue of women's participation in decision making with regards to land and the effects of laws or the lack of laws that positively affect women.

Recommendations:

- Massive awareness with local communities on the new law so that community is knowledgeable about their rights.
- All land rights actors should conduct training workshop sessions on the new land rights law
- All Land rights actors should ensure community total involvement in land processes to avoid exclusion of certain groups, genders or tribes.
- To get the continuous inputs and commitment from the group, stakeholders have decided to meet on a quarterly basis. First meeting is scheduled to be held in Bong

County at the County CSO Working Group office. Financial support from the Rights and Rice Foundation and the WHH will be secured.

### Group 3: Ensuring Responsible Agricultural Investments

Key issues on RAI:

- i. Concession agreements should be revised to align with the New Land Rights Law, and All MOUs should be accompanied by a complete inventory of land accorded in the agreement. Concession award processes should be reviewed and amended, especially the portions that state that government is the owner of all lands and all lands in Liberia are unencumbered.
- ii. Benefit – sharing mechanisms to be revised because the group realized that crop compensation in most concession areas is important and it's posing huge challenges and conflict between affected families and the concessions.
  - Individual beneficiaries (crops)
  - Community and County benefits should have agriculture share
- iii. Communities lack the awareness and understanding of the LRA and there is need for massive and clear awareness by CSOs and other actors.
- iv. Local traditional and cultural practices will be a serious challenge for the implementation because bending culture for any reason is already a problem

Recommendations:

- Carbon Rights be included in LRA or have a new regulation
- Regular quarterly meetings for reviews of recommendations and suggestions
- Follow-up to be made on investment promotion guide
- The issue of land ownership by women should be highlighted

## 5. Final recommendations and way forward

Collaboration between government actors and CSOs largely contributed to the passage of the Land Rights Act into law. There is now an urgent need to pool the different resources, i.e., CSOs outreach capacity, LRA's leadership, donors' financial capacity for effective implementation of the Land Rights Act to ensure the protection of legitimate land rights, particularly customary land rights, to security food security for customary communities, whilst at the same time profiting from private sector interest to invest in agricultural responsibly in order to contribute to the improvement of local livelihoods, and create sustainable streams of government revenues through sustainable economic growth and development.

Ongoing discussions between the LLA and CSOs to establish the National Land Sector Working Group coordination mechanism involving key actors, led by the LLA, should exert deliberate efforts to include representatives of the private sector.

Following are specific recommendations for consideration:

1. Facilitate formation of a MAP forum involving all MSPs currently engaged in land governance reform processes, including existing MSPs – CSOs Working Group on Land Rights, NBC’s MSP, VGGT MSP, IDH MSP, CSOs Oil Palm Working Group, NGO Coalition for Natural Resource Management, etc. for sharing of knowledge, best practices and experience, as well as working together collaboratively to effectively and efficiently implement the Land Rights Act.
2. MAP, when formed and launched, should adopt the LRA Implementation Strategy of the LLA as roadmap for implementation of the LRA, since indeed the CSOs Working Group on Land Rights and other civil society organization are currently actively participating in its preparation.
3. Concerted efforts must be made by WHH to ensure broad-based consultation with and involvement of all relevant land sector stakeholders every step of the way during the formation of the MAP.
4. Convene stakeholders on the following themes to promote implementation of the LRA:
  - a) Dissemination of the Land Rights Act
  - b) Protection of customary land rights
  - c) Protection of women’s land rights
  - d) Promotion of Responsible Agricultural Investments (RAI)
5. There is a need for a validation of the Roadmap Implementation Strategy of the LLA by all relevant actors. This could be an opportunity for a MAP-supported initiative under the leadership of the LLA.

It is now imperative that a Multi Stakeholder Partnership is formed and strengthened in Liberia to facilitate the implementation of the Land Rights Act.

The MAP, when formed and launched, will enhance collaboration and coordination with the Liberia Land Authority to realize effective and efficient implementation of the Land Rights Act.

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# Appendices