



# LIBERIA LAND RIGHTS ACT IMPLEMENTATION STRATEGY



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# TABLE OF CONTENTS

- ACRONYMS AND ABBREVIATIONS..... IV**
- INTRODUCTION ..... I**
- 1.0 METHODOLOGY ..... 3**
- TABLE I: SUMMARY OF ACTIVITIES STIPULATED IN THE LAND RIGHTS ACT ..... 3
- 2.0 IMPLEMENTATION STRATEGY ..... 5**
- 2.1 PUBLIC AWARENESS AND OUTREACH .....7
- 2.2 INSTITUTION CAPACITY BUILDING ..... 8
  - 2.2.1 LIBERIA LAND AUTHORITY .....8
  - 2.2.2 COUNTY LAND OFFICES..... 9
  - 2.2.3 COUNTY LAND BOARDS..... 9
- 2.3 COMMUNITY LAND RIGHTS..... 9
- 2.4 TRIBAL CERTIFICATES..... 11
  - 2.4.1 DRAFT PROCEDURES FOR THE CONVERSION OF TRIBAL CERTIFICATES INTO STATUTORY DEEDS..... 11
- 2.5 PUBLIC AND GOVERNMENT LAND..... 14
  - 2.5.1 INVENTORY OF GOVERNMENT LAND ..... 15
  - 2.5.2 INVENTORY OF PUBLIC LAND..... 15
- 2.6 LAND ADMINISTRATION AND MANAGEMENT ..... 16
- 2.7 CONCLUSION..... 17
- ANNEX A: SUMMARY OF ACTIVITIES STIPULATED IN THE LAND RIGHTS ACT ..... 18**
- ANNEX B: IMPLEMENTATION SCHEDULE..... 27**
- ANNEX C: REFERENCED DOCUMENTS ..... 30**

## **ACRONYMS AND ABBREVIATIONS**

ADR	Alternative Dispute Resolution
CLB	County Land Board
CLDMC	Community Land Development and Management Committee
CNDRA	Center for National Documents and Records Agency
COP	Chief of Party
CSO	Civil Society Organization
DCOP	Deputy Chief of Party
DLSC	Department of Lands, Survey and Cartography
FAQ	Frequently Asked Questions
GOL	Government of Liberia
LGSA	Land Governance Support Activity
LLA	Liberia Land Authority
LRA	Land Rights Act
MIA	Ministry of Internal Affairs
NGO	Nongovernmental Organization
SDI	Sustainable Development Institute
STARR	Strengthening Tenure and Resource Rights
TC	Tribal Certificate
USAID	United States Agency for International Development

# INTRODUCTION

On October 10, 2018, the Government of Liberia published the Land Rights Act (LRA), thus making the Act to become effective. The enactment of this law by the Legislature and its subsequent approval by the President on September 19, 2018, was a fundamental step in the land reform process begun in 2009 with the creation of the Land Commission.

As provided in the Land Commission Act of 2009, “The general mandate and purpose of that Commission was to propose, advocate, and coordinate reforms of land policy, laws and programs in Liberia. Its objectives in policy and law reform shall be to promote: equitable and productive access to the nation’s land, both public and private; security of tenure in land and the rule of law with respect to land holding and dealings in land; effective land administration and management; and investment in and development of the nation’s land resources. The mandate of the Commission shall extend to all land and land based natural resources, including both urban and rural land, private and public land, and land devoted to residential, agricultural, industrial, commercial, forestry, conservation and any other purposes.”

Since its inception, the Commission carried out extensive work on the review of existing legislation and policy, analyses of land disputes and dispute resolution mechanisms, comparative country experiences, and public consultations to formulate a practical and pragmatic land reform agenda for Liberia. This work has led to the restructuring of the land administration and management institutional framework through the creation of the Liberia Land Authority (LLA), the development of a National Land Rights Policy, which has been formalized into the just published Land Rights Act, the creation of Guidelines and Procedures for the Sale of Public Land, a Land Administration Policy, and the draft Alternative Land Dispute Resolution Policy.

These actions have fundamentally changed the tenure dynamics in Liberia. The LRA will have the most profound impact on the lives of all Liberians, but most importantly those in rural areas who now have security of tenure, which had been denied to them for so long. The security of tenure of customary land owners will be guaranteed and effective after land registration and issuance of land titles. However, there is a great deal of work related to achieving the full benefits of this law.

This strategy for the implementation of the LRA is the first step in the process of achieving this aim. The greatest challenge ahead lies in managing expectations on how long this process will take and the effort and resources needed to lead to a successful implementation of the law.

In developing the implementation program and action plan, the following needs to occur:

1. Asses the capacity of LLA (human, systems and structures) in place for implementation of the LRA.
2. Assess the financial, institutional and personnel requirements for implementation.
3. Determine who leads implementation within the LLA. Does the LLA set up a specific unit to spearhead and coordinate the implementation process or strengthen the capacity of the Department of Policy and Planning to lead this?
4. Define roles and responsibilities of other government agencies, civil society, private sector, development partners/donors in the implementation process.
5. Identify institutional stakeholders at both the national and local levels for buy-in, e.g. who are the stakeholders that need to be engaged?

6. Establish a monitoring, evaluation, and learning framework for implementation.

This document presents a broad strategy framework for achieving this goal. Most importantly it must be viewed as a work in progress—the first attempt to conceptualize and delineate the enormity of the task ahead.

The report is presented in four components: first, a summary of the methodology used to develop the plan; second, the plan narrative laying out the components to be addressed in the plan implementation; third, a matrix identifying all of the components of the Land Rights Act to be addressed during its implementation, including issues involved, constraints to be encountered during implementation, various options to be considered, and notes of concern; and fourth, a proposed implementation timetable which delineates activities to take place between the promulgation of the Act (October 2018) and December 2020. Annex 3 lists referenced or supporting documents for each of the six of the seven components of the plan, which include reports, guidelines, and document of work already undertaken by the Land Commission, Land Authority, USAID funded Land Governance Support Activity (LGSA), the Tenure Facility, etc., which have provided knowledge and experience for this work and from which procedures may be derived.

# 1.0 METHODOLOGY

The development of a strategy for the implementation of the Land Rights Act took a three-pronged approach.

First, work began with a detailed review of the Land Rights Act with the objective of identifying the components of the Act which would form the structure of the implementation strategy (Table 1). These were broken into three broad categories for incorporation into an implementation strategy.

1. Articles that had a specific time constraint, e.g. Article 11 which indicates “a confirmatory survey of customary land will commence within 24 months of the passage of the Act.”
2. Articles that indicate something needed to be done, but for which no specific timeline was indicated, e.g. Articles 34 “communities need to define their memberships” and Article 35; “communities need to create an organization.”
3. Articles that stipulate the development of specific regulations, e.g. Article 36 regulations for Community Land Development and Management Committees need to be developed, or those articles that imply the development of administrative procedures to address specific issues related to land administration or management, e.g. Article 24 which deal with abandonment.

A matrix was then created delineating all provisions of the Act, separated into these three categories, with reference to the specific articles of the Act (Annex B).

Reference to each of these actions in the Act was supplemented by the specific issue involved, with identified constraints to implementation and possible options for moving forward. This matrix is included in Annex A.

Many of the provisions of the Act have long been anticipated, based on the provisions of the Land Rights Policy, and a focus of activity of the former Land Commission and Interim Land Task Force as well as the Land Authority since its inception. There is a great deal of experience related to the components of the Act (e.g. tribal certificate inventories, public consultations for the Land Rights Policy and Criminal Conveyancing Law, Land Authority Act, and community self-identification) for which there are reports, procedures, manuals, and other documents relevant to this implementation strategy being considered. This strategy needs to be cognizant of this information and build upon it rather than starting anew. Where available these have been reviewed, and incorporated into the design of this implementation strategy. Documents of this nature that were available have been identified in Annex C. Further work, such as field trials of tools, processes and procedures will need to be done by the Land Authority to assemble additional relevant experiences to aid in the implementation of this strategy.

There are also ongoing activities, principally funded through USAID and World Bank, dealing with issues related to public consultation, institution building, and community self-governance and land management that need to be incorporated into the implementation strategy. These activities will continue to be implemented and will also continue to provide further information and experience to allow the implementation of a comprehensive strategy.

**TABLE 1: SUMMARY OF ACTIVITIES STIPULATED IN THE LAND RIGHTS ACT**

ACT REFERENCE	ACTION
Article 4/1	Define rights and obligations related to tenure categories
Article 7/4	Reclassification between tenure categories



ACT REFERENCE	ACTION
Article 8/2	Recovery of land from non-citizen missionary societies
Article 9/4	Proof of ownership of customary land
Articles 11/2 & 37/2	Registration of customary land
Articles 11/4 & 37/2	Confirmatory Survey of customary land
Article 12	Land use regulations
Article 20/1	Sale of public land
Article 20/2	Sale of government land
Article 21/3	Purchase of customary land
Article 22	Adverse possession
Article 24/4	Abandonment
Article 32/4	Review of deeds on customary land
Article 34/1	Community define boundaries
Article 34/2	Community define membership
Article 35	Community organization
Article 35/1b	Establishment of Community Land Development and Management Committee
Article 36/12	CLDMC regulations
Article 37	Demarcation of customary land
Article 37/6 & 7	Boundary harmonization
Article 38	Categories of customary land
Articles 38-45	Designation of land use of customary land
Article 40/3	Leasing of community land for agricultural development
Article 42/5 & 6	Protected areas in community land
Article 47/1	Inventory of tribal certificates
Article 47/1	Conversion of tribal certificate to deeds
Article 47/2	Inspection of tribal certificated land to assess developments
Article 49/2	Transfer of ownership of residential customary land
Article 49/4	Leasing of customary land
Article 52/3	Inventory of government land
Article 52/5	Inventory of public land
Article 53	Acquisition of government land
Article 54	Eminent domain
Article 55	Sale and transfer of government land
Article 56	Acquisition of public land
Article 57	Sale and transfer of public land
Article 68/2	Mortgage of customary land



## 2.0 IMPLEMENTATION STRATEGY

The implementation strategy developed follows a three-pronged approach: broad high priority activities, specific Land Rights Act provision activities, and lower priority or peripheral activities. This proposed strategy is drawn from consultation with the Land Authority, civil society organization (CSO) and non-governmental organization (NGO) community, and international development partners including LGSA, World Bank and UN agencies. The highest priority activities focus on two broad areas, public awareness and institution/capacity building. Specific land rights activities focus on the implementation of the provisions of the Land Rights Act with awareness of ongoing Land Authority activities supported by the LGSA and World Bank projects. These are prioritized accordingly. Lower priority or peripheral activities are considered but will require less emphasis than the first two.

Further, the LLA has developed a draft Implementation and Coordination Framework for the implementation of the Land Rights. The implementation and coordination framework will involve among others: 1) Establishment of a number of interconnected structures responsible for oversight and guidance and technical issues such as developing work plans and roadmaps; 2) defining the roles of: LLA's County Offices and the County Land Boards, Land Donor Partners, Civil Society, Communities, Private Sector, etc.; 3) Financing the Implementation Plan and Resource Mobilization; and 4) Establishment of M & E Frameworks.

### **Proposed Institutional Arrangements**

The implementation of the LRA hinges on appropriate governance and management arrangements, some of which will soon be in place like the National Consultative Forum. The arrangements seek among others, to ensure continued focus, commitment, coordination and accountability of efforts, resources, and outputs.

#### **1. Office of the President of Liberia/Cabinet**

The Land Rights Act, when implemented will provide secure land tenure to Liberians, especially those in the local and rural communities. Security of tenure minimizes land disputes and conflicts which is critical to maintaining the peace and stability of the nation, and hence the President of Liberia is expected to provide the global oversight as Head of State and Government. The President will undertake this function through interaction with elements within and under the institutional arrangement, and will accordingly brief and consult the cabinet on a regular basis on the implementation of the LRA. The show of political will by the President in approving the Land Rights Act and ensuring its publication on October 10, 2018, must continue with the implementation of the Act. The President will be briefed by the Board of Commissioners to take on this very important role.

#### **2. National Consultative Forum (NCF)**

The President will be informed by the Board of Commissioners to appoint members of this important forum, as provided in the LLA Act of 2016. The NCF, which will be composed of members with practical experience in land matters, will discuss the affairs of the LLA, in particular advancing recommendations for the implementation of the LRA.

#### **3. Inter-Government Agency Committee**

Even though Article 71 of the LRA grants the LLA the authority to promulgate regulations for the implementation of the LRA, the Land Authority alone cannot ensure the implementation of the Land Rights Act. A number of GoL agencies and ministries will be called upon to lend support to the process, such as the Ministries of Internal Affairs, Agriculture, Mines and Energy, Finance and Development Planning (MFDP), the Forestry Development Authority, among others. For example, while some institutions will focus more on the technical aspects of implementation, others, according to the WB Legal Analysis Report, will focus on “ how to harmonize the LRA with key laws, such as the Community Rights Laws, the Forestry reform law, the Gender and Development Act of 2001. Pilot strong and transparent intra-agency coordination mechanisms with the FDA to ensure compliance with the LRA as well as with pertinent sectoral laws and regulations such as the Community Land Rights Law, with the aim of designating and managing protected areas in a transparent and participatory manner, and also the Local Government Act whose provisions dealing with land and property rights need to be identified and harmonized with the LRA”. The MFDP could coordinate the mobilization of external resources for the LRA implementation.

#### **4. Liberia Land Authority**

- Steering Committee

The LLA will soon determine specific responsibilities and composition, but generally it will provide oversight and guidance for LRA implementation and monitoring.

- LLA Inter-Departmental Technical Committees

Composed of relevant commissioners and key technical staff drawn from relevant departments, the following technical committees have been established:

- Tribal Certificate Technical Committee
- Confirmatory Survey Technical Committee
- Public Awareness/Public Information Technical Committee
- Capacity Building Technical Committee
- Others TBD

The Technical Committees (TCs) **will be responsible to develop different work plan (s) and road map (s)** for priority activities agreed and identified in the LGSA supported LLA Implementation Strategy and the WB financed Land Rights Act (LRA) Legal Analysis Report. For example, the TC on Public Awareness will focus on the development of work plans and road maps for awareness and education on the LRA. The activities related to awareness, such as for example, the development of key messages will then form part of the work plan with estimated cost. The TC on Capacity Building will do likewise. As you are aware, capacity building will be required at all levels: political, LLA, county, and community. Education and training will be needed in the areas of land administration and management at different levels to create the critical central and local capacity to implement the law, as well as building the capacities of communities through training in the areas of community engagement, basic skills in surveying, participatory mapping, GPS technology, land registration, dispute resolution processes, to enable them fully participate in the implementation process. The work plan (s) and roadmaps developed by each of the TCs will provide concrete and actionable next steps for implementation of the LRA and later linked to form a holistic roadmap;

#### **5. Defining the roles of other stakeholders in the LRA implementation process**

The roles of key institutional stakeholders, such as civil society organizations and development partners in the LRA implementation process will be defined against the backdrop of the significant roles they played in the development of the Land Rights Policy (2013) and support provided for the passage of the Land Rights Act (2018). Also to be defined are the roles and responsibilities of LLA's county offices, some of whom are expected to be established shortly, as well as county land boards, and communities.

An implementation timetable is proposed reflecting these priorities. Year one focus will be principally on public awareness, institution/capacity building, and development of regulations for the time bound requirements of the LRA. However, considerable effort needs to be undertaken in year one to prepare and adopt the enabling regulations needed to implement year two activities. The enabling regulations will include -but not limited to – land surveyors' regulations, land survey regulations, regulations for customary land development and management committees, customary land registration regulations and customary land transfer regulations. The LLA will also develop and issue model by-laws framework for customary land development and management. The LLA will also provide capacity building to public and private surveyors and other land administration and management staff. Moreover, the LLA in partnership with its development partners will provide training to community leaders on matters relating to formalization of customary land claims including community-based boundary demarcation. The training will aim at achieving efficiency and equity during the process of implementing the LRA. Year two will then be able to move on the implementation of specific components of the Land Rights Act, specifically those associated with community land governance and the tribal certificates. Consideration should be given to ongoing activities related to these components that will continue during year one. Thus, while the year one activities focus on public awareness and institutional development work, and the development of enabling regulations, ongoing work on community governance issues, tribal certificates, etc. will continue and feed into the development of the broader year two activities in these areas. This implementation timetable is attached as Annex B.

## **2.1 PUBLIC AWARENESS AND OUTREACH**

The Land Rights Act fundamentally changes the entire land tenure and land rights regime in Liberia. Previously all land was classified as private, that which had been deeded, or public, leaving the government control over most of the land in the country. The Land Rights Act has altered this, creating four basic tenure categories, specifically recognizing customary tenure, albeit without documentary evidence, government land, recognizing government as a land holder, private land, as previously denoted, and the residual, as public land, that which is not allocated to one of the other three tenure categories. This change will be explained to the public during the forthcoming extensive public awareness and public consultation exercise.

The public outreach activities will focus on sensitizing relevant communities on their rights and duties as provided by the LRA. The public outreach activities also will emphasize on active and meaningful community participation in implementing the LRA. In this regard, the effort needs to begin with developing a public outreach strategy, basic messages and fact sheet that can be used by all involved in the interest of conveying coherent messages that will facilitate effective and timely implementation of the law. The messages will be informed by the provisions of the law as well as ground level lessons that have been learnt from previous consultation programs on the Land Rights Policy, Tribal Certificates, and alternative dispute resolution (ADR), LGSA's engagement with the Land Authority on its information campaign on the Authority itself, the Criminal Conveyancing Law, and community self-governance, and the work of LGSA and the Tenure Facility on recognition of community land rights.

The LLA will convene a workshop to bring relevant development partners and civil society organizations who will participate in the forthcoming outreach activities together to coordinate a comprehensive

public awareness campaign. The main purpose of the workshop will be to delineate the components of the public awareness campaign and to discuss about messages, institutional capacity human resource, and budget support. That workshop should focus on the two broad objectives of the campaign. The first is to clearly spell out the components of the Land Rights Act, its implications, the changing tenure relationships, issues surrounding customary tenure, including community self-identification, self-governance, land use management, the Community Land Development and Management Committees, boundary delineation and harmonization, tribal certificates, etc. The second objective should be a frank discussion to solicit community input on how to implement the components of the law, including on the use of local capacity in the implementation process and development of community land development and management bylaws.

In accordance with the general LLA communication strategy, the consultation exercise on public outreach should consider the following five broad components:

1. Outreach methodology: identification of critical/sensitive issues; consistency of the message; development of a Frequently Asked Questions (FAQ) booklet; use of media, radio, etc.; use of focus group discussions, etc.;
2. Outreach objectives: awareness building on provisions of the LRA; awareness building on rights and obligations associated with LRA provisions; implications of decisions made by the community in the short, medium, and long term; feedback on implementation strategies, etc.;
3. Outreach level: county, district, clan or some combination thereof; resource constraints, supervision/monitoring constraints, etc.;
4. Outreach materials: publicity posters, stickers, reprints of legislation, reprints of selected components of legislation, translations into vernacular, study guides, etc.; and
5. Institutional support: direct role of LLA, County Land Offices, County Land Boards, Community Land Development and Management Committees, NGO/CSOs, development partners, etc.

The principal goal of the workshop will be to reach a consensus of all participants of the workshop on the approach to be used for public awareness, a singularity or consistency of the message to be conveyed, the assignment of roles and allocation of responsibilities, and a development of a realistic implementation timetable. The LLA will coordinate all outreach activities that will be conducted by relevant stakeholders including development partners and civil society organizations.

## **2.2 INSTITUTION CAPACITY BUILDING**

While not specifically addressed in the Land Rights Act, it is critical that a sound administrative and institutional structure is in place for that implementation to take place. The Liberia Land Authority Act calls for the establishment of a decentralized land administration and land management framework, specifically the establishment of County Land Offices and the creation of County Land Boards as well as the Community Land Development and Management Committees. The functions of these bodies are broadly delineated in the Land Authority Act Part VI County Land Governance, Article 42.0 Establishment of County Land Board and Article 45.0 County Land Offices and the Land Rights Act respectively. Given the current capacity of the LLA, the LLA has been considering several practical options to establish adequate physical presence in all 15 counties as required by relevant laws. The LLA will take a step-by-step and methodical approach in the establishment of county land board and offices.

### **2.2.1 LIBERIA LAND AUTHORITY**

The Liberia Land Authority was established by law in October 2016 and became operational in April of 2017. Since that time it has been going through a transitional phase as it establishes itself and as the various separate government institutions (e.g. the Deeds Registry at Center for National Documents and Records Agency [CNDRA], the Department of Lands, Surveys and Cartography [DLSC] from the former Ministry of Lands, Mines and Energy [MLME], County Land Commissioners from the Ministry of Internal Affairs [MIA], etc.) are consolidated into a single unit. This formal transitional phase was completed by end of December 2018 with all staff and functions fully transferred.

The LLA has developed and adopted a five-year Strategic Plan covering the period 2018-2023. The LLA has also developed policies for human resource, financial management, procurement and logistics, and are also expected to come into force once approved by the Board of Commissioners. Further internal administrative procedures regulations and manuals will be developed as needed. At the same time LGSA is in the process of developing a set of standard operating procedures for the LLA related to the provisions of land administration services to the public (specifically related to transactions in land).

Considerable further effort will need to be made to have the LLA fully operational and this is in part being addressed by the World Bank supported Liberia Land Administration Project. The LLA has recently moved into more spacious facilities that need rehabilitation and upgrading. Further capacity building is needed for the necessary skills and competences, with clear hierarchies established and roles and responsibilities assigned.

### **2.2.2 COUNTY LAND OFFICES**

At present, there are Land Authority staff present at the county level. These include County Surveyors that have been transferred from the former MLME, County Registrars transferred from CNDRA, and former County Land Commissioners, transferred from the MIA. Formal County Land Offices have yet to be established as the LLA goes through its transitional phase though there continues to be support for this process through LGSA and the World Bank supported Liberia Land Administration Project. The roles and functions of these offices are yet to be fully articulated both in terms of their relationship to the LLA as well as that of the county administration. At the same time, there will need to be clarification of their role in assisting with the implementation of the provisions of the Land Rights Act.

### **2.2.3 COUNTY LAND BOARDS**

The County Land Boards are less clear as their mandate appears to be more closely related to public and government land and private land. Their role with respect to customary land is less clear and needs to be clarified as their by-laws are formulated. However, their function is to provide a forum through which residents of the county have a voice and mechanism for participation in the governance of land with a broadly defined role to provide support to the LLA in carrying out its functions and responsibilities as delineated in Section 8 of the Land Authority Act. As with the County Land Offices, their role and function and relationship to the County Land Offices, rural communities, and the LLA needs to be formally spelled out in appropriate by-laws, regulations, and administrative procedures.

## **2.3 COMMUNITY LAND RIGHTS**

Customary land right is the single most important component of the Land Rights Act. For the first time in Liberian history customary tenure has been recognized and customary land holders now have assurance of the same tenure security as those individuals holding fee simple deeds. Five of the nineteen chapters of the law are devoted specifically to customary land while customary land issues are dealt with collectively in numerous other chapters (Chapter 8 Acquisition and Nature of Customary Land, Chapter 9 Identification and Organization of Community, Chapter 10 Demarcation and Categories of Customary

Land, Chapter 11 Deeded Lands and Documented Rights in Customary Land, and Chapter 12 Sales, Lease and Other Transfers of Customary Land).

Considerable work has already been done towards the recognition of customary land rights, based both on the provisions of the Land Rights Policy adopted by the government in 2013 and the provisions of the Land Rights Act. Several pilots were undertaken to begin work in communities to test procedures and processes to lead to the formalization of customary land rights.

Initially this was seen as a five-step process: 1) community self-identification, 2) community self-governance, 3) documenting community lands, 4) mapping/surveying community land, and 5) deeding of community land. Piloting of this process was started by the Land Commission supported by the Tenure Facility in twelve communities in different rural settings in 2016. This work focused on the first step, community self-identification, and a rigorous process for completing this step was developed. The Community Self-Identification Guide provides a detailed step by step process for engaging communities in this first stage. The first step is the creation of a community profile, followed by Step 2, community awareness; Step 3, community defines level of community self-identification; Step 4, identification of community land area; Step 5, declaration of identity as a land-owning community; and Step 6, review and verification of community self-identification process.

This work has continued with LGSA in two directions. First, in continuing the process in four of the tenure facility communities, moving on to the community self-governance phase, and community resource and spatial awareness phase, and second, beginning the community self-identification phase in three communities adjacent to those of the Tenure Facility pilots, using and refining the methodology of those first pilots. Further work has been done by LGSA in the development of a template for the by-laws for the Community Land Development and Management Committees and regulations for community land governance and management. The works that have been done or are ongoing in regard to formalization of customary land will be used to inform the processes of nationwide formalization processes that will be implemented in accordance with the Land Rights Act.

The Land Rights Act has several specific activities with respect to customary land governance that need to be addressed while drawing on the experiences of the pilot activities outlined above. Much of this will be addressed through the development of appropriate regulations dealing with community organization, community self-governance, and community land management. These regulations could be grouped into a) those dealing with community governance structures (Article 34/2: Community Define Membership and Article 35: Community Organization); and b) those dealing with the establishment of the Community Land Development and Management Committees (Article 35/2: Registration of the CLDMC and Article 36/12: CLDMC Regulations). These CLDMC regulations should also address specific land management issues raised by the Act: Article 9/4 Proof of ownership of customary land, Article 32/4: Review of deeds on customary land, Article 11/2: Registration of customary land, Article 49/2: Transfer of ownership of residential customary land, Article 68/2: Mortgage of customary land, Article 49/4: Leasing of customary land and Article 40/3 Leasing of community land for agricultural development, Article 21/3: Purchase of customary land, and Article 42/5&6: Protected areas in community land.

Three articles deal with the mapping of community land: Article 34/1: Community define boundaries, Article 37/6&7: Boundary harmonization, and Articles 11/4 & 37/2: Confirmatory survey. Work has been done by LGSA and its partners SDI and Parley to pilot some of the technologies to be used. LGSA has also developed a Boundary Harmonization Training Manual for training local practitioners for the work that lies ahead.

## 2.4 TRIBAL CERTIFICATES

Article 47 of the Land Rights Act requires that the holder of Tribal Certificates (TC) issued prior to the effective date of the Act ‘finalize and complete all the steps necessary to acquire a Public Land Sale Deed’ within 24 months. It further stipulates that the Liberia Land Authority will assist in this process and that the TC holder is only entitled to 100% of the developed portion of the TC land and that the undeveloped portion will be renegotiated with community. Failure to complete this process will result in the land being returned to the community.

For the past eight years, there has been an effective moratorium on the sale of public land pending the amendment to or repeal of the 1973 Public Land Law. At the time that the initial moratorium was introduced in 2010 the Land Commission developed the Guidelines and Procedures for the Sale of Public Land, hereafter referred to as the ‘Guidelines’ which were subsequently approved by the Cabinet and served as a guide for future public land sales. With the passage of the Land Rights Act and the effective repeal of the 1973 Public Land Law, there is a need to revisit these Guidelines with respect to future sales of public land, but also in respect to the conversion of existing tribal certificates into deeds.

The Guidelines had provided a detailed process through which public land could be converted to private land through sales. It also raised the issue of tribal certificates, as these were often seen as deeds when in reality they were the effective first step in that process of public land sales spelled out in the Guidelines.

Now that the Land Rights Act has been passed, there is a need to address the completion of the process to convert existing tribal certificates into deeds. The procedures outlined in the Guidelines offer guidance on the options for proceeding with the conversion of existing tribal certificates into deeds. Given that no records of tribal certificates exist, the only mechanism to identify the land subject to tribal certificates is to first undertake an inventory of those certificates and a subsequent vetting and verification of the validity of the certificates.

Beginning in 2013, the then Land Commission undertook a series of pilot tribal certificate inventories in Fissebu, Lofa County, Maryland County and Margibi County. This activity was later followed by inventories in four counties (Bong, Bomi, Montserrado, and Grand Cape Mount) supported with SIDA funds. These exercises resulted in a set of data on certificates in those counties. Both exercises have also produced procedures manuals, field manuals, and standard operating procedures for the vetting of tribal certificates. No work has begun in the remaining counties.

### 2.4.1 DRAFT PROCEDURES FOR THE CONVERSION OF TRIBAL CERTIFICATES INTO STATUTORY DEEDS

The procedures for the conversion of certificates into fee simple deeds as outlined below is based on the experiences above and the provisions of the Guidelines. The steps will be slightly different: first, in those counties where the TC inventory vetting and verification has already taken place, or, in the case of Margibi, where the inventory has taken place, but the other steps have not; and secondly, in those counties where the entire process needs to start.

**PROCEDURE FOR INVENTORIED COUNTIES.** The inventory of certificates in Bong, Bomi, Montserrado, and Grand Cape Mount Counties followed a clear process of community outreach, scanning of the certificates, followed by a vetting and verification exercise. The vetting and verification process initially reviewed the certificates, classifying them as valid, questionable, or invalid, prior to a verification exercise with the community where a final determination of status was made. Nothing further was done with this information. Given that this exercise took place over three years ago, the



immediate question is whether that status is accepted and the process moves forward or there is a need to revisit the communities and reverify the information.

**Preliminary Work:**

1. Public information campaign. This can be done as part of the overall outreach campaign. However, verifying status with communities will also be preceded by awareness raising sessions.

**Field Work:**

2. Verify status with community. The results of the previous vetting and verification exercise are presented and discussed with the community members including the chiefs, clan chiefs, youth and women's representatives by the TC field team. The purpose of this exercise is to ensure their acceptance of the classification of the TC's, their recognition of the information contained on the certificate.
3. Community elders go with TC holder to identify what is claimed to be the TC land and what are the boundaries of the TC land holding. At this time the community can physically see the land being transferred to the TC holder and at the same time can assess the amount of land which has been developed or not.
4. Community either accepts the amount of land stipulated on the TC or makes an adjustment to the land size based on what is claimed by the TC holder and on what development has taken place.

**Note:** In steps 3 and 4 it is important for the TC holder to identify what they are claiming, not what is stipulated on the TC. For example, if the TC is for 100 acres but the TC holder is only claiming 20, then the community should consider only transferring 20 acres. Similarly, there is a need to clearly state what is to be meant to be development. A definition of 'development' needs to be established based on consultations with the community, County Land Board, and Ministry of Agriculture.

5. Community then certifies TC and sends decision to County Land Board (CLB)

**Review:**

6. TC received by County Land Board, and if acceptable authorizes survey
7. Land is surveyed and survey plan is presented to community for review and final approval. The acreage on the TC is adjusted to reflect the survey. The final documents passed on to CLB.
8. Review by CLB and then pass on to LLA
9. Purchase price is determined
10. LLA issues statutory deed

In Margibi County the exercise only entailed the scanning of the certificates with no vetting or verification of the certificates. Thus, there is a need to vet and verify the certificates that have been scanned and move forward with the process, essentially beginning with step three of the complete process.

**Preliminary Work:**

1. Public information campaign

**Field Work:**

2. Review, vet, and classify certificates as valid, questionable, or invalid. The field team will begin a vetting process, and, based on the information contained on the TC, classifying the TCs presented into three categories (valid, questionable, and invalid)
3. Verify status with community. The results of the vetting exercise are presented and discussed with the community members including the chiefs, clan chiefs, youth and women's representatives by the TC field team. The purpose of this exercise is to ensure their acceptance of the classification of the TC's, their recognition of the information contained on the certificate.
4. Community elders go with TC holder to identify what is claimed to be the TC land and what are the boundaries of the TC land holding. At this time the Community can physically see the land being transferred to the TC holder and at the same time can assess the amount of land which has been developed or not.
5. Community either accepts the amount of land stipulated on the TC or makes an adjustment to the land size based on what is claimed by the TC holder and on what development has taken place.

**Note:** In steps 4 and 5 it is important for the TC holder to identify what he is claiming, not what is stipulated on the TC. For example, if the TC is for 100 acres but the TC holder is only claiming 20, then the community should consider only transferring 20 acres. Similarly, there is a need to clearly state what is to be meant to be development. A definition of 'development' needs to be established based on consultations with the community, County Land Board, and Ministry of Agriculture.

6. Community then certifies TC and sends decision to CLB.

**Review:**

7. TC received by County Land Board, and if acceptable authorizes survey
8. Land is surveyed and survey plan is presented to community for review and final approval. The acreage on the TC is adjusted to reflect the survey. The final documents passed on to CLB
9. Review by CLB and then pass on to LLA
10. Purchase price is determined
11. LLA issues statutory deed

**PROCEDURES FOR NEW COUNTIES.** Based on the previous Land Commission work and the implementation manuals developed for and used in those previous exercises, this procedure should entail a twelve-step process which are broadly presented below:

**Preliminary Work:**

1. Public information campaign

**Field Work:**

2. Collect certificates
  - a. The TC holder's name is recorded;
  - b. The TC is stamped with a unique identification number;
  - c. The TC is scanned and the scanned image file references the unique identification number;

- d. The TC holder is photographed holding the TC and that file also utilizes the unique identification number;
  - e. Both files are entered into a TC database; and
  - f. A receipt is then given to the TC holder.
3. Review, vet, and classify certificates as valid, questionable, or invalid. Immediately following the presentation and scanning of the TCs (step 2 above) the field team will begin a vetting process, and, based on the information contained on the TC, classifying the TCs presented into three categories (valid, questionable, and invalid).
  4. Verify status with community. The results of the vetting exercise are presented and discussed with the community members including the chiefs, clan chiefs, youth and women's representatives by the TC field team. The purpose of this exercise is to ensure their acceptance of the classification of the TC's, their recognition of the information contained on the certificate.
  5. Community elders go with TC holder to identify what is claimed to be the TC land and what are the boundaries of the TC land holding. At this time the Community can physically see the land being transferred to the TC holder and at the same time can assess the amount of land which has been developed or not.
  6. Community either accepts the amount of land stipulated on the TC or makes an adjustment to the land size based on what is claimed by the TC holder and on what development has taken place.

**Note:** In steps 5 and 6 it is important for the TC holder to identify what they are claiming, not what is stipulated on the TC. For example, if the TC is for 100 acres but the TC holder is only claiming 20, then the community should consider only transferring 20 acres. Similarly, there is a need to clearly state what is to be meant to be development. A definition of 'development' needs to be established based on consultations with the community, County Land Board, and Ministry of Agriculture.

7. Community then certifies TC and sends decision to CLB

**Review:**

8. TC received by County Land Board, and if acceptable authorizes survey
9. Land is surveyed and survey plan is presented to community for review and final approval. The acreage on the TC is adjusted to reflect the survey. The final documents passed on to CLB.
10. Review by CLB and then pass on to LLA
11. Purchase price is determined
12. LLA issues statutory deed

**2.5 PUBLIC AND GOVERNMENT LAND**

There are several provisions of the Land Rights Act that specifically address government and public land. These fall under Part Four Government and Public Land, Chapter 13 Acquisition, Sale and Extinction of Government Land and Public Land. Article 52/2 states that "Government Land shall consist of all Lands owned and or used by the Government for its offices or other activities including, but not limited to parastatal bodies, military bases, public roads, public schools and public universities, public health facilities, public libraries and museums, and airports." and Public Land (Article 52/4) ... "is not Private

Land or Customary Land and consists of all Lands held or acquired by the Government through purchase, confiscation, escheat, gift or otherwise, which may or may not presently be used by the Government.”

The Act specifically calls for an inventory of Government Land to commence within 36 months of the effective date of the Act (Article 52/3) and implies that such an inventory of Public Land will be established at some point (Article 53/5). An inventory of government and public land has two broad objectives; first to determine definitively what land the government owns and controls, and secondly to provide a management tool for government for current and future use of that land.

The inventory of government and public land should follow basic steps and can effectively begin immediately.

## 2.5.1 INVENTORY OF GOVERNMENT LAND

**IDENTIFICATION AND ASSESSMENT OF LAND.** LLA requests all government ministries, agencies, and institutions to provide a detailed list of land under their control. The resultant list should provide both a description of the land (location and size) as well as its current use (government buildings, schools, hospitals, etc.). This will permit the LLA to identify the responsible government entity associated with each piece of government land, but also provide the necessary information needed to assess the appropriateness of current use.

**LAND USE AND MANAGEMENT.** Once the land has been identified and the agency responsible indicated, an assessment needs to be made of current use and future needs. Government land that is currently in use and serving its intended purposes should be surveyed and formally deeded to government. However, existing land designated as government land may cover a larger area than is necessary for its current purpose or may include former government office buildings, schools, military installations, agricultural research facilities, etc. that may have been abandoned or remain underutilized. Following this exercise the land should be reassessed to determine if there may be a future need for the land and, if not, considerations need to be made for its disposal.

At the same time a unit within the Land Authority should be established to oversee this effort. The Land Administration Policy adopted by the former Land Commission makes proposals for the institutional framework for the management of government and public land. These proposals need to be revisited and formalized.

## 2.5.2 INVENTORY OF PUBLIC LAND

**IDENTIFICATION AND ASSESSMENT.** Article 54/2 stipulates the need to maintain an inventory of public land. However, until the other three tenure categories are clearly identified and mapped land designated as public land is unclear. Nonetheless, a similar procedure needs to be followed to that of government land, the identification of the land, and assessment of its status, and implications for future needs and use. Of critical concern with public land are issues related to environment which may justify the land remaining classified as public land, for example protected areas, wetlands, beaches, etc.

**LAND USE AND MANAGEMENT.** Historically public land has been made available for sale to those wishing to develop it. These public land sales deeds have resulted in a substantial area of public land being converted into private ownership. In 2010 a moratorium was placed on the sale of public land pending enactment of a new public land law or an amendment to the existing law (at that time). The Land Commission developed a set of guidelines and procedures for the sale of public land which were to come into effect once the moratorium was lifted. With the passage of the Land Rights Act (and the repeal of the 1973 Public Land Law) these guidelines need to be replaced with clear administrative

regulations and procedures for public land. A draft Guidelines and Procedures for the Sale, Leasing, and Other Transfers of Public Land has been prepared by the Land Authority and needs to be finalized and issued.

The LLA has also developed a draft strategy for the use and management of public land.

## **2.6 LAND ADMINISTRATION AND MANAGEMENT**

The Land Rights Act references a number of land administration and management issues that need to be addressed. This process will necessitate a review of the current legal and regulatory framework by the LLA before issuing new guidelines, regulations, and procedures or new legislation if deemed necessary in these sectors. In general, these are not critical issues, but they are areas where sound framework needs to be in place. The issues identified in the LRA are:

**ARTICLE 12: LAND USE REGULATIONS.** Land use regulations cannot be developed in a vacuum. Prior to developing the land use regulations proposed in the law the LLA needs to undertake a thorough inventory and review of existing regulations of each government ministry and agency as well as central and local governments and municipalities, followed by a legal assessment to ensure that all existing laws, policies and regulations concerning land administration are harmonized and streamlined, and that any contradictions in law and policy are eliminated.

Specific actions pertaining to the Land Rights Act should focus on the government and public and customary land and specifically assistance to local communities and the Community Land Development and Management Committees. Guidelines will need to be developed to aid the CLDMC's in the delineation of customary land for different uses and related management.

**ARTICLE 24/4: ABANDONMENT.** No land will be declared 'abandoned' unless it is a result of a special proceeding to do so. This process needs to be clarified in appropriate regulations or procedures to be developed. Who makes the determination of 'occupied', 'development' or 'use'? How does this relate to the provisions of the LRA, the Civil Procedures Law, and other applicable laws?

**ARTICLE 4/1: DEFINE RIGHTS AND OBLIGATIONS RELATED TO TENURE CATEGORIES.** Broadly speaking there is a need to define rights and obligations related to the various tenure categories. While this exercise is reserved for later legislation its concept and understanding should be a component of the public awareness exercise to be undertaken as it pertains to community land, the CLDMC, and customary tenure.

**ARTICLE 7/4: RECLASSIFICATION BETWEEN TENURE CATEGORIES.** Land associated with the four tenure categories stipulated in the LRA (government, public, private, or customary) may be reclassified. Procedures need to be established for this process to take place. What is the justification for the change? What is the process for making the change? What are the implications for the change? How does it impact land ownership, use and management?

**ARTICLE 8/2: RECOVERY OF LAND FROM NON-CITIZEN MISSIONARY, EDUCATIONAL, OR OTHER BENEVOLENT INSTITUTIONS.** Land ownership is restricted to citizens of Liberia with this one exception, as long as the land is used for the purpose acquired. When that is no longer the case the land reverts to the original owner(s). Existing procedures need to be reviewed to determine its current relevance or new procedure need to be developed for this process to take place. A number of issues are likely to arise. How is the land and its use identified and evaluated? What is the process of recovery? What happens to investments made on the land?

**ARTICLE 54: EMINENT DOMAIN.** Article 54 presents the most detailed provision for government to exercise its right of eminent domain. However, there is need for specific legislation to

deal with this complex issue. This legislation should spell out, in addition to those provisions in the LRA, a clear definition of a 'public good', the provisions for publicity, public consultations, and public hearings associated with the process, the negotiation procedures, rights of appeal, etc.

## **2.7 CONCLUSION**

This draft strategy lays out a broad plan for the implementation of the Land Rights Act. The success of this strategy will be dependent on having a clear set of objectives, a realistic set of expectations of the enormity of the task, and the commitment for its success of those involved in its implementation.

This draft presents a broad outline of the provisions of the Land Rights Act, what needs to be addressed, and a suggested prioritization of activities for implementation. Much work is yet to be done on fleshing out the details of this strategy and refining of the calendar for the work which lies ahead. Much work also lies ahead in managing the expectations of all Liberians who will participate in its implementations and reap the benefits of the law's provisions.

# ANNEX A: SUMMARY OF ACTIVITIES STIPULATED IN THE LAND RIGHTS ACT

For guidance in the development of a January 2019-December 2020 implementation plan for the LLA.

Land Authority Act
  Time stipulated in LRA
  Action required by LRA but no time stipulated
  Required regulations or administrative procedures

## Institution Capacity Building

MONTH TO BEGIN IMPLEMENTATION	ACT REF.	ACTION	ISSUES	CONSTRAINTS	OPTIONS	NOTES
Jan-Mar 2019	LLA	Develop Administrative Procedures for LLA	Regulations for human resources, financial management, procurement, logistics, office management, etc.		Development of a comprehensive Business Plan	Regulations developed but awaiting approval before implementation.
Jan-Mar 2019	LLA	Develop Administrative Procedures, Regulations, and by-laws for County Land Offices	Test and revise set of Standard Operating Procedures for basic functions of County Land Offices			
Apr-Jun 2019	LLA	Develop Administrative Procedures, Regulations, and by-laws for County Land Boards				
Apr-Jun 2019	LLA	Establishment of County Land Offices	<ul style="list-style-type: none"> <li>• Formalization and operationalization of existing structures in counties</li> <li>• Coordination between County Offices and County Administrations</li> </ul>	<ul style="list-style-type: none"> <li>• Human resources</li> <li>• Financial resources</li> <li>• Monitoring capacity</li> </ul>	Due to financial constraints, it may be feasible to start on a regional basis	Formalization and operationalization of County Land Offices will facilitate establishment of County Land Boards



MONTH TO BEGIN IMPLEMENTATION	ACT REF.	ACTION	ISSUES	CONSTRAINTS	OPTIONS	NOTES
Jul-Dec 2019	LLA	Establishment of County Land Boards	<ul style="list-style-type: none"> <li>• Identification and commitment of prospective members</li> <li>• Incentives for participation on Board activities</li> </ul>	<ul style="list-style-type: none"> <li>• Human resources</li> <li>• Financial resources</li> <li>• Monitoring capacity</li> </ul>	Reimbursement for transportation, lodging, etc.	Issues to be addressed in Regulations

## Community Land Governance

MONTH TO BEGIN IMPLEMENTATION	ACT REF.	ACTION	ISSUES	CONSTRAINTS	OPTIONS	NOTES
Jan-Mar 2019	Article 36/12	CLDMC regulations	<ul style="list-style-type: none"> <li>• Clear guidelines for process</li> <li>• Limited standardization to ensure equity, no disenfranchisement, etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Standardization vs. variability</li> <li>• Broad template with flexibility</li> </ul>	<ul style="list-style-type: none"> <li>• Extensive consultation</li> <li>• Formulation workshops</li> </ul>	
Apr-Jun 2019	Article 34/2	Community define membership	<ul style="list-style-type: none"> <li>• Disenfranchisement</li> <li>• Strangers</li> <li>• Marriage/divorce</li> <li>• Alignment of cultural practices with intent of Article</li> <li>• Reconciliation of claims b/w offspring settlements vs. host/original towns</li> </ul>	Monitoring capacity	<ul style="list-style-type: none"> <li>• Review of work/procedures of TF</li> <li>• Broad consultation procedures</li> <li>• Grievance mechanism</li> </ul>	Application of traditional practices in alignment of intent of provision
Apr-Jun 2019	Article 35	Community organization	Clarification of legal requirements	<ul style="list-style-type: none"> <li>• Standardization vs. community variability</li> <li>• Prescriptiveness</li> <li>• Monitoring capacity</li> </ul>	<ul style="list-style-type: none"> <li>• Template for community organization</li> <li>• Regulations</li> <li>• Registration of by-laws (where)</li> <li>• By-laws to address membership, land management, etc.</li> </ul>	
Jul-Sep 2019	Article 35/2	Registration of CLDMC	Gender balancing in accordance with spirit of the Act	Traditional communities with strong male domination	<ul style="list-style-type: none"> <li>• Template for CLDMC</li> <li>• Regulations</li> <li>• Registration of by-laws (where)</li> <li>• By-laws to address membership, land management, etc.</li> </ul>	Gender sensitization of communities is key
Jul-Sep 2019	Article 34/1	Community define boundaries	Boundary identification and settlement Grievance resolution mechanism	Monitoring capacity Cultural differences in regions (cultural sensitivity)	<ul style="list-style-type: none"> <li>• Build on initial work of TF and LGSA</li> <li>• Train District Teams (DT) to facilitate boundary</li> </ul>	Communities to improvise for mobility of facilitation

MONTH TO BEGIN IMPLEMENTATION	ACT REF.	ACTION	ISSUES	CONSTRAINTS	OPTIONS	NOTES
					harmonization of communities	
Jul-Dec 2019	Article 32/4	Review of deeds on customary land	“elders of”, “peoples of” vs. Private land	<ul style="list-style-type: none"> <li>• Access to deeds records</li> <li>• Completeness of records</li> </ul>	Fix time for deeds to be brought forward	<ul style="list-style-type: none"> <li>• To be recorded in LLA’s data bases as Customary Lands</li> <li>• Need for community and deed holders to be clear of ‘ownership’</li> </ul>
Jul-Dec 2019	Article 9/4	Proof of ownership of customary land	<ul style="list-style-type: none"> <li>• Hierarchy of proof of ‘ownership’</li> <li>• Oral testimony</li> <li>• Documentation</li> <li>• Status of ‘community’</li> </ul>			
Oct-Dec 2019	Article 37/6&7	Boundary harmonization	<ul style="list-style-type: none"> <li>• Demarcation of customary land boundaries</li> <li>• Designed program for efficiency</li> <li>• Sensitivity of cultural differences</li> </ul>	<ul style="list-style-type: none"> <li>• Negotiation capacity, procedures,</li> <li>• ADR</li> </ul>	<ul style="list-style-type: none"> <li>• Incentives</li> <li>• Utilization of LGSA boundary harmonization handbook</li> </ul>	Being mindful of administrative boundaries and the presence of other natural resources as recipes for conflicts
Oct-Dec 2019	Article 49/2	Transfer of Ownership of residential customary land	<ul style="list-style-type: none"> <li>• Transfer between community members</li> <li>• Transfers to non-community members</li> <li>• Mortgages</li> </ul>	Community membership	Include in by-laws of CLDMC	
Oct-Dec 2019	Article 68/2	Mortgage of Customary land	Foreclosure ability of bank to foreclose and resell property			
Dec 2019	Article 49/4	Leasing of Customary land	<ul style="list-style-type: none"> <li>• Development of lease template</li> <li>• Identification of land for lease</li> <li>• Registration of lease document</li> </ul>	<ul style="list-style-type: none"> <li>• Land availability</li> <li>• Distribution of benefits</li> <li>• Monitoring of ease terms</li> </ul>	Training on lease development, negotiation, and monitoring	
2020	Article 40/3	Leasing of Community land for agricultural development	<ul style="list-style-type: none"> <li>• Development of lease template</li> <li>• Identification of land for lease</li> </ul>	<ul style="list-style-type: none"> <li>• Land availability</li> <li>• Understanding of right and obligations</li> </ul>		

MONTH TO BEGIN IMPLEMENTATION	ACT REF.	ACTION	ISSUES	CONSTRAINTS	OPTIONS	NOTES
			<ul style="list-style-type: none"> <li>• Registration of lease document</li> </ul>			
2020	Article 42/5&6	Protected Areas in Community Land	<ul style="list-style-type: none"> <li>• Government involvement</li> <li>• LLA oversight</li> </ul>			
Nov 2020	Article 11/4 & Article 37/2	Confirmatory Survey to commence within 24 months	<ul style="list-style-type: none"> <li>• Sequencing of activity</li> <li>• Community vs. government initiative</li> </ul>	<ul style="list-style-type: none"> <li>• Human resources</li> <li>• Financial resources</li> <li>• Admin capacity</li> <li>• Survey standards</li> <li>• Equipment</li> </ul>	<ul style="list-style-type: none"> <li>• Build on work of Tenure Facility and LGSA</li> <li>• Using communities to complete process</li> </ul>	Use pilot community members to train other communities
Dec 2020	Article 11/2	Registration of Customary land	<ul style="list-style-type: none"> <li>• Registration of confirmatory report</li> <li>• Registration of deed</li> </ul>	Completion of confirmatory survey		Does registration follow the same procedures as private land registration or do we develop a comprehensive land rights registration law, as recommended by Dr. Bruce? Passing such a law now might be time consuming-what next? Communities pay registration fee
Dec 2020	Article 21/3	Purchase of Customary land	Development of regulations for sale of customary land	Sale to non-Community member (mortgages)		

## Tribal Certificates

MONTH TO BEGIN IMPLEMENTATION	ACT REF.	ACTION	ISSUES	CONSTRAINTS	OPTIONS	NOTES
Jan-Mar 2019	Article 47/1	Conversion of tribal certificate to deeds within 24 months	<ul style="list-style-type: none"> <li>• Validation of certificates</li> <li>• Clarification of procedures to be followed</li> <li>• Generic definition of developed TC area</li> <li>• Gender issues surrounding conversion</li> </ul>	<ul style="list-style-type: none"> <li>• Human resources</li> <li>• Financial resources</li> <li>• Admin capacity</li> <li>• Monitoring capacity</li> </ul>	<ul style="list-style-type: none"> <li>• Review and update of Land Commission TC inventory operational and field manual</li> <li>• Responsibility of certificate holder</li> </ul>	<ul style="list-style-type: none"> <li>• Responsibility of certificate holder to submit TC and underwrite cost</li> <li>• Gender sensitization relative to conversion of TC to deed</li> </ul>
Jan-Mar 2019	Article 47/1	Inventory of tribal certificates	<ul style="list-style-type: none"> <li>• Validity of certificates</li> <li>• Review, updating, and utilization of previous vetting/validation process</li> <li>• Mapping</li> </ul>	<ul style="list-style-type: none"> <li>• Human resources</li> <li>• Financial resources</li> <li>• ADR</li> <li>• Monitoring capacity</li> </ul>	Certificate holders to submit certificates to decentralized LLA designated areas.	Onus on TC holder
Jan-Mar 2019	Article 47/2	Inspection of TC land to assess developments (developed portion vs undeveloped portion)	<ul style="list-style-type: none"> <li>• Assessment of land to be converted as agreed upon by the community</li> <li>• LLA's ability to have NGOs in check</li> </ul>	Capacity, corruption	Development of inclusive validation procedures (LLA, TC holder, Community, NGOs)	
Jul-Sep2019	Article 47 1&2	Tribal certificate conversion	<ul style="list-style-type: none"> <li>• Validation of certificates</li> <li>• Clarification of procedures to be followed</li> <li>• Gender issues surrounding conversion</li> </ul>	<ul style="list-style-type: none"> <li>• Human resource capacity</li> <li>• Monitoring of process</li> </ul>	<ul style="list-style-type: none"> <li>• Review of procedures in Guidelines and updating for existing certificates</li> <li>• Role of NGO/CSO partners</li> </ul>	Work of County Land Offices/County Land Boards

## Government and Public Land

MONTH TO BEGIN IMPLEMENTATION	ACT REF.	ACTION	ISSUES	CONSTRAINTS	OPTIONS	NOTES
Mar 2019	Article 52/3	Inventory of government land within 36 months	<ul style="list-style-type: none"> <li>Existing information</li> <li>Verification</li> <li>Ultimately a deed?</li> </ul>	<ul style="list-style-type: none"> <li>Support/ participation of government ministries/ agencies</li> <li>Financial constraints to carry out assessments on present use and demarcation and survey</li> </ul>	<ul style="list-style-type: none"> <li>Review of LLA concept note on inventory of government and public land in selected cities</li> <li>Start work with the General Services Agency and others</li> <li>Request all government entities to identify Government Lands</li> </ul>	<ul style="list-style-type: none"> <li>Responsibility falls on LLA Department of Land Use in coordination with Department of Land Administration</li> <li>Each government agency to allocate funds in their budgets to facilitate processes</li> </ul>
Dec 2020	Article 52/4	Inventory of public land	Residual, after identification of Private Land, Government Land, and Customary Land	Dependent on identification of customary land	Advisable to commence identification of Public Lands in urban areas first, where there is no Customary Land.	
Dec 2020	Article 20/1 & Article 57	Sale of Public land	Adoption of Guidelines		Updating, finalization, and adoption of Guidelines	
Dec 2020	Article 20/2 & Article 55	Sale of Government Land	Adoption of Guidelines		Updating, finalization, and adoption of Guidelines	

## Legal and Regulatory Framework

MONTH TO BEGIN IMPLEMENTATION	ACT REF.	ACTION	ISSUES	CONSTRAINTS	OPTIONS	NOTES
Oct-Dec 2018	LLA/LAP	Survey Law and Regulations	Critical for supporting confirmatory surveys and work on tribal certificates			
Jan-Sep 2019	Article 12	Land Use regulations	<ul style="list-style-type: none"> <li>• Delineation of land use categories</li> <li>• Conversion of land use (e.g. rural to urban, agriculture to residential, etc.)</li> </ul>		<ul style="list-style-type: none"> <li>• Review of exiting legislation and regulations</li> <li>• Inventory of these from each government ministry and agency</li> <li>• Central and local government and municipalities</li> </ul>	
Non-critical	Article 24/4	Abandonment	Detailed process to declare abandonment	<ul style="list-style-type: none"> <li>• Definition of “occupied”, “development”, and “use”</li> <li>• Who makes determination?</li> <li>• Right of appeal</li> </ul>		
Non-critical	Article 53	Acquisition of Government land				
Non-critical	Article 4/1	Define rights and obligations related to tenure categories	Laws governing private lands, public land, customary lands, leases, mortgages, liens, condominiums, etc.	<ul style="list-style-type: none"> <li>• Financial resources</li> <li>• Human resources</li> </ul>	Land administration legislation to address larger issues	Regulations may for now serve some purposes, but eventually, primary laws
Non-critical	Article 7/4	Reclassification between tenure categories	Procedures for reclassification Justification and objectives	<ul style="list-style-type: none"> <li>• Justification for reclassification</li> <li>• Who/what gained/lost (objective)</li> </ul>	In line with land use suitability	The justifications may include economic gains, commonality and uniformity of location, undesirability of current classification



MONTH TO BEGIN IMPLEMENTATION	ACT REF.	ACTION	ISSUES	CONSTRAINTS	OPTIONS	NOTES
Non-critical	Article 8/2	Recovery of land from non-citizen missionary societies			Procedures for identification of land, inspection, and recovery	
Non-critical	Article 54	Eminent domain	<ul style="list-style-type: none"> <li>• Definition of 'public good'</li> <li>• Public hearings on process</li> <li>• Negotiation procedures</li> <li>• Grievance procedures</li> </ul>			
Non-Critical	Article 56	Acquisition of Public land				

# ANNEX B: IMPLEMENTATION SCHEDULE

LRA Article reference number	4th quarter 2018			1st quarter 2019			2nd quarter 2019			3d quarter 2019			4th quarter 2019			1st quarter 2020			2nd quarter 2020			3rd quarter 2020			4th quarter 2020				
	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20		
<b>Preparatory Work</b>																													
Review of Land Rights Law	█																												
Review of Land Authority Law	█																												
Identification/Prioritization of implementation issues	█	█																											
Development of LRA Implementation Strategy			█																										
<b>Public Awareness</b>																													
Review of Previous Consultation Exercises			█																										
Consultative Workshop to finalise Consultation Strategy				█																									
Scoping visits to Counties					█																								
Reconnaissance visits to Counties/Districts						█																							
Finalization of Consultation Strategy							█																						
Finalization of Consultation Components								█																					
Development of Consultation Materials									█																				
Finalization of Consultation schedule										█																			
Countrywide consultation program											█																		
<b>Institution Development and Capacity Building</b>																													
Liberia Land Authority																													
HQ																													
Completion of Institutional Transition		█	█	█																									
Develop Administrative Procedures for LLA	LLA	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
Development of Standard Operating Procedures	LLA	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
Training for Land Surveyors	LLA							█																					
Regional Land Offices	LLA																												
Develop Administrative Procedures, Regulations, and By-laws for Regional Offices	LLA				█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
Establishment of County Land Offices	LLA																												
Develop Administrative Procedures, Regulations, and By-laws for County Land Offices	LLA																												
Develop Administrative Procedures, Regulations, and By-laws for County Land Boards	LLA																												
Establishment of County Land Boards	LLA																												





# ANNEX C: REFERENCED DOCUMENTS

## Introduction

- Land Rights Act
- Land Administration Policy
- LGSA Year 4 Work Plan
- World Bank Liberia Land Administration Project Work Plan

## 2.0 Implementation Strategy

### 2.1 Public Awareness

- Consolidated Reports on Special Interest Groups Discussions
- Consolidated Reports on Plenary Discussions
- Matrix of Issues Raised During Land Rights Policy Consultations
- LGSA Communication Strategy

### 2.2 Institutional Development

- Final LLA Strategic Plan
- Land Authority Act

### 2.3 Community Land Governance

- LLA CSI Guidebook
- LGSA Steps 0-12 pilots
- Boundary Harmonization
- Boundary Harmonization Training Manual

### 2.4 Tribal Certificates

- Procedures Manual for Tribal Certificate Inventory
- Standard Operating Procedures for Vetting of Tribal Certificates
- TC Completed Operations Manual July 25 2018

### 2.5 Government and Public Land

- Interim Guidelines and Procedures for the Sale of Public Land
- Guidelines and Procedures for the Sale, Leasing, and Other Transfers of Public Land
- Strategy for Public Land Use and Management

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