

**CONSOLIDATED REPORTS OF SPECIAL INTEREST GROUP
CONSULTATIVE MEETINGS ON THE DRAFT LAND RIGHTS
POLICY**

RECORD OF DISCUSSIONS



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SPECIAL INTEREST GROUP CONSULTATIVE MEETING ON THE DRAFT LAND RIGHTS POLICY

RECORD OF DISCUSSION

Held with the Media at the Land Commission, Conference Room

On March 20, 2013

BACKGROUND

A one-day consultation was held with the media (Press Union of Liberia) in the Land Commission Conference Room on March 20, 2013, to discuss the draft Land Policy. The meeting brought together 25 media outlets.

DISCUSSION QUESTIONS & ANSWERS

1. Are the four categories clear to you? If not, why?

- The four categories are not clear. There are some ambiguities (e.g. page 6 sec. 2.22/5.23)
- More clarity needed in distinguishing Public land and Government land.
- Government Land should be set aside from Public Land.
- There is a contradiction on Pg 3. 5.135. It is not clear, including concession.
- There is a need to elaborate on the definition of Government Land.

2. Is it clear how the draft policy differs from current practice? If not, why?

- Yes, it differs from previous ones because it categorizes the different kinds of land ownership rights and sales.
- The draft policy gives rights to ownerships by communities of customary land.
- The policy seeks to give ownership rights and prevent government from arbitrary seizures.

3. If you were writing a story to support the policy, what would you focus on?

- Will focus on some of the issues raised above.
- Focus on educating the public on the draft policy.
- Focus on the four categories of land—its uniqueness.

4. If you were writing a story to criticize the policy, what would you focus on?

- Failure to include the media as a unit at the onset.
- Limited publicity on the draft policy.

5. Are there further ways to get public input beyond what has already been done? (consultation, website, news articles, radio spots, etc)

- Yes, live Radio/TV talk show, internet, fliers, billboards.

6. Are there any major issues which you feel have not been adequately addressed in the policy?

- Yes. Customary practices and norms are not defined or spelled out in the document.

7. Additional Comments

- Possible inclusion of land re-distribution in the policy.

SPECIAL INTEREST GROUP CONSULTATIVE MEETING ON THE DRAFT LAND RIGHTS POLICY

RECORD OF DISCUSSION

Held with Civil Society at the Land Commission, Conference Room

On March 21, 2013

BACKGROUND

A one-day working session was held with the Liberia Civil Society at the conference room of the Land Commission on March 21, 2013, to discuss the draft land policy. The meeting brought together 28 participants from the cross section of the Liberia Civil Society.

DISCUSSION QUESTIONS & ANSWERS

1. Are the four categories clear to you? If not, why?

- No. clarity needs to be provided on ownership of customary land and Private Land
- **Government Land**
 - How can GoL sell and lease its own land?
 - What about buildings use but not owned by government?
- **Public land**
 - Definition of Public land is not clear
 - Can Public land be found today?
- **Customary Land**
 - Customary land should not be sold
 - Can a non-Liberian who is a member of the community have ownership rights?

- Definition of community is not clear. What does it mean (clan, village city, chiefdom, district and county level?).
- Why should GoL have “exclusive” Rights to mineral resources and not tribal people?
- If a family is given a portion of customary land, why is it not treated as “private ownership”?

2. Does the Policy address current existing inequities and grievances? If not, what else is needed?

- No
- Does not address issues of abandoned land
- It does not address the need for redistribution of land
- It does not deal with past injustices relation to land
- It does not deal with on-going injustices until policy is approved
- It does not deal with intractable land conflict
- Acquisition of customary land is not clear
- Not sufficient emphasis on community capacity to organize and administer their land
- There should a provision to benefit low income earners

3. What has your organization done to address land issues?

- Nothing

4. How can the Land Commission assist your organization to address land issues?

- Partnership to conduct nation – wide awareness on land reform
- Advocacy for land policy
- Raising resources for land related work
- Information sharing and networking
- Conduct training on Draft policy with civil society organizations and religious institutions
- Empower institutions to carry out awareness campaigns.

- Assist CSOs to map potential land conflict areas at county level
- Awareness/sensitization/mobilization
- Research
- Consultations
- Meetings
- Land dispute
- Capacity development to work with establishing community committees

5. Are there any major issues which you feel have not been adequately addressed in the Policy?

- Clear distinction between Government and Public land
- The policy should address the issue of undeveloped land
- There should be timeframe for policy implementation should be 2014

6. Additional Comments

- (1.5) should be changed from “churches” to religious institutions
- 6.2.1 vs. 6.3.1 (remain as 6.2.1)
- ***Customary Land should not be sold!***

SPECIAL INTEREST GROUP CONSULTATIVE MEETING ON THE DRAFT LAND RIGHTS POLICY

RECORD OF DISCUSSIONS

Held with Rubber Planters' Association, Liberia Timber Association, and
Cooperative Development Authority at the Land Commission, Conference
Room

On March 26, 2013

BACKGROUND

A one-day working session was held with the Rubber Planters' Association, Liberian Timber Association and Cooperative Development Authority at the conference room of the Land Commission on March 26, 2013. The purpose of the meeting was to discuss the draft land policy. The meeting brought together about 28 participants from the cross section of the Rubber Planters' Association, Liberia Timber Association and Cooperative Development Authority.

DISCUSSION QUESTIONS & ANSWERS

1. Are the four land categories clear to you? If not, why?

- Yes. The four categories of land are clear.
- **Private Land**
 - Definition should also include individuals, *groups of people* or private entity (7.11)
 - Why should private protected land be used for the benefit of all Liberians? (7.1.2)
- **Customary Land**
 - Customary Land can be leased but not to be sold.

- A time line should be set and necessary mechanism, including administrative structure put in place before the sale of customary land.
- Difference between Communal Holding and Customary Land?

2. Is it clear how the draft policy differs from current practice? If not why?

- Not too clear

3. Does the draft policy make it easier or more difficult for your organizations to operate in the land sector? Why or why not?

- Easier, it addresses the numerous challenges in the land sector.

4. Are there any major issues which you feel have not been adequately addressed?

- Yes. Definition of community.

5. Additional Comments

- Tenure of 10 years is too short (Reversion-5.3.3.1), 50 years?
- Education and awareness raising on the policy.
- Population growth resulting in limited land space in customary land setting. The community should negotiate with other neighboring communities for land space.

SPECIAL INTEREST GROUP CONSULTATIVE MEETING ON THE DRAFT LAND RIGHTS POLICY

RECORD OF DISCUSSIONS

Held with Senate and House Committees on Land, Mines Energy, Natural
Resources and the Environment Held at the Wulki's Farm Careysburg

On March 27, 2013

BACKGROUND

A one-day working session was held with the Senate and House Committee on Lands, Mines Energy, Natural Resources and the Environment held at the Wulki's Farm on March 27, 2013. The purpose of the meeting was to discuss the draft land policy; the meeting brought together 25 participants, including officials of the Land Commission.

PRESENTATION

Dr. Brandy, Chairman of the Land Commission, made a power point presentation on the draft policy, with specific reference on the four categories of land.

DISCUSSION

- Commended Land Commission for drafting Land rights Policy document.
- Expressed happiness for involvement of the Senate and House Committees in the policy process.
- The policy addressed the complex land issues in the country.
- The issues of double land sale and efforts being made by the LC to draft Criminal Conveyance Act currently at the House of Representatives.
- Boundary demarcation and harmonization
- Chiefs continue to keep customary land records.

- Copies of Chairman Brandy's presentation be sent to the joint committee and comments and recommendation should be sent to the Land Commission before the 17th of April.

SPECIAL INTEREST GROUP CONSULTATIVE MEETING ON THE DRAFT LAND RIGHTS POLICY

RECORD OF DISCUSSIONS

Held with the Business Community at the Conference Room, Land Commission

On April 2, 2013

BACKGROUND

A one-day working session was held with the Business Community at the conference room of the Land Commission on April 2, 2013, to discuss the draft Land Rights Policy. The meeting brought together 23 participants, including officials of the Land Commission.

PRESENTATION

Dr. Cecil O.T. Brandy, Chairman of the Land Commission, made a presentation on the draft Land Rights Policy, highlighting the four categories of land.

DISCUSSION QUESTIONS & ANSWERS

- **Government Land**
 - Government owns the mineral resources below (beneath) the land. How far below? What is the definition of “below/beneath?”
- **Public Land**
 - In some area there will be no public land.
 - Does an industrial area like the Free Zone Authority fall under public land?
- **Customary Land**
 - Timeframe be set for customary land to be deeded.
 - In the long-term, customary land will all be deeded.
 - Participants agreed on a legal entity to manage community land

- Policy does not define community since communities are involving at different stages.
- **Additional Comments**
 - Informal dwells (squatters) not captured in the policy
 - What is the boundary demarcation process?
 - Distinction should be made between the Government of Liberia and Republic of Liberia.
 - Need for urban land policy

SPECIAL INTEREST GROUP CONSULTATIVE MEETING ON THE DRAFT LAND RIGHTS POLICY

RECORD OF DISCUSSIONS

Held with Liberian Marketing Association, Liberia Motorcycle Transport Union,
and Road Transport Union of Liberia at the Conference Room, Land
Commission

On April 3, 2013

BACKGROUND

A one-day working session was held with the Liberian Marketing Association, Liberia Motorcycle Transport Union, and Road Transport Union of Liberia at the conference room of the Land Commission on April 3, 2013. The purpose of the meeting was to discuss the draft Land Rights Policy. The meeting brought together 27 participants from the three organizations.

INTRODUCTION

Chairman Cecil O.T. Brandy, Chairman of the Land Commission, welcomed the participants and informed them about the purpose of the meeting. He said it is the first time government has come out with a draft land rights policy and urged them to fully participate in the deliberations.

DISCUSSION QUESTIONS & ANSWERS

1. Are the four categories clear to you? If not, why?

- Yes, they are clear to all.
- Recommendation
 - Customary community should reserve a portion of land as public land.

2. It is clear how the draft policy differs from current practice? If not, why?

- The draft policy is clear and different from current practice because in the past all land was called public land

3. How will the draft policy affect your operations? Will it make it easier or more difficult? Why or why not?

- It will make our work easier because it gives definition to each category of land.

4. Are there any major issues which you feel have not been adequately addressed?

- Yes. Public land is not adequately addressed, nor how it should be obtained.

5. Other issues

- What is swamp land?
- How does the policy address those who own large acreage?
- What are the rights and benefits of individuals who own land with mountain or creek that contains mineral resources?
- What rights children/spouse have on the dead relative's property?
- What will be the benefit of a land owner of a mountain if government wants to use the sand from the mountain for public good?

SPECIAL INTEREST GROUP CONSULTATIVE MEETING ON THE DRAFT LAND RIGHTS POLICY

RECORD OF DISCUSSIONS

Held with Liberian National Student Union, Federation of Liberian Youth and other students groups at the Conference Room, Land Commission

On April 4, 2013

BACKGROUND

A one-day working session was held with the Liberia National Student Union, Federation of Liberian Youth and other youth groups at the conference room of the Land Commission on April 4, 2013. The purpose of the meeting was to discuss the draft Land Rights Policy. The meeting brought together 53 participants from these organizations.

DISCUSSION QUESTIONS & ANSWERS

6. Are the four categories clear to you? If not, why?

- It is not clear
- Recommendations
 - **Government Land**
 - Government Land can be given to concession following all reform and guidelines based upon the economic benefits and impact on all Liberians.
 - **Public Land**
 - *Public Land should be defined as land used by community dwellers regulated by the government of Liberia and the local government.*

- Public and Government Land should be combined and called Public Land.
- All provisions under Public Land & Government Land should be synchronized.
- Public Land should be supervised by the government.
- **Customary Land**
 - A community should inhabit a piece of land for a specific timeframe to be entitled to ownership
 - Acquisition of customary land should not be based on Deeds.
 - There should be a criteria set up to establish Customary Protected Areas by the community dwellers in consultation with government.
 - The protection of Protected Area under customary land should be the responsibility of Government and local leaders.
 - Community leaders should form part of the legal team.
 - All customary Land should be legitimately given from community head/leaders to its dwellers with all boundaries recorded and traditional evidence stipulated to show legitimacy since land is not deeded to avoid land dispute in customary land areas.
- **Private Land**
 - Protected areas should be allowed to be granted for concession.
 - In obtaining private land, the document should follow the legal process clearly so as to avoid multiple-land ownership by a single person or individual.

7. It is clear how the draft policy differs from current practice? If not, why?

- Yes. It is clear. The Draft Policy clearly articulates the classification of Land and the procedures regarding its acquisition.

8. Does the draft policy take into account the interests of Liberia's youth and students? Why or why not?

- No. Some cultural norms and practices may not protect the rights of youth and students in the acquisition of land

9. Are there any major issues which you feel have not been adequately addressed?

Yes. Concession

10. Other issues

- Section 6.2.4. should be re-written to read thus: each community shall be responsible for identifying its own membership (youth, women and men) with acknowledgement of cultural norms that does not contravene the rights of others

SPECIAL INTEREST GROUP CONSULTATIVE MEETING ON THE DRAFT LAND RIGHTS POLICY

RECORD OF DISCUSSIONS

Held with the Liberian National Bar Association and Association of Female
Lawyers at the Conference Room, Land Commission

On April 11, 2013

BACKGROUND

A one-day working session was held with the Liberian Bar Association and Association of Female Lawyers at the conference room of the Land Commission on April 11, 2013, to discuss the draft land policy. The meeting brought together 25 members.

INTRODUCTION

Dr Cecil O. T. Brandy, Chairman of the Land Commission, welcomed the participants and informed them of the purpose of the session. He urged the lawyers to take the meeting seriously because land affects the growth and development of the country.

DISCUSSION QUESTIONS & ANSWERS

- No sufficient time was given to lawyers to review the draft land rights policy. A special session should be organized by the Land Commission to get their inputs
- 6.2. Definitions under Customary Land is actually a background not “definition”
- Customary Land is formally called Tribal Land and should be written as Customary Land/Tribal Land
- Community has the rights to sell their land

- There is a difference between communal land and Customary Land. And according to law, communal land is a property not to be sold
- The definition of Public Land is not clear
- 5.1.2 The word “use” in the definition of Government Land should be changed (no suggestion made) especially in using a lease-hold
- According to law, Communal land is a property that should not be sold
- There will be no land left according to the definition of Public Land
- The idea of selling Customary Land should not be encouraged because at some point there would be no land
- Government should grant deed to customary land but with “distinctions”