



Draft Land Rights Policy Consultation/Monrovia
January 22-24, 2013

Transcript of Group Discussions on the Draft Land Rights Policy

TRANSCRIBED BY:

Dickson T. Fully & Alfred Quayjandii

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THE LAND COMMISSION

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Day 1; January 22, 2013; Morning Session

Group 1

Facilitator: Jerome Vanjakollie

Jerome Vanjakollie: I want to start and one of the best ways for us by introducing ourselves so I want everybody to called their name the office you come from or the place you come from.

Introduction of Group Members:

- 1-Mama Baysah, Loma Governor, Montserrado County
- 2-Blama Gay, Internal Affair, Dai Governor
- 3-Agnus Manway, Day Break Mount Open
- 4-Louis K. Wleh Sr. Commissioner New Georgia Township
- 5-Peter Martor, Chairman Rock Spring Valley community
- 6-Alice Bropleh Weah, Governor New Kru Town
- 7-Ettor Gooding Carlo, Commissioner Vai Border with Kru Town
- 8-Philipmous Amous Johnson, commissioner office Barnesville, Youth Chairman
- 9-Moses A.B Weah Sir, Chairman 12th Street Community
- 10-Sheikh A.M Shireff, Chairman Vai Town Community
- 11-Franklin S. Cole, Chairman Clara Town Community
- 12-James Musora, Chairman Menda Governor Lower Virginia
- 13-Winston Joe, representing St. Paul Bridge Community
- 14-Tailay Johnson, Center Monrovia Sonewen Community Youth Chair
- 15-Bomaigastine Logo, Jamaka Road Youth Chair
- 16-Stephen Kamo, Vice Menda Governor, Waterside
- 17-Sofiayah D. Dennis, Grebo Governor
- 18-Susan Jallah, Airfield Community
- 19-Kitus Jarret, Director Planning and Research, Ministry of Information, Taskforce on Women and Land Right
- 20-Helena Fawe Baysah, serving as a Land Right Task Force, Farwee Liberia
- 21-Sarah Masel, Director, focus point Land Task Force, Ministry of Planning
- 22-Alusher Yagbatu, LIS Focus Person
- 23-J.Athur cooker, Major Bentor City
- 24-Theresa P. Wallace, Sipo Governor, Clara Town
- 25-Jerry P. Dennis, Technical Assistant Land Demarcation
- 26-Ferteka Tuma, Chairman Kissi Governor

Facilitation Process:

Now we about to start this work at the same time helping you to say what you want to say for those of you who know plenty book I will not be speaking plenty book so our old people too can hear and know what we are talking about, ok who has a question? Let me start with but we have plenty questions here, all the question you see here in your hand get plenty questions to answering this question you have to know what the new law say so I want for us to select one secretary someone who know book and can read good that she/he will be helping me to read

some of the places in the law book to be helping me answer some of the question than the second thing we will need everything we coming talk here we will need somebody who write it on this paper this big paper than we also need some who go up there to rewrite what we agree on to read it to the whole general group than that will called group one presentation. Can anyone volunteer to put their hand up and say I can do it? Is nothing big we will all help showing you what to write and what to put there. Now we have one person here who will be this group secretary and we will be helping us, Mr. Sir before we end, you be talking all this name write it on the paper and the second we will do small reading it so when you finish reading it so I can interpret it and so start now. We have here this first question, for only this group because other groups have other question to answer.

Question: **How will the draft Land Policy be applicable regarding returnees?**

Facilitator: Ok so we take our time to think about it what in this law or will do or will about people who run away and come back what we will say to them?

Speaker 1: Will we be able to answer the question on the paper or we will able to write on the paper?

Facilitator: The answer is you will talk so everybody can hear you, be free don't be scared.

Speaker 2: Is this question asking if people who left form here during the war and when to refugee camp and came back meet somebody on their Land. What will happen to them is what the question asking?

Facilitator: Referenced Section 7.2 about land acquisition, that wetland are not applicable land, EPA regulation addresses issues four categories of land, a. public land etc.

Speaker 3: Firstly let me say this, these refugee that left for so many years you should remember they have their deed and are property owner if have left for many years and come back home and know within myself that someone have already build on my property my duty is to get my documents together and forward my case to the rightful authority that will gave go ahead for my property so I believe that even I have gone for so many years and come back I have my deed or my entitlement, my Letter of authority degree of sale, so I believe that we who buying the Land or that I have left and come back should not be secretary because I have my document and everything so I need to go back to the rightful authority.

Facilitator: Ok, so you hear him good? Let me just complete the round likes this huu'.

Speaker 4: The issue of Land saturation in this country as we said that if people travel on refugee camp and they been there for five to six years maybe they come back and somebody settle on their land came back with their deed I think there should a settlement with the Land owner and the person who squatting there. I think land lord or the commission can settle the difference.

Facilitator: Let me make some clarification, this law here, should we use it on somebody who stay away long and come back to the country? But when we look into the law something not written there that talk about refugee special so that why you who come here need to help us to say what should be put in that law to take care of refugee who come back home. The second point I want to bring to your mind is that when somebody stay somewhere or when somebody leave what should happen to that person?

Speaker 5: I want to say if refugee had land and because of the war and ran to other county when they came back they meet someone on the land but they have guarantee document to prove that they own the land so they should leave the land for the person who came back with guarantee document.

Speaker 6: Another thing if refugee who left the country never had land and come back what happen?

Speaker 7: What happen if I when into exile because of the war after 10 years and came back meet somebody finish building on my Land what happen then?

Speaker 8 (Sofiayah D. Dennis, Grebo Governor): This land the owner of this Land when this war was fighting they left for out this county than I go on this land and start doing work there, then the person come back, the only thing I will tell that person gave me time to move from the land.

Speaker 9 (Bomaigastine Logo, Jamaka Road Youth Chair): You know I will like to recommend a very important point to the Commission and others people who try to craft this document when it come to the issue of land we should be very careful as our representative Munnah Pelham was speaking Liberia is bless that is true because when we take a clear look at West Africa the dispute of land is a difficult is thing that is causing serious problem for Africa, my recommend if have the opportunity to travel to Ghana or USA on a refugee trip and coming back especial home and see someone on my land, first of all we should be real to ourselves as Liberia because if someone build a structure on my land and they check all around because in my community I know of some who build on someone land and the person came back from the US and said bro this my land yes without due respect I agree but the person still go and sue the person to court, I will want for the Commission allow me to pay that person for the land.

Facilitator: So you saying when you come back home and somebody is on your land the person must take time to approach you or you want for you and the person to have a dialogue or maybe you can pay them back for the land and then the person turn over the document to him.

Speaker 9 (Franklin S. Cole Clara Town Community): Yes to just to add up to what our mother have just said, I travel for 10 or 15 years and I have my deed everything process with all these years the only thing I need to tell him my young man this my land and ask him to get out of my land.

Speaker 10: My view on this issue is that the people who travel has document for the land should have a resolution or gave the other person on the land time to move from the land.

Facilitator: Ok, so the two points the same but the only thing they much gave the person time to move right? Before you talk my sister let us look at two thing here, the land you did not buy or have no deed for in the bush is called customary land and the land somebody buy and got deed for is called private land so that the two kind of land we are talking about so is what we are talk about is the man who have a deed for the land how you may treat him or the man who come from village who done have deed but you know he got the land how you must treat him.

Speaker 11: The first issue of the private land the man who has a deed for the land when he travelling back he leave people on the land so mean that you should wrongful own people property that not for you, what I will do is to say I want get back my land because everybody could not stay here doing the war or follow the due process. For those who were in the interior the Customary Land they have chief and the clan they have their head so there no way you can jump to clam someone land in the interior because even the town people will ask you who gave you the land not like Monrovia so is Monrovia we should be focusing on.

Facilitator: So you see the Commissioner is saying that we must respect the person who own their land when that person come back we for their land we should respect them and gave back their land even in the interior she say the land there get owner so when you come in the town you should consult the town chief or the elders them.

Speaker 11: You have just stated that when the land owner returns so there is a rate you who build on the land because land have an owner for me the only thing he should do to settle with the land owner.

Speaker 12: What I want for us to do is look at the draft document good before we conclude.

Facilitator: This other brother say to answer this question good we must open the law book and read it but then I want to tell you that good idea but the law paper big and there specific issue so that not all this law in this law paper that speak to this issue. another thing I is if you had time to read it over night you will not see anything there that say when refugee come back we much do for that person. That is while the Land commission want know what your best idea you get so that they can put it in the law book to protect anybody who own land that will go and come back.

[Audio Unclear]

Facilitator: The law also say when you stay on the land for twenty years or more than 20 years, you develop the land you live there no one trouble you nobody write no one take you to court for the land, the law say that land for you and that law they called it adverb procession. Than another law also say if anybody make scare or used knife or use medicine that make you run from your land and they come and built on that land the law say that land not for them and that kind of law is full my joy so I just want tell your about this two law so that when we are answering the question we know what to say.

Speaker 13: Let me just say something they are about to do draft land policy so that is why they are asking for our suggestion, for example if you were leaving Liberia you never put somebody

in your place and you come back and meet someone on your land ? So why done we put someone there? It is in our own interest, or why if the policies say if you leave your country for fifteen years and you meet somebody on your property your land should be giving to you? That is what I want to know?

Facilitator: Ok, you know what we do? I want you all on your paper there is a place they called land rights principal page three 4.0 setting guard line there called principal I want someone read it for us? Our commissioner will read it for us.

Speaker 14: (Land Right Principle)

The government of Liberia has date that all Land that are not deeded as public land this particle dated from around 1824 when all the land acquire by the American colonization society from indigenious people began public land, however there have not been a clear definition of public or a clear relationship to each person customary land right, the practice has became the law and policy, rather than law and policy regarding the practice. The result has weakening the Government of Liberia's ability to effectively manage and use land as well as creating insecurity for customary and private land rights. Therefore, the recommendations that follow are in accordance with these basic land rights principles.

Facilitator: She is saying since Liberia was organize others government never make good laws for different land so it make it hard for government to even take care of land matter, it also make it hard for the native people who get land but they not get deed for it and other people who may want land and not understand make it difficult today, so that is why government want us to put this law into place.

Speaker 15: I want you clear this part for us to understand, which practices are you talking about? The practice has begun the law and the policy rather than the law or the policy which practice?

Facilitator: Yes, the law is saying, because they not write good law to make proper definition the people turning it outside down so they are taking it from outside down and bring it in front but by right, the law should be there to guard everybody but the way we do, so you see rather the law guarding us we want to be guarding it, that what this book is talking about so that something I ready want for you to read under policy recommendations in 5.1, 5.2 so just read here.

Speaker 16: Government Land and Public Land is owned by the Republic of Liberia. Government Land is defined as land used for the buildings, projects, or activities of the Government. Government Land may be sold or leased to the Government, an individual, or a private entity, including a community, only if the transfer process follows the strict protections designed to prevent fraud and abuse set forth in the Land Rights Policy Statement. Government Land may not be granted as a concession.

Facilitator: Ok you hear what she says? We got law for Government Land, we also got law for Private Land again we also got law meaning for Government, Private Land and Customary Land that is inside this book, the topic we got in our hand say if a person come back from refugee camp what we must do for that person? Another law to guard us also say, if you on a land for

twenty years or more, nobody trouble you or asked you to leave until after twenty years again that land is for you.

[Audio Unclear]

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Group 2

Facilitator: Lancedell Matthews

Lancedell Matthews: I work for an organization called NADA so I am here to help you understand the process so you could help contribute to the process and so we will start by introducing ourselves.

Question: How will the draft land policy apply to squatter?

Introduction of Group Members:

- 1-James Dweh, Loma Governor Montserrado, county
- 2-Selvister S. Varney, Chairman St. Paul Bridge Community
- 3-Seese B. David, Chairman, Bassa Community
- 4 -Titus Davis, New Kru Town Community
- 5-Yama Zinnah, Youth from Clara Town
- 6-Augustus I D Junior, Youth Chairman Jamaica Road community
- 7-Arma Kamara Youth Representative Jallah Town community
- 8-Joseph M. Konneh, Chicken Soup Factory Community
- 9-Agustus B. G Fablumbleh, Soniwen Community
- 10-Melvin U. Davis, Youth Chairman Rock Spring Valley
- 11-David L. Jacob, DDC Dist #14
- 12-Momodu H. Massaquoi Chairman West Point Youth
- 13-S Tugbah Wologelo, Vice Chairman Kru Town
- 14-D Wesseh K., Community Chairman Day Brake Mouth Open
- 15-Morris Konneh, National Land Reform Commission, Ministry of Lands Mines and Energy
- 16-Stephen P. Diato, Kpelleh Governor

Facilitation Process: Thanks you all for your introduction, now we coming do two things, first we will select somebody who will be our secretary and one speaker, now let see anyone who wants to volunteer? Ok, good, someone to do that for us let hear your name (Wesseh Kay), so let go to the person who will be the speaker? Ok, (Fahnbulleh) say he will speak for us. Now we need to talk about the policy document in our hand, one of the thing we think that the policy is important is that it has principle, so we are here to promote these things and so the policy has **nine principles** and the first principle is called the **Secure Land Rights** that principle is there to make sure all families, all persons be able to enjoy their rights to land and to be free from all form of arrestment so that is the first principle. The second idea we will be promoting is that **economic growth**, so we have to promote strong policy that when development is taking place

people can enjoy their right, we called this investment because you see people who own land will enjoy their land when development is taken place that is what we mean by economic growth or development because development is not pain but some people say development is pain but we want to let you know that development is not pain because it will help you grow and that will be one of the basic principle the Land Commission will be promoting, it will also talk about equitable benefit; the meaning is we will all be treated fairly or benefit equal. Again under our constitution it says everybody has the right to own a land and that right is your natural rights no matter which tribe you come from no matter if you are a man, woman or your religion. The Land Commission also says everyone who has land should have equal protection to your land, than another thing they will be doing is protecting the environment for the future for our children.

Speaker 1 (Kollie): As a peaceful citizen, and I want to understand; I am a landowner and maybe I buy my land for five hundred dollar and want to know how much someone in Duport Road is selling their Land or buy their Land?

Speaker 2: I will want for us set a ground rules and stick to our discussion and forget about personal interest.

Speaker 3: If I understand his question, do I have the right to ask people before buying a land?

Facilitator: Yes, Kollie has the right do all necessary investigation before buying a land.

Speaker 4: In my area, my area is very small and is about eight mile long when look at the high way and in that area most of the land is owned by families and these families make an arrangement that children should not sell it but lay down for other family but after the way we had an inflows of people that came to area that was not for there and because the law that says you have the right to own land so those people are coming and saying that because they live there they want to own the land so what do you do, because do not have enough Government Land to gave everybody and even if you did you will still want use some of the land for other development purposes rather than residence, so when you have people saying the land is it right to say go back to where you came from because there lot of land there but I done think is the right thing to say to people but I am sure everybody say no, what do you do when you don't have land to give people who are asking for land that are not from there and the people who own don't want to sell it because say hand it down to other families members, so we don't know how settle such problem.

Facilitator: So we all hear her question? Ok, good any one to answer her question?

Speaker 5 (Morris S. Konneh): I will like to suggest to this panel that time is running on us because the issue we are talking about will be discussed as we go along so let us stick to this topic as we advance because most of these question in these topic and advance.

Facilitator: Ok, thank you very much but she asked a question, what will you suggest to people who have stay long on the land and I appealing to buy the land but the land is not for sale is for family. Since we now working on this policy issue, any answer to that (yes, no)?

Speaker 6: Information sharing, the old land rights have these information that say every squatters be a traditional, urban, rural land, you have the right to acquirer from government after you have settle for ten years apply to Government and have all full documental right for your place, be a traditional but this information have not been share with many Liberians so the family sits there for generation so this time is the Government to make a decision on it.

Facilitator: Ok, let me tell you what we will do, there is a question on staying on people and there is a question how do you deal with it? I guess all of you have the sheet for day one, good' so in this group we will be talking about squatters so people in other group will be doing other things and the talk we are holding, we will try to take record of it so both groups will be able to share idea on what each group talk on.

Facilitator: What I think, we can divide this into a number of little thing so that we can come up something good, do people squatter on land have any land right?

Speaker 4: Yes

Speaker 5: Yes

Speaker 7: Yes

Speaker 8: Yes

Speaker 9: No

Speaker 10: Yes

Speaker 11: No

Facilitator: For those of us who say squatters have right, what rights do squatter have?

Speaker 7: I said yes, I am not sure but think some were in law she know that say if you stay the land for setting amount of time no one come and say anything about that land you after that time you can go through a process than the land can be for you.

Speaker 4: I said yes because many of us have occupied squatter land which consider it to be government land and not a deeded land so squatter have the right to stay on the land until get ready for it.

Facilitator: Why if the land is a private land?

Speaker 8: I will wait until the owner come but the owner should not stay there after thirty years.

Speaker 10: Even if I am squatter on the land and I having to develop it, when government get ready to take over the land they should gave us more time to move and I should compensated by government.

Speaker 8: I also say yes, before a squatter squat on a land they are giving a permit which gave them ground to sit there because you have the right to develop the land and stay there.

[Audio Unclear]

Speaker 6: For us in the chicken soup factor community, we have a residence there since the seventy (70) and the eighty (80) up to present, there was a swamp land that we develop when there were no houses there through the community leadership that permit or squatter for ninety (90) days and we build there, develop there up to present, so I you saying now the government will come and take from there with us having no right? Why we got our permit or squatter rights from town hall and community leadership?

Facilitator: Anybody stay got yes they have rights?

Speaker 5: I said yes because, I just one to gave a brief story, I live on the capitol bye pass rock spring valley down hole behind the G.W. Gibson, my grandmother gave us this story at the time they when there, the due river was hutting the hill but they manage and dry it all the way and push the water and there they build their houses but they never stop there so later when to government and government granted them a permit document or squatter right, so for me from that document I can say squatter got right.

Facilitator: Ok let see all say no rights’

Speaker 9: I said no because, except in recent time government will gave the right to squatter but have seeing all over in Liberia if you settle or squat on somebody land and when government get ready to use that place is talk of war in Liberia, ether they evict you or take you out by force and so you will run ups and down or take a lawyer and you will solve that problem some people can end up ding from frustration because they have build a very decent structure and government after reminding just caterpillar clear it and so squatter done have right except it will from policy we want to put in place .

Speaker 11: I said no because a squatter is like someone who is renting a home and so that person can be taken out at any time. The transition that happens is not legal or right.

Facilitator: What does the policy says about Government Land? On page 5.0 where is say all Government Land and private by the Republic of Liberia?

[Audio Unclear]

Speaker 5: We the native people are at the disadvantage seriously in Liberia you understand, the people that left behind, are people that said our children going to school so let the two ships Elizabeth and the other carry the other people not knowing they were deceiving them, they brought them ahead because they knew they never have education, their children remain there and was going to school and some stop in fourth and fifth grade. After some time, they say we can now go there because and so they took disadvantage of them and pushes all the without letting the people know that Liberia develop tomorrow our father own the land but was deceive, how many yakpawolo own land in Monrovia? Except they buy it, this is why most typical Liberia are squatter here. So the government have to see to it all lands in Mount Barclay, Careysburg and other places be equally distributed, go to other place some own than 500, 1000, 2000 acres of land doing nothing with it but when the county man child come build on it, his

child will come from America and just root it out by force so this is the disadvantage we the native people are facing.

Facilitator: Ok, you hear presentation? So how can the draft policy address the disadvantage that you just talk about?

Speaker 5 (Mr. Manfina): This draft policy can address it in this minor, we know Mr. Green you were able to purchase by your education and you purchase two thousand acres of land in Mount Barclay also Mr. Gray was able to purchase another two thousand acres of land in the same Mount Barclay or Virginia or where so ever, if you are using all these, gave some to government or other people that don't have land and we will purchase these lands.

Speaker 3: It is a very serious situation in our country. I was asking somebody just two weeks ago, everywhere you go in Liberia someone owns 50 or 75 acres, is there no government land in Liberia? Especially Montserrado County, that is a serious problem, so we should inject in this document no one should buy more than fifteen limited government land.

Facilitator: Ok, Mr. Manfina talk about the whole issue of tasks, if you are not using the land or pay taxes on the land than of course the policy say the government has a way taking back the land also the policy even say let us look at these large concentrations of land almost million acres that they are not using, and so your recommendation is taking in to account so is possible that can be reimburse but it much be base on something, how many of you can pay real estate tax?

Speaker 4: Yes

Speaker 5: Yes

Speaker 7: Yes

Speaker 8: Yes

Speaker 9: No

Speaker 10: Yes

Speaker 11: No

Facilitator: Who all says yes? And no? and why yes and no?

[Audio Unclear]

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Group 3

Facilitator: Raymond Zaizay

Introduction of Group Members

- 1 Comfort Nanuah, representing Tapoh Community in Monrovia
- 2 Joseph Cooper, representing Jallah Town Community, Chairman
- 3 Szelotorh Dekon, representing Son Doer
- 4 Albert N. Niko, resident of the Borough of New Kru Town
- 5 Augustine N. Quoiko, worked with the Commissioner of Johnsonville Township
- 6 Johnson Weah, Garnerville Township Youth Caucus
- 7 Melvin Betteh. Commissioner of the Township of Johnsonville
- 8 Meatta H. Flowers, Commissioner of the Township of West Point
- 9 Sam Blamo, Special Assistant to the Commissioner West Point
- 10 Joseph B. Tamba, Member of the Governor Council
- 11 Sando Kiadii, Clara Town
- 12 Gabriel Sawon, representing Governors Council Borough of Kru Town
- 13 Isaac Wireh, Observer
- 14 Musa Sonii Sombai, Garwular Youth Council
- 15 George W. Saydee, Krahn Governor
- 16 Rebecca Kamara, Bassa Governor of Montserrado
- 17 S. Emmanuel Woart
- 18 Alice K. Mesco Howard, Commissioner of the Township of Cardwell
- 19 Alfred N. Brown, Sr. Governor and Speaker of the Governor Council
- 20 Saye Neuville, Rock Spring Valley
- 21 Danial Deboh, Land Commissioner of Montserrado
- 22 Momo J. Beah, Gola Governor

Facilitation Process: The group is asked to select a secretary for recording of the discussions, and a presenter to be chosen for the presentation of the group discussions. Three persons volunteered for the Group presentation, democratic process was allowed, and each person was asked to give reasons why he/she wants to make the group presentation.

Musa Sonii Sombai, Garwular Youth wants to present because he is an instructor who has the ability to present. Meatta H. Flowers, also prefer to do the presentation, because she feels intellectually potent, able to deal with the issue on the table, make the audience to listen and absorb what is being discussed.

Question 3: Does **the draft land policy adequately address both the rights and responsibilities of landowners?** Identify the rights of landowners in the policy, identify the responsibilities of land owners in the policy, is it complete?
Do landowners' rights depend on how they use their land? What if land is left unutilized for a long time?

Facilitator: Is the land rights policy clear or complete?

Speaker 1: Yes, the draft policy has set rules and norms that are in the crafted document that give us rights and responsibilities of owning land. It addresses issues of transparency, accountability and inclusiveness (family members, youths, women and others to have input in land use and management). Yes, the policy is complete.

Speaker 2 (Jacob Cooper): Yes to some extent, but let's look at wetland that people go to dry up with sand, dirt or mud for its use and development, the policy does not reflect this issue of wetland, like Jallah Town Community. What also qualifies a person to own a land? The policy does not also address that issue.

Facilitator: Referenced Section 7.2 about land acquisition. That wetland are not applicable land, EPA regulation addresses issues of wetland.

Speaker 3: As I was saying, the document is not clear on that, because according to my reading, according to what I see here in the policy, the policy said that, all those who have legitimate interest in customary land they will decide what rule would govern their land. If the policy says that, it means that a lot of people would lose out in the process. Because practices that governed how the customary land are administered, differs from place to place. Ok, if the policy seeks to formalize customary land then it does not seek to insure how women would have equal access to that land. Because in the interior as every one of us know. In the interior, customary land, the women only have access to the usage of customary land. But they do not have legitimate rights to customary land. So I think the policy is not clear over there. Everyone have access to land, and equal access is the guiding principle, the policy seeks to formalize customary land, but it does not to some extent try to address how women would have access to customary land, the current practices will make women to lose out in the process, if interest holders are going to determine how lands are administered, some people will be gaining and some will lose out. All decisions made on customary land is administered by men. Women are excluded.

Speaker 3: Equal rights and access are not clear. It is better that the norms and culture of the community be clear, all interest is not been legitimized, and there should be overall guiding principle to address this. Women are not considered legitimate owners in land administration, to lose out their access to customary landowners, since community may define themselves. Women will be disenfranchised; all interests are not legitimately in the process, in case the person chooses to go to court, what is the legal ground?

Speaker 1: Customary land is protected, is secured in this policy, under this draft policy, reason being that it gives each community the right responsibility for identifying its own membership in accordance with transparency and inclusiveness. Please let me go ahead, there is something that is called long-term decision making on customary land, it include rights, protected areas, it gives them rights, give legitimacy, titles to women, even to woman who is married to the husband will have rights to their properties, like this is Paul and Paul property; customary land can be sold, lease or granted, it may be owned by community, town chief or individual, consistent with land conservation and management for the benefits of the community and all Liberians. It is not entrenched that only men own land.

Speaker 3: Why it is true, we differ largely per geography it also fair enough that transparency, guiding principle based on our own perception.

Facilitator: Any practice that contravenes the national law will be abolished.

Speaker 4: I think, I am getting what he is saying, if the people have right to decide, if in the community the person have certain rights to do this, then give a clear understanding about what to do, because in some areas women do not have this rights.

Speaker 5: Women have right, woman married me, she married and she and myself have children, all of the properties for she and myself, but if the woman leave me and she will carry all of the properties to another man? I try to differ with what the brother is saying, it does not say that only men are owners of property, it show that people own land, where you can own land and have a title, in the new land law, women are property owners too. Making a woman who is married will have title to their land.

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Groups 4 & 5

Facilitator: Jeremiah Kamo

Question 4: How does the draft land policy address the issue of eminent domain? What are rights of people living on land that the government takes for public purposes (eminent domain)? How do the landowners differ from those of non-landowners? How should this be addressed?

Question 5: How does the draft land policy address the issue of protected area, like wetland? What are the rights of landowners who hold title to a plot that are declared to be protected areas? What are the responsibilities of these landowners? What are the rights of people who live in these areas? How should the policy address this?

Facilitator: Today we are here to discuss questions 4 and 5 (What are the rights of people living on land that the government takes for public purposes). Let us get two volunteers, someone to serve as the group's secretary and the other person to be the presenter for group during the reporting period.

Aliza Kaba-Secretary

Jackson C. Nyekpahn, Johnsonville Township-Presenter

Facilitator: The main issue "Eminent Domain"

Bestman Toe, President of the Swamp Land Development Association (reading):
Sections 5.3.1.1 and 5.3.1.2: Just compensation and the word expropriate

Johnnie Jackson, University of Liberia: are we dealing with Question 4 and 5 lets agree that people went ahead to obtain properties, the rights of the citizens.

Bill Ross of Gaye Town: Asked, what are we concern about, for example; it is on the book to dowry a woman for \$10 USD, what do we mean by just compensation for land taking by the government? If compensation is the money for taking your land.

Abdullah A, Sheriff: The government should be able to handle the issue, let the government give the fair and prevailing market price for land that it will take away from people.

Facilitator: How does the draft land policy address the issue of eminent domain? (Referred to group members to read page-4 of the manual), asked for volunteer reader.
Mr. Taylor, volunteered to read sections 5.3.1 and 5.3.1.2

Speaker 1: Let's agree that every person has divine and fundamental rights that which government needs to recognize.

Facilitator: If you take a look at the two sections 5.3.1(eminant domain) and 5.3.1.2 (policy recommendation), **Second speaker:** I will also buttress the issue of just compensation, is very important that the government considers the prevailing market value for land it decides to take.

Speaker 3: Private land and customary land, prices must be specified.

Peter Weah: We are focusing on this money payment, but not everyone may want compensation, because some people may want relocation for their property.

Speaker 4: The government does not want to be specific, because they are talking about the fair market value, meaning that even if you bought your land yesterday 200\$ and today it is 500\$ the current market price should be considered.

For example, Michael Weah says that if a land was sold two thousand dollars 2,000 USD before, and that today the government takes your land, the government should pay the current market value for the land, like US\$5,000 (five thousand United States dollars).

Speaker 5: Government is not static, years back people used to buy a lot for \$50USD, but today things are different, so payment should be based on the current market price for land the government will take.

Musu Jeweh: I have an issue, in Bomi County, the tribal land and private land owners were in confusion about land compensation. The tribal land owners (who have 200 acres of land) were requesting for token from the private land owners, on ground that the land belongs to the tribal people, but the private landowners have argued and refused to compensate the tribal people on ground that the land belonged to them (private landowners), so they see no reason to compensate the tribal people. They took classes for each other and fought bitterly. But, my investigation on the title to the land, I observed that there were two deeds, a deed was signed by President Barclay in 1931, while in 1957 President Tubman signed a tribal deed for the same land.

But, I would like to recommend that this land issue is a very big matter, so let the Land Commission try to educate the local people on the policy, through drama so that the ordinary people will be able to know and understand this new land law.

Facilitator: what do we do regarding two titles or deeds for the same land?

Speaker 1: The problem sometimes on dual land titles, which normally comes from some land commissioners, surveyors and other authorities who may fail to do the necessary investigation on land ownership before issuing deed or given title.

Rev. Jackson: Some places, one person owns too many acres of land over other members of the community.

Kissi Governor: We always receive these wetland cases, swamp is for government, or for other people, if the wetland is dried, do we have right to sell it? For security purpose, what do we do for people living in a place like New Kru Town?

Jackson Nyekpa (reading the question): What are the rights of owners who hold title to a plot of land that is declared protected areas?

Speaker 1: We need to look at this issue point by point; so that we can understand it well. What does eminent domain means in this context?

Speaker 2: The word eminent domain is that power that the government has if it wants to take a land or property, like in the case of ELWA land issue. What will be good is for the government to come to negotiate with the landowner and pay you rather than forcing people out or taking their land like that!

Speaker 3: Portion of a land that government may take, or all land or properties that the government may want to possess as authority. Eminent domain is by force, which is not by negotiation, not for lease or purchase, or compensation.

Musu Marshall: Look some areas you have land as public land and people claim the land, how do one get out of it?

Speaker 4: You must trace the deed of the public land. Let it be the oldest deed, you should be able to know it for private land the oldest deed takes precedent 1983/2000.

Speaker 5: Not if you want to get a land in the county, it is important for people to take their deed and register it.

Speaker 6: My concern is the surveyors, what kind of punishment to put on these surveyors?

Facilitator: Put that in a parking lot, to be discussed in another session by different group.

Speaker: What happens to people who sell public land without any right to do? What's going to happen to these people and the land?

Speaker 10: If somebody buys 250 acres of land for one person. Someone has 25 acres of land what do you do?

The government should take it from you, to take away some or reduce the acres.

Speaker, City Mayor: In the past, a former commissioner asked for photocopies of private land owners' deed, took it and cancelled them, but later he managed to place those land deeds in his own name, today the matter is before the Supreme Court.

Facilitator: The facilitator asked for a volunteer among the group to read sections, 5.2.1-5.2.6 The reader read the following, "Transfer of government property

Isaac T. Robert: People who sell public land should be prosecuted through a fast track court.

Speaker 1: The Justice Minister has suggested for the establishment of a land court, I support the Justice Minister's suggestion about the establishment of land criminals' court within the republic to deal with land criminals.

Speaker 2: The government to put stop to the sale of wetland or public land. Government to give title for wetland that has already been developed, but wetland should not be sold again.

Speaker 3: Before developing the wetland, people should have the deeds. Let the government put stop to people building foundation without deed (make available your deed or register it to the authority). Government should put stop to people who are developing wetland, or they should have a public land sales deed.

If the person is unscrupulously developed the wetland, the government should take it, and even prosecute that person.

Speaker 4: Let the government make billboards that says no one sell wetland again or wetland not to be sold!

Abdullah Sheriff: For some people you see their cornerstones way in the swamp, there is a need for a fast strike court to prosecute them.

Rev. Jagba: A committee to be set up for verifying wetland issues so that people will not take wetland dubiously or that the Government to revisit the title of those who are occupying wetland areas.

Speaker 5: Government to take care of all wetland, today people living within the wetland area, are causing problem, government should take care of all swamp land.

Fallah Tombey: I have a problem about what we are saying about swamp land, if government takes all what we are going to do our farming activities, what will should left for agricultural purposes.

Rights of people who living in wetland areas. They should be relocated; wetlands that are developed should be given title and that government to take care of the wetland.

People who have title for wetland must be revisited and acres must be reduced, because it is illegal to own protected areas.

People should not be allowed to go there, you know it is a protected area; you should be evicted without compensation.

Speaker 1: If I bought one acre of land, and I discovered gold, who it for? Answer: the gold and other mineral belong to government.

Recommendations

- Government to revisit the title deed for wetland
- Government to protect wetland for agriculture purposes
- Government to evict people who possess wetland illegally

Day 1; January 22, 2013; Afternoon Session

Group 1

Question: Do land owners rights depend on how to use their land, yes, or no?

Question: What if land is left utilized for a long time? Is it the landowners' right?

Facilitator: The lands you have for long periods of time, what to do you want do to with that land?

Rebecca Kamara: If I get a land, and don't have means of developing it or giving that land out. I rather lease it to government or lease it to a company that will develop it.

Facilitator: Does this means that government force you or is it your choice to lease it or give it out?

Ms. Kamara: No, it should be my choice to lease or give out the land. I can look for people to lease the land, or I can tell the government to lease it too, if nobody can lease it.

Speaker 1: Where I live in lower Johnsonville, we the community leaders, we made a law that you have a land even you can't bush it for long period of time, we can call the attention of the land owner, if it is not clean, develop or utilized for a long period of time. We can reach it to the government, to find a fair price to sell it and give proceed to the landowner.

Speaker 2: Like me I still in Monrovia long ago. If I still in Monrovia and I bought a land in River Gee and I don't do anything on that land, then the people who sell the land to me and saying if I don't want to develop the land, if people want to live there, they can sell it or get someone to lease it, and they can relocate me, this will be a good thing for me.

Speaker 3: My own concern is, if the land is been kept for a long period of time, they should give notice to the landowner, or to have you informed they give warranty and give you some time.

Day 1; January 22, 2013; Afternoon Session

Group 2

Speaker 5: Can we come out with a resolution on what was discussed on Government Land?

Facilitator: No we actually will discuss how can the policy address the issue of the squatter do all agree with him, so we not going to talk about wetland or other so my question is do you agree that is what our discussion say if you say no then what do you want add there or subtract from there.

Facilitator: Do you agree with him?

Speaker 4: Yes

Speaker 5: Yes

Speaker 7: Yes

Speaker 8: Yes

Speaker 9: Yes

Speaker 10: Yes

Speaker 11: No

Speaker 11: I said no because for the fact that those area that people squatting is more likely under the form of protective land for the fact that these area have already been declare under national plan for some developmental purpose which is in the best of the state and if for any instance that you are seeing it be a public land and you have gone there to occupied it legal or illegal when government intention

[Audio Unclear]

Day 1; January 22, 2013; Afternoon Session

Group 3

Facilitator: The first argument among the group is that women rights in the policy is not clear, while the counter argument is that, women rights are secured and protected in the administration and management of customary land.

Speaker 1: I suggest that the group build consensus on the matter.

Speaker 2: There should be an overall guiding principle to ensure that women have legitimate rights in customary land ownership. The issue of transparency, accountability and inclusiveness should also be cleared.

Speaker 8: Counter argument is that the document is inclusive, community is inclusive such that men, women, youth and children have a stake in the process; it is not only men that will determine how their land is managed or administered.

Facilitator: In the policy document, with respect to how customary land is managed and administered, are we saying that women rights to be specified in the document when it comes to management and administration of customary land?

Facilitator: Asked group to identify the rights of land owners in the draft policy. The group generally identified and summarized the below listed rights of landowners in the draft policy, to include;

2.1 Secure land rights: Every citizen, family, partners can have land or access to owning a land for a long period of time. Everyone should have a secure land rights to their land, not to be taken from them except with due process;

2.4 Equal Access: Every one of us to own land, property;

2.5 Equal Protection: Protected from fear and long-term possession or family and individual have the rights to enjoy these rights;

2.3 Equitable Benefits: Have access to the land, to have stability, or gain, food, and security;

2.2 Private land ownership: Land own by individual, land owners have rights to own land, exclusive rights; concession land used should be left out, which can be dealt with later.

5.1 Resources on the land: Ownership of resources include all of the resources on the land customary land entails that you can own a land without title, you can have a land only and will never have title for that land, except through this document that have been crafted. Customary land without deeded, you can still own a land, whether it belongs to a community or what, it still

stands as a legitimate property that a family has or a community own, without any title or been deeded. Community customary land, whether deeded or not, is defined as land own by a community and its members and use and manage in accordance with customary practices and norms. Ownership of customary land including, rights of use and management shall be recognized as equal to private land right, whether or not the community or its members have received deed or not in accordance with the below recommendation.

Speaker 9: You may have this land without title; I don't think you can transfer this land without title. Under the law you may have rights to title, when it comes to transfer of customary land, how do you transfer it?

Facilitator: Equal Protection, is it a responsibility? Is it the responsibility of the land owners?

Speaker 10: Let the law protect all, protection to be given to family members and women just as it is to private individual. If private landowners were secure then, it is a responsibility to all, women group and other groups to be protected. If protection is what we say as a group, if a woman should own a land under customary practices then protection should also be given them.

Facilitator: Is this a responsibility for land owner?

Speaker 11: The Constitution states if you kill you will be killed; we cannot treat private land like customary land. It is good to think about the custom and tradition of our people.

Speaker (Momo J. Bear): I listened carefully, the land issue that you people talking here today. We don't know who put it together, and so we need not to talk something that will go against us tomorrow. There are two different land I see we are talking about; government land and traditional land. Before, for traditional land, the area my father used to make farm is my area, if you leave and come to my family area, we will not agree for you to work there, because if you do it confusion will break up. But you see we can't stop the government, if it wants to take the land, but if any person wants land he/she is to come to us. If you are not paying tax, the government must protect you too.

Facilitator: This is why we are here for, the same right whether paying tax or not, whether private or customary, if the government is to protect all?

Speaker 11: Equal protection, protect every individual interest. Protection should be given to family members, groups or women just as in the case of private land owners.

Facilitator: Building consensus or voting to reach a decision on whether equal protection is a responsibility will make us reach a decision on the matter. Group answered yes!

Sixteen (16) persons voted in favor of equal protection also being the responsibility of landowners.

Speaker 9: Where customary land is formalized, how will that community record the title, how does it reflect all the potential interests in the title of the land or how title is then assigned? This

is not reflected in the draft policy. The policy does not address this! Also the issue of inheritance regarding multiple wives on land matter is not reflected in the policy document, that is, how do women inherit the land?

Speaker 10: Two distinct forms of land, private land and customary land, private land is deeded, while community land is not deeded, this needs clarity.

Speaker 11: In the interior, you have rules; norms that people live within the community land to use and manage the land.

Speaker 1: Any decision that you will be making, regarding land, whether you get 100 wives or not, will be exercised in accordance with Principles 4 & 5 (institutionalization, community shall establish legal entity consisting of transparent procedures and institutions accountable to their communities as a whole, regarding internal or external actors and to govern interaction regarding land) custom of the people can be managed base on the custom and tradition of the people. It gives what to turn to, your responsibility, holistically is there. Whether you get 100 wives, legal entity can be managed if you have ten (10) wives you people will go through the internal or external actors, whether you divide it by children, whether the whole family will take it and just act on it is there, or clan or chiefdom. Because the policy gives women that right to land ownership.

Speaker 2: In my opinion because the policy wants to be flexible or it wants to create more rooms, or give too much discretion to the people over there, in where someone wants to go through legal matters, many people will choose to wave their rights, because the expenses will be too much. Just want to have alternative ways of getting justice, in the case where a woman wants to take a matter to court to own one acre of land and she will have to go through all of these processes, the cost is so much than the parcel of land the person may want to own.

Facilitator: What's your suggestion? Be specific.

Speaker 2: My suggestion is for the policy to give overall archaic guidelines that will be cost effective, there should be guideline that will if it points to transparency as been a component of the community.

Facilitator: I am asking you to be specific, the specific issue and the specific recommendation.

Speaker 2: Specifically for customary land, let the policy say, if the policy wants to be clear, on how the administration of the land be done, or if it wants to say in the legal framework of transparency, this and that, let it point to transparency as a component interest of the community, for example youths, women, etc. then it will be known that in case the land is being given out, for concession, etc. or in case that land should be formalized, it should be given out only by the agreement of those legitimate interests.

Day 1; January 22, 2013; Afternoon Session

Group 4

Facilitator: Jeremiah Kamo

Question 3: How does the draft land policy's definition of customary land apply in rural areas? Does it adequately protect traditional land rights? How will this policy affect urban residents who want to buy land in rural areas? Is it useful for rural landowners? Can this policy be useful in solving disputes?

Facilitator: For example, in the draft policy; the government is responsible for protecting the land and regulating its use in the public interest within the Republic. Also the government recognizes and protects the land rights of communities, groups, families and individuals who own or manage the land, what's your view on this?

Speaker 1: The land is not protected under this arrangement.

Speaker 2: Wants to know the difference between customary land and traditional land.

Speaker 3: They are just the same thing; it is like you say Head of State or President.

Speaker 2: Then I recommend that we drop the customary land and deal with traditional land.

Speaker 4: All sales of customary land should be put to stop, it is used for so many things; anyone who violates the law should go to court.

Speaker 5: This is segregation in section 4, where it says, the government has exclusive rights, and the benefit comes in Monrovia only. There resources are owned by the government or the state, why should they own it? The right of the community should be given, so that it can be able to decide what it gets in this process, from the area, money that comes should go to the people so that they can get what they deserve.

Speaker 6: Let the issue of "exclusive rights" be changed to mean, in collaboration with the community.

Speaker: 4.1 is protected by deed, local control, legal entity, the name of the community; identify the decedent ownership of land the Supreme Court used to say John Brown and all, but today, the Supreme Court has ruled that petitioners should be listed in accordance with their representation, example, John Brown, Monoh Village, Joseph Kollie; Monoh Village; MusuDosii, Monoh Village etc. Speaker my question I want to ask, anything we say here, our people will believe us, Peter and Blama are working, do we have to consult everybody to do our work? We are talking about resources on the private land they are for you, that which are on the land.

Facilitator: How the policy affects people in rural area?

Speaker: The purchase of the land to have limitation is good to buy land, but for the purpose of buying, it is good to know the intent, let the intent be clear for the land, land bought must not be resold.

Speaker: For example, like Buchanan Renewable, they signed a concession with the government, but it sold the company with no one known the amount for which it was sold. Buying land should not be authorized, it should be leased

Rev. Jagba: Let us know the quantity of acres to be sold, how many hectares of land may be sold to any individual or people will want to buy or lease from customary land.

Day 1; January 22, 2013; Afternoon Session

Group 5

Facilitator: Mabel Kear

Question: How does the draft land policy's definition of customary land apply to women?

2.4 Equal Access: Can one easily get a land as a woman? See Equal Protection: Gender consideration for both women and men. Land ownership, the men are key decision makers, Mr. Taylor, we do agree that in the past women were never in community leadership before, but today, the rural communities' leadership is placed in women hands too!

Peter Finboy: My observation, in the session, we asked some people to do recording and presentation, but this was not done. In this session we need to know what all we say and agree to in the group.

Mr. Carlos: What I know in time past, women were considered as first property by men. The problem here is that education have given rights to women, if government says it should be done, then it should be done, if the policy is explained to the people to know it better.

Speaker 1: Is the town chief having any right to sell the land? I want to know.

Speaker 2: In our Constitution, its provision gives rights to every Liberian; it is good now to understand that the women know their right.

Speaker 3: As a woman, in this sense, after the woman has getting a child, if she does not have children, should the woman be overlooked? If she is not married or if she does not have children? No. She must have right in the land business.

Isaac Robert: Every Liberian has right to own a property as stated in our law, considering section 2.4/5 of the draft policy which is application to women.

Facilitator: Before as a woman, people use to ask you to bring your husband? Group answered yes.

Speaker 4: I don't think that women have been denied, Liberia was able to get the first female Head of State, and the first female President, and many women are in higher positions in government today. Before, it was the custom and tradition that deprived women from getting opportunities. But, we need to still consider that women will not be equally equal to rub shoulder with men.

Facilitator: The policy does not annoy customary and traditional practices, because there have been changes from time to time

[Audio Unclear]

Speaker 5: I concurred with the previous speaker, that says women will not be equal and equally equal with men; because when armed robbers comes, the woman will knock your back to wake up to face the armed robbers, the men feed the women and children, pay school fees and do everything to keep the woman and children well and better, we can't make us to be equal and equal!

Speaker 6: Yes! Equal right and equal protection. The policy is saying that we should remember the interest of the women as it comes to customary land ownership, management or administration.

Facilitator: Can women equally benefit from customary land?

Isaac Robert: Yes, the policy states that despite ethnicity, gender or sex, we should have equal access in land ownership.

John Gbaye: There should be 40% benefit for women, not 50/50%.

MusuKiadii Thompson, Governor: Women are requesting for 50/50% not to say in monetary value, but also in labor and land matters, we need it.

Facilitator: Does the policy help the women to get land?

Speaker 7: Yes, if a woman is in the town, the woman can get the land. The policy says that women will have access to land.

Facilitator: Are there any issues in this policy that the policy is not addressing?

Speaker: Yes, the issue is that, they have placed everything on par with men; it should not be equal, equal access, because the man is the home maker and woman is to help.

Facilitator: How do we understand the issue of customary land when it comes to the issue of women?

Speaker: That women should have some role to play in the administration and management of customary land, they should have title and the same rights as men in the utilization of customary land

Day 2; January 23, 2013; Morning Session

Group 1

[Audio Unclear]

Facilitator: A case study of a growing city, the example was Gbarnga growing very fast, a businessman wants to build a factory outside the city in an area that is forested but close to the city. However, this land is outside the city limits and is part of land that is owned by the local traditional community.

Does the draft land policy allow for the developer and the community to come to an agreement for the use of the land?

Speaker: Yes! Yes, the draft policy gives authority to the communities to have agreement. Section 6.2.1-6.2.6, if you read that it says that customary land owners have unreceptive and perpetual rights to negotiate with anybody that wants to buy or lease their land.

Speaker: There should be a law that the customary land should not to be sold but to be leased; such in the future the people can retake their land for other purposes that is when business people want to invest in the land, it should only be lease.

Speaker: If the decision will be reached with any business person, it should be the involvement of everybody including youths, women, local government officials, etc. Everybody should be involved in decision-making, but not only a few handful of people.

Speaker: There should always be an agreement; the agreement so that the customary land owner will not interfere with the business; both the businessman and community should be protected.

Speaker: There agreement should take into consideration socio-corporate responsibility for the community, like to develop the place.

Speaker: That there should be a law that taxes collected from businesses by the government should be divided into two, 60% to government and that people that own their land 40% goes to community because there is a tendency that when taxes are collected people will not see development, there is no development in these communities.

Speaker: Before a land is leased, environmental impact study of the business should be taken into consideration before any agreement. Like in the case of LAC, there is a river that has been polluted because of LAC operation in the area. To take into consideration the environment such that water and air or the environment will not be polluted for the people's safety.

Speaker: The agreement to lease the land should be guided by lawyer; there should be a lawyer to provide legal guidance or to represent their legal interest, because business people always want to gain a lot from others.

Day 2; January 23, 2013; Morning Session

Group 2

Facilitator: Case study on Mamba Point where a family use to live. They were forced to move when Monrovia developed it for hotels and businesses. They were not given new land. Now many of them are squatting at the Ministry of Defense. Now the government wants to move them out and build something new. The squatters have no title. How can the policy be used to fine a fair, legal and just solution for these people?

Speaker: The policy can find a solution through the policy recommendation on 5.3.1.3 eminent domain. Other public purpose for which the people were removed, other public purpose is not clearly defined, it did say, what government wants to do, who will benefit, is it the investor, government or the community.

The way the people were moved is not clearly defined, let the purpose be clear and well known.

Rec to procedure taking by government to remove the people of this particular community was illegal, for any other purpose and two wrong cannot make one right, the government has done wrong to the people, therefore, we equally say 5.1, 5.3.1.6, 5, 3,1.10 to be used to fine a fair, best, and legal solution for the people's

There is no provision within the draft policy that address the issues of illegal occupants. There should be a policy to say if you sit on public land what will happen, or if you sell it what will be done to the seller or buyer?

Day 2; January 23, 2013; Morning Session

Group 3

Facilitator: A story about a lady who left their property in the 1970's. They have legal land deed, but they went away during the war and have just returned. Other families are sitting on their land. They have land deeds that are legal. How can we use the policy to intervene to determine a fair, legal and peaceful resolution to this problem?

Speaker: Adverse possession has no legal bases during an armed conflict; this property belongs to the 1970's family. See section 1.1 of draft policy. Alternative resolution: If you go to court, the court ruled that first party has the right to ownership or legal title to the land, and that if you finished building your skyscraper or mansion with everything inside,

To bring peaceful resolution to the table, call some elders, religious leaders, to talk lot of things. There should be some level of compensation for the second party who has developed the land for a considerable period of time, and that notice for relocation should be served for period of time.

Facilitator: We want to say a big thank you to all of you. We will now invite the Vice Chairman to make some comment.

Vice Chairman Wisner, Land Commission: I want tell you thank you to all, the way my heart lay down today, for some of the good, good things I hear from you. The land business is a serious matter, especially the Chairman of the Slum Dwellers' Rights. We at the Land Commission do not sleep, but I want to sound a warning about the selling of public land. I am sounding a warning to you, Land Commissioners; city mayor there is a moratorium on the sale of public land. We will prosecute people for selling public land, some people are giving problem, creating problem for the government, we receiving report about surveyors. We will want a list of all registered surveyors. Because anybody masquerading...once again you the Commissioners that are involved in selling land, we want you to stop! If you are caught, we will not hesitate to recommend you to the Justice Ministry for prosecution. Please again, commissioners stop selling public land, because will prosecute people for this. Thank you

Day 2; January 23, 2013; Morning Session

Group 4

Facilitator: Talking about our case study, the case study says that, one family that owns a lot of land on the outskirts of Monrovia, they went away in 1980 and has not come back. Land is fertile agricultural land, some people have built houses on it, and some people are planting garden and some people are using it for vegetable to sell.

Question: How does the policy address such a case? What are the rights of landlord? What are the rights of the resident?

[Audio Unclear]

Speaker: Resident does not have right over private land, only landlords,

Speaker: There should be a ninety (90) days grace period to be given for people to vacate the land they occupied illegally.

Speaker: People who sell land illegally, they should be prosecuted.

Speaker: Resident occupying the land should pay for any natural resources that are destroyed on it.

Speaker: Private landowners to identify one person to serve as administrators for their land.

Speaker: Every deed should have the location on it so that people will not be confused

Speaker: People with private deed should re-register with the commissioner.

Speaker: You cannot sell land to someone and reclaim some portion of that land

[Audio Unclear]

Day 2; January 23, 2013; Morning Session

Group 5

Bestman Toe, President of Swamp Grower Association of Liberia: Case study, one person on a land near the river, she has legal land title. But the policy declared that the land is a wetland and a protected land. She is not using the land but squatters have built houses on it. What are the landowner's rights? What are the squatters' rights? How should the government use the policy to protect the wetland?

Speaker: Government should have taskforce to monitor wetland, as protected land.

Government to have programs to sensitize people about protected land. It should be on billboards, it should explain in our vernacular, to be explained on radio. All occupants on wetland should be removed and also be compensated; rather staying for a long period and reclaiming. Squatters that go through the right channel to be protected.

Government should give deed to people who have already developed the wetland because there was no wetland law.

Government should compensate people who have developed the land, because it is too expensive to break these structures again.

Government should impose taxes on people who have land and abandoned it for a long period; that is people bought land it is still for long time and they comeback to claim it, paying taxes would compel them to develop it.

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Group 1

[Audio unclear]

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Group 2

Question: Should benefits be paid to owners of customary land whose land are expropriated by the government?

Speaker: Yes, benefit should be paid to the owners of customary land whose land are expropriated, if government take people land they should be compensated, a benefit should be paid. What condition can government take customary land? Yes, for public purposes such as schools, hospitals.

Facilitator: If the government takes the land and does not follow the policy of eminent domain, or did not pay the people should such land be returned if benefits are not paid to landowners? Why, should this be documented, or a policy? Should such land be returned to the former owners when compensation is not paid? Whether customary or private?

Speaker, Yes!

Facilitator: Why?

Speaker: It should be a policy for it to be given back to landowners.

Speaker: Sometimes it is difficult to do that, because suppose the land is developed, like in the case that the government built hospital, or school, so it will be good that the policy makes provision directing compensation for the landowners.

Speaker: Request landowners, that have genuine deed to put in for utility buildings, individual will ask people to go to the ministry to get their money.

Speaker: This is why the system is put into place.

Facilitator: If a policy comes into force, is it retrospective or it starts from now on? Then we will see the issue of government...

Speaker: Perhaps the cases that are pending, it is not issue of whether or not you are satisfied. Instead of saying it should be defined under eminent domain, all elements under eminent domain are considered. The way we are thinking, there is a new paradigm, the way we are thinking about government getting our land. If eminent domain requires that government wants my land it should compensate landowners. If it fails to do so, we can take government to court.

Speaker: In the case of Peace Island, is there any laws that says how long you can still or live on a land if government goes into eminent domain for occupants to benefit?

Facilitator: If you are a squatter, there is no right, this we agreed on it yesterday session, but for community, yes the community should be compensated. Should such land be returned to the former owners when compensations are not paid? If yes, go to eminent domain.

Speaker: If government does not compensate, it does not have legal right, because it is done illegally, you can take the government.

Facilitator: If they are squatters, they do not have rights.

Question: Does the Policy adequately address the involvement of the community in signing of concession agreement?

For customary land, Anna Philip, City Mayor of Careysburg . . . 6.3.2 - 6.4.1 in accordance with the Constitution of Liberia government has exclusive ownership rights on mineral resources on or beneath the land.

Facilitator: The issue is the government has rights over the resources.

Speaker: It should not be “exclusive” but it should be in collaboration with the community.... Now a day in forestry and other mining,

Facilitator: If government gives the mineral rights to concession, is it in context of eminent domain or in the context of private purchase agreement?

Speaker: Of information.

Speaker: When this government came into place, it reviewed most of the concessions and provide for Social development fund.

Speaker: Exclusive right means that the government has authority to regulate mineral resources.

Speaker: That word is very strong! Because the policy gives exclusive ownership rights to the government

Speaker: How can they say they get everything? For example: 6.4.1Community shall have land Management decision-making authority regarding customary land.

Facilitator: Is this the way the policy is trying to get the community involved in concession business? Concession business, dealing with Multinational Corporation is not just small thing; it has to do with years and thousands of dollars.

Facilitator: What other policy we can Suggest to have community get involve?

Speaker: 6.1.5 it says communities shall establish legal entity consisting of transparent procedures and institutions accountable to their communities This policy may not be too

adequate, but the policy makes the community to have some decision making in signing concession agreement, like through institutions, or legal entity. Having legal entity to represent the interest of the communities. This is helpful in term of community engagement.

Speaker: People in interior are very superstitious, if the countryman is not satisfied, they will hide the minerals.

Facilitator: The government will hide the gold, this interesting, the government needs to hear it.

Facilitator: Thank you very much, I enjoyed the facilitation, you can now go, and the writer will put down what we have agreed on for the group.

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Group 3

Facilitator: Raymond Zaizay

Speaker: Hello! A story about a lady who left their property in the 1970's. They have legal land deed, but they went away during the war and have just returned. Other families are sitting on their land. They have land deeds that are legal. How can we use the policy to intervene to determine a fair, legal and peaceful resolution to this problem?

Speaker: Adverse possession has no legal bases during an armed conflict; this property belongs to the 1970's family. See section 1.1 of draft policy. Alternative resolution: if you go to court, the court ruled that first party has the right to ownership or legal title to the land, and that if you finished building your skyscraper or mansion with everything inside, To bring peaceful resolution to the table, call some elders, religious leaders, to talk lot of things. There should be some level of compensation for the second party who has developed the land for a considerable period of time, and that notice for relocation should be served for period of time.

Facilitator: We want to say a big thank you to all of you. We will now invite the Vice Chairman to make some comment.

Vice Chairman of the Land Commission: Statement, your hello oh... I want tell your thank you to all, the way my heart lay down today, for some of the good, good things I hear from you. The land business is a serious matter, especially the Chairman of the slum dwellers rights. We at the land commission do not sleep, but I want to sound a warning about the selling of public land. I am sounding a warning to you, land commissioners; city mayor there is a moratorium, on the sale of public land. We will prosecute people for selling public land, some people are giving problem, creating problem for the government, we receiving report about surveyors. We will want a list of all registered surveyors. Because anybody masquerading...once again you the commissioners that are involved in selling land, we want you to stop! If you are caught, we will not hesitate to recommend you to the Justice Ministry for prosecution. Please again, commissioners stop selling public land, because will prosecute people for this. Thank you

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Group 4 and 5

[Audio Unclear]