

Liberia

Protection of customary collective community land rights in Liberia (Phase 2)

Legal history

- Hinterland Law of 1949 recognized the Tribes *"rights and title to the land"* and *"give them title to the land and against any person or persons whenever"*.
- By 1956 when the codes were revised, it became *"right of possession"* and *"right to the use"* of the land – subtle but consequential tweaks to the law.
- This situation was further reinforced when the Hinterland Law was omitted from the codes of law revised in 1972/73.
- The Land Rights Law of 2018 has reversed the situation and restored customary collective community land rights.

Social mobilization

- The sudden surge in large-scale land allocation to corporations in 2009 and 2010 triggered an increase in land-related conflicts between communities and the oil palm companies;
- Communities began aggressively asserting their rights over their customary land using the Roundtable on Sustainable Palm Oil and other processes;
- In almost all instances, the RSPO upheld these complaints - drastically slowing down oil palm plantation development; and
- This strengthened CSOs calls for formal recognition and legal protection of customary land rights.

Opportunity

- The Land Rights Policy of 2013 recommended formal recognition and legal protection of customary land rights – sowing the seeds for a progressive land rights law;
- The Liberia Land Authority's desire to test the concepts of self-identification while the law was still being developed, presented an opportunity just as the Tenure Facility was being launched; and
- As the Land Rights bill stalled in the legislature CSOs and the Land Authority began exploring alternate pathways for customary land rights formalization – this project was a response to that opportunity.

From 01 January 2019

To Ongoing

Budget

US\$1,999,704



Proponent

Foundation for Community Initiatives (FCI)

Partners

Parley Liberia

Sustainable Development Institute (SDI)

Liberia Land Authority



Objectives

- 24 communities have implemented the Liberia Land Authority approved process for customary collective community land rights recognition.
- A body of lessons learned from project implementation is available to wider civil society, stakeholders at local and national levels and donors.

Activities

- Facilitating 24 communities to complete the process for customary collective community land rights recognition;
- Supporting the target communities to establish land governance bodies and to develop by-laws/ constitutions to govern and manage their land;
- Training more civil society organizations, community animators, and individual practitioners on how to support communities to go through the process for customary collective community land rights recognition; and
- Organizing and delivering learning and experience sharing events for civil society and individual practitioners, communities, donors and government.

Results

- An estimated 500,000 hectares of customary collective community land formalized using the Land Rights Law;
- The land rights of women, youth and other groups that traditionally face social exclusion or marginalization is enshrined in their respective community by-laws/ constitutions; and
- Documented lessons learnt, highlighting key challenges and opportunities that should be leveraged during the implementation of customary collective community land rights recognition.



Community meetings, Grand Bassa.



Project areas

- Bong County
- Grand Bassa County
- Lofa County
- Nimba County
- River Cess County
- River Gee County
- Sinoe County

Achievements

- Process underway in 24 communities to title approximately 500,000 hectares as collectively-owned;
- An estimated 100,000 people in 24,000 households benefiting from the project; and
- Pioneering implementation of the Land Rights Law of 2018.

Capacity building

- Training on customary land rights recognition facilitated for 50 persons including staff of project partners, community mobilizers, staff of the Liberia Land Authority, and staff from other civil society organizations; and
- Developing a curriculum on customary land rights recognition for NGOs, community mobilizers, and independent practitioners.

Effects

- Strong collaboration between project partners and the LLA on implementation of the law; and
- Project partners using their learning from the field to inform their contribution to the development of regulations.



Community meetings, Sinoe 2019.

