



# **GUIDELINES**

## For the Recognition of Customary Tenure in Liberia

**Land Governance Support  
Activity Task Order Under  
the Strengthening Tenure and  
Resource Rights (STARR)  
IDIQ**

*June 2020*



Cover Photo: Parley staff facilitate a community self-identification meeting in Kpatawee Clan, Bong County, Land Governance Support Activity/Liberia

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# GUIDELINES FOR THE RECOGNITION OF CUSTOMARY LAND IN LIBERIA

## LAND GOVERNANCE SUPPORT ACTIVITY TASK ORDER UNDER THE STRENGTHENING TENURE AND RESOURCE RIGHTS (STARR) IDIQ

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# FOREWORD

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With the passage of the Land Rights Act in 2018 the Liberian Land Authority (LLA) had the responsibility to develop a process for the implementation of the Act, specifically the recognition of customary boundaries. Through support of the United States Agency for International Development (USAID) and other international donors, the LLA was able to test and draft methodologies for community engagement and self-identification, the development of community land governance bylaws, the establishment of Community Land Development and Management Committees (CLDMCs), and the mapping of community boundaries. Each step involved the participation of all sub-units within the community, inclusive of women, men and youth; traditional authorities; local government; civil society; and the LLA. Together this participatory approach resulted in a common understanding of the steps required for a community's boundaries to be officially recognized.

These Guidelines outline the common approach to be used by communities, civil society, government, donors and other supporting actors in the process of recognizing customary land. While the higher level steps of community self-identification, establishment of CLDMCs and harmonizing boundaries are required, the methodology in achieving them can be adapted based on the local context and resources available.

As the LLA continues the process of collaborating with communities, civil society and donors, we anticipate that these Guidelines will be updated with new templates, forms and lessons learned, thereby making it a living document.

The methodology presented here is based on the field work and inputs provided by the Sustainable Development Institute (SDI) and Parley under USAID's Land Governance Support Activity (LGSA), as well as The Tenure Facility's previous and ongoing work through SDI, Parley and Foundation for Community Initiatives (FCI).

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# ACRONYMS AND ABBREVIATIONS

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CLDMC	Community Land Development and Management Committee
CSI	Community Self-Identification
CSO	Civil Society Organizations
GIS	Geographic Information System
GPS	Global Positioning System
ICC	Interim Coordinating Committee
LGSA	Land Governance Support Activity
LISGIS	Liberia Institute of Statistics and Geo-Information Services
LLA	Liberian Land Authority
LRA	Land Rights Act
MOU	Memorandum of Understanding
NGO	Nongovernmental Organizations
TOR	Terms of Reference
USAID	United States Agency for International Development

# INTRODUCTION

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These guidelines detail the steps that make up the methodology for the recognition of customary land, tested by the USAID Land Governance Support Activity (LGSA) in 12 communities in Liberia. LGSA lessons learned have informed an approach that the Liberian Land Authority (LLA), other organizations and donors may apply and adapt to document and map community boundaries. While the steps are laid out sequentially, communities and supporting organizations may find that in some cases activities happen “out of order.”

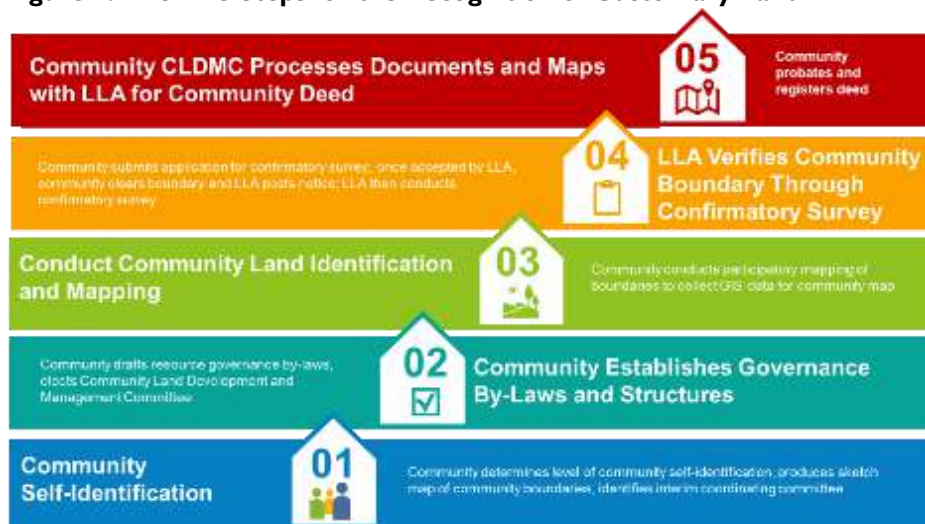
Community self-identification, governance, and mapping are essential requirements to securing the rights of community members to their farmland, community forests, water, and other resources. By working through a participatory process towards obtaining a community deed, communities can identify resources that are culturally significant or important to their livelihoods. Understanding boundaries and land uses may also help to:

- Improve economic benefits;
- Increase community-based decision-making regarding land concerns;
- Build awareness of local government to understand community resources;
- Increase awareness of the legal framework that governs the access and use of land resources;
- Protect natural resources (i.e., community forests); and
- Ensure that land acquisition or land-based investments happen with consent (free, prior, and informed consent).

The methodology for the recognition of customary land consists of five steps (see Figure 1), which can be adapted to the local communities’ needs. Throughout the process, local organizations assist communities to document their lands and resources, engage with local authorities, and contribute to discussions on land rights. While community members own the final data and outputs, local organizations act as intermediaries, storing the data and sharing with relevant stakeholders, such as the LLA, approved by communities through a data-sharing agreement. The maps and folios that make up the final output of the methodology for the recognition of customary land provide communities with a tangible, evidence base from which to obtain a community deed and begin engaging, planning, and making informed decisions on sustainable land use. This participatory and inclusive approach creates a space for all members of the community, whether from a place of power or one of vulnerability, to contribute to the establishment of representative land governance entities and mapping of community boundaries.

The Guidelines for the Recognition of Customary Land defines a **local organization** as a CSO, NGO, CBO, or private company that works with community members of a community to define and map their boundaries. A local organization is a neutral third party in the documentation process. The role of the local organization is to facilitate broad, inclusive engagement of community members, carefully and accurately represent community perspectives throughout the documentation process and facilitate discussions between community members and local authorities.

**Figure 1: The Five Steps for the Recognition of Customary Land**



The outputs of the process are the community self-identification Memorandum of Understanding (MOU), community bylaws, establishment of a Community Land Development and Management Committee (CLDMC), community boundary maps, and community-specific folios containing the information collected during the process (see Annex M). Local organizations facilitate the collection of boundary information, and final data outputs belong to communities. At the completion of activities, communities receive a copy of the maps and supporting information. These outputs can be used as a resource for future planning and discussions. After discussion with and approval from the communities, local organizations may share data and information with local and national authorities and national data-sharing platforms, with an end goal of receiving a Community Land Deed from the LLA.

For each of the five steps, the guidelines explain the purpose and outputs, people involved, planning and timing considerations, and resources needed. This summary information is included at the beginning of each step.

Throughout the guidelines, LGSA has identified resources for additional information and training as well as best practices learned from pilot activities. Where relevant, the guidelines include specific instructions for mapping activities. Red-bordered text boxes in Step 3 describe considerations for mapping communities with confusing, overlapping, or conflicted geographic areas. The annexes to these guidelines also provide templates and links to resources to guide the implementation of the documentation process.

# PREPARATION AND RESOURCES

## PREPARATION AND RESOURCES FOR THE IMPLEMENTING PARTNER:

### People Involved:

- Local organization, including Project Manager, Community Engagement Specialist, Gender Specialist, and Mapping Specialist (Implementation Team)
- Field support (including community volunteers, mobilizers)

### Planning Considerations:

- Engage stakeholders. Contact the community at least one month before Step 1.
- Decide whether to pay travel allowances and per diems.
- If the community does not have electricity, plan to use solar power, batteries, and candles for night meetings.

### Resources Needed:

- Computer (optional)
- Camera or smartphone for photographs
- Tablet or GPS unit
- Projector and screen (optional)

### Timing Considerations:

- Note that preparations and the gathering of documents and maps can take several months.
- Consider rainy and dry seasons. Conducting mapping activities during the rainy season adds extra complexity to field work. While not impossible, this requires more flexibility.
- Consider the community seasonal work calendar to ensure equal gender participation in all meetings and discussions.

Before starting the methodology for the recognition of customary land, review Steps 1 through 5 to ensure that the required resources are available to plan and conduct this process efficiently. This section outlines considerations for planning. Weigh these considerations carefully before beginning the process. Have a clear understanding of the logistical requirements as well as the tools that will be used throughout field activities.

**Team members.** Some of the steps require quite a bit of planning and logistical arrangements. Land Governance Support Activity's (LGSA's) pilot teams were most successful with a team of three to carry out the field activities: A Project Manager/Officer, a Field Facilitator, and a Mapping Specialist. Many teams also included mobilizers and community-based animators to support meetings and activities. Each local organization should determine the team

## MOBILIZERS AND ANIMATORS

**Mobilizers** are hired by the organization to facilitate meetings.

**Animators** are community members that liaise with the organization to communicate messages throughout the community.

structure that works best in the local situation, noting that teams can only work in a limited number of communities at one time. LGSA recommends a Field Facilitator, Community Engagement Specialist, or similar position to lead all community meetings, with a Mapping Specialist to support data collection and the creation of maps and a Gender Specialist to ensure gender safeguards are considered and maintained in all activities. Choose team members with strong facilitation skills and knowledge of the local context. LGSA also strongly recommends at least one team member who can touch type.

**Community permission.** Identify a community in which to carry out community boundary mapping. This may come from communities themselves or from an issue that stakeholders would like to address. Work with county, district, and town authorities to identify or confirm an appropriate community in which to work.

## PREPARATORY ACTIVITIES

### 1: Desk Studies

Research is essential to learn as much as possible about the county, the community, and the landscape. This initial desk research should include but is not limited to the following:

- Land Coordination Center baseline studies
- Government reports about the county and region
- Liberia Institute of Statistics and Geo-Information Services (LISGIS) demographics and statistics about population, ethnic composition, languages spoken, religions practiced, size of towns, etc.
- Information about the geography of the area
- Historical accounts of the county, area, and community
- History of land conflicts in the county, area, and community
- Information about major concessions and companies operating in the county, area, and community

### 2: Reconnaissance Visits

Initial visits would be largely informal and possibly organized impromptu without prior scheduling with the community. They are aimed at collecting further information to enlarge the field team's understanding and help make some *à priori* decisions regarding possible levels of community self-identification, the field team's logistical and planning requirements, and other community dynamics such as:

- What are the level of community cohesion?
- What community governance structures and institutions exist?
- Who are the community leaders?
- What natural resources exist in the community and how are they used?
- What community institutions exist and how they operate?
- Are there any major land-related disputes in the community?
- What are the major threats to community-owned land?

Obtain approval from local authorities to work in the community. Before engaging stakeholders (i.e., the community, county, district, town, and community officials) in Step I, meet with the community to get permission to undertake community mapping. In LGSA's experience, an established relationship with the community and the local authorities helped to ensure a smooth process. Before starting Step I, work with the community to estimate the scale to be mapped (i.e. how they will self-identify—clan, town, etc.). This can change in the process of working with the community.

**Background research.** In preparation for stakeholder and community engagement (Steps 0), gather general information and any existing maps of the community. General information includes clan/town/village population, size, ethnic makeup, known history, and neighboring communities. Liberia Institute of Statistics and Geo-Information Services (LISGIS) is a good source for this information. The team will gather more in-depth information about each community during community profile interviews.

**Technology and hardware.** Determine the technologies and tools that the team will use during field activities. Documenting activities with a camera is valuable for both the local organization and community members. However, a fancy camera is not necessary; a phone camera is sufficient. A photographic record of community documentation is an important part of the process. Plan to take photos during every step of the process.

LGSA pilot teams carried a recorder, smartphones, handheld global positioning system (GPS) device (for mapping), and a laptop and battery-operated projector (when conducting training) to the field. While technology-intensive, these tools allow rapid capture and sharing of data in formats that can be readily incorporated into modern databases, facilitate data storage and management, and enable map production. Pilot teams utilized both a mobile data collection application on a phone and handheld GPS devices for field data collection during boundary verification walks. While this provided some redundant data capture, it also helped the teams explore different technologies. While not all this technology is necessary, LGSA recommends a computer and a smartphone or tablet at a minimum.

Mobile devices (smartphones or tablets) have many different uses. Most mobile devices have a GPS application (app), a camera, and a keypad to enter text and numbers. Many users find it easier to collect data on mobile devices than on traditional handheld GPS units or with pen and paper. LGSA pilots explored several mobile data collection tools (see Annex R) that utilize a smartphone or tablet to collect information. While this toolkit does not recommend one mobile data collection tool over another, many LGSA pilot teams used GIS Cloud, which is open source and easy to set up. If the local organization decides to use a mobile data

## MAPPING RESOURCES

**Mobile Applications to Secure Tenure (MAST) Learning Platform** for latest updates on participatory mapping, training, and data sharing.  
<https://land-links.org/tool-resource/mobile-applications-to-secure-tenure-mast/>

For technical mapping resources, spatial data, and GIS training:

- **Regional training:**  
<https://cersgis.org/training/>
- **SERVIR:**  
<https://servirglobal.net/>
- **Esri:**  
<https://www.esri.com/training/>
- Free online course, **University of California at Davis:**  
<https://www.coursera.org/specializations/gis>

**QGIS** for free and open-source mapping software.  
<http://www.qgis.org>

**Google Earth** for a free mapping tool with satellite imagery.  
<https://www.google.com/earth/>



## LOCAL LANGUAGE

It is essential to work in the local language most commonly spoken in the community. If the local organization does not have native speakers of that language, plan to find a translator and build in extra time for translation (i.e., for a meeting that would last one hour without translation needed, plan for an hour and a half with a translator). If multiple languages are spoken (for example, if people from another region have relocated to the community), make sure that they have access to someone who can translate on their behalf.

collection option, plan extra time to prepare and test data collection forms. Annex P contains sample data collection forms, and Annex A includes resources for training on mobile data collection. LGSA pilot teams used mobile data collection for two purposes: to collect monitoring data about each activity and to collect spatial data during boundary verification walks (see Step 3). If conducting community mapping during the rainy season, make sure to use a waterproof case for the mobile device.

**Technical mapping resources.** With the objective of producing outputs that can be included in a modern spatial database, this process relies on geographic information systems (GIS) or computerized mapping. LGSA pilot teams used QGIS, a free and open-source software, that can be downloaded from the internet. Prior to beginning fieldwork, determine what GIS resources are available. These may include technical support or training (see text box and Annex A). When pilot Mapping Specialists did not have knowledge of GIS prior to beginning mapping activities, LGSA provided training and technical support throughout the process. Mapping Specialists were able to complete the mapping successfully. This toolkit does not describe GIS processes in detail, but does provide information on the general data collection, data management, and map production processes LGSA teams used to produce maps.

Prior to beginning activities, work with a mapping resource organization (see text box and Annex A) to identify satellite image maps of the area. High-resolution satellite imagery provides a detailed, bird's-eye view of a community. Accessing recent imagery is very important to the community resource documentation process. Work with a mapping resource organization to understand imagery options for mapping better. These may include the use of unmanned aerial vehicles, or drones, to obtain imagery for small community areas.

**Monitoring activities.** Before starting the documentation process, clearly state the expected results and develop a set of indicators for tracking progress toward achieving these results. Keep track of who attends every meeting and document what was discussed. Monitoring the results and the participation of the community throughout the documentation process will help track whether activities are making progress toward goals, i.e. keeping track of the participation of women, youth, and minorities to plan activities to mitigate gaps. This monitoring information can help identify and document lessons learned throughout the process and allow teams to adapt activities based on ongoing learning. Monitoring data also provides reference information during compilation of community folios. Annex K contains templates for monitoring data. Make sure to complete these forms for each visit to the community or local authorities to keep a comprehensive, accurate record of activities.



## REFERENCES

- **Annex A: Resources**
- **Annex K: Monitoring and Evaluation Data Collection Templates**
- **Annex P: Example Data Collection Forms and Attribute Tables**
- **Annex R: Mobile Data Collection Options for Participatory Mapping**

### BEST PRACTICES

- Work in a community that is known to your organization or where you have reliable information. Identify sites where you already have relationships or can develop a relationship and are not too far from your organization's office.
- If the community is far from your organization's office, take time to get to know the communities and stay in the communities whenever possible.
- Not all organizations will decide to pay travel allowances and per diems to participating community members. Decide before starting the process if your organization will do so, considering the budgetary impacts and sustainability.
- Take photos throughout the process to document each step and include them in community folios.
- Identify technology and hardware needs and available resources before beginning the process.
- Identify technical mapping support or training resources before beginning the process.

# STEP 0: INTRODUCTION AND AWARENESS OF CUSTOMARY LAND FORMALIZATION

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## STEP 0: INTRODUCTION AND AWARENESS OF CUSTOMARY LAND FORMALIZATION

### People Involved:

- Local organization facilitators (men and women)
- Community authorities/administrative leaders
- Community members (women, men, youth, and elders)

### Planning Considerations:

- Schedule meetings well in advance so that the necessary people can attend.
- Hold stakeholder meetings at least one week before community meetings.
- Note that meetings with individual stakeholders may be easier than one large group meeting.
- Prepare an agenda for the meeting (see example in Annex N).
- Prepare take away materials (information sheets on Interim Coordinating Committee [ICC], Animator, Community Land Development and Management Committee [CLDMC], etc.) for community-level meetings.
- Obtain access to meeting space (e.g., town hall or school) in advance of the meeting.
- Use agenda from stakeholder engagement meeting if desired (see Annex N).
- Ensure that women have a chance to ask questions and voice opinions.
- Remember to monitor data collection (e.g., attendance sheets, meeting notes).
- Leave outreach materials behind (one copy for each sub-unit if resources allow).

### Resources Needed:

- Computer (optional)
- Camera or smartphone for photographs
- Tablet
- Projector and screen (optional)
- Agendas
- Outreach materials
- Take away materials on ICC, CLDMC, etc.
- Attendance sheets and meeting minutes form
- Venue identified

## **STEP 0: INTRODUCTION AND AWARENESS OF CUSTOMARY LAND FORMALIZATION (CONTINUED)**

### **Timing Considerations:**

- Ensure that the meeting does not last more than half a day (two to four hours are generally sufficient).
- Plan the meetings when most people are available.

The main objective of the community engagement phase is to introduce the concept of community self-identification, how a community can obtain a community land deed, and begin to compile documentary evidence to that effect.

Meet with leaders and community members of individual sub-units to describe and discuss community mapping objectives and explain how the process works. These meetings provide an opportunity to plan with and brief local community leaders before the next steps. Step 1 should also help community members understand how and why the process will benefit their communities.

### **PURPOSE**

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- To provide local government and community leaders with a clear understanding of the documentation process, how resources will be mapped, and what the final products will be (i.e., community folio and map of community boundaries to be presented to the Liberian Land Authority [LLA] in order to obtain a community land deed).
- To build trust with community members and establish clear expectations about the planned activities throughout the methodology for the recognition of customary land and community members' roles in the activity.

### **OUTPUT**

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- Buy-in from local authorities, clan and town/village leaders, and other decision makers in the area.
- Informed about the steps in obtaining community customary land deed from government.
- Understand the Land Rights Act, associated regulations, and instruments such as guidance documents and templates.
- Community members' understanding of the process, and readiness and willingness to participate in documentation and mapping activities.

- Agreement by the community to collaborate and share the information collected during the process with the local organization and other relevant stakeholders such as local authorities and LLA (see data-sharing agreement template in Annex M).

## HOW THIS STEP WORKS

### 0.1 Develop outreach materials

- Develop clear messages to help communities understand the purpose and benefits of customary land rights recognition. This may be in a form of a t-shirt or poster with simple statements about community knowing itself and negotiating their boundaries.
- Review, adapt, and disseminate existing outreach documentation developed by projects on community land rights recognition in Liberia (i.e. LLA or USAID, European Union or Tenure Facility funded projects).
- Design media strategy (including but not limited to graphic designs on clothing, public performance, text messaging, community meetings, school programs, town criers, and radio call-in shows).
- Develop and pilot-test messages to inform target (and neighboring) communities about the objective of the exercise, the process, and the benefits of cooperation.
- Hold women-specific outreach in addition to mainstream media outreach activities.
- Develop a monitoring framework to establish a baseline and assess post-exercise levels of comprehension, acceptance, and support of customary land rights recognition messages; use the framework for adjustments to the outreach program for different regions as appropriate.

### 0.2 Meet with local government authorities

Facilitating organization drafts introduction letter to set up a meeting with county and district government authorities. During the meetings, introduce the recognition of customary tenure process and explain how the community was chosen for this process.

### 0.3 Convene a meeting with local authorities and community leaders

After informing local authorities of the work in the community, set up a meeting with community leaders, local authorities, and the private sector as relevant to discuss the recognition of customary tenure process objectives and timeline and to explain how the process works. Contact the following authorities and institutions:



Land Governance Support Activity women's land rights outreach materials in Kpatawee, Bong County, Liberia  
TETRA TECH

- County and district governments (City Mayor, County Superintendents and District Commissioners);
- Paramount Chief;
- Clan Chief;
- Town Chief;
- Traditional authorities (including landlords, section chiefs, etc.);
- Ethnic and religious group leaders, including minorities; and
- Youth and women community leaders.

All these stakeholders have a voice in land resource documentation, either formally or informally, so it is important to bring them together. The recognition process of customary tenure can prompt discussions about land use both between government departments and between government and community members.

#### **0.4 Introduce participants and organizations**

Go around the room and have representatives from each institution/sub-unit introduce himself/herself. Introduce your organization and the facilitators. Explain what your organization does.

## COMMUNITY MEETINGS

In order to get broad-based consensus and participation, it may help to organize “town-hall” style meetings throughout all large sections, towns, and areas of the community. Before these meetings, the team should meet with the County and other statutory authorities. In these meetings:

- Introduce the team and the customary land rights recognition field exercise.
- Discuss the benefits of the exercise for the County and for communities.
- Discuss the challenges that are part of the field exercise
- Ask for the names of important key statutory and customary leaders.
- Ask for names of important stakeholders and landlords in the County (who may live in or outside of the County).

Organize larger meeting(s) between the team, community leaders, and the community as a whole to determine how everyone will work together. In this meeting:

- Explain the mission and objective of customary land rights recognition field work.
- Discuss expectations and limitations.
- Explain how communities were selected.
- Discuss the role of the animators, interim committees, the local organization, the role of community leaders, and the role of the community in the process.
- Explain the expected timeframe and process of the exercise.
- Clarify any financial and other logistical support the team may or may not be able to provide the community to facilitate the process.

### 0.5 Introduce objectives

State why this meeting and the community boundary documentation process are important. Reference the following:

- Community boundary documentation is an opportunity for local authorities to engage with communities and learn about their land resources.
- Community boundary documentation is an opportunity for stakeholders to have an open dialogue about land resources and land rights.
- Community boundary documentation will provide local stakeholders with maps and community folios. These resources describe community boundaries. While the maps and folios are not official, they can be used as tools for participatory planning, management, engagement, and application for a community land deed.

## 0.6 Discuss the Land Rights Act

Walk through the Land Rights Act and explain why it is important with emphasis on the Customary Land Rights Section and Regulations.

## 0.7 Present the community boundary documentation process and activities

Introduce these guidelines as a resource and walk through the steps in the process using outreach materials.

## 0.8 Introduce the community

Present information about the community. If initial maps of the community are available, show them to the group. Explain how the decision was made to work with this community and any work completed to date on preparations. Obtain approval from the presiding chief to continue work in the selected community.

## 0.9 Explain why the work is important and what are the benefits to the community

State why this meeting and the community boundary documentation process are important. Reference the following:

- Customary land rights recognition is an opportunity to create a map of the community's boundaries. This map can be a tool for planning, management, and engagement.
- The process provides communities with an opportunity to engage with local authorities.
- Community mapping is an opportunity to include the community's voice in land rights conversations.

## MAXIMIZING COMMUNITY PARTICIPATION

Organizations assisting communities to formalize their land must plan carefully and make important judgements about how best to ensure community participation, while also not over-burdening a community with meetings and ensuring a cost and time efficient process. Careful planning of community consultations at all stages of the customary land formalization process will ensure that community participation is maximized within the time and resource constraints. Over-scheduling communities with meetings and consultations can breed tension and result in a decline in community participation and engagement. Strategies to mitigate this include: grouping community units to reduce the overall number of meetings and scheduling meetings in consultation with community leaders to avoid conflicting with important community commitments. (Parley Liberia)

### **0.10 Present mapping activities and data-sharing agreement and ask for community feedback**

Introduce the guidelines as a resource and walk through the steps in the process using outreach materials (i.e. the five-step cartoon poster). Ask the community if they want to engage in the process. Introduce the data-sharing agreement (see Annex M). Make clear that the data and information generated by the activities are owned by the community. Discuss whether mapping objectives reflect the needs of the community. Ask if the community wants to map anything that is not already included in the plan.

### **0.11 Explain why it is important that all groups be represented (women, men, youth, elders, minority groups, disabled, etc.)**

The maps need to represent all land resources and boundaries. In order to show the community boundaries accurately, people from all parts of the community need to provide their opinions. Women and men often use land differently, minority groups may not have the same access and use rights as non-minority groups.

### **0.12 Identify community mobilizers and/or animators**

Introduce the role of a community mobilizer or animator. If not already pre-identified from previous working relationships, select and train at least one community mobilizer or animator in each community so that they can liaise with the community and the local organization.

### **0.13 Lead discussion of next steps**

Explain the next step, when the team will return to talk to the community, and what the community members can expect. Open the meeting to discussion and questions. Leave the outreach materials in the community. Leave contact information for the team and clearly explain how the team will communicate with the community throughout the process.

## **REFERENCES**

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- **Annex A: Resources – Education and Outreach Materials by LGSA**
- **Annex M: Community Folio Template**
  - Data Sharing Agreement Template
- **Annex N: Example Agendas**



## BEST PRACTICES

- Facilitate discussions between local authorities and the community and play the role of a neutral third party in the event of land resource issues in the community.
- Note that the more inclusive the involvement of stakeholders, the greater the chance of outputs being officially recognized by local authorities to the benefit of communities.
- Strive for early, collective engagement with all authorities in the same room in the community.
- Communicate first with county-level government offices to facilitate communication with district offices.
- Include local government stakeholders such as county/district representatives when possible. If they cannot attend the stakeholder engagement meeting, inform them of process objectives and activities at separate meetings.
- Ask the LLA to set up meetings with other government representatives if necessary.
- Before the larger stakeholder meeting, hold one-on-one meetings with local officials to discuss the community boundary documentation process.
- Request a meeting with advance notice to stakeholders so that the people you want to attend the meeting are available.
- Ensure meeting materials such as an attendance sheets, agendas, and cartoon posters are assembled before the meeting.
- Define the role of each team member in each session.
- Test equipment needed before the meeting (e.g., projector and sound system if using) and make sure electronics are fully charged (computer and camera).
- Use media tools and sensitization materials (i.e., posters, videos, and PowerPoint presentations) when possible to ensure that information presented is clear and understandable.

## BEST PRACTICES (CONTINUED)

- Schedule enough time to go over all the topics.
- Involve women, men, and youth in the meeting.
- Have a clear communication protocol and stick to it. Include in this protocol the practice of reporting back to stakeholders throughout process.
- Information must be clear and understandable. Use media tools and sensitization materials (i.e., posters, videos, and PowerPoint presentations) when possible to share information.
- Ensure that community members are available at the planned time.
- Make the meeting interactive and allow enough time for all questions and discussion.
- Consider translating communications media into Liberian English or the local language of the area if not English.
- Check in with communities throughout the process to get a sense of how things are going. They may need more communication materials or training.
- Enter into a “social contract” in which the community acknowledges their desire to participate in community resource documentation activities and clearly understands that they own the data and information outputs of the process.

# STEP I: COMMUNITY SELF-IDENTIFICATION

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## STEP I: COMMUNITY SELF-IDENTIFICATION

### People Involved:

- Local organization (men and women)
- Local authorities (community leaders, presiding chiefs, representatives from LLA)
- Community members (men, women, youth, and elders)
- Animators and Interim Coordinating Committee (ICC) members

### Planning Considerations:

- Create space and opportunity for women, youth, minorities, or other vulnerable people to share their knowledge and opinions freely.
- Charge the phone or tablet ahead of time if using one for recording. Have back-up power sources (power banks or solar-powered chargers).
- Ensure that printing and preparations for the training are complete before the meeting. Printing materials may be more difficult in smaller towns.

### Resources Needed:

- Smartphone (or tablet) for recording
- Camera or smartphone for photographs
- Attendance sheets and meeting minutes form
- Notebook and pen
- Tablet
- Tape recorder
- Computer (optional)
- Projector and screen (optional)
- Agendas
- Venue identified

### Timing Considerations:

- Find a time that is convenient for community members that does not conflict with farming or working.
- Arrange meeting times and locations that work for both women and men.
- Ensure that no focus group meeting or interview lasts longer than two hours.
- The training should not take more than three hours.
- The legal training and women's land rights training can be combined into two days or three shorter days.

## TIPS FOR CONDUCTING INTERVIEWS

- Designate one person as the main interviewer and another person as the notetaker.
- Identify a translator if the local language is different from the national language; train the translator on the purpose of and specific terminology involved in the interviews.
- For interviews and group discussions with women, use a female interviewer and translator to make the women participants more at ease.
- Take photographs only with the permission of community members.
- Keep interview times to a reasonable length.
- Ask the same question to many stakeholders such as community men and women, government officials, and traditional authorities to verify the information from multiple sources.
- Avoid using interview questions as a checklist that must be asked in order; let people tell stories so that the full picture of any given issue is presented.
- Start with the simple questions and move on to the more difficult ones.
- Be flexible and be prepared to follow up on issues that may emerge during the interview.

Conduct a series of interviews with local authorities and community members about land uses and resources. This information provides background understanding about the community. Information collected during this step is included in the community folio as the community profile (see Annex D). Assist the community to self-identify its membership, i.e. which towns, villages, sections, quarters, etc. will make up the community. Per the Land Rights Act (LRA), community self-identification (CSI) is defined as, “the act of community members coming together to define or identify their community customary land areas by themselves without any form of coercion or undue influence of outsider.” General boundaries and a list of neighboring communities should also be identified.

Depending on the geographical size, the level at which the community self-identifies, and the speed at which agreements can be reached with community’s neighbors on boundaries, this part of the field exercise is expected to take up to two calendar weeks to complete. A series of systematic community engagement approaches that are adaptable to all circumstances and levels of self-identification, be they at town, clan, chiefdom or other levels, are envisaged. These approaches comprise of focus group meetings, town hall meetings, etc. to facilitate a process to achieve self-identification. The number of meetings held and the format these meetings take depend on many factors, including the geographical extent of the community, the number of main towns and villages (satellite towns), and the level of cohesiveness of the community. An adequately qualified and trained field team is expected to be nimble and adapt appropriate meeting strategies to gain the initial trust of a community in order to help them self-identify for the recognition of their customary land rights under the Liberian Land Rights Act.

Conduct training sessions for traditional authorities, women, men, and youth in the community on land laws affecting men and women’s rights to land, women’s land rights and women’s participation in community land governance. This will ground the customary tenure community mapping process as relevant for all members of the community and demonstrate women’s rights to land under the law.

## PURPOSE

- To document information on the community such as its history, who lives in the community, existing land disputes, and who has the right to access and use the resources on the land.
- To involve community members in the community land boundary documentation process.
- To improve communication and coordination with local government, communities, and local organizations.

- To solidify agreement on the level of community self-identification.
- To conduct training on laws, policies, and regulations impacting land rights; on women’s land rights; and on women’s participation in community land governance.

## OUTPUT

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- Selection/elections of Interim Coordinating Committee (ICC) (optional).
- Written profile on the history and makeup of the community, to include how community members use land in the community. This information will be included in the final community folio.
- Traditional authorities, men, women, and youth trained on the laws, policies, and regulations that impact a community’s and individual’s right as it pertains to land—particularly the legal, political, and cultural obstacles and opportunities that affect women’s rights as it pertains to land (optional).
- Traditional authorities, men, and women trained on ways to support meaningful participation of women in land governance decision-making at the community level (optional).
- Application of Expression of Interest for Community Self-Identification submitted to the LLA.

## HOW THIS STEP WORKS

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### 1.1 Conduct background research and prepare for interviews

Before meeting with the community, gather general information on each town (see Preparation and Resources). If available, this should include location, population, ethnic makeup, types of crops, and sources of income for both men and women. Potential sources of information include newspaper articles, reports by LISGIS, research institutes and civil society organizations (CSOs)/nongovernmental organizations (NGOs), statistics, agricultural production and forest cover maps, and knowledgeable residents in the main towns.

At the beginning of this step, determine what technology, if any, you will use to record interviews. Using mobile data collection is not recommended for this step, as open-ended questions are difficult to capture when typing on a tablet. A recorder, phone, or tablet to make an audio recording of interviews can be useful. If conducting the interview in a large room, several recording devices may be necessary to capture responses from all participants. Always test the recorder before beginning interviews and remember to charge the device or bring back-up batteries. During interviews, have one team member act as a facilitator and another as notetaker.

## **1.2 Prepare the community for CSI**

Introduce the process for CSI and the relevant provisions of the LRA to each sub-unit of the community. Introduce the idea of the role of an ICC.

## **1.3 Commence the engagement of community to self-identify**

Under this and the other activity headings that follow, a combination of focus group meetings, general town hall style meetings involving all community members, and special meetings with sections of communities or committees, as appropriate, are organized to achieve self-identification.

- Begin dialogue with formal and customary community leaders to ascertain ideas of “a community” for the purpose of customary land ownership. Introduce the concept of scale of self-identification (i.e. at what level decisions are made for land allocation and use).
- Examine definitions obtained with the identified community in community-wide meetings and focus group discussions. This may imply holding many meetings at town, village, quarter, or sectional levels.
- Document the various settlements (villages, towns, tribes, private claims, etc.) that might constitute the community.

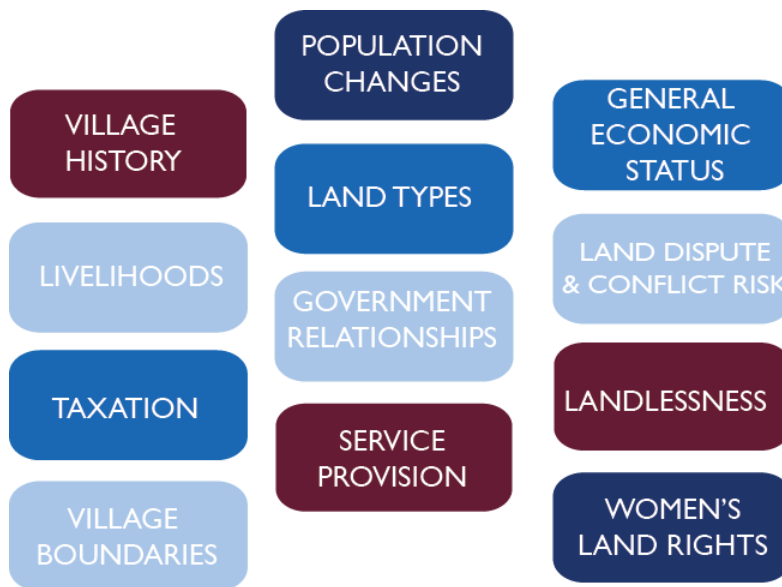
## **1.4 Draft community profile**

Interview several different groups to collect detailed information about the communities in the community. See the Community Profile Template in Annex D.

Questions on land use and access can be asked during spatial awareness exercises and boundary verification walk (Step 3) and be disaggregated by gender. Information gathered throughout the process should be assembled for inclusion in the folio to be presented to the community and local authorities (see Annex M).

As information is gathered from stakeholders (local authorities, town elders, women, etc.), write the community profile in clear, accessible language so that the community understands the main messages. Consider adding photos of community members and their land resources from the interviews to document the community conditions or including direct quotes to highlight important issues.

**Figure 2: Key Components of Community Profile**



As more information is gathered during subsequent steps, update the community profile accordingly. (The draft format for the community profile and the community folio can be found in Annex D and M). Folio completion and handover is the last step.

### 1.5 Identification of community land area

Representatives of the community sub-units meet to decide composition of community making up the customary land-owning community.

- a. Discuss the deeds, tribal certificates, information on concessions, private land and community forests, etc. (if they exist) for collection later (during step 3 and after a community deed is provided).
- b. Produce sketch map with the community (including men, women, and youth). Break out into three working groups (women, youth, and elders). Each group develop a sketch map of their community customary land as they know it to be, showing features such as rivers, streams, hills, private, concession, government and public lands, and if possible, land held under tribal certificates. Neighboring communities

with whom they share boundaries and potential areas of disagreement should also be highlighted.

- c. Verify and confirm sketch map with all stakeholders in community consultative meeting (present findings).

### **1.6 Nominate and elect ICC**

Introduce the role of the ICC. Elect a committee with equal representation of women, youth and elders. The ICC will play a critical role in the formation of community land governance institutions, so the community's choice in ICC will determine the quality and legitimacy of the bylaws and CLDMC.

At the same time, assist the community to nominate and elect animators from the community whose responsibility will be to communicate activities throughout the recognition of customary tenure process. Animators will work with mobilizers to create awareness of meetings and events.

### **1.7 Conduct training for ICC and animators on roles and responsibilities**

This training will strengthen the understanding of ICC members on their roles and responsibilities during the process of CSI. A key component of this training is to help understand the process of developing community sketch maps and drafting community land bylaws. It will equip them with knowledge of legal framework of the Land Rights Act and implementing regulations.

### **1.8 Declaration of identity as land-owning community**

Develop and validate an agreement/signed memorandum of understanding (MOU) by delegates of all agreed communities/sub-units to serve as evidence that members of the applicant community provide their consent to self-identify their land as one customary land-owning community.

### **1.9 Submit Application of Expression of Interest to LLA**

The community submits a letter of application for self-identification to the LLA. The application shall include: a. name of the community; b. geographic location; c. name and signatures of community leaders; and d. number of towns/units of the community applying (see Annex C for the Community Self-Identification Application template).

### **1.10 Identify prospective trainees in the community**

With support of the governance structures identified in the community profile and guidance for animators, mobilizers, and ICC members, identify the people with influence on land governance decision-making, including traditional authorities, religious leaders, women's group leaders, youth group leaders, and other individuals respected in the community. Select around 20 people that illustrate the community makeup, ensuring there is gender balance and a representative from all portions of society to influence decisions on

#### **ICCs and CLDMCs**

**ICCs** are elected to represent the community in the beginning of the CSI process. Once community bylaws are drafted, **CLDMCs** are elected as official representatives of the community per the LRA.



land who can also meaningfully participate in and benefit from the training.

### **1.11 Conduct legal training**

Using the simplified laws provided (Inheritance Law, Criminal Conveyance Law, Land Rights Act, and Customary Land Regulations), conduct training to the selected participants. If additional laws are to be included in the training plan, simplify the content so that the content is easily understood by people of varying educational backgrounds and reading ability. Link how these laws impact the recognition of customary land process.

### **1.12 Conduct training on women's land rights and participation in land governance decision-making**

Building off the legal training, conduct training on gender-related issues in the recognition of customary land process and the importance of a gender-responsive community approach. Using the Training Manual of Women's Land Rights, walk through the exercise to identify issues pertaining to gender and land, the land tenure system in Liberia, women's land rights, land administration and dispute resolution, and intervening in land disputes. Participants will be able to communicate the following at the completion of the training:

- How some customary practices may violate women's rights over land;
- The benefits of having documentation for land; and
- The benefits of secure land rights for women.

## INCLUSION OF VULNERABLE GROUPS

A participatory research process must not just include the community leaders and the most-educated residents. Include vulnerable groups in the interviews conducted in Step 1 to provide a broad understanding of the function of customary tenure and land use in each community. Vulnerable groups often take more time or effort to reach because they may be less available for meetings, might not speak the same language as the research team, or might not think of themselves as experts or people who should be involved in politics. People may be vulnerable because of their social or economic status. They may also be vulnerable if they do not belong to the dominant ethnic group in an area, do not follow the same customs, or are not comfortable speaking in the same language. Vulnerable groups include elderly people who cannot easily leave the home, women who are responsible for housework and are unavailable for group discussions, members of minority ethnic groups, recent migrants, and the poor. Displaced people, migrant workers, and refugees are also vulnerable groups.

Vulnerable groups provide important information that otherwise would not be included, especially about livelihoods and equality. Including these groups in the documentation process also increases understanding of the customary system in the community and builds support for further advocacy and land use planning.

To identify vulnerable groups and ensure an inclusive process, consider people who are marginalized by their economic, social, and cultural status.

Source: MLRG, 2017.

## REFERENCES

- **Annex A: Resources – Other Resource Documents**
  - Rapid Rural Appraisal and Participatory Rural Appraisal: A Manual for Catholic Relief Services Field Workers and Partners, Volume I.  
(<https://www.crs.org/sites/default/files/tools-research/rapid-rural-appraisal-and-participatory-rural-appraisal.pdf>)
  - Training Manual on Women’s Land Rights
  - Training Manual on legal framework
- **Annex B: Community Self-Identification MOU**
- **Annex C: CSI Expression of Interest Application**
- **Annex D: Community Profile Template**
- **Annex J: Simplified Laws**

## BEST PRACTICES

- When a community identifies sub-units to be included in one customary land-owning community, they are making a commitment. Ensure each sub-unit understands the commitment in advance.
- Divide women, men, and youth when developing sketch maps, then have each group present their maps and identify similarities and differences. Discuss the differences until an agreement is reached.
- To reduce suspicions from neighboring communities, pre-inform neighbors about the purpose of the self-identification process.
- Where an MOU was developed before the final signing, reread the content in the general meeting before the signing ceremony.
- Individuals with claims (tribal certificate, deed, etc.) may not live in the community; therefore, gather information on them and follow up later.
- Facilitate the selection of the ICC to ensure community selects individuals who have time and energy for the entire process. The ICC will represent the community until the CLDMC is elected and inducted in office.
- Ask assessment questions sub-unit by sub-unit as opposed to grouping representatives of several sub-units to respond together.
- Before the assessment, discuss the structure of community profile questions that are relevant to the sub-unit with the team.
- Be flexible in the profile questions you ask; they will depend on a participant's answers and the specific situation of the sub-unit.
- Ask "Why?" often so that people reflect on their rules and values.
- If the participants do not know the history of their town/village, ask the elders.
- Write responses as they are spoken by interviewees to avoid misunderstandings.
- Choose a dedicated notetaker to ensure that the flow of information is uninterrupted.

## BEST PRACTICES (CONTINUED)

- Record interviewee data such as the number of people interviewed, the number of men and women participants, those in leadership positions, and members of vulnerable or minority groups.
- Verify information by asking questions in different ways to different people.
- Keep in mind that building a community profile is a continuous process; keep building the history as more information is provided.
- Select individuals for the training that can influence decision-making on land in the community. Once they have finished the training participants can positively impact how and what decisions are made affecting men and women in the community.
- Select women as half of the training participants. Create a learning environment where their voices and opinions will be heard, not just nominally present.
- Choose training times that are convenient for all participants, both men and women, to allow for optimal participation.
- Some training sessions may be split between men and women to encourage open discussion.
- Following the training, identify participants who best understand the issues, particularly women's rights to land, and can influence other decision-makers. Provide these champions with support throughout the recognition of customary land process.

## STEP 2: COMMUNITY ESTABLISHES GOVERNANCE BYLAWS AND STRUCTURES<sup>1</sup>

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### STEP 2: COMMUNITY ESTABLISHES GOVERNANCE BYLAWS AND STRUCTURES

#### People Involved:

- Local organization
- Community members (women, men, youth, and elders)
- Local authorities (town/village leaders, town and clan chiefs, representatives from LLA)
- ICC members
- Representatives from CSOs and other relevant stakeholders

#### Planning Considerations:

- Ensure that printing and preparations are complete before the meeting
- Prepare ballot box for the process if using one
- Print out tickets for voting given the agreed number of delegates to the elections and the different positions to be contested for

#### Resources Needed:

- Flip charts, paper, and markers
- Computer (optional)
- Camera
- Tablet/smartphone
- Agendas
- Attendance sheets and meeting minutes form
- Venue rental
- Copy of model bylaws

#### Timing Considerations:

- The bylaws meeting will take at most two days
- The CLDMC election meeting is a one-day process

Article 35, Section 1a, of the Land Rights Act states that communities shall draft their bylaws “using a process agreed by the community.” With USAID support, the LLA developed model bylaws as a guide for communities to use in capturing community land use and management norms and rules (Annex F).

The legal requirements for the development of community land governance entities are prescribed in the Land Rights Act. The establishment of a CLDMC is explained in Articles 35 and 36 of the

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<sup>1</sup> If a CLDMC is elected in Step 1 or before, one does not need to be re-elected

Act. Article 35 states that the community shall elect the CLDMC and set up rules for the management of the CLDMC. Article 36 outlines the membership of the CLDMC as consisting of democratically elected and equal representation of men, women and youth. The chiefs shall be ex-officio members of the CLDMC.

## **PURPOSE**

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- To develop community bylaws in a participatory manner for the use and management of community land and resources and the composition and management of the CLDMC using the LLA template.
- To develop operational structure of community land governance body in accordance with the Land Rights Act. It will define the community agreed name under its self-identification status and the roles and responsibilities of all positions therein.
- To support the community to establish a CLDMC. This committee will serve as the coordinating body that the local organization relates to in the remainder of the recognition of customary land process. It will also serve as the body to represent the community in boundary negotiations and harmonization with their neighbors (in addition to specific town/village representatives).

## **OUTPUT**

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- Community bylaws fairly and openly drafted and approved by the Community Assembly.
- Representative community governance committee (CLDMC) fairly and openly elected, officers in elected positions and inducted into office.

## **HOW THIS STEP WORKS**

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### **2.1 Hold community meeting**

Hold a general community meeting to provide awareness on procedures for the establishment of the community land governance structure including presentation of LLA approved community model bylaws and land management plan templates.

### **2.2 Community drafts gender responsive bylaws**

In supporting communities to create community land governance institutions, organizations should be careful to not over-burden communities with highly complex systems that may prove unsustainable over time. In assisting communities to design bylaws, emphasis should be placed on formulating necessary and sufficient rules and procedures, rather than overly complex, expensive, and potentially contentious systems. Care should be taken to introduce safeguards that protect community interests from harm by reserving

the most important decisions to the Community Assembly and providing for grievance handling for community members and accountability for office holders.

- a. Review existing bylaws/rules in community—do not reinvent processes that may already exist; ensure bylaws/rules are not discriminatory (i.e. gender responsive, address rights of strangers).
- b. Conduct rules gathering meeting in each unit to identify the general rules acceptable across the self-identified community. Arrange the rules according to categories to inform the bylaws.
- c. Hold a general membership meeting where all rules documented will be reviewed, compared, and consolidated. Document rules that are unique only to a community sub-unit separately, and record those rules that are considered to cut across the broad spectrum of the community. Include rules for the CLDMC, including the officers, their roles and responsibilities, and the way they shall be elected and removed and tenure for each officer. Include the roles and responsibilities of the Community Assembly.
- d. Hold a bylaws review and adoption meeting in each sub-unit of the community. Read the recorded general rules and norms to members of the sub-unit for their final review and endorsement. Hold a general meeting for all community members to adopt the bylaws. Adoption occurs with two-thirds of votes of the members present.
- e. Pre-discuss follow-up meeting that will establish the land governance structure. Agree on date, venue, number of delegates, etc.



Parley staff facilitate a community self-identification meeting in Kpatawee Clan, Bong County, Land Governance Support Activity/Liberia

### 2.3 Discuss governance framework with local leaders

To put concerns to rest, outline roles of local land committees and ensure they are not taking power away from traditional authorities. Explain the need for wide representation on the committee, including women, youth, elders, and potential minority groups. Discuss whether existing governance entities identified in the community profile can take on the role of the land committee. If such an entity exists, enhance its membership, if necessary, to ensure representation of women, youth and vulnerable groups as well as to be fit for the coordinating purpose.

## **ROLES, RESPONSIBILITIES, AND PRINCIPLES OF CLDMC**

Provide a representative, locally legitimate, transparent, committee to support traditional authorities in allocating and documenting community boundaries.

It might be helpful to write out all positions required on the committee, with roles, responsibilities, and all other requirements (tenure in office, criteria for the post) before the elections. Read out the requirements before the selection of each position.

### **2.4 Nominate and elect/select members of CLDMC**

If the community desires, facilitate the creation of a new coordinating entity, ensuring that all sections of the community are well represented. Support each community (area to be defined by the steps above) to determine a process that best fits its own context and culture for the selection of committee members. For the committee to gain full legitimacy within the community, it will be essential to allow the communities themselves to make decisions regarding the number of people to make up the CLDMC, backgrounds, etc. However, the team should point out the necessity of including people with some basic educational backgrounds, knowledge of the community's boundaries, women, youth, etc. to create an effectual CLDMC, with the ultimate decision left to them.

Once the selection process has been agreed upon, the community elects committee members, while ensuring the committee as a whole is representative of the community (women, men, youth, elders, all ethnic groups, someone who can read and write, etc.). The local organization attends and monitors the CLDMC selection process to ensure that it is transparent, fair, and includes the participation of everyone in the community. Communities may set their own rules for elections as long as they do not contravene the LRA.

Document the list of committee members, indicating their status in community and their locations. Facilitate the development and adoption of terms of reference (TOR) for the committee.

### **2.5 Roles and responsibilities of the committee members**

At the first meeting introduce the roles and responsibilities of the committee members and the various officers (i.e. Chairperson, Vice-Chairperson, Secretary, and Treasurer, or other as stated in the bylaws) of the committee. Having discussed the various positions necessary to run the CLDMC at the previous meeting, nominate and elect the officers.

Although up to the community, the composition of the CLDMC ideally should consist of at least fifteen people depending on the size and number of towns/villages included. Membership of the CLDMC may include a traditional leader or senior landlord (just as a member, not in a position), at least one literate person who can act as secretary, representatives of the community who reside permanently in the various sub-units with a diverse selection (i.e. women, elders, youth, various occupations and tribes, minority groups) and other people who may champion land governance issues. Ultimately, it is up to the community to decide membership and record it in their bylaws. As there may be over 20 towns and/or villages in each community, it would be impossible for each one to



have a representative on the CLDMC; however, members should represent as many towns/villages covered by the community as possible. A senior landlord is in theory well respected and can represent multiple towns or villages in close geographic locations on the committee. Integrating local leaders will help the enforcement of community rules, although elite capture (those in power taking advantage of their position to gain personally) needs to be monitored.

### **ENSURING THAT WOMEN, YOUTH AND MINORITIES HAVE VOICE AND POWER ON THE CLDMC\***

To support the authentic participation of all members of the CLDMC, community facilitators can:

- Support communities to elect strong, respected, and outspoken women, youth, and minority group representatives to the committee;
- Support committee rules that state that all committee members must speak before a decision is taken, or other creative, locally-appropriate rules to ensure that women, youth and minority representatives' ideas are heard and their opinions considered during decision-making processes;
- Facilitate the recognition of customary land process in such a way that men, elders, and leaders are shown—by example—that women, youth, and other groups have useful, informative, and important contributions to make to decisions concerning land and natural resource management, and thus should be given space to speak and listened to carefully; and
- Offer specific training or strategy advice to committee members who may face discrimination or dismissal by more powerful committee members. Ensuring authentic participation by women and members of marginalized groups in community land governance is not a simple task. Community facilitators should talk directly to leaders and land committee members about barriers to women's and minority groups' equal participation in land governance, and ask them to share their thoughts, opinions, and ideas. Together in dialogue with facilitators, the land committee members may be able to speak about the issue openly and find creative, local solutions that will allow the voices of women and members of minority groups to be heard. Facilitators should allow the community to find its way to solutions that are culturally appropriate and can integrate well into existing culture and practices.

\*Adapted from Namati's Community Land Facilitator's Guide, Ed. 1, 2016

Once the CLDMC has been formed, information on how the committee members were selected and the roles and responsibilities of the committees should be distributed. Periodic trainings during CLDMC meetings will be conducted on issues that emerge from the recognition of customary process or general land concerns.

## **2.6 Provide training on function/role/responsibilities of committee**

The overall mandate of the CLDMC is to liaise with traditional authorities and the community it represents during the implementation of the recognition of customary land process. Upon completion of the process, CLDMCs will assist with land-related activities in their respective communities. The responsibilities of the CLDMC may include the following:

- Lead decision-making on the transfer and use of customary land as provided in applicable laws, the draft Community Land Governance Regulation, and the community bylaw as approved by the community;
- Allocate, view and render decisions on complaints arising from the allocation and use of customary land, including matters relating to residential areas;
- Negotiate terms and conditions for sale, lease, mortgage, etc. of customary land for not more than 50 acres on behalf of community;
- Keep inventory/records of land activities and apportionment, including sale, lease, sub-division, inheritance, etc. of parcels of customary land as approved by the community;
- Adopt rules and regulation for use of various categories of customary land;
- Prepare and issue deeds to community members who have been conveyed residential land in fee simple;
- Determine reasonable fees to be charged for services related to allocation of land to community members, others;
- Establish, support and maintain sub-bodies and committees as it shall deem necessary;
- Liaise and work with the LLA and relevant government ministries and agencies to ensure that all processes and procedures related to customary land are complied with;
- Represent the community in dialogue, discussions with neighboring communities, LLA, and other government ministries and agencies; and
- Take decisions in respect of the customary land in accordance with the customs, traditions and practices of the community as approved by the community.

## **2.7 CLDMC holds meetings**

The CLDMC will be called together to meet at every stage of the recognition of customary land process (i.e. community introductions, boundary mapping, objections and corrections, and delivery of final community map and folio). Ad hoc meetings to

address land conflicts or changes to boundary information will occur as well. The CLDMC should also convene on a regular basis (i.e. monthly) so that all members can be kept abreast of the recognition of customary land process and land governance issues that arise.

## **2.8 CLDMC communicates with community**

CLDMC members should communicate out to the towns/villages the importance of the customary land boundary work and keep them updated at every stage of the process. Community members should approach committee members with any questions or concerns they have with the process, leadership, or any land conflicts that may arise. The CLDMC will reach out to elders, traditional authorities, local government, the LLA, or the local organization as appropriate when assistance is required.

## **REFERENCES**

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- **Annex A: Resources – Other Resource Documents**
  - Land Rights Act
- **Annex E: Community Bylaws Guidance**
- **Annex F: Model Bylaws**
- **Annex G: Guidance on CLDMC Elections**

## BEST PRACTICES

- Be careful to not over-burden communities with highly complex systems that may prove unsustainable over time.
- When drafting bylaws, include “necessary and sufficient” rules and procedures, rather than overly complex, expensive, and potentially contentious systems.
- Introduce safeguards into bylaws that protect community interests from harm by reserving the most important decisions to the Community Assembly and providing for grievance handling for community members and accountability for office holders.
- Allow community to set their rules for CLDMC elections without contravening the LRA.
- Monitor each sub-unit’s awareness on drafting bylaws and criteria for CLDMC elections.
- Ensure that bylaws are distributed to all sub-units for review.

## STEP 3: CONDUCT COMMUNITY LAND IDENTIFICATION AND MAPPING

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### STEP 3: CONDUCT COMMUNITY LAND IDENTIFICATION AND MAPPING

#### People Involved:

- Local organization (men and women)
- Community members (women, men, youth, and elders)
- Community members from neighboring sub-units (women, men, youth, and elders)

#### Planning Considerations:

- Following community sensitization and community profile (Step 1) activities, community members should already be familiar with the local organization and the methodology for the recognition of customary tenure.
- This activity occurs at the community level, but can also be conducted with neighboring communities.
- Find times that work for community members to ensure participation.
- Identify a location in the community where there is space to lay large maps out on the floor or on desks or tables. Spatial awareness exercises often take place at town halls or schools.
- In light of the materials involved, at least three people from the local organization should be assigned to this step.
- Facilitators should study the satellite maps before working with the community so that they are familiar with the maps.
- Some pilot teams benefitted from adding the satellite image maps to tablets for visual reference during activities.
- Determine how the team will collect boundary markers and boundary lines (e.g., smartphone/tablet with a mobile data collection or GPS app, or a traditional handheld GPS unit).
- Prepare the data collection form, either paper or electronic (see Annex R).
- If using a phone or tablet, make sure the device is charged before beginning this activity. Have back-up power sources (power banks or solar-powered chargers). If using a handheld GPS unit, bring extra batteries. If collecting data during the rainy season, make sure to have a waterproof case.
- Bring a list of boundary markers to the field (on paper or on a smartphone/tablet). A photo of the tracing paper map on a smartphone/tablet may also be helpful.

### **STEP 3: CONDUCT COMMUNITY LAND IDENTIFICATION AND MAPPING (CONTINUED)**

#### **Planning Considerations:**

- Load the satellite image map or a Google Maps version on a smartphone/tablet for reference. This will help to double check locations during boundary walk activities.
- Arrange for transportation if needed (e.g., boat, motorcycle, or truck).
- Prepare and review all draft boundary maps before meeting.
- Encourage as much participation as possible. The more people in attendance, the greater the degree of community networking, and therefore, the more productive the meeting will be.
- Select a location that community members can easily access.
- Include facilitator-led presentations, group exercises, and participation by all in active discussions, with an easy-to-follow structure (the overall format can vary).
- Preparing the folios takes time. Work on folio preparation throughout the documentation process. Assemble the folios at least a week before the meeting to ensure that they are ready.
- Plan for enough time and budget to allow for folio and vinyl map printing.
- Bring enough copies of the folio for all representatives.

#### **Resources Needed:**

- Computer (Google Earth may be helpful for some teams)
- Smartphone or tablet and data collection app
- Camera or smartphone for photographs
- Projector (optional)
- One large-format vinyl satellite imagery map. Scale should be no smaller than 1:10,000 so that detailed features are easy to see.
- Markers (both thick and thin, to include at least blue, red, black, and green)
- Roll of tracing paper or transparent plastic sheets
- Ruler
- Tape (clear and paper masking)
- Scissors or knife
- Large flipcharts (A0 size)
- Attendance sheets and meeting minutes form
- GPS unit and battery
- Notebook and pen
- Boots and raingear during rainy season
- Post-it notes

### **STEP 3: CONDUCT COMMUNITY LAND IDENTIFICATION AND MAPPING (CONTINUED)**

#### **Timing Considerations:**

- Vinyl map preparation requires technical mapping skills and time to identify data and imagery. Plan time to prepare and print maps (see Section 3.1 below).
- Plan at least four hours with each sub-unit for this step. Sub-unit meetings should not last more than three hours without a break in order to keep community members' attention. Activities may be split over two days as necessary.
- Make appointments to meet with communities when they are available. Note that this step is difficult to conduct at night as it requires good light.
- Prepare tracing paper or transparent plastic sheet overlay and sketch mapping stations before community members arrive, as this step requires many materials and time (see Section 3.7 below).
- Some boundary walks can be long, so be prepared with the proper walking shoes, hats, water, and food.
- The folio handover ceremony can happen on the same day as the multi-stakeholder meeting (i.e., have the meeting in the morning, break for lunch, and have the folio ceremony in the afternoon).

Spatial awareness exercises are the community's first exposure to participatory mapping. Participatory mapping is a process that involves community members and their knowledge of geographic features in their community. Through a series of broadly inclusive, interactive activities, community members identify important geographic information about their community. This information is translated to a computer so that it can be displayed on a formal map.

In this step, the local organization facilitates participatory mapping activities with community members to document community boundary markers. Community members select committee representatives for future activities and identify boundary markers on large-format vinyl maps. This step includes a series of progressive mapping activities that generate data to be included in a GIS platform.

The boundary walk should be conducted after completing the spatial awareness exercises for the community. In this step, walk with committee members to verify sub-unit boundaries and collect spatial data using a handheld GPS unit or mobile device. During spatial awareness exercises, the team identifies areas necessary for the boundary verification walk. Boundaries formed by large streams or roads generally do not require a boundary verification walk; however, all other boundary lines should be verified.

## BOUNDARY MARKERS AND BOUNDARY LINES

For mapping purposes, it is helpful to know the difference between a boundary marker and a boundary line.

A **boundary marker** identifies a border between one community and another. Boundary markers are often large geographic features such as road junctions, river junctions, trees, bridges, or hilltops.

A **boundary line** also marks a border between one sub-unit and another, but it is a long, continuous feature such as a road or a stream.

For local organizations that do not have mapping experience, consult with a local mapping organization about this step. Annex A has resources for data collection training.

Careful planning is required to collect boundary verification walk data successfully. Before beginning this step, familiarize yourself with how to collect data on GPS or mobile data collection apps. See Annex A for training resources on handheld GPS data collection ([http://pdf.usaid.gov/pdf\\_docs/PA00N2R8.pdf](http://pdf.usaid.gov/pdf_docs/PA00N2R8.pdf)). See Annex R for an overview of mobile data collection options for participatory mapping. Encourage community participation in boundary walks, and include women and youth in the activity to ensure representation.

In the last portion of this step, committee members from all sub-units meet at the community level to review mapping outputs and discuss land claims. Local organizations should determine whether to include local authorities and neighboring communities in this meeting.

At the end of the community boundary documentation process, community committees receive a community map and folio. Local authorities also receive copies of the folios and maps.

## PURPOSE

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- To share, document, and discuss community members' land resources and community boundaries. This sharing and mapping creates a strong foundation for future mapping activities.
- To identify major features in the community area, reach agreement on community boundary markers, and identify areas where boundaries need clarification and verification.
- To select community representatives for future mapping activities.
- To collect data with community members to verify community boundaries.
- To review maps with community committee members to reach agreement on any changes necessary. This meeting encourages discussion and relationship-building and helps community members identify existing land claims within the community boundary.
- To provide evidence, backed by data, for community members to engage with local authorities or other outsiders about their land concerns. Folios represent the end of the community boundary documentation process.

## OUTPUT

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- Community boundary markers identified, areas where boundary verification walks should occur identified, and



committee representatives for future mapping activities selected.

- Verified community boundary markers and boundary line.
- Revised community maps, list of important land claims.

## HOW THIS STEP WORKS

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Read the “Planning Considerations” section on the first page of this step carefully as these exercises require preparation. Repeat this step in every sub-unit.

The format and purpose of these community meetings is multi-faceted. They provide a venue at which communities can vocalize their knowledge of customary boundaries, elect representatives from their own communities to represent them through the process, and see the outputs of their work at the completion of activities. The essential element of all meeting activities and structured steps is the translation of local knowledge into spatially referenced data that can be incorporated in a geographic information system. The final structure of the meeting can be adapted according to the situation faced by the conflict resolution team, but the ultimate aim remains the same. However, one issue that does not change is the idea that communities with a recognized dispute are never in attendance at the same meeting to avoid escalating what is often a sensitive issue.

The typical format of such a meeting is as follows with greater or lesser time spent in each area depending upon the mood of the meeting and the progress made. A team of staff facilitates the meeting with a minimum of a mapping specialist and the community sensitization representative being present. The entire event should not take longer than four to five hours and takes place in the community itself rather than off-site.

### 3.1 Prepare for the community meeting

Have the mapping specialist (or mapping resource organization) prepare a large-format satellite image map. Identify the community area using the satellite map and create a large-format (A0 or 4x6 feet) PDF. Consult with a mapping resource organization on how to obtain or create imagery for the community. See Annex A for mapping resources that can help obtain satellite image map data.

Print the large-format community maps on vinyl (a service that should be available in most large towns in Liberia). Purchase markers, flipcharts, tape, and other stationery items for mapping. Tracing paper or transparent plastic sheets can be used for mapping (some people find it difficult to see through tracing paper).

Ensure that all local organization team members have a good understanding of the spatial awareness exercise process and activities so that they can help the event run efficiently and smoothly.

**NOTE: Women may talk more about land uses and resources in the community, while men may focus more on boundary markers. Please encourage these different views and take notes on the discussion.**

Once the community has self-identified, public notices are issued to the entire applicant community and its neighbors about the forthcoming identification and mapping of the community's customary land. This can be through posting of public notices in highly trafficked areas and/or through outreach activities. Information should be shared 30 days in advance.

### **3.2 Open the meeting and set expectations**

Open the meeting with introductions and a clear explanation of the purpose. Statements could include the following:

- “Today we are going to make a map of community boundaries. Have you ever seen a map? Have you ever drawn a map?”
- “Today we're going to select representatives to participate in future mapping activities. These are representatives of your community.”
- “Women and youth should be part of this meeting.”
- “Today we want to learn what you know about your community and its boundaries.”

After introductions, a presentation is provided to community members on what will transpire during the day and what the aim of the day's effort will be, i.e. the verbal, written, and graphic representation on a map of an agreed community boundary. Clear identification of this purpose is essential and reduces the likelihood of misconceptions associated with land.

### **3.3 Spatial awareness exercise (optional)**

Ahead of the meeting, community sensitization would have resulted in sketch maps being generated, helping community members to illustrate their immediate surroundings. The outputs of these activities, hand-drawn map sketches, help a community begin the transition from spatial perception to geo-referenced data.

This exercise involves giving separate groups at the meeting a skeletal map with no detail other than a road network and drainage patterns. From this, the groups spend 20 minutes listing as many settlements along the principal road as possible. The results are interesting for the whole group of participants as the limits of spatial perception are graphically demonstrated. Sub-units further from the road have markedly less capacity to list the sub-units along the road.

The exercise is undertaken for two reasons. The first, mentioned above, and a second that provides the mapping specialist with a measure of the variation of spatial awareness present within the group. The difference in knowledge quickly becomes apparent through this exercise. The specialist can then ascertain which groups/individuals might be best suited for further activities. This is especially important when political sensitivities may result in the

election of community members with less spatial understanding than others to undertake subsequent tasks.

### 3.4 Elect community and sub-unit representatives

For community resource documentation to be successful, perspectives from all community representatives (including women, youth, and elders) are needed. Sub-unit committee representatives help document town/village boundaries and resources and ensure broad buy-in from the community. Community representatives help coordinate the entire community mapping process.

Many times, clans self-identify community membership simply by sitting altogether. Collectively, these sub-units hold the information associated with the clan boundary and all voices should be heard. CLDMCs work with each town or village to identify two individuals that can describe the clan boundary as it passes by their settlement. Once nominated, the individuals are brought to the front of the general assembly and a verbal agreement from the remaining community members is obtained that these individuals are indeed acceptable to describe the boundary. The purpose of this step is associated with the step below and is important to eliminate the risk of results being subsequently contested by others in the meeting.

#### **CONSULT YOUR MAPPING ACTION PLAN**

For sub-units that have overlapping, unclear, or conflicted boundaries with neighboring towns/villages, consult your mapping action plan. Talk to community members about how they want their sub-units shown on the map. It is often helpful to conduct spatial awareness activities with individual towns/villages first. Once individual sub-units have identified their boundaries, conduct a joint meeting with neighboring towns/villages to review areas where boundaries are unclear, overlap, or conflicting. Use the vinyl maps and projector to facilitate joint discussions with communities.

During mapping exercises, the boundaries of a small town/village may be entirely within the boundary of a larger one. There may also be instances of sub-units that had grown, resulting in overlapping boundaries with neighboring towns/villages. In these situations, it is important to discuss with community members from all sub-units affected how they want their boundaries to be represented on the map. Where there is potential for disagreement, convene additional meetings between sub-units. Encourage neighboring sub-units to conduct boundary walks together, especially where there is overlap.

The elected CLDMC (or ICC if a CLDMC has not yet been elected) will serve as the coordinating body that the field team relates to in the entire community engagement process. It will also serve as the body to represent the community in boundary

negotiations and harmonization with their neighbors. From this established committee, a boundary committee will be nominated to collaborate with the local organization. It is essential to ascertain and identify certain existing elder positions, such as landlords, that must be included in the mapping process as they have the historical knowledge of community boundaries.

Explain the roles and responsibilities of a boundary committee member. Reference the following:

- Committee members provide a representative, locally legitimate, transparent body to support the community and the local organization in documenting community boundaries and resources.
- Being a committee member for community mapping activities only requires a few hours on those days when the local organization team is at the town/village. Serving as a committee member does not require a daily time commitment.
- Recommend an odd number of committee members, typically five, seven, or nine members.
- Note that participation at future meetings is required whenever possible, so committee member commitment is very important.
- Encourage communities to appoint women, men, youth, the elderly, and members from other vulnerable groups to the committee.
- Recruit at least two community members with literacy and other useful skills as animators that are to be trained and undertake the “heavy lifting” activities involving liaisons to arranging meetings, boundary harmonization, and regular feedback to field team.
- As community members select them, ask committee members to come to the front of the room for recognition.
- Other community members should agree on the committee representation. Receive verbal agreement from men, women, youth, and members of other groups present that these members are able to describe the community boundary and are acceptable community representatives for future activities. This step is essential to ensuring that the full community accepts the mapping outputs at the completion of mapping activities.
- One of the local organization’s team members should make note of committee member names.
- Take a photo of the list of committee member names.
- After the committee is selected, the other community members are free to leave but may also stay and observe.

### **3.5 Train interim boundary committee and animators**

Provide necessary training to instill needed skills for undertaking the process, such as:

- Educate on customary land recognition provisions under the Land Rights Policy and Land Rights Act.
- Provide training on the processes and stages of the customary land recognition field work.
- Build capacity on conflict mediation/resolution.
- Develop capacity on community facilitation.
- Provide training and guidance on negotiation and harmonization of boundaries with neighbors.

### **3.6 Verbal/written description of the boundary**

Meetings sometimes have more than 100 general participants and the following step would be impossible to complete without the boundary sub-committee identified above. The sub-committee is asked to verbally discuss the boundary using recognizable features. This is subsequently written down. Consensus is built among the members until a final written description is completed. The sub-committee then reports out reading the boundary description to the remainder of the general meeting attendees. Any questions are fielded, and once answers are provided, the boundary description is used in the next step.

### **3.7 Documented outputs of community engagement**

By this stage, the field team ought to have compiled the following documentary evidence about the community. To enable standardization, forms or templates (or instruments) may be developed for compiling and reporting these outputs. Furthermore, where appropriate, it is essential to get the CLDMC/ICC chair to sign the documents.

1. An ICC for customary land recognition must have been formed and made operational (evidenced by signed list of members).
2. TOR for ICC must have been developed and adopted (evidenced by signed copy).
3. Number of towns and villages (or satellite towns) constituting the community must have been documented (evidenced by signed copy).
4. Two representatives have been elected from each sub-unit for assistance with identification of their sub-unit boundary.
5. Brief history of community's land ownership must have been documented (evidenced by signed copy of community profile).

6. Community's rules and norms regarding land ownership and management (bylaws) must have been documented (evidenced by signed copy).
7. Sketch map of community's land area indicating names of neighboring communities, physical features, and natural resources must have been completed (evidenced by the map).
8. A checklist of all above outputs must have been completed by field staff, signed and witnessed by community representatives.

These outputs are intended for two purposes: (i) to serve as evidential resource to aid the mapping of community's land described below; and (ii) to be scanned and attached to community maps as attribute data in a GIS.

### 3.8 Introduce the satellite image map

Preparation for this step:

- Cut the tracing paper or transparent plastic sheet to a size that covers the vinyl map. This may involve using clear tape to combine pieces of tracing paper or plastic that are not as wide as the map.
- Clear and/or arrange for a large flat surface (floor, table, or desks) on which the map can be placed flat.
- Ensure that there is enough space for community members to gather around the surface where the map is laid out.
- Align the map so that the north edge of the map points north. (Use the compass app on your phone to determine where north is if necessary.) This will help community members to visualize better the correct direction.

Display the satellite image map so that all community members can see it. Introduce it using language similar to the following:

- "This map is a picture of the community area taken from the sky. It shows large and small features such as roads and individual houses. We use this map to help identify a community boundary and will also use it for future mapping activities."

### 3.9 Introduce features with the satellite image map

Many community boundaries are formed by streams and roads. Identify major features on the satellite image map. These include creeks, roads, mountains, and settlement areas.

Lay the transparent layer (tracing paper or plastic) map on top of the satellite image map. Using paper masking tape, affix the tracing paper or transparent plastic sheet to the vinyl map. Using a ruler as a guide, trace the map border with a black marker on the tracing paper. This border drawn on the transparent layer (tracing paper or plastic) is an important reference.

Ask community members to name major features on the map such as roads, rivers, streams, mountain ridges, and settlement areas. Write these names alongside the features on the transparent layer (tracing paper or plastic) as community members provide them. Committee members can draw streams in blue and roads in red. Use a pencil to mark names for those features about which community members are uncertain. Most of the small streams will have no name on the topographic map, but they will have names on the ground. Stream and ridge names are important because facilitators can use these when communicating with the community members during this process.

### **3.10 Document the community boundary on the satellite map**

After committee members have identified and named major features, ask them to identify boundary markers and boundary lines. Start at a well-known and easily identifiable boundary marker, such as a bridge or a road junction. Mark the boundary marker with a star on the transparent layer (tracing paper or plastic) using a green marker.

Continue asking questions of community members to identify boundary markers. Work your way from one boundary marker to another, making note of boundary markers and lines with a green marker. Draw green arrows along boundary lines to mark the community boundary.

There may be confusion over some boundary markers and boundary lines. For features that cannot be identified on the maps, take careful note of their location as they will require a boundary verification walk.

## ENSURING THAT WOMEN, YOUTH, AND MINORITIES HAVE VOICE AND POWER ON THE COMMUNITY COMMITTEE

To encourage the authentic participation of all members of the community, facilitators can:

- Support communities to elect strong, respected, and outspoken women, youth, and minority group representatives to the committee.
- Support committee rules stating that all committee members must speak before a decision is made, or other creative, locally appropriate guidelines to ensure that women, youth, and minority representatives' ideas are heard and opinions considered during decision-making processes.
- Facilitate the community boundary mapping process in such a way that men, elders, and leaders are shown by example that women, youth, and other groups have useful, informative, and important contributions to make about decisions concerning land and natural resource management, and thus should be given space to speak and listened to carefully.
- Offer specific training or strategy advice to committee members who may face discrimination or dismissal by more powerful committee members. Ensuring authentic participation by women and members of marginalized groups in community land governance is not a simple task. Community facilitators should talk directly to leaders and committee members about barriers to women's and minority groups' equal participation in land governance, and ask them to share their thoughts, opinions, and ideas. Together in dialogue with facilitators, the committee members may be able to speak about the issue openly and find creative, local solutions that will allow the voices of women and members of minority groups to be heard. Facilitators should allow the community to find its way to solutions that are culturally appropriate and can integrate well into existing culture and practices.

Adapted from Namati, *Community Land Facilitator's Guide*, Ed. 1, 2016.

### 3.11 Create a list of boundary markers

Using the transparent layer (tracing paper or plastic) map as a guide, make a list of boundary markers on a flipchart. Take a photo of the flipchart of boundary markers to keep as a record. Present the list of boundary markers to committee members for their feedback and agreement.



### 3.12 Identify areas for boundary walk

Some areas of the community boundary are easy to identify on satellite imagery. These are areas such as streams and roads. Make note of areas that are not clearly identifiable on satellite imagery. These areas should be marked for a boundary walk. Any boundary markers or boundary lines that are not streams or roads should be included in a boundary verification walk.

Write the date and participant list on the transparent layer (tracing paper or plastic) map. Take a photo of the transparent layer map to save for reference.

### 3.13 Presentation to the meeting

The culmination of the meeting is the presentation of the map with boundary annotations to the quorum. If all the previous steps are adhered to, the final result is revealed by the mapping specialist to the meeting attendees. The process should be smooth, given that the meeting attendees have already agreed to the boundary description generated as part of Step 3.6. Invariably, there are questions, and these must be fielded with tact and sensitivity. After the map has been shown and continued agreement achieved, the meeting is concluded.

At this stage, the community outreach specialist will also explain the next steps to be conducted. This includes the need for further ground-truthing of the boundary by physically walking and the use of GPS devices for accurate locational data collection.

### 3.14 Process and manage spatial data

After completing all spatial awareness exercises, return to the office for data management. LGSA recommends saving the following data and information to community data folders (making sure to follow clear and consistent file naming conventions):

- Photo of committee member names;
- Photo of the transparent layer (tracing paper or plastic) map;
- Photo of the list of boundary markers;
- Meeting notes (in particular, areas where boundary verification walks are required); and
- Written list and description of boundary markers and boundary lines.

Digitize community boundary lines that do not require a boundary verification walk. These include roads and large streams or rivers that are easily visible on satellite imagery. Save the community boundary layer as a line shapefile.



The data at this stage still requires verification through field visits and the use of GPS data collection. It is at this stage that areas of contention along the boundary between clans are noted. The map product that results is to be sent back to the community for verification. A town hall style meeting may be organized to bring the community and their neighbors together and the map presented for confirmation by the community as a true representation of the boundary information provided by them. The verified map product then feeds into any conflict resolution or mediation activities and nicely quantifies the degree of any disagreement while emphasizing the areas of the boundary which are agreed upon.

- For recommended shapefile attributes, see Annex P.
- For tutorials on digitizing, see Annex A.

### **3.15 Prepare for the boundary walk**

Digitize major features of interest that are not sub-unit boundaries. These may include roads, streams, schools, churches, or railroad tracks. They may be points, lines, or polygons.



Before joining the committee members in the community:

- Develop the boundary walk data collection form (see Annex R for an example). If using a mobile data collection app, build and test the boundary walk form on the mobile device. Be sure to load or download any offline satellite imagery to the device beforehand. This may require some advance processing. Develop a paper-based form for back-up.
- Test boundary walk data collection before traveling to the community. If using a mobile data collection app, check that the form is loaded to the device and ready to use.

### **MAPPING ACTION PLAN: CONDUCT JOINT BOUNDARY WALKS**

It is important to include neighboring towns/villages on boundary walks whenever possible. For sub-units that have overlapping, unclear, or conflicted boundaries with neighboring sub-units, the mapping action plan should include joint boundary walks that involve neighboring sub-units. Before the boundary walk, hold a meeting with the sub-units involved and discuss where the boundary walk will occur. While walking the boundary, community members may discuss and alter the walk. After finishing the boundary walk, display results to the committees and community leaders and discuss problematic areas to work toward consensus. Use a printout of a map with the boundary walk results or display the boundary walk data during the meeting using a projector.

- Charge the smartphone/tablet, and bring a back-up power supply, if possible. An inexpensive USB battery pack can provide one to five extra full charges for a device, depending on size.
- Carry a photo of the tracing paper (or transparent plastic) map on a smartphone/tablet. Also carry a list of boundary markers for reference during the boundary walk.

## BOUNDARY MARKER AND BOUNDARY LINE CONFIDENCE LEVEL

Mapping teams should utilize a confidence level designation to collect boundary marker and boundary line data. The green, yellow, and red confidence levels reflect the community's understanding of and confidence in the data. If a boundary marker is red or yellow confidence, take notes on the reason why.

**Green:** Boundary markers or boundary lines where there is no disagreement within a community or between communities, and the geographic feature is well understood by many, if not all, community members. These features can usually be determined from satellite imagery. Examples include roads, rivers, and bridges.

**Yellow:** Boundary markers or boundary lines where there is confusion or lack of understanding within the community and perhaps with neighboring communities. These features are not openly disputed, but they are also not clear. These boundaries are sometimes described as "fuzzy." Boundary walks are recommended for these areas. Examples include footpaths, large trees, small streams, and gullies.

**Red:** Boundary markers or boundary lines where there is conflict or where it is too dangerous to travel. These features demonstrate areas of disagreement within a community or between neighboring communities.



Land Governance Support Activity conducts training on community boundary data collection in Liberia

TETRA TECH

### 3.16 Conduct GPS data collection training

Show the boundary walk data collection form to committee members and explain what information the team will be collecting. Explain how to enter data on the tablet so committee members are aware of what you are collecting and how the data will be used. Team members may collect data themselves, or train community members in data collection if they are interested. Practice is the most important aspect of the training to ensure that methods taught can be applied when needed.

### 3.17 Conduct boundary walk with committee members

Schedule a time with the committee members, including representatives of the neighboring community, when they have half a day or more to conduct the boundary walk. Review and confirm boundary marker names with the committee members and set the route for the boundary walk with them.

During the boundary walk, collect points for boundary markers and tracks (lines that follow where the team walked) for boundary lines. Both types of data can be collected with a mobile data collection application called GIS Cloud (or other application as identified). Teams can also collect boundary line data using a



handheld GPS unit as backup or additional data points. Information on using this application is included in Annex R.

Rarely are boundaries accessible to walk along directly. Rather, a series of waypoints are collected and the boundary interpreted between these. While each landscape is different, experience shows that the field team should cover on average at least 15km per day. This will take approximately six hours of walking. For this reason, team members must be in adequate shape to undertake an activity that can be extremely physically challenging. Adequate field supplies, including food and water, must be prepared in advance prior to field work.

Take pictures during the boundary walk to document the exercise. GIS Cloud will prompt data collectors for photos of each marker or line collected, but additional photos may also be helpful. Photos should show who from the community participated on the walk and where the walk occurred. Document the names and signatures of those present from the community and neighboring community.

Representatives from families or groups whose land is situated near the subject boundary should be present for that portion of the boundary walk. If there is disagreement regarding a portion of the boundary which cannot be resolved amongst community members, the CLDMC should note it and forward the totality of community boundary complaints to the LLA Commissioner responsible for land administration or a grievance unit as established by the LLA. This office shall determine the magnitude of the matters and assign it for either arbitration or mediation intervention. These intervention proceedings shall be carried out and finding reported within 14 days. A community that is unable to resolve a boundary dispute will not be able to receive a confirmatory survey (as needed) or receive a community land deed.

### 3.18 Process and manage data

After finishing the boundary walk with committee members, upload and process the data. Further details on doing this in GIS Cloud are available in Annex R.

1. Upload data to GIS Cloud.
2. Error correction and creation of boundary walk points and lines.
3. Merge digitized boundary and boundary walk layers.
4. Export as shapefile for desktop GIS, or create online map.



Land Governance Support Activity conducts training on community boundary data collection in Liberia  
TETRA TECH

### TIPS FOR USING GPS ON A SMARTPHONE/ TABLET

- Turn off Bluetooth and other apps to save the device's battery life.
- Make sure the location mode is turned on (status should be visible on the device's notification bar).
- GPS will only track properly while outdoors.
- Save collected waypoints offline on the device.
- Protect the tablet from entering water, direct sunlight, and dust. Use a waterproof case.
- Use an external GPS device for improved accuracy with mobile devices

Check the data in GIS Cloud or on a desktop to ensure that this it is complete and accurate. Check and correct the GPS data as needed. There is a margin of error for GPS units as the path walked does not always align exactly with the actual boundary. Digitize the actual boundary line, not just the GPS track as it was collected.



Combine boundary walk and marker segments with digitized community boundary segments. To combine the two data types, merge or copy geometry in QGIS, or follow instructions in Annex R to build a boundary in GIS Cloud online. This should result in a complete community boundary.

- Ensure that attribute data for the line and point layers are complete. The attribute tables should include the boundary type (road, creek, footpath), confidence level (red, yellow, green), and means of verification (digitized, boundary walked). See Annex R for an example attribute table for boundary line data.

When the line community boundary is complete, save the layer and export to a shapefile if needed.

### **3.19 Prepare for the community meeting**

Before the meeting with the community to review the draft boundary map, have the mapping specialist (or mapping resource organization) carry out the following steps:

- Prepare the community boundary data (boundary markers and lines) to review with the community.

### **3.20 Open the meeting and set expectations**

Introduce the purpose of the day's activities. Statements could include the following:

- “The meeting will review the community boundary data collected in previous steps.”

Set ground rules by asking participants for suggested rules during the meeting. Write ground rules on a flipchart and post them on the wall for the remainder of the meeting.

Ask participants to write their expectations for the meeting on Post-it notes. Include these notes on an expectation tree. Explain the purpose of the meeting and agenda.

Introduce the “parking lot” concept, and explain that it is a safe space where participants can list issues, topics, and questions that they think of during the meeting but that may not have been addressed. The parking lot can be listed on a flipchart posted on the wall and discussed informally during breaks.

### **MAPPING ACTION PLAN: GPS DEVICES AND ACCURACY**

Choose your mapping devices based on accuracy and durability. Handheld GPS units have ~3m accuracy but require some training to use properly. Consumer grade mobile devices vary more and are generally less accurate but have touchscreens that make them simple to use and pack more features. Recent models may include dual frequency GPS chips, which can provide sub-meter accuracy. If you are using a mobile device with poor accuracy, consider purchasing an external GPS device like a Garmin Glo to improve accuracy. Devices should be water- and dust-proof, be readable in sunlight, and have long battery life. Conduct ample research in advance and supplement with accessories like cases and battery packs.

### **3.21 Review the community boundary**

Review the community boundary documentation process to date and share the community boundary map produced before the meeting. The map can be shown using a computer and projector. Show the community the corresponding areas on the large-format vinyl satellite image map.

Ask each sub-unit to review the map in small groups. They should be able to identify the town/village boundary markers in their sub-unit on their map.

Next, mix the groups so that there is one representative from each sub-unit in a small group. Ask committee members to take turns presenting their sub-unit boundaries to other members of the small group. Ask each group to make note of any areas where they have changes or disagreement.

Gather the entire group back together and ask each small group to report out on their presentations. Make note of any changes to the map or any potential conflicts.

### 3.22 Process spatial data and create draft map

Before the community map review meeting, prepare the community boundary line shapefile to review with community members.

After the community map review meeting, update the community folder in the following ways:

- Update the community boundary with any changes recommended by the community.
- There will likely be data errors from quickly entering information during the meeting. This is normal. Use the topology checker to identify gaps and overlaps in spatial data.
- Clean and process spatial data until topological errors have been fixed. It could take several days to clean data.
- Complete attribute table data, following up with community members as needed.
- Update the features of interest data. These data layers may be point, line, or polygon and show features that are important to the community but are not necessarily part of the community boundary.
- Upon agreement of the community boundary, an MOU shall be signed by the CLDMC with each neighboring community (represented by designated leaders of each community) including the GPS coordinates.
- The agreed boundary can be marked by the joint boundary community members with boundary markers, i.e. orange steel pipes.

#### **MAPPING ACTION PLAN: HOLD STEPWISE COMMITTEE MEETINGS**

For communities where there is potential for disagreement over boundaries, schedule a separate intermediate community committee meeting to review outputs with only the selected communities. Plan team-building activities for members of neighboring communities to work together and allow for substantial time to discuss land concerns between the communities. Keep a written record of the meeting and ask committee members to agree to the meeting statement if consensus is reached. Continue with a large, community-wide committee meeting after completing smaller meetings between communities.



### **MAPPING ACTION PLAN: ADD OVERLAPPING OR DISPUTED BOUNDARIES TO A MAP**

Remember that it may not always be possible to resolve boundary or land use conflicts or disagreements between communities. Longstanding conflicts or land issues should be reflected on the map. Overlapping or conflicted boundaries can be displayed on a map with a dotted line or cross-hatched area.



#### **3.23 Lead discussion of land claims within the community**

Ask participants to think about what land has been claimed as private in the area. This can include someone who has a deed or a tribal certificate. This can also include government land or protected land—schools, clinics, government offices, national parks, etc. Write their feedback on a flipchart.

#### **3.24 Wrap up and answer questions**

At the close of the day, review the participants' expectation tree and meeting objectives. Summarize the workshop results. Allow time for additional questions from participants.

#### **3.25 Hold community meeting to present final map and documents**

Provide introductions as necessary. Summarize the outcomes of the community boundary documentation process. Explain how the steps led to the production of the community folios.

Deliver all contents of the folio and supporting documents, in both hard and digital copy, to committee members, community leaders, and local authorities.

### **IDENTIFICATION OF CLAIMS WITHIN A COMMUNITY BOUNDARY**

#### **VETTING OF TRIBAL CERTIFICATE IN**

**CUSTOMARY LAND:** The CLDMC shall lead the community to review and vet all identified tribal certificates in the self-identified community. This step shall include the following activities:

- Tribal certificate holder shall notify the CLDMC about the existence of their tribal certificate and the tribal certificate should be recorded upon presentation.
- CLDMC shall organize a tribal certificate vetting meeting in the concern community unit where the tribal certificate was granted and the tribal certificate land is situated.
- During the vetting, all leaders, elders, youth representation, and women leaders must be present.

#### **IDENTIFICATION OF GOVERNMENT AND PUBLIC**

**LAND.** A general community meeting should be held in which members of the community determine if there is existing or would be public land in the community, and/or if the community has enough land for its members so as to determine the proposed 10% of their land to be set aside as government.

- Decision regarding identification of public and government land shall be made by members of the community under the leadership of the CLDMC.
- Decision around how and where government and public land shall be set aside to be included in MOU signed by leaders of the CLDMC upon consent of members of each sub-unit of the community.
- The unit of the community that is allocating the government and or public land should hold meeting of the members to decide on which portion of their land will constitute the public or government land.
- CLDMC must ensure that community member is not deprived of his/her farming land, residential land, or ancestor grave sites or sacred areas.
- Areas identified must be designated by decision of two-thirds of the votes of members, and said designated land must be described on a sketch map by members of the community who shall sign an MOU to that effect before any confirmatory survey of the area can be carried out.

*From the LLA's National Guide for Systematic Land Titling in Liberia (October 2019)*

The folio contains the following (see Annex N for LGSA’s guide for creating a community folio and a community folio template):

*Schedule of Activities in the Community* – A written chronology of activities with dates, a description of the activity, and any associated outputs.

*ICC, CLDMC, and Boundary Committee Member Names* – A list of those community representatives nominated to play a part in the community committees.

*Community Boundary Markers and Boundary Lines* – A list of boundary point names, with longitude and latitude.

*Community Profile* – Summary information about the community and its land. Topics include the town/village population, access to services, livelihoods, and land concerns.

*Community Self-Identification Application* – The application submitted to the LLA.

*Summary of Community Land Issues* – As described by community members at the community meeting, a list of the priority land resource issues faced by community members. This section should also include proposed solutions to alleviate these challenges.

*Community Photos* – General photographs of activities undertaken with community members throughout the community resource documentation process.

*Data-Sharing Agreement* – An agreement between community committee members and the local organization that provides permission to share the data collected throughout the community resource documentation process.

*Community Maps* – A3-sized maps that show the community boundary with the satellite image for the community. Neighboring sub-units should also be displayed. Stakeholders should receive both a small version of the map inside the folio as well as a large-format vinyl version. If resources allow, stakeholders should also receive a large-format map that shows all sub-units in the community.

*Digital Versions of All Files* – Provide a digital copy of all files associated with the community folio. Files should be provided on a USB memory stick and a DVD or SD card with write protection so the files cannot be corrupted.

### **3.26 Facilitate open mic session for community members**

Give community members the chance to ask questions or to share their thoughts.

### 3.27 Discuss next steps and summarize meeting

Remind all participants that creating the map is one step in the process of applying for a community land deed and that these maps require official government review. Encourage community members to use the maps. Potential uses for the maps after the community boundary documentation process, as identified by the LGSA pilot teams, include:

- To achieve community consensus on borders and land uses;
- To support land and resource use decision-making within the community;
- To use as supporting documentation in land conflicts;
- To share with regional and community authorities as a reference; and
- To post in places that are visited often such as Chief's house, county, town, and village meeting locations, etc.

#### **COMMUNITY LAND USE PLANS**

Communities, in consultation and collaboration with the Department on Land Use Planning/LLA and local authorities shall venture to develop the community land use plans. The CLDMC shall organize a general community meeting of equal delegates of all units. Delegates should be divided into three groups, (women, youths, and elders), where each group will come up with suggestion as to how they want to use the land. Community may seek support from professional persons or capable CSO to facilitate development of their land use plan. Also, a capable member of the community who has the requisite expertise could help his community to undertake the exercise, if requested by the community.

*From the LLA's National Guide for Systematic Land Titling in Liberia (October 2019)*

Provide participants with a list of resources.

#### **DATA OUTPUT**

- Line segment shapefile layers of community boundary, major features of interest (point, line, polygon).
- Boundary marker point layer for each community, community boundary line and polygon shapefiles, updated features of interest layers (point, line, polygon).
- Community folio.

#### **REFERENCES**

- **Annex A: Resources – Mapping**

- **Annex M: Community Folios**
- **Annex P: Example Agendas**
- **Annex P: Example Data Collection Forms and Attribute Tables**
- **Annex R: Mobile Data Collection Options for Participatory Mapping**

## BEST PRACTICES

- Prepare all members of the local organization team in advance so that everyone clearly understands the spatial awareness exercises and can help facilitate the process.
- Take time to select community committee members. Do not rush through the process. Have a separate meeting if necessary.
- Share the importance of women, youth, and ethnic minority participation throughout the process, especially as members of the committee. Only through representation of the community can the map created be accurate.
- Invite representatives from neighboring communities to attend the community meeting.
- Ask community elders to provide input into historic boundaries between neighboring towns/villages.
- Take photos of the results at the end of the day.
- Neighboring towns/villages should be involved in conducting boundary walks and verifying community maps.
- If possible, arrange for boundary walks in the dry season.
- Any type of vehicle is appropriate for boundary walks (e.g., ox cart, motorbike, or boat).
- Be informed of potential risks in areas to be walked (i.e., snakes, dense forests, waterways, and potential flooding). Take precautions or reschedule wherever possible.
- Take photos of boundary markers.

## BEST PRACTICES (CONTINUED)

- Have back-up power for smartphones/tablets or GPS units. Duplicate data collection is better than lost data.
- Download and back up boundary walk data regularly from the GPS unit or smartphone/tablet. Do not forget to back up data!
- Neighboring towns/villages should be involved in the verification of community boundary maps.
- The review may take several meetings if the community has changes or if there is conflict.
- Not all land issues can be resolved with the help of the local organization. Know what resources are available to help the communities to resolve any disputes or answer unanswered questions.
- Not all land claims will be known by the meeting participants. Gather this information throughout the process when discussing land boundaries, during the boundary verification walk and in reviewing the draft boundaries with community members and government. Land claims can be added at a later time.
- Make sure that the community and local authorities know where to go in the future with questions or concerns. Leave them with a list of resources.

# STEP 4: LIBERIAN LAND AUTHORITY VERIFIES COMMUNITY BOUNDARY THROUGH CONFIRMATORY SURVEY

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## STEP 4: LIBERIAN LAND AUTHORITY VERIFIES COMMUNITY BOUNDARY THROUGH CONFIRMATORY SURVEY

### People Involved:

- Local organization
- CLDMC
- Land Authority

### Planning Considerations:

- The local organization can serve as a resource for the self-identified community and their CLDMC in their application for a community land deed.
- The processes have not yet been formally established by the LLA; therefore, it may take time for the LLA to conduct a confirmatory survey, if required, and issue a community land deed.

The local organization may help facilitate meetings between the LLA and the self-identified community as necessary. Copies of all documents and materials developed throughout the process should be provided to the LLA for their records and reference in their process of conducting the confirmatory survey.

## PURPOSE

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- To support self-identified communities who have finished the process of self-identifying, setting up land governance structures, drafting bylaws, and mapping community boundaries to receive the required approvals from the Government of Liberia for a community land deed.

## OUTPUT

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Community receives confirmatory survey (or approval of their existing map) and land deed from LLA.

## HOW THIS STEP WORKS

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### 4.1 Application for confirmatory survey

Following the review of the community folio which contains the CSI application, community bylaws, and community boundary maps, the CLDMC shall compile all evidential documents generated during the

process and submit them along with the community application for confirmatory survey of their self-identified community land (see application template). If a community has collected digital boundary points, and created a map that has been agreed upon by both the CLDMC and neighboring communities, the LLA may not require a separate confirmatory survey.

#### **4.2 Certification of community**

Upon receipt, the LLA shall verify the evidence provided to it. If and when application is accepted, a certificate of completion shall be issued to the CLDMC of the applicant community.

#### **4.3 Survey awareness notice**

Upon certification, the survey division of the LLA shall proceed to provide public awareness/survey notices to the community and adjacent communities (if a confirmatory survey is required).

#### **4.4 Boundary clearing**

The community shall organize a boundary clearing team to make boundary points accessible for the confirmatory survey team, if such a survey is deemed necessary by the LLA.

#### **4.5 Confirmatory survey**

If the LLA requires that a confirmatory survey be conducted, the process may consist of the following:

1. LLA ground-truths data submitted by the community and establishes consistency with maps; and the LLA validates agreements/ resolutions signed with neighboring communities in public meetings that include the applicant community and neighbors.
2. If a map does not exist, the LLA will conduct its own survey to collect boundary data.
3. The CLDMC notarizes and probates the signed MOU with neighboring communities and other documents as may be requested by the LLA.

#### **4.6 Preparation of deed**

The probated documents, deed, map, and report of the proceedings is to be submitted to the LLA. Deeds and a map of community land shall be prepared by the LLA if the local organization has not prepared a map for verification by the LLA.

## **REFERENCES**

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- **Annex S: Confirmatory Survey Request Form**



## **BEST PRACTICES**

- Make sure that the community and local authorities know where to go in the future with questions or concerns. Leave them with a list of resources.
- Provide the community and the LLA with copies of all documents and materials developed throughout the recognition of customary land process and retain copies for the local organization files.

## STEP 5: CLDMC PROCESSES DOCUMENTS AND MAPS WITH LIBERIAN LAND AUTHORITY FOR COMMUNITY DEED

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### STEP 5: LIBERIAN LAND AUTHORITY PROCESSES DOCUMENTS AND MAPS FOR COMMUNITY DEED

#### People Involved:

- Local organization
- CLDMC
- Land Authority

#### Planning Considerations:

- The local organization can serve as a resource for the self-identified community and their CLDMC in their application for a community land deed.
- The processes have not yet been formalized by the LLA; therefore, it may take time for the LLA to issue a community land deed.

This is the final step in the process for the community to obtain a community land deed. Although the local organizations can help to facilitate the process, activities under this step shall be the sole exclusive responsibility of the community through the CLDMC.

### PURPOSE

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- To support self-identified communities who have finished the process of self-identifying, setting up land governance structures, drafting bylaws, and mapping community boundaries to receive the required approvals from the Government of Liberia for a community land deed.

### OUTPUT

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Community receives land deed from LLA.

### HOW THIS STEP WORKS

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#### 5.1 Probation of deed/land documents

Per the draft Customary Land Governance Regulations, within two months of the conduct of the confirmatory survey, the LLA will prepare a map of the customary land, if one has not already been prepared. The LLA will then prepare and issue a statutory deed for the customary land in the name of the community within one month of the preparation of the map for the customary land. The statutory deed shall be signed by a majority number of Commissioners of the

LLA, including the Chairman, and then delivered to the CLDMC by the LLA.

The CLDMC will probate the statutory deed with the Probate Officer at the LLA or at the Circuit Court of the County where the community land is situated. This will be done by the community and at its expense.

### 5.2 Registering the community deed with LLA land registry

The CLDMC registers their probated MOU between community and neighboring communities as validated by LLA officials at the LLA County Registrar Office, certifying that the community owns the identified land.

### 5.3 Certification and title presentation

The LLA will award a statutory deed to representatives of the self-identified community once the community has successfully completed the steps required by the Land Rights Act and as further defined by the LLA. This deed will be registered at the appropriate County Registrar Office. The CLDMC or organization can conduct a general community meeting to present to members of the self-identified community the map and duly registered Statutory Deed of their customary land.

## REFERENCES

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- **Annex A: Resources**

### BEST PRACTICES

- Make sure that the community and local authorities know where to go in the future with questions or concerns. Leave them with a list of resources.
- Provide the community and the LLA with copies of all documents and materials developed throughout the recognition of customary land process and retain copies for the local organization files.

# ANNEX A. RESOURCES

## LGSA EDUCATION AND OUTREACH MATERIALS

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Fundamentals of Global Positioning System Use: [http://pdf.usaid.gov/pdf\\_docs/PA00N2R8.pdf](http://pdf.usaid.gov/pdf_docs/PA00N2R8.pdf)

Five-step cartoon poster

Women's land rights posters

Consolidated LRA messages (LLA/CSO WG)

LLA LRA FAQs

## LEGAL FRAMEWORK AND TRAINING MATERIALS

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Land Rights Act

Simplified laws (Land Rights Act, Inheritance Law, etc.)

Land Rights Act training

Community Rights Law training

Gender Equality and Women's Land Rights Trainer's Manual

Boundary harmonization training

ICC/CLDMC/ animator training

## FACILITATION SKILLS AND TRAINING GAMES

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101 Great Training Games: <http://www.fenman.co.uk/traineractive/training-manual/101-great-training-games.html>

European Union Agency for Network and Information Security. (2014). Good Practice Guide on Training Methodologies. November 2014. <https://www.enisa.europa.eu/publications/good-practice-guide-on-training-methodologies>

International Development Wales. Training Resources: Participatory Approaches for Development. <http://www.wcia.org.uk/images/user/Hub%20Participatory%20Approaches%20to%20Development%20Training%20Resources%20v10.pdf>

Pike, Bob, and Christopher Busse. (2004). 101 More Games for Trainers: A Collection of the Best Activities from Creative Training Techniques Newsletter. HRD Press. [http://www.jandwyer.com/wp-content/uploads/2014/07/101\\_More\\_Games\\_for\\_Trainers.pdf](http://www.jandwyer.com/wp-content/uploads/2014/07/101_More_Games_for_Trainers.pdf)

PRIA International Academy. (2014). Participatory Training Methodology. [http://pria-academy.org/pdf/ptm/PTM\\_Unit-1\\_Course%20Content.pdf](http://pria-academy.org/pdf/ptm/PTM_Unit-1_Course%20Content.pdf)

## OTHER RESOURCE DOCUMENTS (ANNOTATED)

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Catholic Relief Services. (n.d.). Rapid Rural Appraisal (RRA) and Participatory Rural Appraisal (PRA): A Manual for Catholic Relief Services Field Workers and Partners, Volume I. Karen Schoonmaker

Freudenberger. <https://www.crs.org/sites/default/files/tools-research/rapid-rural-appraisal-and-participatory-rural-appraisal.pdf>

European Union–African, Caribbean, and Pacific Group of States (EU-ACP) Technical Centre for Agricultural and Rural Cooperation. (2010). Training Kit on Participatory Spatial Information Management and Communication. CTA, the Netherlands, and the International Fund for Agriculture (IFAD), Italy. ISBN: 978-92-9081-446-7. <http://pgis-tk-en.cta.int/>

International Fund for Agricultural Development. (n.d.). Good Practices in Participatory Mapping. <https://www.ifad.org/documents/10180/d1383979-4976-4c8e-ba5d-53419e37cbcc>

Knight, R., J. Vogelsang, and M. Brinkhurst. (2016). Community Land Protection Facilitators Guide. Namati. <https://namati.org/resources/community-land-protection-facilitators-guide/>

Rambaldi, G. and J. Callosa-Tarr. (2002). Participatory 3-Dimensional Modelling: Guiding Principles and Applications. [http://www.iapad.org/wp-content/uploads/2015/07/p3dm\\_arcbc.pdf](http://www.iapad.org/wp-content/uploads/2015/07/p3dm_arcbc.pdf)

## MAPPING

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Google Earth: <https://www.google.com/earth/>

- GIS Training:  
[http://themimu.info/sites/themimu.info/files/documents/Manual\\_Basic\\_QGIS\\_Training\\_V.03\\_Jan2016\\_MMR.pdf](http://themimu.info/sites/themimu.info/files/documents/Manual_Basic_QGIS_Training_V.03_Jan2016_MMR.pdf)

QGIS: <http://www.qgis.org>

## ORGANIZATIONS

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USAID Land Links: <https://www.land-links.org/>

Liberia Land Authority: <http://lla.gov.lr/web/>

# ANNEX B. COMMUNITY SELF-IDENTIFICATION MOU

## Community Self-Identification Memorandum of Understanding (MOU)

Of

The community of

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In

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Signed on: \_\_\_\_\_  
Date

We the Community of \_\_\_\_\_ hereby have  
agreed to identify as a collective land owning unit on this \_\_\_\_ day of  
\_\_\_\_, 20\_\_.

We acknowledge that this decision was reached by members of the  
entire community through a consultative process.

This community is made up of \_\_\_\_\_ towns and villages.

**Description of community:**

**Name of sub-units (towns/villages)**

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Description of land use categories:**

**Common land/natural resources**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Private “deeded” land claim**

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**Government “used” land**

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**Public land**

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**Large scale commercial land**

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**Protected land**

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**Towns with tribal certificate**

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**Sacred area**

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**The self-identification of this particular community was witnessed and signed by the following, local leaders, elders, youth and women representatives, government officials and community members on this \_\_\_\_ Day of \_\_\_\_\_ 20\_\_:**

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<b>Name</b>	<b>Title</b>	<b>Community</b>	<b>Signature</b>















Attested to by the following:

Name and signature \_\_\_\_\_  
Local Official, District Commissioner

Name and signature \_\_\_\_\_  
Local Official, County Land Authority

Name and signature \_\_\_\_\_  
Customary Leader: Paramount Chief

Name and signature \_\_\_\_\_  
Customary Leader: Clan Chief

# ANNEX C. CSI EXPRESSION OF INTEREST APPLICATION

Form No. \_\_\_\_\_ Date: \_\_\_\_\_

Contact Details: Name of Applicant/ Community:

\_\_\_\_\_

Geographical location: \_\_\_\_\_

County \_\_\_\_\_ District \_\_\_\_\_

Chiefdom/Section: \_\_\_\_\_ Clan: \_\_\_\_\_

Name of Community unit/town and leaders:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Neighboring communities:

1. \_\_\_\_\_ Location: \_\_\_\_\_

2. \_\_\_\_\_ Location: \_\_\_\_\_

3. \_\_\_\_\_ Location: \_\_\_\_\_

4. \_\_\_\_\_ Location: \_\_\_\_\_

5. \_\_\_\_\_ Location: \_\_\_\_\_

Reason/s why community wants to self-identify:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please state if there is any conflict with your neighbors: Yes (); No ()

If yes, name of the neighbor/s:

\_\_\_\_\_  
\_\_\_\_\_

Brief description of parties to the conflict and cost:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Name of your local government officers in the area:**

**Clan chief:** \_\_\_\_\_

**Paramount Chief:** \_\_\_\_\_

**District Commissioner:** \_\_\_\_\_

**County Superintendent:** \_\_\_\_\_

**Submitted by:**

1. \_\_\_\_\_

<b>Name</b>	<b>Position</b>	<b>town/unit</b>
-------------	-----------------	------------------

2. \_\_\_\_\_

<b>Name</b>	<b>Position</b>	<b>town/unit</b>
-------------	-----------------	------------------

3. \_\_\_\_\_

<b>Name</b>	<b>Position</b>	<b>town/unit</b>
-------------	-----------------	------------------

4. \_\_\_\_\_

<b>Name</b>	<b>Position</b>	<b>town/unit</b>
-------------	-----------------	------------------

# ANNEX D. COMMUNITY PROFILE TEMPLATES

## PARAMETERS/METHODOLOGY

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- Data can be gathered/collected from sources outside and within the community
- Outside sources: public and private institutions; national and Int'l NGOs; review of work done by others and etc.
- Inside sources: local leaders; prominent community dwellers; CBOs, etc.
- Data can be gathered through the following means: key informant interviews; focus group discussions; town/palava hall meetings; etc.
- All data gathered should be shared and discussed with community before submitted.

## CATEGORIES OF INFORMATION

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- Name of the community
- Location of the community
- Number of villages; towns; clan; etc.
- Population
- No. of homes
- Sources of livelihood
- Neighboring communities: (village; town; clan; chiefdom, district; county)
- Languages/dialect
- Activities that bring the community people together (developmental; fiesta; bereavement, etc.)
- Explanation about community (when, who, how was it establish, etc.)
- List of other existing infrastructures and physical features/facilities (schools; health; religious; traditional; road network; guest houses; meeting hall/town hall; etc.)
- Access to communication: radio stations; internet; cell phone (how many and which is more frequently used, name, are they functional; etc.)
- Local governance structure? (Political)
- Local/traditional land governance structure: (who gives out land for homes, farms, etc.) if there's any? Listing of influential leaders and prominent individuals in the community.
- Existing maps
- Community cultural systems/practices
- Existing concessions operating in community.
- Existing claims to land (deeded; Tribal Certificates; etc.) if available: number. and owners of claims)
- Existing and eminent land disputes/conflicts. If any how are they being handle?
- What are the resources in the community, if available?
- If there is an existing Community Forest Management Committee (CFMC) and Community Forest Management Board and other resource management bodies (time of establishment; activities; leadership; figure of authorities)
- Name of other communities that are jointly sharing benefits with the community under the CFMC.

## TEMPLATES

### Community Profile (Example I)

**Name of Community:** [Name] Community

**Name of Clan:** [Name] Clan

**Name of Chiefdom:** [Name] Chiefdom

**Name of District:** [Name] District

**Background of Community:**

**Population:**

**Neighbors:**

**Livelihood:**

**Leadership Structures and Leaders:**

**Concessions in or around Community:**

**Name of Towns:**

Town	Town Chief	General Town Chief

#### ICC Members and leadership listing

Town	Name	Gender	Position/ICC

#### Animators

Name	Town	Gender	Contact

## Community Profile (Example 2)

### Introduction:

XXX

### A. History of Community

1. Name of the Town/Clan: \_\_\_\_\_, date of establishment: \_\_\_\_\_
2. Total number of towns/Villages around your area: \_\_\_\_\_ Towns: \_\_\_\_\_
3. Total or estimated amount of community land space: \_\_\_\_\_
4. Total or estimated amount of private available land space \_\_\_\_\_
5. Total number of neighboring communities /Clans: \_\_\_\_\_
6. Name of neighboring/bordering towns: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

### B. Population

1. Estimated or total population of the community or clan: \_\_\_\_\_
2. Estimated number of males: \_\_\_\_\_, and Females: \_\_\_\_\_.

### C. Community Leadership structure

1. Name and contact of community or clan/Town chief: \_\_\_\_\_,
2. Name and contact of General Town chiefs: \_\_\_\_\_,
3. Name and contact of women leader \_\_\_\_\_,
4. Name and contact of youth leader/president: \_\_\_\_\_,
5. Name and contact of community animators/ICC: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

### D. What are your town or community people doing collectively to develop your area?

Please select the thing that you doing collectively from the list of things below.

1. Animal rearing ( )
2. Snail rearing ( )
3. Cash crop ( )
4. Pit-sawing ( )
5. Fishing ( )
6. Hunting ( )
7. Communion farming ( )
8. others: \_\_\_\_\_

**E. Existing concession/company operating in or around the community**

1. Name and contact: \_\_\_\_\_

2. Name and contact: \_\_\_\_\_

3. Name and contact: \_\_\_\_\_

4. How long the company been working here: \_\_\_\_\_

Date completed: \_\_\_\_\_

Submitted by: \_\_\_\_\_ and contact:

\_\_\_\_\_

# ANNEX E. COMMUNITY BYLAWS GUIDANCE

## How to Write Rules for Your Community's Land Community Bylaws Structure

### A. RULES ABOUT LAND GOVERNANCE

#### Community definition:

- What are the physical limits of your “community” (describe)
- Who is included and who is excluded?
- How can a new member join your community?
- What are the rights and responsibilities of community members?

#### Land ownership/land holding:

- Who can own/hold land in your community?
- How do people get land in your community? (Inheritance? Purchase? Renting?)
  - What is the process for community members to get/farm more land?
  - What is the process for strangers/outsideers to get land?
- If not acquired by inheritance, what procedures can people follow to own/hold land in your community?
- What rights and responsibilities do community land owners/holders have?
- What rights and responsibilities do “strangers” land users have?
- What rights and responsibilities do land renters/tenants have?

#### Land governance

- How will your community decide what is a participatory consultation/decision-making?
- How is land governed right now? Is there an elected committee making decisions?
- What will the role of the Community Land Development and Management Committee (CLDMC) be in your community?
- Who will make up your community's CLDMC?
- How will the CLDMC get elected? What will be your procedures for electing members? How long can one individual serve on the CLDMC?
- What are criteria for removal from the CLDMC for bad behavior?
- Will certain members of the CLDMC have certain roles, like a chairperson? What will these roles be?
- How often will the CLDMC meet? Where will it meet?
- Will your CLDMC be required to report back to the whole community every so often about the decisions it has made, the fees and fines it has levied, and how lands and natural resources are being managed in the community?
- How will the CLDMC relate to existing governing bodies or committees that are already in existence?
- What rules will your community make about how the CLDMC can make decisions? Will you make any restrictions on its behavior?
  - We suggest that you make rules stating what the CLDMC can decide on its own, and what the CLDMC must convene a large community meeting to decide together by consensus or vote.*
- How will your community make decisions about whether to share your land and natural resources with an outsider – investor, private, and government?

- What will your community do if it finds out that the CLDMC or certain elders/leaders have agreed to lease a large amount of community land to an investor without calling the whole community together and consulting them?

## **B. RULES ABOUT LAND AND NATURAL RESOURCE USE AND MANAGEMENT**

- What rules does your community have to make sure that there is enough food grown in the community so that people do not go hungry and the community can always feed itself?
- Do you have rules for certain food crops like rice, cassava, greens, pepper, and vegetables?
- Do you have rules about planting and growing cash crops like rubber, palm, cocoa, cotton, and other crops?
- What rules does your community have about water – including springs, ponds, rivers? What can and can't you do at the waterside?
- What rules does your community have about the forest? Do you have any special rules for conserving the forest for future generations? What can and can't you do in the forest?
- What rules does your community have about cutting trees for firewood/household use?
- What rules does your community have about building materials like thatch, poles, mud/bricks and sand?
- What rules does your community have for:
  - Certain kinds of livelihood practices like hunters and fishermen?
  - Ceremony and sacred sites?
  - Alcohol production?
  - Coal production?
  - Mining –big-scale (by investors) and small-scale (by community members or locals)?
  - Logging – both big-scale (by investors) and small-scale (by community members or locals)?
- What rules does your community have about charging outsiders for use of community resources? Are there any fees or fines?
- What rules does your community have about your future development and community expansion/growth?

## **C. RULES ABOUT SACRED/TRADITIONAL AREAS**

- What is a sacred sites
- List community-wide rules about the different sacred sites

## **D. RULES ABOUT THE MANAGEMENT OF COMMUNITY FINANCES**

- Does your community have a plan to collect and manage revenue from fees, fines or gifts?
- Who will manage the money collected? Will this be the role of the CLDMC? How will they report on the money coming into the community?
- Who decides what happens to money collected from the use of community lands and resources?
- How will your community make decisions about how to spend money collected? Will the money collected go towards community development projects like building schools/roads, pumps, or will it be distributed in equal shares to each household? What else might the money be spent on to create long-term community prosperity?

## **E. SOCIAL RULES**

- Does your community have rules for how people should treat each other to ensure there is peace?
- Does your community have rules prohibiting stealing or violence? Or rules prohibiting rape, adultery, husbands beating wives, or parents beating children?
- Does your community have rules about keeping your community clean and well organized?

- What rules does your community need to make sure people live happily and peacefully together?

**F. AMENDMENT**

- *Your bylaws MUST include a rule that says that you will meet every year to review, discuss, and update your bylaws as necessary. The whole community should amend your rules together.*
- *You should make rules about the process by which people can change/amend your bylaws. This will help to ensure that your rules can grow and change along with your community.*



# ANNEX F. COMMUNITY BYLAWS TEMPLATE

\_\_\_\_\_ COMMUNITY CUSTOMARY  
LANDS GOVERNANCE BYLAWS

Date: \_\_\_\_\_

## PREAMBLE

Whereas:

The Constitution of the Republic of Liberia guarantees property rights, including land, to all citizens;

COMMUNITY, \_\_\_\_\_ CLAN, \_\_\_\_\_ DISTRICT, \_\_\_\_\_ COUNTY holds, owns and uses Customary Land as a Community as recognized by the Liberia Land Authority and the Land Rights Act;

Cognizant of the fact the Land Rights Act authorizes Communities owning Customary Land to draft bylaws for the governance and management of their Customary Land;

Realizing that Regulations published by the Liberia Land Authority require the preparation and adoption of community Bylaws by Customary Land holders before the Communities can engage in the sale, lease, etc. of their Customary Land;

Recognizing that the governance of Customary Land requires the inclusion, participation and involvement of all or representation of all members and sectors of the Communities in order to ensure and assure transparent and accountable management of the Customary Land which would be responsive to the needs and concerns of its members;

Having resolved to protect and promote positive attributes of our cultural heritage, uphold and respect the bylaws of our country and all regulations relating to Customary Land, and manage our land and natural resources for the benefit of all Community Members irrespective of age, religion, sex, gender and tribe;

We, the Community Members \_\_\_\_\_ COMMUNITY, \_\_\_\_\_ CLAN, \_\_\_\_\_ DISTRICT, \_\_\_\_\_ COUNTY, do hereby draft, subscribe to, endorse and publish this instrument as our collective Bylaws for the governance and management of our Customary Land.

### ARTICLE I: NAME, DESCRIPTION AND COMPOSITION OF COMMUNITY

I.1: The Name of the Community is \_\_\_\_\_ COMMUNITY

I.2: The Community is located in \_\_\_\_\_ Chiefdom, \_\_\_\_\_ District, \_\_\_\_\_ County, Liberia.

I.3: The Community comprises the following Sub-Units (towns, villages and hamlets):


1.4.: Description of the Community

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**ARTICLE 2: VISION AND MISSION OF THE COMMUNITY**

**ARTICLE 3: MEMBERSHIP OF THE COMMUNITY**

Subject to the Constitution of Liberia and Chapter 9.2 of the Land Rights Act,

- 3.1 The following persons shall be members of the community:
- 3.2 The following conditions make someone a community resident
- 3.3 The following conditions will make someone in a stranger in the community
- 3.4 The following conditions will apply to gain Membership of Community:

**ARTICLE 4. STRUCTURE OF CUSTOMARY LAND GOVERNANCE**

- 4.1 The governance structure for the \_\_\_\_\_ Community’s Customary Land shall comprise (i) Community Acting Collectively in an officially planned community wide meeting, and (ii) Community Land Development and Management Committee (CLDMC).

**ARTICLE 5: POWER & FUNCTIONS OF THE COMMUNITY ACTING COLLECTIVE**

- 5.1 The Community acting collectively shall constitute each Sub-unit in the Community
- 5.2 The “Community Acting Collectively” shall serve as the highest decision-making body of \_\_\_\_\_ Community with respect to the Customary Land.
- 5.3 The Community Acting Collectively shall meet at least once a year
- 5.4 The “Community Acting Collectively” have the Power to

**ARTICLE 6: FUNCTIONS & OFFICES OF THE CLDMC**

All activity of the CLDMC shall be conducted in with line with this Bylaw of this Community.

The CLDMC shall exercise the following powers, subject to any limitations imposed by the Constitutions, the Land Rights Law, and sections of this Bylaw:

- 6.1 Selection of CLDMC Members
- 6.2 Tenure of the CLDMC

- 6.3 Roles and Responsibility
- 6.4 Eligibility Requirements and Functions of the Chairperson
- 6.5 Eligibility Requirements and Functions of the Vice Chairperson
- 6.6 Eligibility Requirements and Functions of the Secretary
- 6.7 Eligibility Requirements and Function of youth representatives
- 6.8 Eligibility Requirements and Function of the women representative
- 6.9 Removal & Replacement of Officer Officers and members of the CLDMC

### **Article 7: “Common Rules” Managing Customary Land and Resource Management Rules**

- 7.1 Land Management
- 7.2 Water Management
- 7.3 Forest Management
- 7.4 Mineral Management
- 7.5 Fishing and Wildlife Management
- 7.6. Management of Sacred Areas

### **ARTICLE 8. FINANCIAL MANAGEMENT OF PROCEEDS FROM CUSTOMARY LAND**

### **ARTICLE 9: PROTECTION OF COMMUNITY MEMBERS**

### **ARTICLE 10. AMENDMENT**

This Bylaw shall be amended, revised or reviewed by two-third majority votes of members present at a duly convened Community Acting Collectively constituting all the units and villages in the community.

### **ARTICLE 11. ADOPTION**

This Constitution and Bylaws, and any amendment thereof, shall be adopted by a two-third majority votes of members present at a duly convened Community Congress and shall become effective upon signing by the officers of the Community Congress, namely the President, Vice President and Secretary.

Adopted this \_\_\_\_ day of \_\_\_\_\_ at the Community Wide Meeting held in location

Signed: \_\_\_\_\_ Date \_\_\_\_\_  
Name of Highest Customary Leader of the Community

Signed: \_\_\_\_\_ Date \_\_\_\_\_  
Name of Head of the Community Women Leader

Signed: \_\_\_\_\_ Date \_\_\_\_\_  
Name of Head of the Community Youth Leader

Attested to by the following:

Name and signature \_\_\_\_\_  
Customary Leader: Clan Chief

Name and signature \_\_\_\_\_  
Customary Leader: Paramount Chief

Name and signature \_\_\_\_\_  
Local Official, District Commissioners

Name and signature \_\_\_\_\_  
Local Official, County Land Authority

# ANNEX G: GUIDANCE ON CLDMC ELECTIONS

Key Step	Processes
By-Laws with CLDMC Selection Criteria and Roles	<ol style="list-style-type: none"> <li>1. Focus group discussions with community leaders on developing community bylaws</li> <li>2. A community wide educational meetings on the Land Rights Act and bylaws production – a full representation of the community, women, youth, sub-units such as towns/villages/zones</li> <li>3. Meetings with two or three sub-units (Towns) to discuss the town level bylaws</li> <li>4. Collect first draft bylaws from individual towns or sub-units</li> <li>5. Special technical sessions with the community               <ul style="list-style-type: none"> <li>- A session to review first draft bylaws, templates</li> <li>- Gender and youth educational session</li> <li>- A session on the community assembly and the selection of CLDMC</li> <li>- A session to review second draft bylaws (community wide meeting)</li> <li>- A session to produce third draft bylaws</li> </ul> </li> <li>6. Conduct a legal checklist to make sure the bylaw does not contradict the Liberian Constitution, the LRA, or its regulations</li> <li>7. A community wide meeting to validate and adopt bylaws – women, youth, sub-units such as towns/villages/zones</li> </ol>

Key Step	Processes	Criteria
Selecting CLDMC Members and Officers	<ol style="list-style-type: none"> <li>1. Focus group discussions with community leaders on setting up a CLDMC</li> <li>2. A community wide educational meetings on customary land governance and CLDMC selection               <ul style="list-style-type: none"> <li>- Develop a list of s/election criteria and a brief job description of the CLDMC members</li> <li>- Agree on CDLMC s/election procedures and expectations</li> <li>- Each stakeholder/sub-unit nominates representatives on the CLDMC</li> <li>- Schedule a date for CLDMC elections</li> </ul> </li> </ol>	<p>Community CLDMC Selection Criteria:</p> <ul style="list-style-type: none"> <li>- CLDMC members shall be selected exclusively from the Community membership</li> <li>- Someone who has a little education – can read and write;</li> <li>- A person with good understanding and honest;</li> <li>- Someone who has the fear of God – truthful and honest;</li> <li>- Someone who will not misuse public resources;</li> <li>- Someone who will have control and will not allow things to get out of hand;</li> </ul>

<p>3. Note: If the community feels necessary, the Committee may have a chair, a co-chair, and a secretary, treasurer, etc.</p> <p>4. Conduct a community wide ceremony to elect CLDMC officers. Stakeholders should include women, youth, sub-units such as towns/villages/zones</p>	<ul style="list-style-type: none"> <li>- A committed person;</li> </ul> <p>Note: The definition of youth shall include boys and girls of ages 18 years to 35 years</p> <p>CLDMC LRA Requirements:</p> <ul style="list-style-type: none"> <li>- Members of the CLDMC shall serve on a pro bono (i.e. unpaid) basis and this shall be strictly enforced</li> <li>- Membership of the CLDMC shall be chosen by democratic election, except for the chiefs of the Community who shall be ex-officio members of the CLDMC</li> <li>- The membership of the CLDMC shall consist of equal representation of the following Community member stakeholder groups: men, women and youths.</li> <li>- No member of the Community shall be eligible to serve as a member of the CLDMC or of any committee constituted by the CLDMC if he or she: <ul style="list-style-type: none"> <li>i. has been convicted of a felony</li> <li>ii. has been legally adjudged bankrupt</li> <li>i. has been legally adjudged mentally incapacitated under the laws of Liberia or any legal system.</li> </ul> </li> </ul>
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# ANNEX H: HARMONIZING BOUNDARIES: EFFECTIVE NEGOTIATION PROCEDURES FOR DELIMITING, DEMARCATING AND RESOLVING BOUNDARY DISPUTES

LGSA created a report and training on *Harmonizing Boundaries: Effective Negotiation Procedures for Delimiting, Demarcating and Resolving Boundary Disputes* to provide information that can be used by individuals, families, clans, communities, towns/villages and political entities to delineate and demarcate boundaries. While prepared in 2016 as a contribution toward the implementation of Liberia's Land Policy and Land Rights Act (then in draft), procedures in the report can be used in a variety of contexts and countries where parties want to harmonize either internal or external boundaries.

The report is divided into several sections. Section 1.0 provides an overview of boundaries, why they are important, and considerations for their delineation and demarcation. Section 2.0 outlines procedures communities or other entities can use to negotiate agreements on internal boundaries and those with neighbors. Section 3.0 describes issues or disputes that may result in the context of boundary harmonization and potential negotiation procedures to resolve them. Section 4.0 provides information on technical assistance and technologies that can be used to delineate, demarcate and resolve boundary disputes. Section 5.0 describes procedures parties can use to promote voluntary compliance with agreements over boundaries. Section 6.0 details procedures to settle boundary disputes when involved parties are not able to reach agreements on their own. Appendices provide information on statutory documents related to Liberian land law, and field notes from studies of 12 Liberian communities that have engaged in boundary harmonization activities.

The full report can be found on USAID's LandLinks site (<https://land-links.org/project/land-governance-support-activity/>).

# ANNEX I. BOUNDARY HARMONIZATION MOU

## MEMORANDUM OF UNDERSTANDING (MOU) FOR BOUNDARY HARMONIZATION

Between

The community of \_\_\_\_\_

And

The community of \_\_\_\_\_

Signed on \_\_\_\_\_.

WHEREAS we, residents of \_\_\_\_\_ County and the Republic of Liberia seek to secure our existing lands rights by documenting our customary land claims; and

WHEREAS we believe that land- and natural resources-related conflict or insecurity will hinder our community development, interfere with our livelihoods and family survival, and impede the full prospering of our local communities; and

WHEREAS we seek to avoid future land- and natural resources-related conflicts and to clarify all community boundaries so as to be able to independently seek documentation of our respective community lands, and

NOW, THEREFORE we together agree to clearly and finally establish the boundaries between our communities, and to desist from any further boundary conflicts concerning this area. To this end, we hereby declare:

- I. This MOU is documenting the boundary between \_\_\_\_\_ community, which includes these towns: (list ALL towns in clan)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ and \_\_\_\_\_  
community, which includes these towns: (list ALL towns in clan) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

2. Any *new* towns that may form within this particular geographic location are included in this agreement. No matter how these communities grow (either in population density or number of towns), these boundaries will always apply to all towns within the larger communities.
3. The current, existing towns along this boundary have agreed to respect the boundary. These towns are:

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Located within the community of \_\_\_\_\_ and

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Located within the community of \_\_\_\_\_.

4. The boundary is described by the following landscape-based evidence and markers:

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5. Here is a picture(s) of the boundary (optional):

6. These boundaries will be permanent and undisputed, and, should a boundary disagreement arise, this agreement will be referenced to resolve the dispute. The communities signing this agreement pledge to peacefully and quickly settle all boundary disputes related to this agreement, using mediation and other non-violent methods of dispute resolution.

7. Should an individual family or member of one of the communities plant crops or lives trees or build a house or other structure across the agreed boundary, the community that such individual or family belongs to will be responsible for condemning this action and taking proactive measures to re-establish the boundaries as agreed.
8. The communities that are signatories to this agreement will use these boundaries when applying for their deeds. Furthermore, if and when either community applies for their lands to be surveyed, these boundaries will be the ones recorded and measured.
9. This boundary agreement was witnessed and signed by the following chiefs, elders, government officials, and community members on this day of [Insert Month Day, Year]:

Name	Title and Community Affiliation	Signature
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
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32.		
33.		
34.		
35.		
36.		

<b>Name</b>	<b>Title and Community Affiliation</b>	<b>Signature</b>
37.		
38.		
39.		
40.		
41.		
42.		
43.		
44.		
45.		

Attested to by the following:

Name and signature \_\_\_\_\_  
Customary Leader: Clan Chief

Name and signature \_\_\_\_\_  
Customary Leader: Paramount Chief

Name and signature \_\_\_\_\_  
Local Official, County Land Authority

Name and signature \_\_\_\_\_  
Local Official, District Commissioners

# ANNEX J. SIMPLIFIED LAWS

## SIMPLIFIED LAND RIGHTS ACT

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### Reason for This Law

**Because** power over every land in Liberia was given to the government after Liberia was born;

**Because** Land is a serious property, getting paper for land and being able to use land benefits everybody, the community and the country;

**Because** owning land and being able to give it to other people has brought problems in the country from the time Liberia was born until today, it is dividing the people and stopping peace and development from coming to the country;

**Because** the laws now are not enough to handle the plenty problems coming from buying, borrowing, using and giving land to another person, Government decided to do something about it. So, it opened a new office called Land Commission to look into the land problems and give the Government new ideas and ways to deal with land matters;

**Because** the Land Commission brought together people from different offices and organizations, who got together, agreed on a paper on what to do about land business, and the government said yes to the paper;

**Because** this paper with ideas on land matters says that the government has the highest power on land business and divided all the lands in Liberia into four (4) kind of land and tells people how to get each kind of land and what they must do when they get the land;

**Because** the paper on land ideas also tells the government what to do because the government has the power to protect all kinds of land; and

**Because** there is a need to put all the ideas on land matters on paper and make law;

**NOW**, let it be put into law by law makers sitting down together.

### **PART I: THE FIRST PART OF THE LAW**

#### **CHAPTER I: ALL THE PARTS OF THE LAW**

##### **Article 1: Name of the law**

The name of this law shall be the **Land Rights Law of the Republic of Liberia**

The common name of this law is **The Land Rights Law**

##### **Article 2 THE MEANING OF CERTAIN WORDS IN THE LAW**

Just for the reason of understanding this law alone, the words below will have these meanings:

1. **Abandonment:** means when you leave your land for no good reason for ten unbroken years and you do not pay taxes on the land everytime you have to pay.
2. **Act:** Means this land Rights Law and any other changes in time to come.
3. **Adverse possession:** force owning of a land when a person lives on a land for long period of time for 15 years or more and nobody says anything.

4. **Alternative Dispute Resolution Body:** A place to fix palava without going to court.
5. **Alternative Dispute Resolution mechanism:** The way to fix palava without going to court
6. **Community:** Means a group of people living together in a community
7. **Community Land:** Traditional land belonging to the community.
8. **Community Member:** Means a Liberian citizen, no matter what the person age, what they do, their condition, who they pray to, or who they marry, that person was born in the community, their ma or pa was born in a community; or the person has lived in the community for at least seven (7) years; or the person is the husband or wife of a community member and two of them are living in the community.
9. **Community Membership:** Means all of the community members put together.
10. **Community Rights Law of Liberia:** The 2009 law on forest.
11. **Community Rights Law Regulations:** the book on community forest law that has to do with forest land that shows the way how to make community forest in Liberia, how to take care of community forest and use it for the benefit of everybody for a long time.
12. **Concession:** When the government signs contact with a big company on the government land, traditional land or land that does not belong to anybody. When the contract on traditional land finish, the land will go back to the community right away.
13. **Confirmatory Survey:** Making sure of the exact area where a traditional land is located by using the new machine and making map of the of the area of the traditional land.
14. **Customary Land:** Means the land that is for the community because everybody in the community lives there, they own it together, they have been making farms on it, they know where their land stops, where it is located, where they can pray, where t their man and woman bushes are, their rivers are, etc. This land is called traditional land in this book.
15. **Deed:** Means land paper to show who owns a land. Also, the paper tells you the exact land you own and you can give it to anyone when you want give it to.
16. **Easement:** Means to allowing other people to pass through your land so they can go on their own land because your land is the only place to pass to get to the other land.
17. **Effective Date:** Means the date on which this law is printed into book form and put out to the public for use.
18. **Eminent Domain:** Means the power of the government to take any land for the public. But it must be according to what the law says.
19. **Equal Benefits:** Means all Community Members should benefit without cheating from whatever the community will get from doing business on the land.
20. **Fee Simple:** Means to own land forever and you can give it away or when you die, it will still be for your wife (wives), children or family.
21. **Equal Protection:** Means the right every person has to enjoy themselves, that the big law book and other laws of Liberia give a person, no matter their age, tribe, skin color, whether the person is a man or woman, who they pray to, and the place where they come from or the political party the person in..

22. **Government:** Means the Government of the Republic of Liberia.
23. **Government Agency:** Means government office or office controlled by government worker.
24. **Government Land:** Means the land the government building is on and the land the government says nobody can use.
25. **Joint Ownership:** Means when two or more persons join to own land that got paper.
26. **GPS:** Is new machine to measure (survey) land.
27. **Land :** Means the ground.
28. **Land Administration:** Means how land business is settled, handled, taken care of, given out, decided, owned. Anything that has to do with land.
29. **Land Management:** Means making decision on how to use land.
30. **Lease:** Means giving land out to somebody to use for certain time through agreement on paper or by mouth for money or for some of the food you grow on the land.
31. **Liberia Land Authority:** Means the office responsible for land business in Liberia or any other office for land in time to come.
32. **License:** the right given somebody, on paper or by your action to do something.
33. **Marriage:** Means a relationship between two people recognized by either the traditional or civilized way.
34. **Mineral Resources:** property under the ground like gold, diamond, iron ore, oil, etc.
35. **Mortgage:** Means to pawn your property.
36. **Natural Resources:** Means God given property.
37. **Owner:** Means the person who has legal right to land, whether, private, traditional, government or public land
38. **Ownership:** Means all the chance a person has to anything with their land in keeping with according to the law.
39. **Parastatal Body:** Means other offices created by government to do business for government. Examples are LEC, WATER & SEWER, LPRC, NPA, PUBLIC HOSPITAL
40. **Person:** Means an individual or legal business.
41. **Private Entity:** Means a business owned by one person, or more than one person, group of people or an NGO.
42. **Private Land:** Means your own land that government has nothing to do with.
43. **Proposed Protected Area:** The place nobody can go without permission from the government. Everything about this kind of place is in the National Forestry Reform Law of 2006.
44. **Protected Area:** The meaning can be found in the National Forestry Reform Law of 2006.
45. **Public Land:** means free land that anybody can buy from the government. This is not Government Land, Private Land or Traditional Land.



46. **Public Land Sale Deed:** Means the paper the government gives you when it sells the land.
47. **Resident:** Means a person who lives in the Community.
48. **Residential Area:** Means the portion of a traditional land set aside by the Community to build house on and live.
49. **Spouse:** Means a person who is married to a Community Member.
50. **State:** Means the Republic of Liberia.
51. **Statutory Deed:** Means the paper for owning land given by the Liberia Land Authority to Communities after they complete the survey that is done with the new machine.
52. **Tribal Certificate:** Means the paper that elders of a community give to someone for the community land.

### **Article 3: Why the Lawmakers put this law together:**

#### **Point 1.**

To tell people what are the different different kinds of lands in Liberia, how somebody can get each of them and what it means to own land.

#### **Point 2.**

To tell people how to get the different different types of land, how to give it to somebody else when you get it and to keep eye on it.

#### **Point 3**

To make sure that everybody, whether you living on community land, whether you on family land, or on your own land, or you are a company, enjoy their land without being scared that somebody will just jump up and take your land from you.

#### **Point 4.**

To make sure that everybody land is protected equally by law, it does not matter, their custom, their tribe, and what they do.

### **Article 4: What All the Law Covers**

#### **Point 1:**

The law talks about the following things:

- Land that people own now, will own in time to come, land own by one person, land owned by two or more persons, free land that the government is taking care, or land own by the community;
- Anybody or organization, including the government, who owns land, or wants to own land, or wants to do something with land when it is not for them.
- Mother deed and other rights to land according to history.
- This law, besides talking about other kinds of land and the right to own those land, this law does not look at the way how to take care of all the other land besides traditional land. In time to come or through other laws, the law will talk about other lands.

## **CHAPTER 2: OWNERSHIP AND OTHER RIGHTS IN LAND**

### **Article 5: What does it mean to own land?**

#### **Point 1:**

According to Point 2 of this Article 5, owning land can give you these rights:

- The right to stay on your land.
- The right to do anything on your land.
- The right to allow people to come on your land or to stop people from coming on your land.
- The right to give your land to another person when you own it your one, or when you own it with other people, by giving it free, selling it or by any other way

#### **Point 2.**

The right to stop yourself from doing any of the things in Article 5 Point 1 of this law.

#### **Point 3.**

Owning the land will not give you the right to own the minerals on top of or under the ground.

#### **Point 4.**

One person can own land, more than one person can own land together, community people can own land together or government can own land.

### **Article 6: Rights in Lands other than Owning it**

#### **Point 1**

A person who do not own land for themselves, can also enjoy the right to land by using it (i) when they make agreement to pay rent for the land for short or long time; (ii) get the right to pass on a land or (iii) license. The Government can also give big companies the right to use a land to do business.

#### **Point 2**

Other ways someone can also enjoy land without owning it can be seen in Part 5 of this Law.

### **Article 7: Different different kind of Land to own**

#### **Point 1**

All land can be put into one of the four (4) types of land already named in this law.

#### **Point 2**

The four (4) types of land we got in Liberia are:

- Land not owned by anybody (public land);
- Land owned by the Government (government land)
- Traditional land (customary land)
- Land owned by someone (private land)

### **Point 3**

Besides these four (4) types of land, there is another land that nobody is supposed to enter unless government says so. This land can be found inside any of the four different different land.

### **Point 4**

A land can change from government land to community land, or from community to government land, or from private land to public land. In order for this to happen, it must be done according to the law. For example, you can buy a community land and it will change to private land.

### **Article 8: Who can own Land or have rights in Land in Liberia?**

#### **Point 1**

According to our big law book (Constitution), only Liberian citizens can own land in Liberia.

#### **Point 2**

The big law book also says in article 22 that someone or group of people (missionary) who is not from this country can only own land if they want to use the land for the purpose of doing good for Liberian people. They must use the land for doing business and making profit for themselves. When they stop using the land for doing good, it will go back to the person who first sold it to them or those they left behind when they die this will happen after the Land Authority check to make sure.,

#### **Point 3**

Any business owned by one or two persons under Liberian law and owned by Liberian citizens got right to buy and own land.

#### **Point 4**

For a business in Liberia to own land, only people who are 100% must own that business. If the Government gets to know that the business has some people who are not citizens of Liberia, the Government of Liberia will take the land from the business. This law is very straight.

#### **Point 5.**

Any person living in Liberia, citizen or not, has the right to borrow land and use it for any reason.

### **CHAPTER 3: HOW TO SHOW YOU OWN LAND, HOW TO PROTECT YOUR LAND, PUTTING YOUR NAME DOWN IN GOVERNMENT LAND BOOK, AND DIFERENT DIFFERENT LAWS ON LAND**

### **Article 9: HOW TO SHOW YOU OWN LAND**

#### **Point 1**

Anyone that has Private Land should have a paper that show that (i) the paper was given by the real people who own the land, (ii) the paper for the land is in the government land book, and (iii) must have the mother deed for the land.

#### **Point 2**

To show Government own the land, it must also have paper (deed).

#### **Point 3**

To show that the land is not owned by anyone, the government must show all the right thing that the government bought that land, or the land went back to the Government after someone owned

it, or the Government took the land by force, or the land was given to the government by somebody or the community, or any other way to show that the land is not for somebody or traditional land.

**Point 4.**

- Traditional people must show real proof that land belongs to them by:
- Other people saying the land is for them,
- They must prove that they have been living on the land for a long time,
- They must show where the land begins and where it stops.
- It does not matter whether the traditional people got paper for their land or not.
- Instead of a survey, which will show where a community land begins and ends, a community can enter into an agreement with one or more community or any other person not living in the community to show the boundaries of the traditional land.

**Article 10: Protecting Land Rights**

**Point 1.**

According to the big law book, all land rights have to be protected.

**Point 2.**

The government has all the power and it is their job to protect people land.

**Article 11. Putting your land paper in the government book**

**Point 1.**

Other than what is in Point 2 and 3 under this Article. No other paper will be accepted, unless the information on the land paper can be found in the government land book.

**Point 2.**

The way people used to own land before, through the traditional way where the traditional land information was not put down in book, that way is finished since this law passed. Now, the way to show you own land, is to describe your land on paper by doing a survey, and put it down in the government land book according to Article 37 Point 2 of this law

**Point 3.**

The ownership of traditional land where the community used to get land through the custom from long time ago, will still be accepted even though they don't have paper for their land and their land is not on government land book. Once people who been knowing about the land can explain by mouth that the community people been living on the land for long time as owner of that land, the government will accept it.

**Point 4.**

In twenty-four months time (2 years) after this law start working, the Liberian Government will work with all the traditional communities so they can do a survey that will divide the different traditional lands, and this survey will show the size and boundaries of each traditional land. The survey will show the land from one point to the other point and will also draw the maps of the traditional land. After that, the community will put their land paper in the government land book.

### **Article 12: Law on how to use the Land**

Even though you may have all the right to use your land the way you want, you must use it in line with the law the community or government put down on how to use it.

## **PART TWO: PEOPLE WHO OWN LAND AND GET THEIR PAPER FOR IT**

### **CHAPTER 4: OWNING LAND**

#### **Article 13: Different Way of Owning Private Land**

##### **Point 1**

When you talk about owning land with a paper you are talking about private land that you can give away without any body business, you can give away because is pass down to you from family.

##### **Point 2**

When a person owns a land with paper, that means the person got the right to have that land and use it alone without any other person or the Government being a part. The person got right to give out part of the land or give the whole land out, in any other way the person decides to do.

##### **Point 3**

When a person owns a land with paper it does not mean that that person got the right to the gold, diamond and other thing underneath that land.

##### **Point 4**

When a person owns a private land, that person own that land forever and they got the right to give to anybody, except where the paper does not give the person the right to sell it.

#### **Article 14: The reason for owning land with paper**

A person can get land with paper for any reason that is backed by law.

#### **Article 15: Who Can Get Land with Paper**

##### **Point 1**

Land with paper can gotten, and be owned by:

- People who are citizens of Liberia;
- Businesses, big or small, owned by one person, or owned by two or more persons where all owners of the business are Liberians,
- Big businesses owned by only Liberians, and
- NGOs that can do free work and give free things, mission school, or

#### **Article 16: What you must do when you own land with paper**

##### **Point 1**

Every person that owns land with paper is supposed to do these things:

- a. Put your land name down in the government land book and keep copy of your land paper for tomorrow so that Government can keep good record of land.
- b. Pay taxes on the land according to how the government tax house say.

- c. Obey the law on how to use your land and any other law that will be passed
- d. Make sure not to sell the same land to people who not supposed to own land in Liberia.

## **CHAPTER 5: HOW TO GET LAND WITH PAPER**

### **Article 17: The way for a person to get land with paper**

#### **Point 1**

A person can get private land either by buying it or someone giving it to them, they can also get it when a family member dies, they can get it when a person dies and leaves their property for them, they can get it by staying on the land for 15 years without question from the owner. All this can do done only if the persons are qualified to hold land according to Article 15 of this law.

#### **Point 2**

A person can get Private Land by buying it from someone after all the persons agree to sell or through public bargain(auction).

#### **Point 3**

They can buy it through the court.

### **Article 18: Getting land with paper by buying it**

#### **Point 1.**

A person qualify under Article 15 of this law can get property through selling by private person, public selling through bargain from:

- i. People who got paper for the land;
- ii. The Government, when they are selling government land or public land

### **Article 19: Getting land with paper by buying it from the Person who has the paper for it**

#### **Point 1**

A person can get paper for land by buying it from a person who has paper for the land or the care-taker of the land for any price and at any time.

#### **Point 2**

When someone buys land from a private land owner, the purchase will not be legal unless:

- a. The paper was given by the lawful owner(s);
- b. Announcement about selling the land was put in areas where everybody can see it in the community where the land is, and also in the newspapers;
- c. The person buying the land must get and keep the paper that shows that the person selling the land is the person who own the right paper for the land;
- d. The person selling the land must have the correct paper for the land that shows that all the taxes on the land is paid, or enter into an agreement with the buyer that the buyer will pay all the back taxes on the land before selling the land, and

- e. The land paper that the seller will give to the buyer, the buyer must put the paper in the government land book.

### **Article 20: Getting land by buying it from the Government**

#### **Point 1**

A person can get land with paper by buying land the Government owns or land that the Government is keeping, but it must be according to this law and the all the other laws concerning selling of Government land.

#### **Point 2**

A person can buy land that the government is keeping only when they buy it according to this law and all other government law on selling government land.

### **Article 21: Getting land by buying it from a Community**

#### **Point 1**

Land with paper can be bought by a community member in the traditional land area to be used as a place to live. No community member should be stopped from having a piece of land to stay on.

#### **Point 2**

Except where it is said in Point 1 under this Article 2 concerning place to live, nobody must hold or forever take away any part of traditional land until after fifty (50) years as of the date of this law and after following the things under Article 49 of this law.

#### **Point 3**

A person can buy traditional land to use it as Private Land only after doing what is in this Law and any law lay down by the Liberia Land Authority for selling traditional land.

### **Article 22: Getting Private land without getting it from anybody**

#### **Point 1**

A Person can own private land by sitting on it openly for fifteen years or more than fifteen years:

- i. When everybody sees that person sitting on the land without talking, when a person who has paper for the land sees the person sitting on the land and says nothing; when a person who is sitting on the land thinks it is for them but it is not really for them.
- ii. When the person who actually has paper for the land sees the person sitting on the land who thinks the land is for them and says nothing to the person who thinks the land is really for them and this person sits on the land for fifteen or more unbroken years.

#### **Point 2**

In order for a person to take another person's land feeling that she/he owns it, that person must really believe that the land was for her/him because she/he had paper for it, someone gave it to her/him when the person died, or she/he thought a court gave it to her/him when a case in court ended.

### **Point 3**

In order for a person to get land under Article 22 Point I, she/he must show that she/he has been paying taxes on the land for the fifteen years that she/he was sitting on the land, in addition to any of the following:

- i. the person must be doing something on the land, like having a house or a garden or farm on it;
- ii. the person put fence or something around it as a boundary between the person land and the other lands around the land she/he is sitting on; or
- iii. The person was using the land for herself/himself.

### **Point 4.**

When the true owner takes this person to court to get their land back, the person who sat on the land for fifteen years can say that the land is now for her/him and no law can say it is not for her/him.

### **Point 5**

The fifteen years to be on someone land can start from the first time the person put foot on the land and stay on it and even after they sell the land.

To own land like this, it must only be other people's land, not the government land, the government holding or traditional people land.

### **Point 6**

To own land like this, it must only be other people's land, not government land or the land government holding.

## **CHAPTER 6: WHEN YOU CAN NO LONGER CLAIM TO OWN THE LAND THAT YOU HAVE PAPER FOR.**

### **CHAPTER 6 WHEN YOUR RIGHT TO PRIVATE LAND ENDS**

#### **Article 23: Ending of your right to own your own land**

##### **Point I**

You can own your land forever and ever unless the following thing happen:

- You forget about the land for long time
- You die and you do not have family
- You no longer are a Liberian citizen, or
- The government takes it from you because the government wants to do something with it that will benefit everybody.

#### **Article 24. Ending the right to own your land when you forget about it**

##### **Point I**

When your right to own your land is taken away from you, then the land will go back to the government of Liberia.



## **Point 2**

For reason of this Article, forgetting about land is when:

- (i) For ten years, you never pay government money on the land; and,
- (ii) For ten years, you never put foot on the land or use it for anything.

## **Point 3**

You cannot be blamed for forgetting about your land when you were forced to forget about it because someone gave you hard time for the land, war came or something happen to you and you were not the cause. For the time any of these things happened to you, that time will not be among the ten years that the law says you must not forget your land.

## **Point 4**

Before someone tells you that you forgot about your land, the government or the person must carry you to court first to show that you forgot your land.

## **Point 5**

When the court says you forgot your land, that land goes back to be free land that the government will take care of.

## **Point 6**

When your private land the Government took as a free land because you forgot about it, the government will use it like it use free land.

## **Point 7**

Traditional land, government land or free land can never be treated like forgotten land. Also, government cannot take traditional land and say it took it because the community people forgot about their land.

## **Article 25. When you die and you got nobody behind you**

When you own your land and you have no family at all, when you die, then the land will go back to the government.

## **Article 26: When you are no longer citizen, what can happen to your land**

### **Point 1**

Under this new law in Article 24(b) and in the big law book of Liberia, when the government says you are no longer a Liberian the land you have will go to the government, (ii)the land you have will go to the government if your husband or wife, children or grandchildren are not Liberian too

### **Point 2**

When the government or law says you are not a citizen anymore, you or the caretaker can rent your land from the government or the government can buy the land from you, including anything got on the land.

### **Point 3**

Nobody can take your land from you because you are no longer a citizen unless they carry you to court.

**Article 27. When the government take your land from you because they got right to take it**

Whenever the government say they want your land, they must do what the law says.

**CHAPTER 7: WHEN TWO OR MORE PEOPLE OWN LAND TOGETHER**

**Article 28: How people can own land together**

**Point 1**

Two or more people can come together, if they are Liberians, and own land.

**Point 2**

When more than two people come together to own land, they all have the same rights to the land at the same time for as long as all of them own it.

**Point 3**

People can get land in three ways:

- i.. When people come together to own one land. Here each of them can have their own of piece of land to do what they want to do with it.
- ii.. When two or more people own land together. here they all need to agree before anybody can do anything with it.
- iii. Property between married people. This property, both husband and wife must agree before anybody can do anything with it.

**Article 29. When two or more people own land that they can divide and take their own piece.**

**Point 1**

When a paper says more than one person own a land, everybody who owns that land has equal right to use and take care of the land.

**Point 2**

People who own land like this, each person got the right to divide the land and sell their own of piece, give it as bond, or do anything with their own of piece. When they die, their piece of land will go to their children or family who stay behind.

**Point 3**

One person can even give her/his own piece of the land to another person, or the right to their piece of land, and the other person or people who also own the same land cannot stop the person who this right was given to from coming on the land. If they do, it will be a problem there and whoever will stop this person can be arrested.

**Point 4**

Anytime more than one person own land, all of them got the right to do whatever they want with their portion, unless you say that this is not how the land is supposed to be shared.

### **Point 5**

When people own land together, any one of them can go to court to divide the property. Also, if they owe somebody the person who they owe can go to court to sell their part of their piece of land to pay back that person they owe. When the court listen to the case, the court will call somebody to divide the property so the person share can either be given to them or pay the person who they owe. When the court finish dividing the property like this, whoever come after the person who share will be divided like this, like his children or wife, for example, the saying will the same for them.

### **Point 6**

Instead giving each person a piece of land, the court can sell the land:

- (i) When it is hard to divide the land among people without cheating somebody because the way the land is looking (part of it got swamp, not straight, it has building or house), the court will just sell the land since it is easy and fair to divide the money from the land instead of dividing that land.
- (ii) Selling the land will benefit everybody. When a land is owned by plenty people, and one of them sell or give away their portion, the person who buys this person portion can also sell it to somebody else. When the first owner of this portion dies, the person who bought their portion will still own it and can sell it to anybody. The first owner family cannot come back for the land he already cut and sold.

## **ARTICLE 30. PEOPLE WHO OWN PROPERTY TOGETHER BUT NEED THE OTHER PEOPLE TO AGREE BEFORE THEY DO ANYTHING WITH IT.**

### **Point 1**

Two or more people can join to get one paper for the same land.

### **Point 2**

When two or more people join to own land equally like this, when anything happens to any one or more of them, like they die, the person or people who stay behind will take all. Their children or wife cannot get any of the land.

### **Point 3**

The only way to divide land like this is:

- i. If two people own the land and one person dies.
- ii. When all of them agree to divide the land.
- iii. When they on their own give or sell the land to someone else.
- iv. When the court divides the land,
- v. When those who own the land together agree for a bank to sell their property to pay back the money to the bank that one of them borrowed from the bank.

## **Article 31 When Husband and wife own land**

### **Point 1**

When husband and wife own land together, it cannot be divided unless two of them agree.

**Point 2.**

When husband and wife own land together, when the husband or wife dies, the whole land goes to the person who leaves behind forever and they can do anything they want to with it. The land will not go to the children or family.

**Point 3**

Land owned by husband and wife can be divided if they part or they agree to divide it.

**PART THREE: TRADITIONAL LAND****CHAPTER 8: HOW TO GET TRADITIONAL LAND AND WHAT IS THE MEANING OF TRADITIONAL LAND****Article 32: How to know traditional land.****Point 1**

The way to get traditional land is by the people staying on it and using it for long time.

**Point 2**

When this law pass in 2018 traditional land will become legal.

**Point 3**

To get and own traditional land in the following ways:

- (i) Before the law passed, if the community got paper for their land;
- (ii) People knew the land to be traditional land long time by the culture of the people, everybody of the community knew for long time that the land was for the community, or the community people always used the land for at least fifty years and people around know it for sure.
- (iii) the people on the land had the land long time which they always had the land and used it from way back, some or all of the other people or communities around there that main land knew it was for that community, the way the community used the land was the way the people way of living says it should be used and people can say the same thing who live in other communities.

**Point 4**

Before this new law passed, all the land paper from the government that carry the chief and his people name on it, that land will be called traditional land.

**Point 5**

Besides the traditional land that the government gave to the community on paper before this new law passed, the only way now to get olden time land is by the community people showing that the community has been on the land for a long time.

**Article 33: The Point to which Community can own land****Point 1**

Traditional land is land that is for everybody in the community

**Point 2**

A community with customary land can do the following:

- i. say who should live there and who should not.
- ii. Use anything on the land but not iron ore, gold, diamond, and many things under the ground.
- iii. Control their land or ask other people to use their land for farming business or by signing paper with the person who will make farm on the land.
- iv. Rent it for some time to other people or give it to other people the way the law says.

### **Point 3**

Besides the land the government already gave out to companies to take diamond, iron ore and gold, before this law, this time, the person who want to use community land, must tell the people what they want to do with the land. Everybody in the community must agree before the person can come on land.

## **CHAPTER 9: HOW TO KNOW WHERE YOUR COMMUNITY STARTS AND ENDS AND HOW TO RUN YOUR COMMUNITY**

### **Article 34: How to know where your community starts and ends**

#### **Point 1**

The community people should say where their community starts and ends based on the custom, the history of the community on paper, or what the old people say.

#### **Point 2**

The community people must say who the members of the community are. However, nobody should tell someone living in the community you are not a community member. If you are living there you are a community member.

#### **Point 3**

Everybody who is a community member has the same rights, whether you are young or old, christian or muslim, man or woman, boy or girl, whether you got sickness or not. Everybody in the community got the same rights like everybody else. When it comes to rights, no big man, or big woman business.

#### **Point 4**

Everybody living in a community is supposed to get a place to live in the community;

When the person gets a place to live in the community, the community cannot take it from the person again or tell the person what to do on the place he or she is living, unless the things the person is doing on their own land is not good for the community

When the community takes a person land from them because of the things the person is doing that against their way of living or other good reason, the community must pay the person for the land or give the person another land.

#### **Point 5**

Anybody can join a community or leave a community, changes can happen to the community when someone is born, dies or move from one place to another.

## **ARTICLE 35 HOW TO PUT COMMUNITY TOGETHER**

### **Point 1**

Community members should:

- a. Get together to put down laws on how they want to run their community.
- b. Put together a group of people who will decide on what to do in the community when it comes to land.
- c. Put down laws that will tell the community members how to become part of the people who will make decision on any matter relating to land.
- d. Put down laws for the people who will make decision on land matters in the community.
- e. Put on paper what and how they will take land business in their community.

### **Point 2.**

To run the community, the community must be legal. The community must put their name in the government book. When the community puts their name in the government book, then it can do business with other people, go to court, and plenty other things.

## **Article 36 Controlling and managing the Community**

### **Point 1**

All decisions on what to do in the community affecting the community land will be decided by the community together.

### **Point 2**

The community members shall be their own chiefs when it comes to land business and they will make decisions by voting. More than half of the people will decide on what to do when it comes to land business.

The community will also vote on:

- a. Whether to sell or rent their land in the community to other people who are not members of the community.
- b. Whether to sell, rent or give some of their land to the government
- c. Whether to rent more than fifty acres to other people.
- d. Whether to sell some of their land after fifty years when they register their community with the government in line with Articles 49 and 51 of this law.
- e. Judge the people they put in charge to run the community land matter (CLMDC) when someone complains against them. When the community finds out that the person did wrong, more than half of the community can take them from their position.
- f. Decide any palava on land matter according to the law they themselves first put down when they were putting their community name on the government book.

### **Point 3**

The group the community put together to run the community land business (CLMDC), can ask other people to help them do their work.

**Point 4.**

This group that is running the community land business (CLMDC) will answer the community questions whenever the community has questions for them. They should tell the community people how they are running the land business according to the law the community put in place for them.

**Point 5**

This management group will look into matters from the community on how the land is divided and used. When they reach a decision after looking into the investigation they must tell the whole community.

**Point 6**

The people who will be elected to sit on this body to run land matters (CLMDC) should be three men, three women and three young people. The town chief will only advise them. These people should be elected by secret ballot, just how the lawmakers are elected. No head count is allowed.

**Point 7**

Everybody who is part of the body to run the community land business (CLMDC) should agree to every decision they make before bringing it to the community.

**Point 8**

The decision of CLMDC should be based on how the people do things in community.

**Point 9**

The people who will be part of the CLMDC should be people who never went to jail, went to court because they can't pay debt or who the court says heads are not straight, and are more than 18 years old.

**Point 10**

People on the CLMDC will not get money to be there. They will work for free.

**Point 11**

Any person on the CLMDC who can eat people money, take people things by force and working with this group will face the law, or people working on this body who do not know the work will also face the law.

**Point 12**

The government will work with the community to make laws for the community.

**Point 13**

The CLMDC will work with the government to get money to make this new law work.

## **CHAPTER 10: DIVIDING OLDEN-TIME LAND AND THE DIFFERENT DIFFERENT OLDEN-TIME LANDS**

### **Article 37: Dividing traditional land**

#### **Point 1**

For a community to say that a land is for them, they must draw their land on paper, or other people must swear and say that the land is for them, or the next door community and them must sign paper to say that the land is for them, or any other way showing that the land is for them.

#### **Point 2**

As soon as this new law passes, the government will take 24 months ( two years) to divide the community people land according to what the communities agree are their lands. They will also tell everybody the boundaries of all the community land. After this, the government will give each community a paper for their land.

#### **Point 3**

Depending on how much land in each community, each community will give the government some of their land, but the land they will give to the government is not supposed to be more than ten percent of their land. This will be used as free land where people can come and buy it from the government.

#### **Point 4**

If the government does not divide the community land the twelve months the law says they should divide it, the community land is still valid. However, in order to do business with other people, the survey must be done by the government.

#### **Point 5**

Before the government can give the community paper that the land belongs to them, the exact measurement of the traditional land with a drawing of the land must be in the government land book until the community gets the land paper. This will show that the community owns the land.

#### **Point 6**

When somebody says that part of the community land belongs to them, that person must show what they are saying is true that will make everybody believe them. For example, deed from the government will be good paper that some of the community land is for them.

#### **Point 7**

Where two communities cannot agree on their boundaries, the case will be cut for the person who has more things or people to show the land for them. For example where a community brings other people from nearby towns to show their land and the other community only brings one person. Or, the other community brings more paper than the other community to show that the land is for them.

#### **Point 8**

The Liberia Land Authority will make law to settle problems between communities on how to settle land palava before going to court.



### **Point 9**

Anything the Land authority says about the land palava between communities can go to court if one community does not agree with the decision of the Land Authority. When a community does not agree with the Land Authority, the day the Land Authority makes the decision, the community got 30 days to take the case to the court in the capital city, not the small court in town. This matter can travel all the way to the Supreme Court before it can finish.

### **Point 10**

If everybody agrees with what the Land Authority say, the Land Authority must take the decision to the court in the Capital city so the communities can follow the saying of the Authority.

### **Article 38: Different kinds of Olden-time land**

#### **Point 1.**

A community can divide its land to do different things. For example, they can divide their land into different ways:

Put aside a place where people

- a. can live
- b. make farm or garden
- C. do business
- d. do mining
- e. pray
- f. only animals can live and nobody can kill them.
- g. use for forest
- h. anything they want use it for.

#### **Point 2**

The land will be divided according to the living of the people and what everybody agrees to. The people can change their minds on the way they divided their land anytime because of some reason.

### **Article 39: Land Where People live on within a Community**

#### **Point 1**

The community is to put aside a place only to live. Nobody supposed to do farming, or market there. It is just to put your house on to live.

#### **Point 2**

Once you are a community member, the community must give you land for yourself to build your house on to live.

#### **Point 3**

The place the community gives a person to live on will be for themselves. They can do survey and get a paper for it.

## **Article 40. Farming Area**

### **Point 1.**

Every community member should get some community land to do farming.

### **Point 2**

When the community agrees, a person, when they get their land to do farming, the person can rent their land, take the paper the community gives you to the bank to take loan or do big farming.

### **Point 3**

The CLMDC supposed to put law down on how to rent large piece of land to community members and other people who are not from the community.

## **Article 41: Spiritual places or places for man and woman bush**

### **Point 1**

The community will pick a good place for their man or woman bush according to tradition

### **Point 2**

Anywhere on community land can be used for man or woman, but the place must be:

- a. somewhere the community has been using for man or woman bush for long time.
- b. a place where people can go and talk to their God where there is water, mountain, tree or anything concerning their God.
- c. the community must show where this kind of place is.

### **Point 3**

Man and woman bush will get same kind of protection from the government just like the other places where government say people cannot use..

## **Article 42 Land that nobody supposed to use**

### **Point 1**

Before this new law passed, all the land put aside on paper by the government that nobody is supposed to use, will still be like that, nobody supposed to use it. The land where the government say nobody should use, but only said it by mouth and did not put it on paper before this new law, the community people and the government representative will hang head on what to do about those areas that the government says nobody should use but did not put it on paper.

### **Point 2**

The government can still say certain part of the community land cannot be used by anybody when:

- i. the community people tell the government they want to select a place where nobody can use
- ii. The government ask the community that they want certain place where nobody can use and the government and the people hang heads. After hanging heads and the community people still say no they want use all their land, the government can use the power the law gives it to take the land.

### **Point 3**

Any land in the community where nobody is supposed to use by government law, will still be for the community and taken care of by the community for all Liberians.

### **Point 4**

The area where nobody supposed to go in the traditional land can be the big bush, place where water can come from and the land the community will put one side for tourism.

### **Point 5**

Any part of the traditional land put aside as a place where nobody must use, must not be sold, rented or given as big business area. Community people can be allowed some rights to use the land for livelihood, this can be done provided the land is used according to what the National Forestry Reform Law of 2006 says or any other law after.

### **Point 6**

The Government will give some things and help to teach the community members to take care of the areas where nobody can use inside the traditional land so that Government can oversee all the natural things in the place and make sure that the people follow what the National Forestry Law of 2006 says or any other law after.

## **Article 43: Bush Lands**

### **Point 1**

Some part of the traditional land can be put one side and the traditional people can use it as bush land if it is not where people live on, do farming, making man or woman bush, or place they say nobody should go; and the place has plenty woods everywhere and they can use for plank.

### **Point 2**

The community can use the bush land to cut down timber and any other stick on the land, any way they want, but must follow the law on the forest. These laws were put on paper in 2006.

## **Article 44: Places to do business**

Some part of the traditional land will be put one side for the Community to use for selling area to build and put shops and other small, small selling business. The Community people can agree to give some of the selling areas to people who are not from that main area so they can make business. The people will pay to use that area.

## **Article 45: Area where people can dig gold, diamond, iron ore**

Small part of the traditional land can be given to dig gold, diamond under the ground but the community people must get paper from the government.

## **CHAPTER II: LAND WITH PAPER AND LANDS AND TRADITIONAL LAND THAT GET PAPER**

### **Article 46: Land with Paper that is in the Olden-time Land also with Paper**

1. Even though everybody knows about the traditional land, but it should not mean that people cannot own land that is in the traditional land or around it.
2. People who got paper for land that is traditional land before the Government passed the law, no one can change it.

3. If anybody got paper for land in the olden-time land, that person will enjoy it without trouble, and that person and the community will make sure nothing happens to the person. The person must also respect the rules the community will put down on paper.

### **Article 47: Tribal Certificates**

#### **Point 1**

The person who has proper Tribal Certificate before the law was passed and never got paper for the land for the certificate from the Government, will be given whole twenty four (24) months to finish all the steps put down by the Land Authority in order to get paper for their land

The Land Authority will give plenty time to people with Tribal Certificate to help them finish the steps good. In order to know if the Tribal Certificate is good, the Land Authority will make the community people to play part in making sure the certificate is good. And if the person who has the Tribal Certificate refuse to get the proper Public Land Sale Deed in the twenty four (24) months time, the land will go back to the community people and will be part of the traditional land again.

#### **Point 2**

From the day the Law was passed, the person who has Tribal Certificate will have total control over the area he/she has used good or made farm. The balance area where nobody build or make farm, both the person who owns the Tribal Certificate and the community will sit down on one table and talk about it.

### **Article 48: Company Area in the same areas as the Traditional Land.**

#### **Point 1**

All the areas where traditional land is and big companies operating there, with paper signed by the Government before the Law was passed, those areas will be for the companies if they have contract, permit or license for the time the Government gave them.

#### **Point 2**

After the Law is passed and the Government decides to look again at the documents they signed with the company on traditional land, the community people will sit down with the government and the company to talk about their land to make sure everything concerning them in the area is protected.

#### **Point 3**

All communities where companies are working after the Law was passed, including companies mining gold and diamond, etc., the companies and the community will all together keep five percent of some of the contract money, including any other benefits that the community will receive under what was put on paper between the company and the government.

#### **Point 4**

When the company decides to end the contract or the contract finish on the traditional land, all the areas the company was sitting on will go back to the community and turn into traditional land again.

## **CHAPTER 12: SELLING, CONTRACT FOR RENTING AND ALL OTHER DOCUMENTS TO GIVE AWAY TRADITIONAL LAND**

### **Article 49: Things relating to selling, renting and giving away of olden-time land**

#### **Point 1**

Any Traditional Land where a Community person or persons got their house the time the Law was passed, that land will be given to the community person right away and the person will be the owner of the land with no problems. This decision is because of Point 2 of Article 36, Point 2 of Article 39, and Point 4 of Article 70 of this law.

#### **Point 2**

To turn over the place where a community member got his house will be done by making paper for the place for the person who got his house in the community. This paper will be given by the CLMDC to the person in their own name. The CLMDC must first take seat before they can give paper for any land. But if the person does not have paper for the land, it will not mean that the land is not for the person unless there is proof that the land is not for the person.

#### **Point 3**

Besides the law that talks about turning a place to person who have house on the traditional land, nobody can sell or give away traditional land unless 50 years pass. They must not sell Traditional Land and no private person must own traditional land until fifty (50) years following the time this Law was passed.

#### **Point 4**

A Traditional Land can be rented on agreement and putting in place of some conditions. Renting will take place through the CLMDC for places smaller than fifty (50) acres and by the agreement by all the Community people for land bigger than fifty (50) acres. The total time for renting traditional land will not be more than fifty (50) years.

#### **Point 5**

To rent olden-time land, it must be for money and any other thing that will benefit the community. The community must agree when the money will be paid and how it will be paid.

#### **Point 6**

No one will rent the community land until:

- i. The community come together and vote for the CLMDC
- ii. To give community land out, it must be according to what this law says in Article 35 & 36.

### **ARTICLE 50: Owning or using land in the open for a long time when everybody can see it and taking of traditional land**

#### **Point 1**

A person who owns land by sitting on it for long time, cannot do this on traditional land.

#### **Point 2**

To get Traditional Land for the public use, a person will have to discuss and agree with the community people where the land is located. To get this land the community will have to agree to

rent or sell. Only the Government of Liberia got the right to take Traditional Land that the government needs to use for the good of the people but it must go by the big law book and Article 54 of this Law.

#### **Article 51: When Traditional land finish**

Based on what Article 49 of this Law say, concerning area where people build their houses and live, traditional land can come to an end altogether or in a small way by agreement of the Community Members when the community gave away their right.

However, the community cannot gave away their land until fifty (50) years after this Law passed.

### **PART FOUR: GOVERNMENT LAND AND FREE LAND**

#### **CHAPTER 13: OWNING, SELLING AND WHEN OF GOVERNMENT LAND AND FREE LAND FINISH**

##### **Article 52: Putting Government Land and Free Land in Group**

###### **Point 1**

Government Land and Free Land are properties for the public or things that the government will hold and use for the good of all the Liberian people.

###### **Point 2**

Government Land is all the lands that government got and using for office and other things like, for the police, immigration or fire service, the soldier barracks, roads, government schools and university, hospital for the public, government place where people can go to read books, place where government can keep olden time and other things that represent Liberia and the airport.

###### **Point 3**

During the time of thirty-six (36) months after this law is passed, the Government will start putting down all the Government Lands and where the land located, and while government doing that it will make sure the area that can divide the land and other land group will be marked properly.

###### **Point 4**

Free Land is not the same thing as land with paper or traditional land. Free land is all lands the government got and own by buying, taking away, or taking back from people or land given to government that is not used by government.

###### **Point 5**

The Government will keep a record of all free land, including the grouping of the land and what the land is being used for and anybody can go there and see it

##### **Article 53: Getting Government Land**

###### **Point 1**

Government can get land using these ways:

- By agreement
- If it was using it before
- Somebody gave it to the government

- By buying the land
- When the land is just sitting there with no owner
- When the land goes back to the government
- From seizing it from the owner
- By right according to law

**Point 2**

The Government may own Government Land or free Land by

- Someone giving it to the government
- The community giving it to the community
- The government is already sitting on the land, for example, if a government building is on the land

**Point 3**

By buying it from the owner who has paper for that land

**Point 4**

When somebody forgets about their land according to Article 24 of this law.

**Point 5**

Government Land or Public Land can come back to government or the owner when the reason for which the land was given for to be used is not happening. Like for the foreign embassy, missionary business or other kind heart business if the land used by an embassy or kind heart business or missionary was not Traditional Land.

**Point 6**

Government Land or Public Land can be owned by taking it away if the owner refuse to pay real estate taxes that is put down on paper.

**Point 7**

The Government can also own and hold land as Government Land or Public Land if the owner dies without leaving behind someone who should take over the property.

**ARTICLE 54: GOVERNMENT GETTING LAND BY RIGHT ACCORDING TO LAW**

**Point 1**

According to the big law book, (the Constitution) government can get land and the things on the land by using the power the law give to it take land to it use it for country. For example, when the government fight war, the government can seize people property. Also, like when sickness come in the country the government take people property to protect everybody from the sickness

**Point 2**

Before the government can use power to take your property, the government must first talk with you to pay for the time it want to stay on your property. If the person who has paper for the land or the community who got the traditional land say no to the government to take their land, the

government can use its power to take their land according to what the big law book (the Constitution) says. In order for the government to take your land from you, government must go to court and the court must agree with the government to take your land from you

### **Point 3**

When the government stop using the land again, for the reason it took the land for at least five years straight, the person or the family they left behind after they die, will get the first chance to buy the property back from the government at the selling rate for the same type of land.

If The person or their family is buying the land back from the government after the government is not using it again, the price for the land will be reduced by the first money the government pay them

### **Point 4**

Government can use land that got paper for or can use traditional land by:

- i. renting it for long time, or buying when it has to do with private land; or
- ii. by the Government taking because it want to use it for public according to what the big law book say.

### **Article 55: Selling and giving of government land.**

#### **Point 1**

Government can sell or rent for long time government land or public land to a person only if the person can hold land in Liberia.

#### **Point 2**

Selling and long time renting of public land and government land is to be done by competition of the persons interested in the land. This is done through the government office that has the authority to take care of government land and according to the law on selling or buying property or any other law that come after.

### **Article 56: Getting Free Land**

The same way you can get government land is the same way to get free land.

### **Article 57: Selling and giving free land.**

The same way to sell land is the same way to sell public and give away free land

### **Article 58: Getting government land and Fee and by staying on the land for a long time.**

Nobody can get government land or free land by staying on it for long time. This can only happen to land where got paper. Holding land that do not belong to you cannot take place with government or public land.



## **PART FIVE: THINGS THAT ARE THE SAME IN ALL TYPES OF LAND RIGHTS**

### **CHAPTER 14: AREAS THAT NOBODY SUPPOSED TO ENTER EASILY**

#### **Article 59: Somethings about places where government says nobody should go**

##### **Point 1**

In addition to free land, land that got paper, government land, traditional land, there is another type of land where the government can say nobody should go on.

##### **Point 2**

Government can take any area in the country and says nobody should go there after following what Article 42 and Article 54 of this law.

##### **Point 3**

If private or traditional land is owned by following Article 42 or 54 of this law and after the land is where people cannot go, the land will be kept and taken care of according to the Law to govern the Forest of 2005 or any other law that comes after for the good of all the Liberian people.

##### **Point 4**

A place like this is a place to stay like way God made it. Nobody supposed to put foot there to kill animal, cut down tree or dig diamond or any other thing. Sometimes only some of the place like will stay like this. Not the whole area.

### **CHAPTER 15: LONG TIME RENTING**

#### **Article 60: The Way in which People can Give up their land for rent**

##### **Point 1**

You can let anybody, whether they are Liberian or not, to stay on your property and use it for themselves.

##### **Point 2**

Once the renting agreement is put on paper and is signed by the owner of the property, then the renting time is supposed to happen.

##### **Point 3**

A renting paper to a person who can own land in Liberia can be for anytime that the renter and the owner agree. Traditional land cannot be given out for more than fifty(50) years.

##### **Point 4**

A person who cannot own land in Liberia can only rent land like:

- a. Ten years for the first time, if the money they put in the property will be US\$100,000 or the same money in Liberian dollars. After the ten years, the renting time can be given for one more time for only five years. This five years have to be agreed only after the end of the first ten years.
- b. Fifteen years at the first time, if the money they put into land is from US\$500,000 or the same money in Liberia dollars. After the first fifteen years, the rent time can be given for only one time of up to ten years. This second rent time can be agreed to after the first fifteen years has passed.

- c. Twenty-five years the first time, if the money they will put in the land US\$1,000,000 or more or the same in Liberian dollars. When the five twenty-five years finish, only ten more years can be agreed upon only after the end of the first twenty-five years.

#### **Point 6**

If the renter wants to hold the place after the first time finish, in two years before the renting time is the about to finish, the owner and the renter can start talking about the new renting period.

#### **Point 7**

You can cancel the rent paper by:

- i. Understanding between the owner and the renter;
- ii. If the place not good again to rent.
- iii. If there is a court case on the property

### **CHAPTER 16: USING OTHER PEOPLE LAND FOR SOME MAIN REASON**

#### **Article 61: The correct way to do it**

- I. This situation can be started by:
  - a. The person who owns the property makes paper for people and says people can use it
  - b. If people use the place before
  - c. If there is really a need for the other person to use the place
  - d. The law says you can use it.

#### **Article 62: The Right to pass through somebody else property.**

##### **Point 1**

People can use other people land through paper if

- a. The paper for the land says so about the land next to it.
- b. The person who got gave you paper the right to a limited use of land can come about openly:
- c. In the paper for the land for which limited use is important.
- d. By agreement beside what is in the paper for the land for which limited use is connected to.
- e. By land given by will.

##### **Point 2**

For it to be by law, the right to pass on the land will be done by paper, the proper way for the court to say yes or any other paper, it must be (i) the owner of the land should put his name down on paper or his/her or the person who will take his/her place; and (ii) the court should know that the person died and the paper registered in keeping with law

**Article 63: Passing on somebody land because the land looks like place to pass because people have been passing there before**

**Point 1**

If people were passing on a land before the land was divided between two people, people will continue to pass on the land unless the people who now have paper for the land can stop people from passing on the land again if they tell people not to pass there, or if they put something on the land to stop people from passing there

**Point 2**

The following way below will be looked at to tell whether people should continue passing on a land they used to pass on before it was divided:

- a. Whether people been passing on the land for a long time.
- b. To enjoy one part of the land, it was necessary to pass on the other part of the land before, which now has a new owner.
- c. The people who divided the land knew or were supposed to know that the land was used by people to get to other parts of the land.
- d. The government or a company is using this land to put light pole on, telephone wire in the ground or water pipe for the other part of the land.

**Point 3**

Anytime people are using a land to pass on and they want to keep using the land to pass on after someone gets paper for the land, they must show why they must keep passing on the land for good.

**Article 64: Passing on other people land because there is no other way to pass.**

**Point 1**

Giving or selling a land where a portion of that land is used by others, either because the law says people should pass there or because the portion of the land looked like people should pass there, the owner of that land will be deprived from that portion unless the paper for the land clearly says he or she can stop people from passing there.

**Point 2**

When somebody sells or gives a piece of their land to another person, and there is no way for the person who bought the land to go in and out of their land, then the person who bought the land or anybody who is using the land can pass on the land of the person who sold the piece of land to them to go in and out of their land.

**Point 3**

Anybody who says they need to use another person land for road, they must show that they must really need the person's land to pass on because there is no other for them to pass.

**Point 4**

Anybody who says that they need to use another person land to pass on must show:

- a. They used to pass on the land before when one person was owning it just before the owner divided it and sold it.

- b. That when the owner was dividing and selling the land, that was the only place used to go in and out of the part of their land,
- c. And still, that is the only way they can in and out of their land.

#### **Point 5**

People who do not have road going to their land and they have to pass through other people's land can go to the Ministry of Justice to help them go to court so the government can make way for them to get to their land.

#### **Article 65: When a land can be used by everybody because nobody says something when people were using it.**

#### **Point 1**

When people get used to passing on a land for ten years and the owner did not stop them, then that land will be used by other people now.

#### **Article 66: When the right to pass on other people's land finish**

The right to pass on somebody's land may finish when:

- a. Every agrees that nobody should pass on the land again.
- b. Signing paper to say nobody will pass on the again.
- c. Leaving the land for long time
- d. When one person owns all the area where other people used to pass.

### **CHAPTER 17: GIVING SOMEBODY GO-AHEAD TO DO SOMETHING**

#### **Article 67: How to give someone the go-ahead to do something**

#### **Point 1**

When you give someone the go ahead to do something you can stop them anytime. If after you gave the person the go ahead and the person start doing something on the land, you cannot change your mind.

#### **Point 2**

The person you gave the go ahead to go on a land to remove something, for example, to cut trees, you cannot change your mind until the person cut the tree. You cannot change your mind when you put on paper that you will not change your mind, or if the person has already spent plenty of money after you gave them the go ahead.

### **CHAPTER 18: PAWNING LAND**

#### **Article 68: How to Pawn Land**

#### **Point 1**

A Community Member may agree to pawn a part or all of the land the community gave them to live on.

#### **Point 2**

To pawn land, you must do what the law says. No land will be pawned in secret.

## **PART SIX: OTHER MATTERS**

### **Chapter 19: PART OF THE LAW THAT WILL NOT HAPPEN UNTILL LATER**

#### **Article 69: LAW FOR ONLY A SHORT TIME**

##### **Point 1**

Until a Community has voted for the CLMDC, the traditional people will be in charge. women and youth will be a part of this group.

##### **Point 2**

Even though the community will give members place to live, no member is allowed to sell their place until the CLMDC takes office and laws on how to give away community land are put on paper.

##### **Point 3**

Until the community can show the exact area of their community land by measurement, or the nearby communities agree to where all the land stop in line with this law, nobody is supposed to make new boundaries for olden-time land, free land or government land.

#### **Article 70: All the laws that this new land law will change**

1. The Interior Law
2. Some of first laws that talked about land business
3. Some of the law that talked about dividing Monrovia.

#### **ANY LAW DIFFERENT FROM THIS LAW WILL NOT STAND**

## THE LAWS THAT TALK ABOUT THE RIGHT OF WOMEN TO OWN LAND

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Land is a property. So, this *Simple English Book* talks about what the law says about the right of women to own land.

### I. Where Can We Find The Different, Different Laws That Talk About Women Right To Own Land?

The rights that women have to own land come from different, different laws:

1. The first law is the **Constitution**, which is the biggest law in Liberia.
2. The other laws are the **laws made by the Law Makers**, who we call the **Legislators**. The lawmakers in Liberia are the Representatives and Senators.
3. And last, what the big court called the **Supreme Court of Liberia**, says about the big law (**The Constitution**) and the laws made by the Lawmakers (**Statutes**).

### II. What The Biggest Law Says?

**Point 1:** Any woman can own property and nobody got the right to take it from her if she does not agree.

**Point 2:** Any woman can own property by herself, alone, or together with other people.

**Point 3:**

- a) A woman who is not married can own her own property by herself.
- b) A married woman can own property by herself.
- c) A married woman and her husband can own property together.
- d) A married woman can own property with other people beside her husband (doing her own business).
- e) The property a woman had before she got married is for her alone.
- f) The property a woman gets from her own sweat when she and the man are together as husband and wife is for her alone. Her husband cannot take it from her and cannot use it unless she agrees. Her husband cannot even tell her what to do with it.

### III. WHAT THE LAW MAKERS SAY?

#### A. Law that shows or talks about how to go to Court (Civil Procedure Law)

**Point 1:** When a man and a woman live together like husband and wife and make people feel and understand that they are married, then the law says they are married.

#### B. Married People Law

Husband and Wife can own and give property away in the following ways:

- a) A wife can give property to husband and husband can also give property to wife without anybody inside.
- b) If the property got their two names on it, they can choose to:
  - i. Divide it between both of them.

- ii. They can give it to anybody, but one person cannot give it away without the other person agreeing.
- c) Wife debt is not for her husband and husband debt is not for his wife.
- d) A wife cannot use husband property as bond and the husband cannot use the wife property as a bond.
- e) When a woman sues her husband to leave him and the court agrees, the judge can divide the man property into either five parts and give the wife at least one of the five parts or,
- f) Divide it into three parts and give her at least one of the three parts.
- g) She will use the part given to her for as long as she lives.
- h) When she dies, the children she born by the man will get the property. If she did not have children by the man, the property will go back to the man, if he is still living when she dies, or to the husband's children when he dies.
- i) When the man and woman get wife gets divorced or the man returns the woman to her family, the court can give her not less than  $\frac{1}{5}$  of the husband's property or not more than  $\frac{1}{3}$

#### **IV. Dead Body Property Law**

**(This law is for both men and women, and it is not like married people law).**

##### **Point 1:**

- a) A woman who is correct in the head before she dies can say how her property should be divided when she dies. She can say, "Your must give my property to anybody", whether it is her family or not her family.
- b) She can either write it on paper with two witnesses signing or tell it to two people that she trust, telling them how she wants her property divided when she dies.

##### **Point 2:**

- a) If a woman's husband dies and he did not tell anybody whom his property should go to, the law says:
  - i. The wife will take Five Thousand Dollars' worth of her husband's property and again take half of the balance left after she finish taking the Five Thousand Dollars' worth of property.

##### **Point 3:**

- a) If the husband and wife leave property in two of them names, but they did not say whom their property should go to, all the property will go to the children.

##### **Point 4:**

- a) If the husband dies without children, and leaves his wife behind, the law says the wife and the husband parents will divide the property like this:
  - ii. His wife will get the value of Ten Thousand Dollars' worth of the property and half of the balance of the property.
  - iii. The other half of the balance will go to the husband and wife parents.

**Point 5:**

- a) If the husband leaves behind brothers or sisters but no children or parents, then;
  - i. the wife gets Ten Thousand Dollars' worth of property; after that,
  - ii. the remaining property after the wife takes Ten Thousand Dollars' worth is divided into four parts, the wife will then get three of the four parts and the rest go to the brothers and sisters.

**Point 6:**

If the husband dies without children, parents, brothers or sisters, all the property goes to the wife.

**Point 7:**

- a) If both husband and wife die, leave no children, but leave behind brothers and or sisters, parents, then;
  - i. property worth up to Ten Thousand Dollars and half of the balance to the parents equally if they are both living.
- b) If only one parent is living, the whole half of the property goes to the parent and the balance to the brothers and sisters who are living, or if dead, to the children of the parents.

**Point 8:**

If the husband dies and (wife dies before him) no wife but leaves behind one or both parents and one or more brothers or sisters, his entire property to the husband's parents.

**Point 9:**

- a) If the wife dies and no husband, but leaves behind one or both parents and no child or parents, then;
  - i. her property goes to her brothers and sisters.
  - ii. if a brother or sister is dead, then to the brother or sister's children.
  - iii. if no brother or sister's children, then to the grandparents.
  - iv. if no grandparents then to uncles and aunties.
  - v. if uncle or aunty dies, then to the children of the uncle or aunty.
  - vi. if none of these people are living, then the property goes to the Republic of Liberia.
- b) According to the biggest law of the country (Constitution), when a woman husband dies, she can divide her husband's property into three parts and take one out of the three parts for as long as she lives. She does not have to take what he said she should take after he dies

**Point 10:**

- a) If a woman decides that she wants to divide the property into three parts and take one part instead of what the man left her, then the other people who the man gave property to must give some of their property to her until the woman gets one of the three parts.
- b) If the woman is not satisfied with what her husband left her, her husband properties should be put together and divided into three parts and one of the 3 parts be given to her. This



means that for her to get that one part of the three parts, the other people who were given some of the properties before, must bring the property back so she can get enough to equal to one of the three equal parts.

**Point 11:**

- a) If the husband dies, and he alone owned the house he and his wife were living in (the woman's name was not on the deed), and the law did not say the house was family house; then,
  - i. the wife can buy the house, and
  - ii. the person in charge cannot sell the house if the wife does not agree.
  - iii. If the person goes ahead and sells the property without the wife agreeing, the selling of the house will not be correct and the court will cancel it.
- b) If the husband and his wife, along with the children lived in a house where the wife's name was not on the deed, but only the husband, when he dies, the wife and the children can stay in the house, and enjoy everything in it free for seven months after the person who is supposed to take care of (mind) the dead person property is recognized by the court.

**Point 12:**

- a) A wife or husband cannot enjoy each other's property when one of them dies if any of the following happens:
  - i. The marriage was not good according to the law.
  - ii. One of them got a divorce because one person left the other person for a long time even though they never got divorced.
  - iii. One person got divorce outside the country.
  - iv. They got divorced already before one of them died.
  - v. The husband never used to support his wife

The Court divorced them but they were still waiting for the court people to prepare the divorce paper when one of them died.<sup>2</sup>

**Law for People Who Married the Traditional Way**

**Point 1:** Women married the civilized way and the country way have the same rights.

**Point 2:**

- a) As soon as a man pays a woman's dowry, then the woman and the man will have right to some of each other's property.
- b) When the man or his wife dies, the man or wife who is living can get some of the property. The property can be divided into three parts and the living husband or wife will take one part.

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<sup>2</sup> A judge will say that a man and a woman are not together again as husband and wife, but the proof of what the judge says is the paper the court gives them. This takes time to prepare after the judge says that that a woman and her husband are not married again.

- c) When the man carries the woman back to her family, his property can be divided into three parts and the woman will get one of the three parts for herself.
- d) If the woman leaves the man, the man can divide her property into three parts and take one part out of the three parts

**Point 3:**

- a) A woman who is married the traditional way can have her own property, whether she had it before the man pay her dowry, or after he paid her dowry.
- b) A married woman can do anything with her property, but she must let her husband know and he must agree.

**Point 4:**

If a traditional woman husband tries to control her property without her agreeing, he could be charged with stealing her property.

**Point 5:**

The same law for civilized people when they marry and they die, is the same law for native people, when they get married and they die.

**Point 6:**

When the husband dies, the wife or wives (if he marry to more than one woman) can divide the man's property into three parts and the wife or, all the wives will take the one part. The balance two parts will go to his children. If he does not have children, then to his family people.

**Point 7:**

When the man dies, his wife or wives can stay in the husband house and look after his property, or she can remarry and find somewhere else to live and leave the husband's property to his children.

**Point 8:**

A native woman can go to the court and ask for paper to manage her husband's property.

**Point 9:**

Before a woman dies, she can say who should take her property when she dies.

**VI. What the Big Court Says about People Who Marry the Traditional Way**

- a) The new law for dowry women was made to stop the bad traditional practices against women to make sure:
  - i. That a wife is not the property of her husband.
  - ii. That when the woman husband dies she gets her rights just like the civilize woman.
- b) That, when a woman is living with a man who never pay her dowry, but they are acting like husband and wife, the law will say they are married unless someone can prove that the two of them were just boyfriend and girlfriend.
- c) Dowry is the number one way to show a man and a woman are legally married traditionally.

## **The Law against Taking Somebody Land and Selling It to another Person**

### **I. Good For Women**

This law is good for anybody who owns and anyone who wants to buy land. So it is good, especially for women who have their own land and women who want to buy land.

### **II. Reasons for this Law**

- a) For long time, people with bad heart have been selling other people land to foreigners.
- b) Liberians and foreigners have been selling other people's land that they do not own.

### **III. What The Law Says About Selling Land?**

#### **Point I.**

The law says that when the owner of a land sells it to somebody, then, the land no longer belongs to the one who finished selling it and they are not supposed to sell the same land to another person again.

### **IV. Who can sell Land?**

- a) The Law also says that the only person who can sell land is the person who owns it.
- b) A Person can only own land when:
  - i. They buy it from the rightful owner;
  - ii. The rightful owner gave it to them
  - iii. They got it from someone who died (inherited it).
  - iv. The Government gave it to them.
- a) All lands must have first been owned by the country or somebody who the law gave it to first.

### **V. Land Palava**

- a) Even though the law for land is so clear that only the person who actually own the land can sell it or give it away, people or organizations who got bad heart (criminal minds), both Liberians and foreigners, have for long time been selling and reselling the same land to foreigners and Liberians causing problems among people.
- b) Land palava, mainly in the big towns and cities, is so plenty and serious that courts and other places where people can talk land palava are not able to handle all the matter.
- c) People selling land when it does not belong to them is making it hard for the country to grow and can cause confusion and fighting (war).
- d) Therefore, the lawmakers think it is better to make selling land more serious than it is now before confusion and fighting comes.
- e) When you know the land is not for you and you sell it or give it to somebody else or an organization, it is against the law and you will go to jail.

## **VI. Six Ways to Spoil This Land Law and get into Trouble**

### **ONE.**

When a person sells, or gives somebody's land to another person, or gave somebody's land as bond, or rents somebody's land to another person that does not belong to them, and the person did not give them the right to do so.

### **TWO.**

a) When a person buys land that he knows or should know is not for the person selling it or,

b) The person knows or should know that the land was for the person selling it but, somebody else had already bought it.

### **THREE.**

When a surveyor joins with someone or others to sell the land that he knows or should know is not for the person selling it.

### **FOUR.**

When a surveyor is about to survey land without telling everybody who got land around the area that he is about to survey the land.

### **FIVE.**

When a person is a district commissioner, land commissioner, city mayor, township commissioner, or any kind of big government person in the city or the interior, like town chief, zone chief, elder, Zoe, and that person use power to make a person or group of people to sell land that does not belong to them when they know that the land is not for the person or group of people selling it.

### **SIX.**

When a lawmaker, or a big government person, like a minister, deputy minister, director-general, deputy director-general, any big person in the police, immigration, or any person who doing police work, who use power to make somebody or group of people to sell somebody's land to another person, when they know or supposed to know that the land is not for the person selling it.

## **VII. The Punishment For Selling Land That is Not For You**

1. For the first time this happens, the person will go to jail for up to five years. This means the court can give them from one year up to five years and they must pay two times the money they got from selling the land.
2. If the same person, when they come from jail and they sell another person's land again, they will go to jail for five years straight, and they will pay two times the money they got from selling the land.
3. If they do it again, they will not put them outside before their time over, like the government can do sometimes when people do bad things and go to jail.
4. Not all the time when a person sells a land they will stay in jail for long. Sometimes, when the case is not too serious, the person will pay a fine and can go to jail for not more than

three years. They will also pay back the money they got from selling the land, but it will not be more than two times the money they got from selling the land.

5. For the surveyor, if they sell or cause people to sell land they know or should know is not for the person, they will go to jail for 10 years and the government will never allow them to be surveyor again.
6. For selling land not for you, the shortest time you can stay in jail is:
  - a) One year if the case is not serious.
  - b) Three years if it is serious small.
  - c) At least five years if it is serious.

# ANNEX K. MONITORING AND EVALUATION DATA COLLECTION TEMPLATES

## ACTIVITY MINUTES

<b>Activity Title</b>	
<b>Activity Start Date</b>	
<b>Activity End Date</b>	
<b>Purpose of the Activity</b>	
<b>Trainer/Facilitator Names</b>	
<b>Activity Total Hours</b>	
<b>Activity Total Days</b>	
<b>Activity Venue</b>	
<b>Total Number of Participants</b>	
<b>Number of Men</b>	
<b>Number of Women</b>	
<b>Number of Youth</b>	
<b>Participating Organizations/Villages</b>	
<b>Topics Discussed</b>	

<b>Notes for Improvement</b>	
<b>Supporting Documentation</b>	
<b>Notetaker Name</b>	





# ANNEX M. COMMUNITY FOLIO GUIDANCE

## WHAT IS A COMMUNITY FOLIO?

A community folio is the final output of the community boundary documentation process. A folio provides evidence, backed by data, that community members can use to engage with local authorities or other stakeholders about their land concerns. Local organizations collect content for the folio throughout the community self-identification and boundary documentation process. At the completion of the process, the folio is handed over to community members and local authorities. The folio provides documentation and a record of the community’s activities. It is intended to be used for documenting and clarifying perceived community rights for future engagement with local authorities, private companies, or other stakeholders interested in community lands and resources. LGSA has developed a community folio template that should be used alongside this guide.

## COMMUNITY FOLIO HANDOVER

All contents for the folio and supporting documents should be compiled in hard and digital copies. Folio materials should be delivered to CLDMC members, community leaders, district authorities, and the LLA. A digital version of all files should be provided on a USB memory stick.

## CONTENTS OF A COMMUNITY FOLIO

As a local organization, you collect most of the folio information through the steps that make up the community self-identification and boundary documentation process. The table below lists each section of the folio and describes the contents and information source for each. Folio contents may vary depending on local context and the process followed. Some information may differ from community to community, and other information will be the same across communities.

Section	Description of Contents	Information Source (Where this Information is Recorded)
I. Schedule of Activities in the Community	<ul style="list-style-type: none"> <li>• Date</li> <li>• Description of activity conducted</li> <li>• Community/Town/Village name</li> <li>• Activity result/output</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring data</li> </ul>
II. ICC/CLDMC Member List	<ul style="list-style-type: none"> <li>• Committee member name</li> <li>• Female or male</li> <li>• Occupation</li> </ul>	<ul style="list-style-type: none"> <li>• Spatial awareness session</li> </ul>
III. Community Boundary Markers and Boundary Lines	<p>Boundary Markers</p> <ul style="list-style-type: none"> <li>• Boundary point name</li> <li>• Latitude, longitude</li> <li>• Method of verification</li> </ul> <p>Boundary Line</p> <ul style="list-style-type: none"> <li>• Boundary line description</li> <li>• Method of verification</li> </ul>	<ul style="list-style-type: none"> <li>• Boundary marker spatial data</li> <li>• Boundary line spatial data</li> </ul>
IV. Community Profile	<ul style="list-style-type: none"> <li>• Summary findings of community profile interviews in the village</li> </ul>	<ul style="list-style-type: none"> <li>• Community profile interviews</li> </ul>
V. Community Photos	<ul style="list-style-type: none"> <li>• Photos from activities in this community</li> </ul>	<ul style="list-style-type: none"> <li>• Photos taken throughout the community boundary documentation process</li> </ul>
VI. Agreement Sheet	<ul style="list-style-type: none"> <li>• See template</li> </ul>	

Section	Description of Contents	Information Source (Where this Information is Recorded)
for Signatures		

## **COMMUNITY FOLIO SUPPORTING DOCUMENTS**

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The following materials should be provided during handover of the final community folios:

- Large-format vinyl map of the community boundary
- Copy of the Land Rights Act

# COMMUNITY FOLIO TEMPLATE

**[Insert Community Name]** Community Boundary Documentation  
Folio

[Add map and text here.]

## FOLIO CONTENTS

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This community folio is the output of the community self-identification and boundary documentation process. From [insert start date] to [insert end date] [insert number of sub-units] sub-units in [insert name of community] community participated in a process that involved a land tenure, gender, and land governance as well as participatory mapping exercises. These participatory mapping exercises represent the communities' views of their land boundaries. This folio is not a legal document but is intended to provide evidence, backed by data, with which community members can engage with local authorities or other stakeholders about their land concerns. This folio is accompanied by a large-format vinyl map of the community.

[Insert descriptions of each of the following:

1. Activities list
2. Community profile
3. Committee members list
4. Community photos
5. Boundary markers and boundary lines
6. Data-sharing agreement]

## ACTIVITIES LIST

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[Insert the activities completed throughout the community self-identification and boundary documentation process.]

Date	Activity	Output

## COMMUNITY PROFILE

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[Insert the information gathered during Step 1 for the community profile. Add to the community profile throughout the documentation process as additional information is gathered.]

### [Community Name] Profile

See Annex D for the community profile template.



## COMMUNITY PHOTOS

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[Insert photos taken throughout the community self-identification and boundary documentation process.]





## Boundary Line

Name	Start Point	End Point	Method of Verification
[Describe the features the boundary follows (watershed, river, road, etc.)] who shares boundary			

## DATA-SHARING AGREEMENT

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[Today's Date]

[Community Name]

[CSO/NGO Name]

[CSO/NGO Address]

### Understanding on Sharing of Boundary Data with Relevant Stakeholders

WHEREAS, we, residents of [Name of community], [Clan, if different than community], [District], [County], give our consent and approval for [CSO/NGO Name] to store and share spatial data collected about our community. This data involves community boundaries.

[CSO/NGO Name] may share the data about our community with appropriate, relevant stakeholders such as Government of Liberia representatives at the local, district, and county level. [CSO/NGO Name] may also share information with relevant data-sharing institutions such as the Liberia Land Authority and LISGIS. [CSO/NGO Name] will not share personal information about individual community members. If [CSO/NGO Name] receives any additional data requests from other stakeholders, they will check with the community for approval.

The community reserves the right to request changes or amendments to this land-related information.

Signed on behalf of the community:

Signed on behalf of [CSO/NGO Name]:

\_\_\_\_\_  
Committee Chair

\_\_\_\_\_  
Project Manager/Officer

\_\_\_\_\_  
Committee Member

\_\_\_\_\_  
Community Engagement Specialist/Field  
Facilitator

\_\_\_\_\_  
Committee Member

\_\_\_\_\_  
Mapping Specialist

\_\_\_\_\_  
Committee Member

\_\_\_\_\_  
Committee Member

\_\_\_\_\_  
[Add more rows as needed]

# ANNEX N: EXAMPLE AGENDAS

## COMMUNITY SENSITIZATION MEETING AGENDA

**Date:**

**Time: 9:00AM to 11:30AM**

**Place:**

**Objective:**

- To share information about project objectives
- To understand relationship to LRA
- To understand the participatory mapping process and site areas

Time	Topic	Delivery	Facilitator
9:00–9:30	Introductions – local authorities, community representatives, local organization team members	Group introduction	Local organization
9:30–10:00	Introduction of Land Rights Act	Presentation or discussion	Local organization
10:00–11:00	Introduction of process for the recognition of customary tenure and the steps involved to obtain community land deed	Discussion with outreach materials	Local organization
11:00–11:30	Next steps Summary of the meeting	Discussion	Local organization

## COMMUNITY BOUNDARY COMMITTEE MEETING

**Date:**

**Time: 9:00AM to 1:30PM**

**Place:**

### Objective

- To review community boundary documentation activities
- To provide feedback on draft community boundary maps
- To review boundaries with neighboring villages
- To increase awareness of land legal framework

Time	Topic	Delivery	Facilitator
9:00–9:30	Introductions –community representatives, local organization team members	Group introduction	Local organization
9:30–10:00	Summary of community boundary documentation to-date <ul style="list-style-type: none"> <li>• Objectives</li> <li>• Activities</li> </ul>	Presentation	Local organization
10:00–10:15	Introduction draft community boundary	Discussion	Local organization
10:15–11:00	Map discussion and review with community boundary committee	Discussion and presentation	All attendees
11:45–12:15	Presentation to boundaries with representatives of neighboring communities	Discussion and presentation	All attendees
12:15–13:10	Group discussion of boundaries	Discussion	Local organization
13:15–13:30	Next steps Summary of the meeting	Discussion	Local organization

## MULTI-STAKEHOLDER DIALOGUE AND COMMUNITY FOLIO HANDOVER CEREMONY

**Date:**

**Time: 9:00AM to 12:00PM**

**Place:**

**Objectives:**

- To empower communities to use maps for engagement and negotiation
- To identify priority next steps
- To hand over folio and map documentation

Time	Topic	Delivery	Facilitator
9:00–9:30	Introductions – local authorities, community representatives, local organization team members	Group introduction	Local organization
9:30–10:00	Community boundary documentation summary <ul style="list-style-type: none"> <li>• Objectives</li> <li>• Activities</li> </ul>	Presentation	Local organization
10:00–10:15	Introduction of folio purpose	Discussion	All attendees
10:15–10:45	Map discussion and review	Discussion	All attendees
10:45–11:15	Review of folio contents	Discussion	All attendees
11:15–11:30	Handover of folio and photographs	Handover	Local organization
11:30–12:00	Next steps Summary of the meeting		Local organization

# ANNEX O: COMMUNITY LAND RECOGNITION POSTER



## Methodology for the Recognition of Customary Land



**INTRODUCTION AND AWARENESS OF CUSTOMARY LAND FORMALIZATION**



Introduce process to local government



Introduce process to community and neighboring communities

**STEP 2: THE COMMUNITY ESTABLISHES GOVERNANCE BY-LAWS AND STRUCTURES**



Community produces bylaws, holds community meeting(s) to review and adopt them.



Community plans and conducts community land management committee elections and inducts member of the CLDMC



Set up boundary harmonization team(s)

**STEP 3: CONDUCT COMMUNITY LAND IDENTIFICATION AND MAPPING**



Community identifies boundary and harmonizes with neighbors



Produce boundary map after harmonization for review and validation by community



Community signs an MOU with neighbors on agreed boundaries



Community Assembles documentation for submission to LLA

**STEP 4: LLA VERIFIES COMMUNITY BOUNDARY THROUGH CONFIRMATORY SURVEY**



LLA reviews all documents presented along with community and neighbors



Post notices for confirmatory survey in community and neighboring community



LLA verifies/confirming boundary points through confirmatory survey



Community and neighbors review and validate map and deed

**STEP 5: LLA PROCESSES DOCUMENTS AND MAPS FOR COMMUNITY STATUTORY DEED**



LLA reviews and processes all documents presented by community



Community receives statutory deed

**STEP 1: COMMUNITY SELF IDENTIFICATION**



Nominate and elect/select members of the Interim Coordinating Committee



Complete community profile



Produce sketch map with the community (including men, women and youth)



Community sub-units sign an MOU agreeing to self-identify as one community



Submit an Application of Expression of Interest to the LLA



LLA reviews community self-identification Application of Expression of Interest

# ANNEX P: GIS CLOUD AND EXAMPLE DATA COLLECTION FORMS AND ATTRIBUTE TABLES

## BOUNDARY VERIFICATION WALK/BOUNDARY MARKER

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Below are examples of boundary verification walk data collection forms for points and lines used by LGSA pilot teams on a mobile data collection app. Program these values into a mobile data collection form before fieldwork begins. Remember to test the data collection form before using in the field.

These forms can be implemented in nearly any geospatial mobile data collection system. The form details below correspond to attributes for geospatial layers. For GIS Cloud, create a new mobile data collection project for both point and line data collection. You will collect data using the application, which will eventually feed into map layers.

As described in Step 3, LGSA pilot teams utilized a confidence level designation to collect boundary marker and boundary line data. The green, yellow, and red confidence levels reflect a community's understanding of and confidence in the data.

- **Green:** Boundary markers or boundary lines where there is no disagreement and the geographic features are well understood by many, if not all, community members. These features can usually be determined from satellite imagery. Examples include roads, rivers, monasteries, and bridges.
- **Yellow:** Boundary markers or boundary lines where there is some confusion or lack of clear understanding within the village and maybe with neighboring villages. These features are not openly disputed but are also not clear. Sometimes referred to as “fuzzy,” these are areas where boundary walks are required. Examples include footpaths, large trees, small streams, and gullies.
- **Red:** Boundary markers or boundary lines where there is conflict or where it is too dangerous to travel. These features demonstrate areas of disagreement within a community or between neighboring communities. For these reasons at some pilot sites, community members refused to participate in the boundary walk.



The boundary point form should correspond to a layer consisting of point geometry. Update the values in this table for each community boundary, such as town/village names and relevant boundary marker types.

Select town/village name	[Select List] Town/Village 1 Town/Village 2 Town/Village 3 Town/Village 4 Other
If Other:	[Text]
Local boundary marker name	[Text]
Select boundary marker descriptor	[Select List] Tree Creek River Mountain Hill Building Lake Other
If other, specify	[Text]
Take a picture of the boundary marker	[Photo]
Confidence Level: Is the boundary marker green, yellow, or red?	[Select List] Green Yellow Red
If yellow or red, why?	[Text]

Community boundary markers will have the same attribute table as the boundary walk data collection form.

Select town/village name	[Select list] Town/Village 1 Town/Village 2 Town/Village 3 Town/Village 4 Other
If Other:	[Text]
Local boundary line name	[Text]
Select boundary line descriptor	[Select List] Tree Creek River Road Footpath Other
If other, specify	[Text]
Take a picture of the boundary marker	[Photo]
Confidence Level: Is the boundary marker green, yellow, or red?	[Select List] Green Yellow Red
If yellow or red, why?	[Text]

## CREATING FORMS IN GIS CLOUD

**NB: This section assumes that the reader is familiar with basic GIS concepts like layers and geometry.**

GIS Cloud is a fully online GIS system that enables users to collect data with a mobile device, process that data, and create user-friendly maps. When you create a new data collection form, you are also creating a vector layer in the GIS Cloud system. All data collected by the form is submitted to a database that is immediately available for creating maps.

To create a new form, open the mobile data collection dashboard, accessible directly at <https://mdc.giscloud.com>, and click the *Create a new project* button. You will also see a list of previously created forms here.

Type	Name	Details	Dependencies	Delete
Select list	Village Name	Details		Delete
Text	Boundary Line Name	Details	Dependencies	Delete
Select list	Boundary Line Type	Details	Dependencies	Delete
Radio buttons	Confidence Level	Details	Dependencies	Delete
Text	Why?	Details	Dependencies	Delete

First, give your form a name and type in a brief description. Choose a geometry type for your form as well. Boundary markers should be points, while boundary walks should be lines. Note that this cannot be changed after the form is created.

On the right column of the page, you can add the fields you wish to collect as part of the form. The project will have three fields to start with, but you can add or delete as many as you wish. To add a new field, select the type that you wish to add and click *Add new field* at the top of the page. Then, for each field, type in a name that the data collector will see on their mobile device. You can also change the field type at any point before saving.

Some important field types are:

- **Text:** For typed responses with no specific structure, like the name of a boundary marker
- **Number:** Enter any kind of number in this spot, like a count of participants
- **Select List:** A set of options that the data collector can choose from, like a list of villages. To add the list, click the *Details* link next the *Name* field and add as many options as needed. Select lists are useful for very long lists.
- **Radio Buttons:** Similar to a select list, but it will display all the options in a list. This is better for relatively short lists, as too many options will crowd the screen.
- **Photo:** This type of field will open the mobile device's camera and take a photo.

Note that the geometry you have chosen is automatically collected by the form, and you don't need to add a field to collect points, for instance. Once a project form has been saved, it will be immediately available on the mobile application.

For other question types and more information on advanced configuration, see GIS Cloud's help site: <https://www.giscloud.com/manual/>.

## COLLECTING DATA

Download the GIS Cloud mobile data collection (MDC) application from the Google Play or App Store, depending on your device. Sign in with your assigned username and password.

The GIS Cloud MDC app will open to your data collection forms and will be immediately ready for data collection.

The screenshot displays the GIS Cloud mobile data collection (MDC) application interface. At the top, the status bar shows the time as 10:57 AM. The header bar is blue and contains the GIS logo on the left and the project name 'LGSA Boundary Line' in the center, with a small downward arrow on the right. Below the header, there are two main sections: a control section and a form section. The control section includes a 'GPS' button with a blue dot, a 'Manual' button with a light blue dot, and a 'Start tracking' button with a red dot. Below these is an 'Accuracy: 12m' indicator. The form section consists of several fields: 'Village Name' with a dropdown menu showing 'Please choose'; 'Boundary Line Name' with a text input field; 'Boundary Line Type' with a dropdown menu showing 'Please choose'; 'Confidence Level' with three radio button options: 'Green', 'Yellow', and 'Red'; and 'Why?' with a text input field. At the bottom, there is a navigation bar with four icons: 'Send' (a checkmark), 'Queue' (a list icon), 'Map' (a location pin), and 'Settings' (a gear icon). The Android navigation bar is visible at the very bottom of the screen.

To change data collection forms, tap the small arrow in the top right corner of the screen next to the current form's name. You will see a list of all available forms. To collect data, simply fill out the form and tap the send button. If you don't have network access, the form will simply be added to the Queue tab and will be uploaded when internet is available.

*To collect points:* Simply stand at the point where you want to collect. The location area at the top of the screen will tell you your accuracy. Fill out the form, and when you are satisfied with accuracy,

tap send. You may also switch to *pinpoint* mode, which will show you your location on a satellite map and allow you to touch the place that you wish to record.

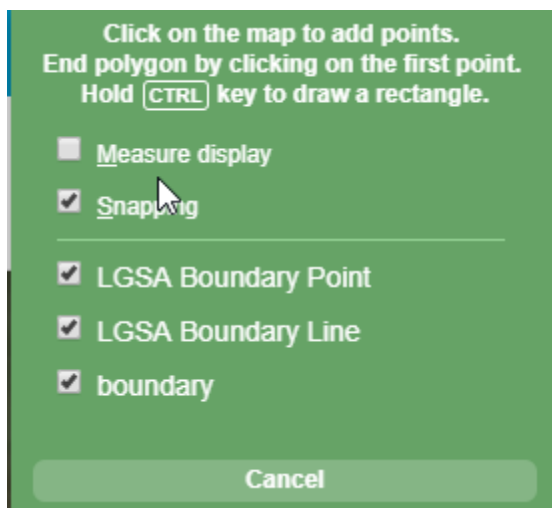
*To collect lines:* Tap the *Start Tracking* button at the top of the screen and begin walking. The app will automatically record every few seconds to ensure that you get a continuous line. If you need to stop for an extended period of time, such as for an obstacle, tap the button again to pause, resuming when you are able to. You may fill out the form while you walk. When you are done, tap the button to stop recording and submit the form.

## CREATING BOUNDARY LINES

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Data is submitted to GIS Cloud's platform and can be accessed at <http://editor.giscloud.com>. Create a new map, and choose a base map (satellite is most useful). Add both of your data collection projects as layers. If you also digitized boundaries based on satellite imagery, you can also load that as a layer here.

The easiest way to create a boundary is to trace a new polygon in a new layer. Create a new polygon layer and add a new feature to the layer. Select *Snapping* and choose the point and line layers as illustrated below. You will now be able to trace the mixture of points and lines on the map, with your mouse pointer automatically snapping to the closest vertex on either layer. Once you have completed mapping your boundary, save the feature.



Alternatively, GIS Cloud will allow you to export collected data as a shapefile or several other commonly supported formats. You may then use the desktop GIS system of your choice to build your boundary layer.

# ANNEX Q: GLOSSARY OF LAND TERMS

This glossary provides definitions for internationally recognized land governance terms that are frequently used in the areas of land administration, land management, and efforts to strengthen the land tenure security of individuals, households, and communities. While additional terms are used that are unique to the Burma context, the purpose of this glossary is to bring greater awareness of internationally used terminology.

**Access to land:** The local and/or legally recognized right to enter and use a physically defined area. Access rights may be obtained through family or group membership or through legally sanctioned processes such as allocation, purchase, and inheritance. Rights may be defined in terms of location, time, use, and the individual's relationship to the community (Leonard & Longbottom, 2000).

**Adjudication of property rights:** The process leading to a final and authoritative determination of the existing rights and claims of people to land. This may be in the context of First Registration, or it may be to resolve a doubt or dispute after First Registration. It may also be used in redistributive land reform processes. The process of adjudication should reveal what rights already exist, who holds them, and what restrictions or limitations exist on them (Ciparisse, 2003; UNECE, 1996).

**Adverse possession:** The right under the law of someone who has occupied a piece of land for a prescribed, extended period of time, is behaving like an owner, and has not recognized another's ownership to become the owner of the land. This is regardless of the fact that another owned the land when the occupant entered into the occupation (Bruce with Holt, 2011).

**Agrarian reform:** A program of activities designed to alter the agricultural structure of a country to increase agricultural production and improve standards of living of rural populations. Such reforms often include land reform or land tenure reform components (Bruce, 1998; Ciparisse, 2003).

**Agroforestry:** A land use system where woody perennials are grown on the same piece of land as agricultural crops and/or livestock, resulting in both ecological and economic interactions between the different components (Ciparisse, 2003).

**Agro-pastoralism:** A land use system that combines both crop agriculture and animal husbandry with pasture uses (Ciparisse, 2003).

**Alienation of land:** The transfer of ownership rights in land or property to someone without regard to status, implying both the existence of private property and free will. In customary tenure systems, land is rarely seen as a commodity that can be traded at will, and the ability to alienate land is limited (Garner, 2009; UNECE, 1996).

**Allocation of state land:** The assignment of state land to an individual or group under specified tenure or use restrictions (USAID, 2013).

**Alternative dispute resolution:** A process of dispute resolution taking place out of the formal court structure using mechanisms upon which both parties have agreed, such as arbitration or mediation (Garner, 2009; Ciparisse, 2003).

**Arbitration:** A formal process of dispute resolution through which a neutral third party renders a decision based on evidence and arguments submitted by the parties in contention (Ciparisse, 2003; Garner, 2009).

**Assurance of rights:** The act or process of assuring a right (Garner, 2009).

**Beneficiary:** A person for whose benefit property is held in trust, especially one designated to benefit from an appointment, disposition, or assignment (as in a will, insurance policy, etc.) or to receive something as a result of a legal arrangement or instrument (Garner, 2009).

**Boundary:** The physical demarcation on the ground or by a mathematical description, usually based on a coordinate system. The accuracy and cost of cadastral surveys is dependent on the accuracy needed for boundary descriptions. The accuracy should reflect factors such as the value of the land, the risk and cost of land disputes, and the information needs of the users of the cadaster (Ciparisse, 2003).

**Bundle of rights:** Rights held in relation to access and utilization of land resources. These include, but are not restricted to, the right to sell, mortgage, and bequeath land; cut trees; cultivate; and construct homes. This bundle can be broken up, rearranged, and passed on to others. Some of these rights will be held by individuals, some by groups, and others by political entities (USAID, 2013).

**Cadaster:** A type of land information system that contains a set of records on land parcels. Specialized cadasters may support records of property rights (judicial cadaster), taxation (fiscal cadaster), or land use (land use cadaster). A multi-purpose cadaster will register many different attributes of land parcels (Ciparisse, 2003; UNECE, 1996).

**Cadastral map:** A map that shows the boundaries and ownership of land within a specified area. Some cadastral maps show details including district names, unique identifying numbers for parcels, certificate of title numbers, positions of existing structures, section or lot numbers and their respective areas, adjoining and adjacent street names, selected boundary dimensions, and references to prior maps (USAID, 2013).

**Codification of customary law:** The process of collecting, systematically organizing, and codifying the laws, customs, and practice of a community as they relate to land and related resources. The end product may be formalized into statutory law or code (USAID, 2013).

**Codified law:** Laws, rules, and regulations that have been systematically collected and arranged, usually by subject, e.g., commercial code or criminal code (USAID, 2013).

**Collateral:** Property pledged as a guarantee for repayment of a loan. The most common form of immovable property used as collateral is the mortgage, a transfer of an interest in the land as security for a debt (Ciparisse, 2003; Leonard & Longbottom, 2000; UNECE, 1996).

**Collective ownership:** A situation where holders of land rights are clearly defined as a group and have the right to exclude others from the enjoyment of those land rights (Münkner & Kaunianen, 2000).

**Common property:** Land and other resources over which entitled beneficiaries, whether individual or community-defined, have specific common rights. The community controls the use of the common property and can exclude non-members from using it (Ciparisse, 2003).

**Communal ownership:** A situation where rights to use resources are held by a community. While these rights may include communal rights to pastures and forests, they may also include exclusive private rights to agricultural land and residential plots (Ciparisse, 2003).

**Compensation:** The payment made for property taken or adversely affected by another. Compensation payments for land are generally related to expropriation exercises, but may also include planning and zoning restrictions (Ciparisse, 2003).

**Concession:** A specialized form of lease, generally defined as a grant of specific rights and privileges over property by a government to an individual or company to develop the resources of the

property, such as a mining concession, forestry concession, a concession to build a canal, or a concession to manage a government property. Payments for concessions may be related to the volume of sales or resources extracted, rather than a fixed annual rental payment (USAID, 2013).

**Condominium:** A form of ownership where parts of a property are owned individually (for example, apartments in the same building) and parts of the property are owned jointly (such as stairways, common areas, and other components integral to the design of the property) (Ciparisse, 2003; Münkner & Kaunianen, 2000).

**Continuum of land rights:** The range of possible forms of tenure, from informal land rights to registered freehold rights (UN-HABITAT, 2008)

**Co-ownership:** Property held jointly by two or more people. The enjoyment of a property in co-ownership is said to be in undivided shares, in that each person has the same right to any part of the property. There are two forms of co-ownership: joint tenancy and tenancy in common (Ciparisse, 2003).

**Customary land law:** A community's mechanism for regulating the right to use land through customary practice, rather than through written law (Ciparisse, 2003).

**Customary land rights:** The holding of land in accordance with customary law or tradition. Customary land law regulates rights to enjoy use of land that arises through customary, unwritten practice, rather than through written or codified law (Ciparisse, 2003).

**Customary land tenure:** The rules generated and enforced by a community or larger sub-state polity to govern the holding and use of land by its members. Customary rules are typically but not always unwritten (Bruce with Holt, 2011).

**Customary law:** Law consisting of customs that are accepted as legal requirements or obligatory rules of conduct; practices and beliefs that are so vital and intrinsic a part of a social and economic system that they are treated as if they were laws (Black, 2009).

**Decentralization:** The transfer of administrative powers (decision-making, executive, and fiscal) to lower levels of government, with varying degrees of autonomy (USAID, 2013).

**Deed:** The written document, or contract, that transfers title (ownership) or an interest in real property to another person (USAID, 2013).

**Deeds registration:** A system of proof of property ownership and interests, based on the registration of transfer and other deeds. A deeds registration system is limited in that it does not provide a guarantee of title. All that it typically provides is access into the chain of transactions that can be used to prove title (Ciparisse, 2003).

**Demarcation:** The marking-out of the boundaries of each land parcel on the ground (UNECE, 1996).

**Dispute resolution:** The settlement of conflict between groups or individuals. The factors determining how societies deal with internal disputes are related to the formal authority structures of courts and written law or traditional authority structures of family, village councils, and leadership figures. Dispute resolution may be formal (recognized by law and the state administration system for dispute resolution) or informal (community-based adjudication or mediation). Decisions made under informal resolution mechanisms are not always legally binding (Leonard & Longbottom, 2000).

**Easement:** The right of use over the property of another, for example, the right of access or the right of passage of utilities (USAID, 2013).



**Eviction** (of tenants and farm workers): The dispossession by law from a plot of land or rental property that had been occupied or leased (Ciparisse, 2003; Garner, 2009).

**Expropriation:** The taking of land or property from the rightful owners, often in pursuit of government-sanctioned public purpose. Land may be expropriated legally by the state under compulsory acquisition or compulsory purchase procedures. The processes for expropriation should include a basis for setting compensation for the loss of the owner expropriated (Ciparisse, 2003; Leonard & Longbottom, 2000).

**Fragmentation:** The division of land into units too small for rational exploitation, usually as a result of the system of inheritance (UNECE, 2004).

**Freehold:** The right to full private ownership of land, free of any obligations to the state other than payment of taxes and observance of land use controls, imposed by the state in the public interest. This term is used interchangeably with *private property* or “private land ownership” (Bruce, 1998; Leonard & Longbottom, 2000).

**Geographical information systems (GIS):** A set of computer tools for collecting, storing, retrieving, analyzing, transforming, and displaying spatial data (Ciparisse, 2003; UNECE, 1996).

**Illegal/informal occupation:** The occupation of land or housing by an individual or household without formal approval from the legal owner (state or private). Illegal occupation ranges from an individual squatting on the property of another to informal settlements where large areas of land are occupied by many people (USAID, 2013).

**Immovable property:** See *real estate/real property*.

**Indigenous tenure systems:** Rights specific to a particular ethnic group, evolved through interaction of culture and environment and overseen by authorities whose legitimacy is based on occupation and spiritual ties to the locality (Leonard & Longbottom, 2000; Münkner & Kaunianen, 2000).

**Informal property:** Rights that lack formal, official recognition and protection. In some cases, informal property rights are illegal, i.e., held in direct violation of the law. In other cases, informal property may be “extra-legal,” i.e., not against the law, but not recognized by law (Ciparisse, 2003).

**Informal settlements:** Areas where a large number of people illegally occupy land and build housing and businesses. Informal settlements, also called “squatter settlements,” are generally located on the periphery of urban centers and are created because of a lack of access to urban land or housing. Rights to the property are not recognized by the state. Tenure in informal settlements is insecure, and the property is not part of the formal property or financial markets (USAID, 2013).

**Joint ownership:** Ownership by two or more persons of the same property. The individuals, who are called joint tenants, share equal ownership of the property and have the equal, undivided right to keep or dispose of the property (Lehman & Phelps, 2005).

**Land access:** The opportunity to acquire and use land; also, the fact of having acquired access (Bruce with Holt, 2011).

**Land administration:** The management of information about the ownership, value, and use of land and its associated resources. The function of a land administration system is to record, maintain, and make available information that can create security of tenure and support the land market (UNECE, 2004).

**Land allocation:** The process through which the state distributes land resources in ownership or use rights. State land resources allocated/distributed may be from the existing state asset base, the



result of a land reform program where larger (formerly private) landholdings have been broken up for allocation, or the land assets of former collectives or cooperatives. In customary tenure systems, the term refers to the process through which the traditional leader gives land use rights to individuals or families (USAID, 2013).

**Land-based revenue:** Revenue (public funds) generated from land through sales of state assets, property taxation, transfer fees, and various land administration fees (USAID, 2013).

**Land commission:** Formally constituted bodies that investigate land-related issues or implement some aspect of land policy, such as adjudication (Ciparisse, 2003).

**Land conflicts:** Competing or conflicting claims to land, often to large areas of land, typically by groups that reflect broader and deeper competing interests than those involved in most land disputes and that are not easily resolved through negotiation or adjudication within the existing legal framework. The term “conflict” implies tension and danger of violence but not necessarily the presence of violence, unless this is specified (Bruce with Holt, 2011).

**Land consolidation:** A sequence of operations designed to reorganize land parcels in an area, regrouping them into consolidated holdings of more regular form and with improved access. Consolidation of parcels of land into a single holding, whether voluntary or enforced, is intended to provide a more rational distribution of land to improve the efficiency of farming (Ciparisse, 2003).

**Land contract:** An agreement for the purchase and sale of land, usually involving installment payments by the purchaser with the transfer of title occurring upon payment of the final installment (Garner, 2009).

**Land court:** An established court having exclusive original jurisdiction over land disputes (USAID, 2013).

**Land development:** The transformation of land to be used more efficiently through the application of capital, labor, or management (USAID, 2013).

**Land disputes:** Competing or conflicting claims to rights to land by two or more parties, individuals, or groups. Disputes are generally related to boundaries, overlapping use rights, access to land, competition for resources, ownership, and inheritance (Bruce with Holt, 2011; Ciparisse, 2003; Münkner & Kaunianen, 2000).

**Land formalization:** The process by which landholding held “outside the law” (informally, without a right to do so recognized by the state) is given such legal recognition by the state. This begins with legal recognition and is then often implemented through land titling and registration (Bruce with Holt, 2011).

**Land fragmentation:** The ownership of multiple, non-contiguous parcels of land by a single owner. These are often described to be very small, non-economically viable land units. Fragmentation becomes a concern when the division of land results in units too small for rational exploitation or so widely dispersed as to present constraints to the effective management by the landholder. The principal cause of fragmentation is the subdivision of land through inheritance (USAID, 2013).

**Landholding:** A piece of land owned or possessed (USAID, 2013).

**Land governance:** The bundle of rules, rights, policies, processes, institutions, and structures created to manage the access to and use, allocation, control, ownership, management, and transfer of land and natural resources found on land (USAID, 2013).

**Land governance system:** Include state organizations that deal with land such as ministries of land, land registries, and cadastral services, and courts. Informal land governance systems include customary (informal) institutions that develop land use rules, allocate land, and resolve disputes related to land (USAID, 2013).

**Land information system:** A tool for legal, administrative, and economic decision-making and an aid for planning and development. The base of a land information system is a uniform spatial referencing system that also simplifies linking data within the system to other land-related data (Ciparisse, 2003).

**Land law:** The body of law relating to the acquisition, use, and disposal of land, including laws defining and regulating property rights and those conferring on state or other institutions land-related competencies, such as land administration, land management, land use planning, and land taxation (Bruce with Holt, 2011).

**Landlessness:** The state of having no access to land or rights in land. May also be used to indicate a situation where someone holds land but has no formal recognition of access and use rights (USAID, 2013).

**Landlord:** One who leases or rents real property to another (Garner, 2009).

**Land management:** The process of managing the use and development of land resources. Some of the critical, and sometimes conflicting, objectives that must be addressed by land management policies today include:

- Improving the efficiency of land resource use to support a growing population;
- Providing incentives for development, including the provision of residential housing and basic infrastructure, such as sewer and water facilities;
- Protecting the natural environment from degradation;
- Providing equitable and efficient access to the economic benefits of land and real estate markets; and
- Supporting government services through taxation and fees related to land and improvements (Ciparisse, 2003; UNECE, 1996).

**Land market:** The processes involved where buyers and sellers of interests in land meet. Broadly speaking, includes a range of possible transactions, such as sales, leases, mortgages, land exchanges, and other temporary transfers (Bruce, 1998; Ciparisse, 2003).

**Land ownership:** The set of rights in land held by an owner or owners. These include rights to use and dispose of the interests in the land through sale, lease, bequest, or other terms agreed upon with the person acquiring those rights (Ciparisse, 2003).

**Land policy:** The set of intentions embodied in various policy instruments that are adopted by the state to organize land tenure and land use (Ciparisse, 2003).

**Land reclamation:** The process of bringing unusable land to a usable state with higher value, for example, through swamp drainage, desalinization, reforestation, or recovery from past environmentally unsound land use or natural disaster (USAID, 2013).

**Land redistribution:** The redistribution of landholdings, usually involving the resettlement of farmers and reallocation of property rights over the land (USAID, 2013).

**Land reform:** The redistribution or reallocation of landholdings in an attempt to improve access rights to certain segments of a society. The process usually involves the breaking up of large landholdings and redistributing the land to landless people or to those who have been working on the larger landholdings. See also *agrarian reform* (Bruce, 1998; Ciparisse, 2003; Leonard & Longbottom, 2000; Ciparisse, 2003).

**Land register:** A public register used to record the existence of deeds or title documents over land, comprising the registered details of each property (Ciparisse, 2003; UNECE, 1996).

**Land registration:** See *land titling and registration*.

**Land registry:** The location (office and books or files) where records of property rights and maps are maintained, usually by a government agency (Bruce with Holt, 2011).

**Land registry fees:** Fees collected in the process of using the services of the land registry. These include initial registration as well as subsequent activities, such as obtaining copies of registration documents, registering mortgages, transferring titles, and subdividing property (USAID, 2013).

**Land rehabilitation:** See *land reclamation*.

**Land reserves:** Land set aside by the state for a particular purpose such as future allocation, protection of unique ecosystems or biodiversity, or exclusive use of indigenous peoples. May also be referred to as a “land bank” (Ciparisse, 2003).

**Land sector agencies:** Land-related administrative and regulatory institutions that play a vital role in land management and administration and in defining and supporting land markets (USAID, 2013).

**Land speculation:** The process through which land is acquired not for immediate productive use, but with the expectation that the land will increase in value and that subsequent sale will generate a profit. This practice is generally common in situations of rapidly increasing land values due to urban expansion, public works programs (road corridors), or other changing economic opportunities (USAID, 2013).

**Land subdivision:** The process through which a piece of land is divided into smaller units. This may occur for purposes of development or as a result of inheritance and the sharing of the land assets among the heirs of the landholder. See also *land fragmentation* (USAID, 2013).

**Land taxation:** The process through which governments levy taxation on land parcels. This practice is a major source of local government revenue for those countries where land and property taxation is in place (USAID, 2013).

**Land tenure:** The relationship (whether defined under formal *de jure* law or under customary law) that individuals and groups hold with respect to land. Land tenure rules define the ways in which property rights to land are allocated, transferred, used, or managed in a particular society (USAID, 2013).

**Land tenure system:** The totality of property rights in land operating within a state or sub-state polity, as well as the institutions responsible for implementing them, the patterns of land distribution they have formed and protect, and the cultural meanings of land in which the various elements work together to achieve policy objectives (Bruce with Holt, 2011).

**Land titling and registration:** The processes by which the state confers land rights upon, or recognizes claims to, land rights by occupants or other claimants (titling) and then makes an official record of such rights to facilitate their proof (registration) (Bruce with Holt, 2011).

**Land transaction:** The transfer of property rights or ownership of land permanently (through sales or inheritances) or temporarily (through leases, sharecropping arrangements, mortgages, etc.) (USAID, 2013).

**Land use planning:** The systematic assessment of land and water potential, alternative patterns of land use, and other physical, social, and economic conditions for the purpose of selecting and adopting land use options most beneficial to land users without degrading the resources or the environment, together with the selection of measures most likely to encourage such land uses (Ciparisse, 2003).

**Land use/ownership certificates:** An alternative to formal title registration that provides evidence and legitimization of occupancy without a costly land registration program. This is often seen as an intermediate step between informal land records and more formal titling programs. Use certificates can offer security of tenure to land users without addressing potential conflicts over land ownership. In some countries or customary tenure settings, governments that are not willing to alienate land into private ownership use land use certificates as a mechanism to provide the necessary evidence of ownership or, as in China or Vietnam, provide evidence of the long-term security of the use right, rather than an ownership right, to secure access to credit (USAID, 2013).

**Land valuation:** The determination of the value of property. Value can have many meanings in real estate appraisal; the applicable definition depends on the context and usage. Appraisers estimate property value with specific procedures that reflect three distinct methods of data analysis: cost, sales comparison, and income capitalization (UNECE, 1996).

**Law review commissions:** Temporary or permanent commissions established by government to review, amend, and consolidate existing law; review proposed laws for conformity to existing law; or deal with issues arising in legally pluralistic societies (USAID, 2013).

**Lease:** To grant the possession and use of (land, buildings, rooms, movable property, etc.) to another in return for rent or other considerations (Garner, 2009).

**Leasehold:** A contractual arrangement under which a landlord (the lessor) grants the right of exclusive occupation of the land to a tenant (the lessee) for an agreed amount of money for an agreed period of time (UNECE, 2004).

**Legal aid:** The process of providing legal assistance and counseling to those who cannot afford private counsel, or who are uninformed of their rights (USAID, 2013).

**Legal pluralism:** The coexistence within a single polity of different bodies of law with different origins and, in the case of land, the coexistence of different bodies of norms governing the use of land (Bruce with Holt, 2011).

**Legitimate tenure rights:** Land tenure rights explicitly recognized in national law or policy and those rights, while not legally recognized, considered to be socially legitimate in local societies or communities (FAO, 2012).

**Map:** The presentation of the Earth's surface showing topographical features (e.g., mountains, lakes, and rivers) and other physical features (e.g., roads, forests, and areas of settlement). Thematic maps may deal with property boundaries, land use categories, soil quality, etc. (USAID, 2013).

**Marginalized groups:** Those individuals or groups who have limited or restricted access to or control over land resources because of gender, economic or social status, tribal or ethnic background, citizenship, religion, or other stratification mechanisms. Marginalized groups typically have little or no security of tenure, access to resources, access to credit, access to bureaucratic/power structures, or representation (USAID, 2013).

**Marital property:** Property, including land, owned by married couples (and, in some cases, couples in consensual unions) that is managed during marriage and is divided if the marriage ends. Property brought into the marriage may have different rules than that which is acquired during the marriage (USAID, 2013).

**Market-assisted access** (also known as “market-assisted land reform”): A form of land reallocation that encourages willing buyers to negotiate land purchase deals with willing sellers, with the government facilitating the purchase process through grants and other supportive measures (USAID, 2013).

**Matrilineal inheritance:** A system by which, according to law or custom, property passes from the deceased owner through the female line to his or her heirs (USAID, 2013).

**Mediation:** A method of non-binding dispute resolution involving neutral third parties who try to help the disputing parties reach a mutually agreeable solution (Garner, 2009).

**Mortgage:** The conveyance of a property by a debtor (the “mortgagor”) to a creditor (the “mortgagee”) as security for a financial loan with the provision that the property shall be returned when the loan is paid off by a certain date. In some legal systems, there is provision that the mortgagee has the power to sell the concerned property when the interest is not paid in time and the loan is not paid off by a certain date in accordance with the agreed stipulations (UNECE, 1996).

**Movable property:** A category of property that can be moved. This is generally property other than immovable property, also referred to as “personal property” (USAID, 2013).

**Open access resources:** Resources to which all have unrestricted access and that are not considered to be the property of anyone. This does not imply that everyone has equal ability to use the resource (USAID, 2013).

**Parcel:** A single closed area or polygon that is determined geographically by its boundaries, contains land under homogeneous property rights, and is held in one ownership (UNECE, 2004).

**Parcel/property identification:** The mechanism by which individual parcels of land are identified. Every basic property unit and parcel recorded within a cadaster or land book/land register must have an identifier (UNECE, 2004).

**Patrilineal inheritance:** A system by which, according to law or custom, property passes from the deceased owner through the male line to his or her heirs (USAID, 2013).

**Peri-urban area:** Neighborhoods, suburbs, or villages in or around the boundaries of a city or town, characterized by urban physical development activities and based on active land market transactions (Leonard & Longbottom, 2000).

**Personal property:** See *movable property*.

**Plot:** A closed polygon on the surface of the Earth that belongs to only one parcel. This area can be plotted on a plan and is the smallest unit that can be identified for the purposes of land resource management, for example, a field with a particular type of vegetation or form of use, or an area under specifically designated use such as a building. One or more plots make up a *parcel* (UNECE, 2004).

**Private property:** Property that is held privately, whether individually, jointly, or corporately (Ciparisse, 2003).

**Privatization:** The transfer of economic activities and resources from state ownership and/or control to private ownership. These activities include state enterprises, state farms, collectives, and public lands (USAID, 2013).

**Property rights:** The rights that individuals, groups, and the state hold with respect to particular land, resources, and other assets and in relation to each other (USAID, 2013).

**Public property:** Property owned by any level of government (USAID, 2013).

**Real estate/real property:** Land and anything permanently attached to it. Also referred to as *immovable property* (USAID, 2013).

**Registration:** The process of recording rights in land either in the form of a register of deeds and other documents associated with the ownership of the land rights or in the form of a register of titles to land (UNECE, 2004).

**Regularization:** A process through which informal or illegal occupation of land is legalized by statute, giving the occupiers a recognized legal right of access to the land through ownership or leasehold (Ciparisse, 2003).

**Remote sensing:** A set of techniques used for gathering information about the environment without being in direct contact with it (Ciparisse, 2003).

**Resettlement:** The relocation of individuals, households, or communities from land they own or land they are occupying. Resettlement often results from infrastructure upgrading, large development initiatives, new government land policies, or natural disasters that destroy land. Resettlement can be either voluntary or involuntary (USAID, 2013).

**Restitution:** The process of restoring land or other property to its former owners. In cases where property cannot be returned, restitution may involve compensation for its loss (USAID, 2013).

**Rule of law:** The supremacy of regular, as opposed to arbitrary, power. Respect for the legal system (constitution, civil code, laws, and regulations) in a given country by all citizens and public authorities, such that legal decisions are made by application of the law in a systematic and transparent fashion (Garner, 2009; Münkner & Kaunianen, 2000).

**Security of tenure:** The perception by individuals that rights to land will be recognized by others and protected in the event of specific challenges (USAID, 2013).

**Sedentary agriculture:** Agriculture practiced at a fixed location that utilizes the same pieces of land in successive years for crop production (USAID, 2013).

**Servitude:** An encumbrance consisting in a right to the limited use of a piece of land or other immovable property without the possession of it. A charge or burden of an estate for another's benefit (Garner, 2009).

**Sharecropping:** A system of agricultural production where a landowner allows a sharecropper to use the land in return for a share of the crop produced on the land. In this situation, labor-short households are able to provide land-short households with land for cropping without losing their rights over that land (Bruce, 1998; Ciparisse, 2003).

**Sporadic registration:** The process of registering land on a case-by-case basis. This practice is usually based on a specific action or actions of the owner of the property to trigger its entry into the registration system (Bruce, 1998; Ciparisse, 2003; UNECE, 1996).

**Squatter:** An individual who takes unauthorized possession of unoccupied premises (Ciparisse, 2003).

**Statutory land rights:** Land rights derived from state, national, or local law, as opposed to customary, religious, or traditional laws and practices (USAID, 2013).



**State land:** Land owned by the state, in contrast to land owned by private persons, either legal or natural (USAID, 2013).

**State land management:** The legislative and administrative framework that defines how state land can be allocated and managed. The legal regime governing state land will cover specific aspects of its management and mode of exploitation. This may include defining the organizations responsible for managing the land, stating applicable general principles, and/or detailing the basis for its use (USAID, 2013).

**Survey:** The process of measuring land and recording the related geographical information for planning, management, and administrative purposes (USAID, 2013).

**Systematic registration:** The systematic approach to adjudicating, surveying, and registering parcels on an area-by-area basis and bringing all claims in an area to light at the same time (Bruce, 1998; Ciparisse, 2003; UNECE, 1996).

**Tenant:** A lessee who has the exclusive right of possession of premises under a lease (Ciparisse, 2003).

**Tenure insecurity:** The situation whereby tenure rights are considered precarious due to the risk of dispossession by the actions of other individuals, communities, or the state (USAID, 2013).

**Tenure security:** The situation in which landholders consider their continued occupancy rights to be guaranteed whether by virtue of formal rights, customary rules, or some other form of assurance (Leonard & Longbottom, 2000).

**Title registration:** A system for improving the quality of ownership and proof of title through the recording of documents that confer rights over land. In a title registration system, the title registry is the final arbitrator of determining who has legal land tenure rights over a particular parcel of land (Ciparisse, 2003).

**Town and regional planning:** A framework that enables decisions to be made on how land should be used. Such planning can be relatively flexible, allowing for negotiation in implementation in the public interest, or relatively fixed, through the imposition of zoning regulations designed to protect individual property rights (Ciparisse, 2003).

**Topography:** The discipline that describes, measures, and represents landforms and features at the local level. The topographer carries out surveys, either by taking direct measurements or by using aerial or satellite photographs. "Topography" is also used to describe the geographical features of an area (Leonard & Longbottom, 2000).

**Transaction costs:** The expenses involved in completing a transaction in land rights, including both opportunity and monetary costs. Opportunity costs involve the cost of transportation and accommodation (if coming to the registration office from long distances) and rent-seeking practices of land registry officials. Monetary costs may include sales contracts, survey costs, legal fees, and stamp duties, as well as the cost of registration of the transaction in the title or deeds registry (USAID, 2013).

**Tree rights:** Specific rights held by individuals over trees and their products. These include the right to plant trees, harvest fruits from the trees, harvest the trees themselves, and own or inherit the trees. While trees are attached to the land, tree rights may vary from the land rights over the land on which the tree grows (Ciparisse, 2003).

**Trust:** An arrangement through which property rights are transferred from an individual to one or more trustees to be held for a set of beneficiaries. A trust may be set up to manage property on

behalf of minors, or a charitable trust may be established to manage income from property on behalf of a large group of people (Leonard & Longbottom, 2000).

**Urbanization:** The process of development of towns and cities where population growth and population drift typically result in rapid acceleration in the size of the urbanized population (Ciparisse, 2003).

**Use right:** The right to use a thing in accordance with its designated purpose. It may be linked to membership of the resident community and perpetuated by stable and continuous occupation, confirmed by the work carried out by a family of farmers (Leonard & Longbottom, 2000).

**Usufruct:** A right in a property owned by another, normally for a limited time or until death. It is the right to use the property, enjoy the fruits and income of the property, rent it out, and collect the rents—all to the exclusion of the underlying owner. The usufructuary has the full right to use the property but can neither dispose of nor destroy the property (USAID, 2013).

**Valuation:** The process of putting a price on a piece of property. The value of businesses, personal property, intellectual property (such as patents, trademarks, and copyrights), and real estate are all commonly determined through the practice of valuation (USAID, 2013).

**Willing buyer/willing seller:** Generally used in the context of land reform or land redistribution programs where government avoids coercion or other actions to acquire land against a seller's interest. Rather, land redistribution reinforces land market transactions where a seller and a buyer willingly negotiate over terms of sale. The buyer may be the government on behalf of smallholders, tillers, and communities, or private individuals or companies (USAID, 2013).

**Zoning:** A planning procedure where a designated area is allocated for a specified use or uses. This is a commonly used approach to planning, which identifies the uses to which the zoned land may be put and specifies the type, amount, and location of that development. It is planned to promote orderly development and to reduce or avoid inconsistent uses adjacent to one another (Ciparisse, 2003).



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# ANNEX R: MOBILE DATA COLLECTION OPTIONS FOR PARTICIPATORY MAPPING

In preparing for LGSA mapping work, we looked at requirements for both mapping and data processing to determine the best tools for the job. The requirements are:

- Mobile application must be able to collect points and lines
- Mobile application must have customizable data attributes
- Mobile application must feed easily into another platform to store and manipulate data without excessive manual steps
- Desktop or web program must be able to combine points and lines into a cohesive community boundary
- Software suite should be cost effective

We evaluated several programs specifically:

Platform	Comments
<b>MAST</b>	Custom-built for parcel mapping, and would require costly modifications for community boundaries. Managing infrastructure requires significant technical ability.
<b>GIS Cloud</b>	Pairs a mobile application with a cloud-based GIS system for data management. Very reasonable pricing. All data management and storage can occur on-platform
<b>GeoODK</b>	Reasonably good data collection utilities, but data is not stored in usable vector formats, and requires manual conversion of all data, followed by offline desktop work.
<b>Esri Arc Collector</b>	Very robust capabilities with mobile, desktop, and cloud systems, but very expensive. A great choice if these activities scale significantly and need to be integrated with a more robust geospatial data management system.
<b>Geospago</b>	Mobile application and web portal for data management. This one appears to have the right qualities, but early tests of the application resulted in significant technical errors.
<b>Fulcrum</b>	Extensive customization features and excellent data management portal, but is limited only to collecting points.

GIS Cloud is the best value that fits all the technical requirements. Tests of the mobile application on Android revealed an easy to use platform that feeds collected data directly into a GIS platform as geometry with customized attributes. Data can be directly manipulated in the online editor to create new boundaries, as well as downloaded for desktop editing and published as a web map. Simple monthly fees make costs easy to predict.

Esri's Arc software suite is also a feasible solution. The Arc Collector application can feed into ArcGIS Online and ArcMap to create an integrated set of tools that would easily accomplish all the needs of LGSA. However, confusing and expensive licensing means that this solution would be orders of magnitude more expensive than GIS Cloud. Additionally, though Esri's tools are considering the benchmark in the GIS field, they are likely overpowered for a relatively simple use like this. If community mapping activities need to scale significantly or be integrated into land use

planning, cadasters, concession management, or a variety of other land administration needs, then a large scale, enterprise solution like Esri begins to make sense.

Simple handheld GPS systems, like Garmin's GPSMap series, are a good alternative for a stripped down, basic data collection exercise. Take basic tracks and waypoints with the handheld GPS, paired with written notes. These can be imported into a desktop GIS application and edited to produce a boundary.



Names of persons that signed the CSI declaration/MOU:

1. \_\_\_\_\_, Position: \_\_\_\_\_,

Town/Unit: \_\_\_\_\_

2. \_\_\_\_\_, Position: \_\_\_\_\_,

Town/Unit: \_\_\_\_\_,

3. \_\_\_\_\_, Position: \_\_\_\_\_,

Town/Unit \_\_\_\_\_,

4. \_\_\_\_\_, Position: \_\_\_\_\_,

Town/Unit: \_\_\_\_\_.

Name of neighboring communities, (towns/units):

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

Which CSI steps/procedures have been completed so far?

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This is to satisfy that the information provided herein is true and correct to the best of our understanding, and that anything contrary shall provide ground for disqualification of this survey request.

Signature: \_\_\_\_\_

Leader, CLDMC

Attested: \_\_\_\_\_

Community Senior Elder/Landlord



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