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LESSONS LEARNED FROM COMMUNITY PILOTS OF THE LAND RIGHTS ACT IN LIBERIA: FINAL REPORT

Communications, Evidence and Learning (CEL) Project

Lessons Learned from Community Pilots of the Land Rights Act in Liberia: Final report

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ACRONYMS

CEL	Communications, Evidence, and Learning project
CLDMC	Community Land Development and Management Committee
CLPP	Community Land Protection Program
CSI	Community Self-Identification
CSO	Civil Society Organization
GPS	Global Positioning System
ILRG	Integrated Land and Resource Governance Program
IP	Implementing Partner
KII	Key Informant Interviews
LGSA	Land Governance Support Activity
LLA	Liberia Land Authority
LRA	Land Rights Act
NGO	Non-governmental Organization
TC	Tribal Certificate
USAID	United States Agency for International Development

INTRODUCTION AND BACKGROUND

STUDY PURPOSE, AUDIENCES, AND INTENDED USES

As part of its activities related to the evaluation of the Community Land Protection Program (CLPP) in Liberia, NORC's CLPP evaluation team conducted a desk-based synthesis of lessons learned from community pilots of customary land formalization under the Land Rights Act (LRA) in Liberia. The activity utilized desk-based document review and synthesis together with remote qualitative data collection and coding of Key Informant Interviews (KIIs) held with relevant project points of contact. The work was conducted by NORC at the University of Chicago under the Communications, Evidence, and Learning (CEL) project.

The key objective of this activity was to collect and synthesize information on ongoing or recently completed donor-supported community pilots under the LRA and synthesize learning on these pilots into an integrated report. The report aims to be useful for USAID and other donors in the Liberian land and resource governance space as the sector moves forward with coordination and next-generation activity planning related to customary land formalization and governance in Liberian communities. The intended audience for this synthesis is USAID/Washington and USAID/Liberia, together with other donors in the land space as above.

KEY QUESTIONS AND METHODS

The activity included the following steps:
•   Conduct desk-based scoping to identify and compile information on potentially 15 currently ongoing or recently completed donor-supported projects implementing the LRA, including where they are working, description of activities, extent of community-based implementation of land formalization, current status, and related information.
•   Catalogue these LRA community-level implementation efforts in the country, including spatial locations and community names if available. To do so, the NORC team built out existing work collated by the USAID- supported Land Governance Support Activity (LGSA), supplemented by additional outreach via web searches and direct outreach to non-governmental and civil society organizations (NGOs/CSOs), other donors, and other stakeholders as identified on a snowballing basis.[1]
•   Synthesize desk-based information and lessons learned where available from existing documentation, to inform development of tailored KIIs guides for project points of contacts.
•   Conduct additional outreach via emails and remote KIIs with relevant points of contact from donors and implementers, with the aim of (1) obtaining and synthesizing systematic information on field-level donor and Implementing Partner (IP) experiences implementing key aspects of customary land formalization and governance in communities under the LRA; (2) challenges encountered and potential solutions, and (3) higher level lessons learned and/or recommended best practices guidance.
•   Compile a high-level synthesis of findings into an integrated report that may be useful for USAID and other donors in the Liberian land and resource governance space as the sector moves forward.

NORC identified 15 donor-supported projects related to LRA implementation support in communities from internet keyword searches, the USAID-supported Integrated Land and Resource Governance (ILRG) program Implementation Plan for Liberia, and communication with USAID (see Table 1 below

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[1] NORC's initial compiled list was also cross-checked against a list of land sector development partners in Liberia and project names provided by USAID on 5/21/2020.

and Annex A for additional project details). Some projects were also identified through snowballing off other project documentation. NORC emailed implementing partners and CSOs affiliated with 12 of these projects. The key inclusion criteria for this outreach was that the project had confirmed or possible community-level implementation of customary land formalization. The purpose of this outreach was twofold. First, we asked implementers for any non-public documentation they could share with additional information on project progress or lessons learned on LRA implementation in communities based on their direct experiences. Second, we requested to schedule short interviews with the project point of contact or a designee to facilitate discussion on implementation experiences and lessons learned.

In total, we conducted 11 semi-structured interviews with 16 individuals who agreed to be interviewed based on this outreach (Annex B). Respondents represented 11 organizations and 10 projects involved in community-level piloting of customary land formalization.[2] Interviews were conducted virtually between October 21 and November 25 using Zoom. The team audio recorded all interviews with respondent consent and took detailed notes. When needed, notes were reconciled with the audio recordings to ensure accurate records. The interview guide is provided in Annex C.

The team used content analysis techniques to analyze interview notes in Microsoft Excel, coding text according to key themes of interest across interviewees. The team then generated summaries to provide an overview of key themes and any major areas of congruence or divergence in respondents' perspectives.

LIMITATIONS

To stay within budget and keep the activity scope closely relevant for the CLPP endline evaluation that the NORC team will conduct, this activity focused on capturing high-level challenges and lessons learned from field-based community-level implementation activities directly related to customary land formalization and governance in communities. The activity did not focus on experiences related to implementing aspects of the LRA on private, public or government land (unless it existed within the boundaries of community land). This activity also did not focus on activities or experiences related to broader strengthening of the Liberia Land Authority (LLA) or other aspects of LRA implementation, including: LLA and county land office institutional development, capacity building and operational support; land information system support; stakeholder coordination; community forest demarcation and forest management/governance issues, and issues related to urban land. Given that it was still pending or in planning stage for the projects covered, this synthesis also does not focus on lessons learned related to formal land use planning activities within self-identified communities.

While our outreach was to staff from projects and organizations involved in implementing customary land formalization in communities, and we particularly aimed to speak with field staff and project managers familiar with on-the-ground implementation, we acknowledge that the views and experiences shared by these individuals in no way fully capture a project's implementation experience, nor do they reflect the experiences of community members themselves. The primary aim here is to summarize emergent issues and themes across multiple donor-funded projects and implementing organizations and

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[2] Interviews with the remaining projects/organizations were not held, either because the project had not yet started or was not working directly in communities, or due to non-response by the organization.

a range of field-based experiences, rather than highlight differences in experiences or key challenges and solutions on the basis of project or partner.

HOW THIS RESOURCE AIMS TO BE DIFFERENT

Many organizations have long been active in the customary land space in Liberia, and there are several useful resources that organizations have produced over the years to document their experiences, highlight challenges, and provide lessons learned and best practices on various stages or elements of work to support communities in formalizing their customary land rights.[3] Some of these resources are aimed directly at Liberian communities as the end user, and others are oriented for CSOs, NGOs and other implementing organizations who are supporting communities to formalize their customary land rights. Several were produced prior to the passage of the LRA in 2018, and others since. Many include sample checklists, documents or tool templates, and best practices for specific steps in the land formalization process. All were derived from the respective organizations' substantial depth of experiences working with communities in Liberia to raise awareness on customary land rights and implement various aspects of the LRA.[4]

This synthesis does not attempt to duplicate those existing efforts.[5] Instead, it aims to serve a different purpose by using a rapid assessment approach across multiple donor-funded projects and several of the NGOs, CSOs and other partners that implement them to obtain and highlight a broad sweep of experiences related to selected issues that IPs face in supporting Liberian communities to formalize their customary land rights under the LRA. In doing so, the intent is to focus on summarizing key learning and broader best practices from the perspectives of multiple implementing organizations as they reflect on their experiences working in communities to implement different aspects of the LRA, and provide synthesis on common experiences and challenges across respondents from these multiple organizations working in this space since the passage of the LRA in 2018.

SETTING THE STAGE: CUSTOMARY LAND FORMALIZATION

With its adoption in 2018 and recognition of customary tenure, the Land Rights Act (LRA) provided equal protections for both customary and private land and a clear route for customary land holders and Liberian communities who use land under long-standing customary norms and practices to establish formally recognized ownership rights to their land.

Under the LRA, formalization of customary land rights in communities takes place via five broad steps as outlined in the figure below. While some of the initial steps may be done in different order, the process

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[3] Some examples include: Kaba, A. M. Gaurav, R. Geddeh, S. Siakor, J.Otto, R. Knight. 2013. *Community Guide to Protecting Community Lands and Resources.* Kaba, A. 2015. *Complexities of Community Self-Identification in Liberia.* SDI and Namati.; Lessons from the Field. Sustainable Development Institute and Namati.; Knight, R. 2019. *The Challenge of Protecting Community Land Rights: An Investigation into community responses to requests for land and resources.* Namati; and Tetra Tech. 2020. *Guidelines for the Recognition of Customary Tenure in Liberia. Washington, DC: USAID Land Governance Support Activity Task Order under the Strengthening Tenure and* Resource Rights (STARR) IDIQ.

[4] Note that many other informational, awareness raising, or training resources have also been produced through these efforts. A small selection of examples includes: IDH. 2019. *What Communities Should Know about Liberia's Land Rights Law: Getting the basics right.*; Landesa, FCI & DEN-L. 2018. *Land Rights in Liberia Training Manual: Strengthening land rights for rural women, men and youth.* Land Rights for Sustainable Development Project.

[5] Also note that work to further development and refine tools, templates, processes, and guidelines for implementation of the LRA is ongoing by LLA and various donor-funded projects.

begins with community self-identification (CSI), proceeds through documentation and mapping of community land, establishing by-laws and self-governance structures, and concludes with a confirmatory survey to be conducted by LLA and, eventually, deeding of community land.

Figure 1. The Five Steps for Recognition of Customary Land.
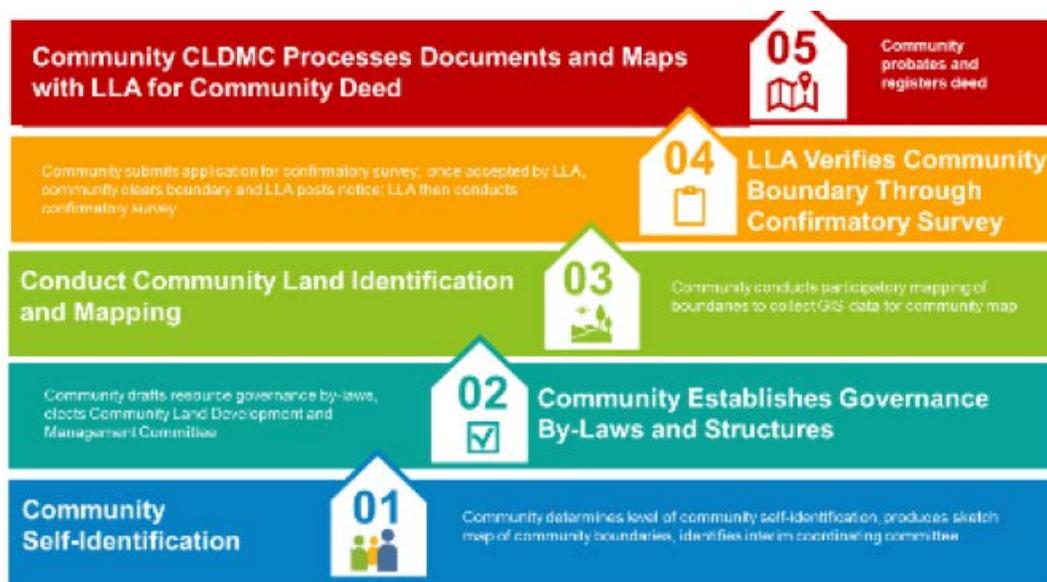
(Figure source: Tetra Tech, 2020. Guidelines for the Recognition of Customary Tenure in Liberia. Washington, DC: USAID Land Governance Support Activity Task Order under the Strengthening Tenure and Resource Rights (STARR) IDIQ.)

The LLA is responsible for implementing the LRA and became operational in April 2017. The LLA is a young agency that completed its transitional establishment phase in late 2018. It is currently operating under a five-year strategic plan through 2023 that, among others, focuses on institutional capacity building, developing Standard Operating Procedures related to land administration services and specific provisions of the LRA, and a range of related tasks to bring the agency to fully operational status.

Donor-supported piloting of provisions of the 2013 Land Rights Policy and the subsequent 2018 LRA began in a number of Liberian communities in 2016 and has continued to expand since the LRA's passage. This community-based work to implement provisions of customary land formalization in communities has been concurrent with LLA's establishment. In initial stages, such work primarily focused on CSI. In more recent years, a larger number of projects focused on community-based implementation of customary land formalization under the LRA have expanded their experiences to the full set of processes required by the LRA.

COMMUNITY-LEVEL PILOTS OF THE LRA

The CEL team identified 15 recently completed or currently active donor-supported projects related to customary land formalization in Liberia, eight of which involved direct community-level implementation of one or more steps of the customary land formalization process. Across those eight projects that had been or are currently directly supporting at least one step of the customary land formalization process within communities, the project timelines range from two to seven years, and most began between 2017

and 2020 and run through 2020 to 2023. These eight projects with community-level implementation appear to be working in a total of approximately 168 communities[6] across 10 counties[7]: Bong, Grand Bassa, Grand Cape Mount, Lofa, Margibi, Maryland, Nimba, Rivercess, River Gee, and Sinoe. Each project supports between one and 43 communities, however there is some apparent overlap between projects.

Together, at least 15 different implementing partners supported this community-level implementation across the eight projects, ranging from international NGOs to local Civil Society Organizations (CSOs). Multiple implementing partners typically support any given project, often with different partners responsible for different aspects of implementation or geographic areas. In addition, several of the same NGOs or CSOs have been involved in community-level implementation across multiple donor-funded projects.

Of the eight projects supporting any stage of the customary land formalization process in communities, seven of them planned to support all of the steps eventually (or up to confirmatory survey) and one had supported only the initial step, community self-identification. For projects already underway, most had completed community self-identification in most or all communities and were in progress on other early stages such as boundary harmonization and participatory mapping. But, only four of the eight projects had completed the process in most or all of the communities they were working in up to the confirmatory survey, and for those that had reached this point the confirmatory survey to be conducted by LLA was generally either considered outside the project's scope or the timeline for LLA to conduct the confirmatory survey was uncertain within the project's timeframe (see Annex A for a break-down by project).

Implementation progress on several of the projects had also been delayed at times during 2020 and 2021 due to the COVID-19 pandemic.[8] As part of the technical and financial assistance provided to communities to complete stages of customary land formalization, many of the projects also conducted or are conducting complementary activities such as awareness raising about land rights issues and the LRA, trainings on conflict resolution, and legal support to communities.

Table 1 below lists the 15 ongoing or recently ended donor-funded projects that our team reviewed. For each, our team reviewed publically available documents and any additional documents shared by IPs during our outreach. We conducted KIIs with representatives from one or more IPs involved in the community-based work for nine of the 15 projects, including all but one of the projects with community-level implementation of customary land formalization processes. Of the remaining six

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[6] This total community count could be an over-estimate, as our team was unable to determine community overlap across projects. Moreover, the number of communities that projects are working in often changes (shrinks) as communities move through the CSI process and decide at what level they will self-identify. Mapping community locations also proved infeasible for this effort, due to unavailability of community location information and/or concerns on distributing location information.
[7] Counties with no coverage are: Bomi, Gbarpolu, Grand Gedeh, Grand Kru, and Montserrado although the SIDA-funded forum Civ project which has not yet begun may have sites in Bomi or Grand Gedeh.
[8] The 2014-2015 ebola outbreak in Liberia also likely affected a number of pilot efforts planned around the 2013 Land Rights Policy.

projects, three were not responsive to outreach and three were not focused on community-level implementation.[9]

TABLE 1. CUSTOMARY LAND FORMALIZATION PROJECTS REVIEWED FOR THIS ASSESSMENT		
FUNDER / PROJECT	IMPLEMENTER(S)	IMPLEMENTATION SUMMARY & STATUS
USAID Integrated Land and Resource Governance (ILRG)	TetraTech, Green Advocates International (GAI), Sustainable Development Institute (SDI)	Project is piloting customary land formalization in 35 communities in Lofa, Maryland, Nimba, and River Gee Counties. 2018-2021. **Status:** Ongoing; Recently completed CSI stage.
USAID Liberia Land Governance Support Activity (LGSA)	Landesa, TetraTech, SDI, Parley, LLA	Project is piloting customary land formalization in 14 communities in Bong, Lofa, and Nimba Counties, among other activities. 2016-2020. **Status:** Ongoing; CSI, participatory mapping, bylaw development, and CLDMC formation stages completed in 7 communities. Currently in boundary harmonization stage.
USAID Land Rights for Sustainable Development Project (LRSD)[a]	Landesa, Development Education Network-Liberia (DEN-L), Foundation for Community Initiatives (FCI), LLA	Project is focused on developing laws and policies, strengthening government and civil society, and raising national and community-level awareness. 2018-2021. **Status:** Completed.
Protection of Customary Collective Community Land Rights in Liberia (P3CL)	Tenure Facility, FCI, Parley, SDI, LLA	Project is piloting customary land formalization in 24 communities Grand Bassa, Sinoe, Bong, Lofa, Nimba, Rivercess, Maryland, and River Gee Counties. 2019-2021. **Status:** Ongoing; CSI, participatory mapping, bylaw development, and CLDMC formation stages completed. Currently in boundary harmonization stage.
World Bank Liberia Land Administration Project (LLAP)[a]	LLA	Project involves financial support to the LLA to support for inventory and analysis of tribal land certificates, development of a land administration system and project coordination, and monitoring and evaluation. 2017-2022. **Status:** Ongoing.
SIDA Forum Civ Liberia	Forum Civ; small grants to 9 CSOs	Project is making grants to CSOs to strengthen their capacities to support implementation of the LRA. No direct community-level work yet, but may in future. Project began in 2019. **Status:** Ongoing.
"Land for Life" Multi-Actor Partnership (MAP) on land governance in Liberia	Welthungerhilfe, Rights and Rice Foundation (RRF)	Project is piloting customary land formalization in 3-4 communities, among other activities. 2018-2020. **Status:** Ongoing; CSI and participatory mapping underway.
EU "Promoting and Protecting Community Land Rights for National Development"[b]	Welthungerhilfe	Project focused on CSO capacity-building and ran from 2017-2020. Little documentation or information publically available. Contact information unavailable and snowball outreach via other IPs was not successful. **Status:** Completed.
EU "Supporting communities self-determination and land rights in Liberia"[a]	SDI	Project ran from 2017-2020. Little documentation or information publically available. **Status:** Completed.

[9] Instead, focusing on land administration capacity building and support to LLA directly, and/or enabling environment strengthening according to documentation.

EU "Equitable access to Land for the poor and marginalised in Nimba, Lofa, Bong and Margibi counties"	CAFOD, DEN-L, Liberian Law Society (LLS)	Project focused on providing legal services and conflict resolution mechanisms to communities, but also completed CSI stage in 10 of 40 project communities (all in Margibi county). 2017-2020. *Status:* Completed.
UNDP, UN Women, WFP "Sustaining Peace and Reconciliation Through Strengthening Land Governance and Dispute Resolution Mechanisms Project"[c]	Cooperative Development Authority, Institute for Research and Democratic Development, RRF, Liberia National Rural Women Structure	Project focuses on strengthening CSOs, land dispute mechanisms, and land governance structures at multiple levels. Includes initial land formalization steps and establishment of CLDMCs in 43 communities across Grand Cape, Mount, Sinoe, Maryland, and Nimba Counties. 2020-2023. *Status:* Ongoing.
World Bank Liberia Forest Sector Project (Subcomponent 2.1: Improved Land Use Planning includes support to LLA)[c]	Forest Development Authority (FDA), EPA	Project finances technical assistance, works, goods, training and workshops, subprojects, and operational costs for land use planning, conservation, community forestry, sustainable agroforestry, and forest management. One activity component includes support to the LLA. 2016-2023. *Status:* Ongoing.
SIDA Capacity Building for Inclusive Land Administration and Management in Liberia (ILAMP)	Lantmäteriet (the Swedish Mapping, Cadastral and Land Registration Authority), LLA	The project is currently working with the LLA to pilot procedures for harmonization and demarcation of customary land, procedures for establishing legal structures to manage community land, and titling/registration of customary land. Followed by best practices to scale up. 2020-2023. *Status:* Ongoing.
IDH Southeast Landscape Program	IDH, Flora & Fauna International, Parley	Project is piloting customary land formalization in 2 communities in Sinoe County, among other activities. 2019-2021. *Status:* Ongoing; CSI, participatory mapping, boundary harmonization, bylaw development, and CLDMC formation completed.
IDH Western Landscape Program	IDH, Meta Meta Research	Project piloted customary land formalization in 6 communities in Lofa County, among other activities. 2019-2020. *Status:* Completed. CSI, participatory mapping, boundary harmonization, bylaw development, and CLDMC formation stages completed.

[a]No KIIs scheduled as project was not focused on direct community-level implementation of customary land formalization, according to available documentation.
[b]No KII scheduled as limited project information and no project contact information was available.
[c]No KII scheduled as IP representatives did not respond to outreach requests.

FINDINGS

This section summarizes findings from the KIIs across several issues related to piloting customary land formalization and governance in communities under the LRA.

OVERARCHING CHALLENGES & MITIGATING STRATEGIES[10]

Several of the challenges, best practices, and lessons learned related by the KII respondents were overarching in that they manifested in some way along many steps in the customary land formalization process in communities. Examples include costs and logistical challenges, community capacity, and practices for ensuring inclusivity and engendering widespread community participation. Table 2 below

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[10] The 2020-21 COVID-19 pandemic had caused delays nearly universally across the projects covered in our KIIs. Respondents highlighted specific challenges such as added costs to obtain PPE and supplies, and a need to hold smaller meetings with fewer participants that could result in greater exclusion of some community members. As these are exogenous challenges to the customary land formalization process itself, we do not focus on them here.

summarizes the five sets of issues that came up repeatedly as key challenges that IPs encounter while implementing various stages of the customary land formalization process in communities.

The table also summarizes a range of solutions that KII respondents shared they had learned through their experiences -- either as useful mitigating tools or as best practices to help avoid the challenge. Note that for some of these challenges, such as high cost to complete the process, the preponderance of responses from the KIIs indicate that IPs currently do not have strong work-arounds.

In addition to these overarching challenges, two common themes emerged from the KII responses with respect to perceived national-level issues that many respondents saw as contributing to a more challenging implementing environment for IPs work in communities: (1) A lack of effective coordination and information sharing across donors, including a basic accounting of who is doing what in the space and where; and (2) Insufficient technical and staffing capacity within LRA to implement key elements of the LRA and support communities in required processes. These are discussed in more detail under the Insights for Next Generation Programming section below.

In addition, some respondents highlighted the nature of cost and capacity challenges underlies in their view an inherent contradiction around what is supposed to be a locally-led process for customary land formalization that in reality requires an international NGO, CSO or other outside organization to lead every step of the process for communities. Some IPs raised questions regarding the role of the LLA and Government of Liberia in doing more to transition the process to one that eventually can more feasibly be managed or at least co-driven by communities themselves.

TABLE 2. SUMMARY OF OVERARCHING CHALLENGES IMPLEMENTING PARTNERS FACE AND MITIGATING STRATEGIES

CHALLENGES	MITIGATING STRATEGIES AND POTENTIAL SOLUTIONS

Cost	• High costs to accomplish customary land formalization steps, and particularly CSI, was commonly noted by respondents. Communities do not have funds to support this process, and IPs currently do not have strong cost-reduction strategies.
	• IPs suggest raising awareness at the national level on the issue of how government plans to support communities to go through the process in future. Other suggestions from IPs:
	   o Advocate for government support to communities financially and technically;[11]
	   o Conduct awareness raising at local levels on the importance of the LRA and customary land recognition to motivate communities to raise funds internally to support the process;
	   o Consider supporting a pilot community to go through the process with other communities brought in to observe, learn and potentially be able to conduct the process in their own communities with less outside support.
	• Plan from project inception or proposal stage to spend resources on awareness-raising and support to neighboring communities even if they are not communities directly targeted by the project.

Community Capacity	• At community level, constant engagement with communities is seen as key for strengthening capacity within communities; • Build local authority and community capacity in using GPS units; • Form CSOs into land rights alliances that can support communities in the process. CSO capacity to support communities in the LRA process was also noted to be somewhat limited and in need of greater support; • Strengthen relationships and the ability for local administrative authorities to play a more substantive role, via targeted support, training, and equipment to improve their ability to support communities in the land formalization process; • Strengthen coordination between local level capacity building and national level initiatives; improve the ability for local and national authorities to coordinate with each other, and ensure that support to either level is mutually reinforcing.
Ensuring sufficient awareness-raising and engendering representation in communities	• More effort by projects into awareness raising at the start of the process, before starting CSI; • Use community mobilizers and animators from within communities to support implementation as an extension of the project;[12] • Engage traditional leaders and elders from early in the process to help them understand and adapt to inevitable shifts in power relations that accompany land formalization. Use frequent interaction and information sharing to help traditional leaders and the community at large understand how these changes can help them better protect their land (rather than simply fulfilling a requirement under the law); • Organize awareness raising sessions with chiefs before the start of the process, to sensitize them on the process and messaging around community opportunity to protect their land and help them adapt to the inevitable changes in their traditional decision-making system that this process entails; • Use a range of tools to explain the process to communities, including theater teams, radio programs, trained community mobilizers, public notice boards;

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[11] Example: Government provides a land surveyor so that the community (or an IP) is not responsible for hiring one.
[12] Example: One IP recruited at least four community mobilizers at the sub-unit level within each community, and another four mobilizers at the clan level.

	• Hold Q&A sessions with communities to help ensure understanding;
	• Hold awareness raising sessions in neighboring communities prior to start, to ensure they are informed and understand the process they will inadvertently be involved in;
	• Given low literacy in many rural Liberian communities, it is imperative to use community animators/mobilizers to translate concepts and processes into local vernacular. Projects must take extra care to ensure key messages are communicated accurately;
	• Use animators to ensure that information from meetings is adequately shared back to the whole community each time. IPs should also monitor the effectiveness of animators/mobilizers to make sure that information dissemination goals throughout the community are being achieved;
	• Hold small meetings first at sub-unit levels before holding full community or clan-level meetings, especially for meetings where any major decisions are required;[13]
	• Ensure that sub-unit meeting minutes and agendas are documented and brought to larger meetings;
	• Ensure representation from youth, women, chiefs and town chiefs at every meeting;
	• Identify champions within the community from different sub-groups, and work with them to help share information and engender participation;
	• Use multiple different tools and types of activities in communities to effectively engage different groups of people within the community and support information dissemination (no single tool or approach and way to engender participation; instead use a range of strategies and activities to engage different groups and share information back).
Time. logistics & associated expense	• Maximize staff field time to work through challenges and find solutions more efficiently;
	• Utilize community mobilizers as project extension staff;
	• Invest in substantial awareness-raising and trainings within communities from early on, as this smoothes processes at later stages;
	• Factor rainy season timelines in from early in project planning. Rural roads impassability during the rainy season will require substantial additional field staff days. Major steps should be planned for dry season.
	• Recommendations to government on how the process can be adapted to shorten the process or compress certain steps
	○ Specific suggestion: streamline the first three initial steps: signing the MoU, conducting the community profile and the community sketch map. In theory, these can be accomplished in 3-4 weeks, after which a consultant can be hired for 1 week to help communities complete the sketch map.
Insufficient templates, tools & guidance documents from LLA	• This challenge was noted by several respondents.
	• IPs face uncertainty in how to plan, allocate funds and accomplish each stage of land formalization in communities. IPs noted this leads to varying approaches and inefficiencies across projects as each CSO or IP use their own process to figure it out.
	• IPs are also concerned about potentially needing to re-do some of their work once LLA regulations, criteria and associated guidance are finalized, to ensure compliance.
	• The ultimate solution IPs proposed was for donors to provide support to LLA to finalize essential guidance documents;
	• In the interim, some IPs recommend establishing close links with LLA from early in project planning and implementation, to ensure that most up-to-date guidance and information is available and utilized.

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[13] Example: On bylaws, one IP started first with drafting bylaws at the sub-unit level and then bringing it to the full community/clan-level.

COST: IPs highlighted the often unexpectedly high costs involved in taking communities through the customary land formalization process as one of the main challenges they face. IPs particularly noted the unexpectedly large amount of resources required to accomplish CSI, which appears to have caught several IPs somewhat by surprise. A key factor IPs saw as contributing to high costs was the large and geographically dispersed nature of communities, each typically comprised of multiple sub-units. Costs for logistics, transport, workshops, trainings, and related undertakings are also particularly high for large and diverse communities with multiple sub-units, as IPs must ensure equal sensitization and participation across all sub-units for each step in the land formalization process.

The CSI process was noted to be much more expensive than initially anticipated by at least two IPs, and several IPs noted that realistically communities do not have the means to fund this step. As a result, the cost burden falls solely to donor-funded projects. The number of meetings required to conduct the CSI is typically large, and IPs noted there are also often strong coordination challenges within and across communities.

Another component of unexpected costs that IPs highlighted was needing to spend additional time and resources on awareness-raising in neighboring non-project communities whose participation is required for boundary harmonization. Some IPs recommended planning and allocating resources to this from early in project planning or at the proposal stage, as projects have learned that inevitably they will need to conduct some sensitization and awareness raising in neighboring non-project communities to enable their functional participation.

Overall, several KII respondents called attention to the reality that the costs for a community to go through the customary land formalization process are too high for a community to cover themselves. Currently, the burden is entirely on externally funded projects. Some CSO and IP respondents felt the government should be doing more to find ways to support communities financially (and technically) to accomplish this process.

CAPACITY: IPs highlighted implementation challenges due to low capacity within target communities, but also within local administrative authorities and to some extent the LLA. IPs gave examples of several different ways that capacity challenges manifested themselves, including low facilitation skills of community members, low literacy rates in communities that make some steps such as participatory mapping more difficult, and insufficient space within communities to hold the large meetings required at early stages of the process, which can inadvertently contribute to processes of exclusion.[14] One KII respondent highlighted, "*It can be a challenge to get broad attendance [at community meetings], and then it's also a challenge to facilitate a meeting for such a large number of people within [available] community spaces.*" At the same time, several IPs noted the importance of holding such meetings in communities[15] rather that at external locations that might have greater meeting capacity.

The typically low literacy rates within target communities often require IPs to rely on community outsiders to conduct information gathering and develop community profiles as part of the initial CSI process, although this is also less desirable. One KII respondent summarized, "*the whole process is time*

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[14] For example, one respondent gave the example of people having to stand behind a tree or other obstacles at community meetings due to insufficient meeting space, and noted those standing in the back of a crowd are less able to participate or potentially even fully hear a meeting discussion.
[15] To build trust and transparency, and increase the potential for wider participation across the community.

consuming and places a burden on communities to do many things that they don't have the technical skills to do".

IPs also noted that existing governance structures within communities often do not have the technical skills, or at times perhaps even the legitimacy[16], to the lead the CSI process and other initial steps of customary land formalization. For many communities, this process is the first time they are documenting rules about how they manage their land and document power relations. One IP noted that communities can inadvertently incorporate adverse pre-existing social norms into their bylaw development, such as related to gender inequities, and external facilitators need to be especially attuned to and experienced in managing that. External facilitators must also be highly skilled at translating concepts into local vernacular and guiding challenging conversations. Well-skilled individuals can be expensive for projects to hire. Some IPs also noted that local administrative authorities also currently have low capacity to adequately support CSI and other steps, while some local CSOs are also still gaining capacity in how to support communities in this process.

ENSURING SUFFICIENT AWARENESS-RAISING AND ENGENDERING COMMUNITY REPRESENTATION AND INCLUSION: This was a concern highlighted by multiple KII respondents, particularly as it is so important for building a legitimate land formalization process. Multiple respondents mentioned that the large and spatially dispersed nature of communities contributes to this challenge. In many cases, community members may need to walk an hour or more to reach a meeting location. Many individuals will not be able to do this, and several IPs stressed it is essential for projects to have strong intra-community information dissemination mechanisms built into the process, as an important way to ensure the information from meetings gets disseminated back to broader community members.

IPs stressed that ensuring representation across the community is important from the earliest stages. One respondent drew attention to disparities in meeting attendance and participation relative to total community population, noting that a meeting of 100-150 people may seem like good representation but may actually be fairly low for a typical community of 2,500-3,000 residents. Projects are challenged to find a balance between the number of people that can be feasibly accommodated and substantively involved in meetings, while ensuring that sufficient representation across large communities has been achieved. Several respondents highlighted that getting the level of engagement right at the early stages of the process is essential, but it is also a challenge to do this in a cost and time efficient manner. Still, it is of utmost importance, as the type of engagement and tone established with communities early in the process is essential for success later on.

Once the initial CSI process had been completed, many projects worked with communities to select a smaller number of representatives (often around 25 individuals) from within the community to directly participate in subsequent stages and report back to the wider community. Here, IPs stressed the need to avoid choosing representatives that are selected solely by chiefs or elders.[17] Some respondents pointed out that ultimately projects have to make judgement calls about the point at they have reached

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[16] Some additional discussion on legitimacy issues in the land context is available in Kaba, A. 2015. *Complexities of Community Self-Identification in Liberia.* Namatri and SDI. https://namati.org/wp-content/uploads/2015/09/Lesson-from-Field-SDI-Community-Definition-LR-final.pdf.

[17] One project used animators and town chiefs together to select 25 individuals to represent the community.

sufficient engagement and participation from a community more broadly to move forward with the process.

TIME, LOGISTICS, AND ASSOCIATED EXPENSE: Several respondents noted that the nature of Liberian communities, with multiple sub-units,[18] presents particular challenges with respect to logistics, coordination, ensuring representation and obtaining consensus on the various stages of the customary land formalization process. Multiple respondents highlighted challenges in trying to organize and facilitate broad-based engagement with often quite large communities that are choosing the affiliate together to formalize customary ownership of their land area. Maximizing participation by as many community members as possible across the community's sub-units and constituency groups while also staying within the project's available time and resource constraints is a key challenge.

Projects necessarily have to make a determination on when they have reached a sufficient level of consultation within the community. Multiple IPs highlighted that the level of effort necessary to collect and document even basic information from communities during the CSI and other initial stages of the process, engage them sufficiently and secure adequate feedback, is high. IPs noted the process becomes more manageable from a logistics and resource standpoint once communities have been assisted in setting up their governance institutions and their elected interim coordinating committee members are in place. At that stage, there is a more discrete and smaller set of representatives from across the community for the project to work directly with.

With respect to overall time to complete the land formalization process, some IPs felt that the process is currently too drawn-out and can be consolidated. In one example, a respondent related it had taken around 2 years for communities to go through the entire process (excluding the confirmatory survey and deed), while in theory it should be a process that communities can accomplish in just a few months.

Another respondent felt it should be possible to get through the land formalization process up to the point of confirmatory survey in roughly 60-70 working days spread over 3-4 months, for a small cluster of communities. But, total time will depend on the number of field staff utilized and how much time they are able to spend in the field, together with the nature of technical challenges encountered in a given community. The more field time a team has, the better they will be able to work through those issues and find solutions.

As many projects already note in their own lessons learned and guidance documents, the impassability of many rural roads during Liberia's rainy season also requires projects to conduct careful annual planning. Holding meetings is more difficult during the rainy season and will require additional days in the field.

Lastly, many respondents highlighted in one form or another that the nature of the community matters for determining how smoothly or time consuming the land formalization process may be. For example, in one respondent's experience, communities with an existing challenge with a concessionaire may be more motivated to complete the land formalization process. Where communities have a greater number of sub-units[19], or where traditional leaders or men are more reluctant to include women and

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18 Some IPs mentioned encountering 20-60 sub-units in communities they had worked in.
19 The community context in Liberia is typically fairly complex, with multiple recognized layers to the customary governance system (including paramount, clan and town-level chieftaincies) as well as other structural and/or socially organized layers, such

other sub-groups in decision-making, it is likely to take longer for the project to obtain cooperation, change mindsets and move forward.

INSUFFICIENT TEMPLATES, TOOLS AND GUIDANCE DOCUMENTS: Several IPs perceived a key challenge to be LLA's lack of finalization of key regulations and guidance documents that CSOs need to help communities through the land formalization process. Several KII respondents noted that because the LLA is still developing several of the regulations that partners need to use as part of their community-level implementation, there is uncertainty on the part of IPs as to whether their community work meets LLA criteria and will be deemed sufficient during eventual LLA validation. In addition, some of the regulations that LLA has circulated are still in draft form. As a result, CSOs do not have the full and final set of tools they need to work with, which adds to overall uncertainty and challenges for implementers working in communities. CSOs are concerned that if they take a community through certain steps on their own, before the guidance and regulations from LLA are fully established and finalized, they may have to go back and re-do some aspects of their work.[20]

To help avoid this, one IP recommended that implementers establish close links with the LLA from early in the project to ensure the project has a strong point of contact within LLA to help IPs maintain a real-time understanding of LLA's evolving requirements. Some IPs noted that LLA is often very receptive to engagement and often is able to provide training and support on key issues.[21]

Another IP highlighted that it would be helpful to have a well-documented case study of a community that was piloted from start to finish with a given amount of funds. Currently, in the absence of such information, CSOs and IPs have to figure out for themselves in each project how to do each step and how to allocate funds across the different steps. This is a major challenge for some implementers, particularly smaller CSOs. Uncertainty on the cost of each step contributes to overall planning and implementation challenges.

ISSUES BY STAGE

COMMUNITY SELF-IDENTIFICATION

Challenges. The sheer time and cost it took several IPs to complete CSI in communities was seen as a key issue. IPs highlighted the CSI process requires a large number meetings with wide community participation, for which it is costly and time-consuming to arrange transportation, meeting spaces, and related meeting materials. In large or multi-unit communities, meeting participants may need to travel long distances, adding time and cost considerations. Non-labor costs include hall rental, provision of transportation, communications costs, community mapping and other trainings, and refreshments.

KII respondents discussed challenges related to ensuring representation during the CSI stage in terms of number of participants, whether and when to include neighboring communities, and supporting underrepresented groups. For one, it can be difficult to gain population-level representation in large,

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as towns, quarters, sections and villages. These various subdivisions within a larger community are referred to as sub-units. (See Kaba, A. 2015. *Complexities of Community Self-Identification in Liberia.* Namatri and SDI.)
[20] In some cases this has already happened. One IP shared an example where they were required by LLA to re-do a community sketch map process to be in compliance with LLA's evolving criteria.
[21] Two mentioned specifically in KIIs were: training on use of GPS and training on use of land documentation.

diverse communities. For example in communities of 2,000-3,000 residents, it is often logistically infeasible to have true representation even if 150 people attend meetings, one respondent noted. For this reason, implementers have to make judgement calls on what constitutes sufficient representation in large communities. It can also be challenging to determine which communities to include in the CSI process. For example, one respondent described instances where communities decided to join CSI only after seeing their neighbors start the process. In terms of ensuring participation by underrepresented groups, some implementers said it is relatively easy to engage women and youth because their participation in CSI is mandated by the law. Others said it can be a challenge to convince local leaders to change traditional systems that exclude women from decision-making (See "Related Issues").

More generally, IPs found the CSI process to be useful and important but noted it is unrealistic to expect communities to do this step themselves. If communities cannot shoulder this cost, some respondents called attention to the broader implications for sustainability: will donor-funded projects and local CSOs continue to be responsible for supporting the cost of this essential process under the LRA?

Best Practices and Key Lessons. Most implementers noted that time and logistical challenges are largely unavoidable because CSI is the first step of the customary land formalization process and necessitates the participation of a large proportion of community members. It thus requires extra effort to sensitize community members to the process. Implementers recommended electing or selecting delegates to attend all meetings and report back to community-members who couldn't attend. Delegates can represent particular interest groups (e.g. subunits, women), and ensure that these groups' voices are heard at larger meetings. This strategy is particularly important for ensuring information dissemination and broad participation in large communities.

Respondents nearly universally agreed that awareness raising and engagement are essential prior to and during CSI, as this outreach sets a tone of inclusivity early in the process. In addition to targeting the general community, one respondent noted the importance of prior sensitization of chiefs and elders and assuring them that they will still have a voice in decision-making; another mentioned the importance of targeting women and women's groups at this early stage. Respondents emphasized that projects should enlist mobilizers from within the community to help spread awareness. Projects also used radio programs, opportunistic community awareness raising meetings, community theater, the "talking books" approach, and public notice boards to spread the word.

TABLE 3. COMMUNITY SELF-IDENTIFICATION	
CHALLENGES	BEST PRACTICES
CSI requires a large number of people and meetings. Coordinating logistics can be costly and time-consuming, particularly in large and dispersed communities.	• Elect/select delegates to attend all meetings and report back to community members. • Plan to invest significant time and resources in awareness raising and meeting facilitation. Investing in these processes from earliest stages can help ensure inclusion and reduce costs awareness-raising and conflict resolution costs down the line.

CSI is the first step and also the step that requires involvement by the greatest number of community members. Ensuring adequate representation by different swaths of community members – including by women – can be a challenge.	• Invest in awareness raising at the outset to gain community buy-in and set a tone of inclusivity. • Use diverse modes to spread information, including radio programs, opportunistic awareness raising at meetings, community theater, and public notice boards. • IPs recommended working closely with community mobilizers to spread information and ensure everyone is informed of the process. • Have subgroups (e.g. women, youth, sub-unit) meet to decide on their views/priorities for CSI and have representatives bring conclusions to larger meetings.
It can be a challenge to decide which communities (or sub-units) to include in the CSI process. One respondent reported instances where communities decided to join the CSI process only after seeing their neighbors initiate it.	• Invest in awareness raising in communities that neighbor project communities. • Include neighboring communities in conversations about the level at which communities plan to identify (e.g. clan, sub-clan, chiefdom).

PARTICIPATORY MAPPING

Challenges. Three KII respondents commented that lack of capacity and logistical issues create particular challenges in the participatory mapping stage. The mapping process requires communities to draw a sketch map, use a Global Positioning System (GPS) unit, and/or hire a mapping specialist, and many communities do not have the experience or capacity to complete this on their own. Low literacy rates exacerbate this challenge. In addition, community members with lower physical capacity – for example women, the elderly, and people with disabilities – may be excluded from the boundary walking process, which often requires traversing long distances through difficult terrain with the GPS.

Several respondents also connected inter-community boundary disputes with stalled progress on mapping. The mapping is also more challenging to accomplish where geographic areas are not clearly defined. The Boundary Harmonization section below provides details on the nature of and potential solutions to boundary disputes. Some respondents also experienced challenges with intra-community boundary disputes at the participatory mapping stage, and had advised communities that such issues would be dealt with at later stages.

Best Practices and Key Lessons. Respondents suggested several potential strategies to mitigate challenges during participatory mapping. First, considerable awareness-raising and training prior to boundary discussions can help prevent disputes from flaring up during mapping. It is also important to include neighboring communities in such outreach, as they must also participate in boundary mapping. One respondent also flagged that projects should check with the LLA prior to mapping to confirm that communities are following the correct process (for example, drawing maps with participation by men, women's groups, and youth groups).

TABLE 4. PARTICIPATORY MAPPING

CHALLENGES	BEST PRACTICES
Intra- and inter-community boundary disputes can stall progress on mapping.	• (See best practices in Boundary Harmonization section). • Awareness raising and training prior to boundary discussions can help prevent boundary disputes from flaring up during the mapping stage. • Projects can and should progress with mapping even if intra-community disputes remain. These disputes can be resolved later once community land governance structures are established.
Low technical capacity in communities, including on use of GPS units and related to low literacy levels.	• Conduct trainings on how to use the GPS units. • Integrate modes of information dissemination that do not require reading/writing.
Engaging non-project neighboring communities in the boundary walk/mapping process, which requires additional coordination and awareness-raising.	• Conduct trainings and awareness raising with neighboring communities from outset to sensitize them to the process.
Physical difficulty of the boundary walking process can be exclusionary for some members of the community. In particular, women and elderly may be unable to traverse long distances through forest or other difficult terrain.	• IPs noted this challenge but did not have best practices to help mitigate it.
Changes to LLA's requirements or guidance may leave IPs at risk of needing to re-do parts of the process to be in compliance with evolving regulations.	• Check with the LLA at the outset of mapping to confirm the project is completing the step according to LLA criteria.

BOUNDARY HARMONIZATION

Challenges. Three of the KII respondents said that boundary harmonization was the most difficult step to accomplish in the customary land formalization process because of challenges related to inter-community boundary disputes. Boundaries disputes can occur at any level, including between towns within clans, within lower levels, and also across communities. In IPs experience, such disputes can be resource intensive, delay project progress significantly, and may require substantial conflict resolution and mitigation by IPs.

IPs shared various ways that intercommunity conflicts contribute to boundary harmonization challenges. In some instances, neighboring non-project communities were not going through customary land formalization, so it was challenging for the project to build their awareness and obtain their participation. Lingering tensions from historical conflicts between communities also exacerbated disputes in the experience of one respondent.

Another issue IPs have faced is when a community land boundary overlaps with land owned privately by a family within the customary land area or from a neighboring community. Such overlaps were typically discovered during boundary harmonization between neighboring communities. In such cases, IPs have helped to negotiate between the land owner and the community in order to demarcate the area that would remain as a private holding for the family. IPs noted such cases can be delicate, particularly if the

land owning family is a member of the community elite or close to local chiefs. IPs stressed a need for constant engagement and awareness-raising from early on to help gain clarity and enable resolution of such types of conflicts. In more intractable cases, at least one IP forwarded cases on to a legal society for assistance.

Best Practices and Key Lessons. A key way that IPs have helped to mitigate this challenge is to invest substantial time and resources into awareness-raising and training prior to the boundary discussions. Implementers emphasized that awareness-raising and education can lessen the frequency and intensity of inter-community boundary disputes during boundary harmonization. Strong engagement with neighboring communities is especially important during this stage. One project found it helpful to bring in skilled independent facilitators to facilitate these discussions. Another respondent highlighted the importance of training communities in conflict management, so that communities are equipped to mediate and resolve their own conflicts and those with neighboring communities in cases that may emerge in future.

Several respondents said their project had tabled intra-community disputes that emerged during boundary harmonization to keep the focus on moving through the land formalization process. A smaller subset of projects engaged in conflict resolution methods or brought in legal assistance to help resolve internal disagreements in communities at that time. In the view of some respondents, intra-community disputes should be resolved once land governance committees are established and functioning in the community. Moreover, such disputes do not need to be addressed at the time of boundary harmonization in order to move the community to the next stages. These respondents emphasized that the boundary harmonization stage should focus on resolving inter-community disputes, while messaging to communities on intra-community disputes was that they can be documented at the time of boundary harmonization but resolved internally in communities once land governance structures and alternative dispute resolution processes are established in the community.

TABLE 5. BOUNDARY HARMONIZATION	
CHALLENGES	BEST PRACTICES
Boundary harmonization can be very resource intensive and time-consuming, particularly if there are disputes with neighboring communities. Three KII respondents found this step the most challenging to accomplish in the customary land formalization process.	• Awareness raising prior to the process can help lessen the intensity and likelihood of inter-community disputes. It is important to engage with neighboring communities early. • Bringing in a skilled independent facilitator to facilitate discussion can be useful for protracted disputes. • Train communities in conflict management and alternative dispute resolution; aim for communities to be able to continue using those skills in future.
Participation of neighboring non-project communities can be challenging.	• Projects may need to invest in awareness-raising and outreach in neighboring communities, even if they are not project communities.
Intra-community boundary disputes can slow progress, especially if private land crosses the community boundary.	• Most respondents who mentioned this issue said they had documented such disputes during boundary harmonization but tabled their resolution in order to move on with the formalization process.

- Provide conflict management and alternative dispute resolution trainings for community members to strengthen their ability to resolve intra-community disputes in future.

BY-LAWS DEVELOPMENT

Challenges. KII respondents reported few challenges specific to bylaw development, but we also note that only four of the projects covered in our discussions appear to have reached this stage with communities to date. Similar challenges as those discussed previously apply, particularly related to low literacy and technical capacity within communities; projects must also ensure that the bylaw development process is inclusive. One respondent noted that projects and facilitators should be careful to avoid communities integrating social norms into their bylaws that are contested or controversial, for example provisions that implicitly or explicitly exclude women.

Best Practices and Key Lessons. One project adopted a strategy of community members meeting in smaller groups to draft their own proposed bylaws prior to a community-wide meeting on the same, for subsequent presentation and debate with the larger group. This practice was seen to help ensure wider inclusivity, and development of equitable bylaws that represent the interests of all groups within a community. It was also seen as particularly useful for ensuring that marginalized groups are able to participate substantively at larger meetings. Groups can be split by administrative sub-units, gender, or other factors. For example, women should be encouraged to develop their own bylaws before full-group meetings. While this process can be expensive and time-consuming, it was seen as important because it reduces conflict and legitimizes the overall bylaw formalization process.

The LLA provides a template for bylaw development. Respondents who had used it noted that the template generally worked well, with one respondent mentioning that the process can be completed in as little as two weeks. However, some communities may desire greater guidance on specific topics. For example, one community wanted guidance on how many sub-committees a Community Land Development and Management Committee (CLDMC) should have. Projects should be prepared to help communities come to decisions on these context-specific factors as necessary.

TABLE 6. BY-LAWS DEVELOPMENT	
CHALLENGES	BEST PRACTICES
Similar challenges as raised for other stages, particularly related to overcoming low literacy and technical capacity, and ensuring inclusivity.	• Before community-wide meetings to decide on bylaws, community members can meet in smaller groups to draft their own proposed bylaws for subsequent presentation and debate with the larger group.
Some communities may integrate adverse social norms into their bylaws.	• Skilled facilitation and awareness raising can help avert this challenge.

CLDMC ESTABLISHMENT AND OPERATION

Challenges. KII respondents mentioned few challenges specific to CLDMC establishment, although this is likely because fewer projects had reached this stage. Challenges discussed previously likely apply here as well, particularly related to inclusivity. One respondent's experience was that it remains challenging to ensure women participate substantively in community land governance bodies. Another commented that this type of community governance structure was novel to many communities, and some community members continue to have difficulties with the roles and responsibilities of the committees despite the project's awareness raising exercises.

Best Practices and Key Lessons. To help ensure adequate representation on the CLDMC across large populations, one project used a two tier process to select CLDMC representatives. First, they established a community assembly comprising two male and two female selected representatives from each sub-unit. For example, if a community had 20 sub-units, the community assembly had 40 male and 40 female representatives. Then, CLDMC members were then elected from within that assembly. Relatedly, some respondents emphasized the value in taking a highly decentralized approach to all major issues that require community-level decisions, starting at the level of community sub-units for each issue.

Like all steps in the customary land formalization process, CLDMC establishment requires IPs to pay particular attention to gender dynamics, and ensure women's substantive participation. The Women's Land Rights section below describes strategies that respondents related to help ensure gender representation. The most relevant suggestions for CLDMC establishment included implementing monitoring strategies to ensure CLDMCs aren't reverting to male-dominated decision-making and allowing women to elect their representatives to the governance committees.

Respondents noted that communities often have little prior experience with this type of community-led governance structure. Projects should plan to invest considerable time sensitizing community members to the CLDMC's roles and responsibilities, developing the committee's technical capacity, and building the committee's legitimacy in community decision-making.

TABLE 7. CLDMC ESTABLISHMENT AND OPERATION	
CHALLENGES	BEST PRACTICES
Ensuring women's substantive participation in community land governance bodies.	• Implement monitoring strategies to ensure committees aren't reverting to male-dominated decision-making.
The novelty of this type of community governance structure to many communities can take time for community members to fully understand the roles and responsibilities of the committees.	• Plan for considerable time to sensitize community members to the CLDMC roles and responsibilities, develop the committee's technical capacity, and build the committee's legitimacy in community decision-making.

CONFIRMATORY SURVEY AND REGISTRATION

Per the LRA, community land deeds will be issued to communities after the completion of a confirmatory survey. The confirmatory survey is to be conducted by the LLA on behalf of the

Government of Liberia, with the purpose of confirming and validating the size and boundaries of customary land within each self-identified community.

Challenges. To date, few if any communities have gone through a confirmatory survey process with LLA, and uncertainty appears to be high among IPs as to how this process will work in communities they are working in, and when it will be conducted. According to KII respondents we spoke with, to their knowledge the LLA has not yet completed a confirmatory survey for any of the communities under the projects discussed through our team's outreach. One KII respondent noted that LLA had conducted the survey and made maps for one of their project communities, but it had not yet been validated.

Because the LLA conducts the Confirmatory Survey and the process has not yet been completed in any community, respondents could not name project-level challenges related to the confirmatory survey. However, respondents highlighted the key questions and needs they have from LLA regarding this step. Most importantly, IPs seek regulations from LLA to outline and guide the process. It is also not clear to IPs who will be required to bear the cost of the survey – will it be the government, the community, or the supporting donor-funded project? What level of mapping accuracy will be acceptable, with concomitant implications for the equipment and level of technical capacity that will be required? Given the very large areas involved for many communities, even with a lower level of accuracy as can be obtained via hand-held GPS some IPs predicted the survey would still be very expensive and time-consuming to conduct if LLA representatives will need to walk the community's entire boundary. Finally, several respondents were unsure whether LLA has the technical staff and equipment required to conduct the survey and validate the process. IPs are aware that donors such as the World Bank are working to build the LLA's capacity in this regard, but the timeline to achieve it and finalize the regulations is unclear.

Best Practices and Key Lessons. According to our KIIs, few if any communities have undergone the confirmatory survey with LLA. Given this, no respondents had project-level lessons or best practices to share on this stage.

Two respondents reflected instead on actions the LLA could take to facilitate the confirmatory story. Rather than conduct an extensive and detailed survey, one respondent suggested it could be more cost-effective for the government to take a few boundary points from the participatory map and ensure they are consistent with the government's information. Then, they could bring the map to the community to ensure that it was what they agreed to, conduct any final spot checks, and validate it. This process would be more efficient and less costly than the current plan, and potentially require less extensive government-community interactions.

TABLE 8. CONFIRMATORY SURVEY AND REGISTRATION	
CHALLENGES	BEST PRACTICES
Regulations for LLA to guide this process have not been developed yet. While the confirmatory survey is the responsibility of LLA, IPs are unsure on who will be required to bear the cost of the survey. IPs are also unsure on the methodology and precision that will be required.	• None to date, as projects had not yet gone through this process with LLA.

Project experiences with land use planning and management within communities was not discussed as part of our KII outreach, as the projects covered in our outreach for the most part had not reached this point in the customary land formalization process.

RELATED ISSUES

WOMEN'S LAND RIGHTS

Ensuring more equitable rights to land for women has been a key concern for Liberia's land reforms, given well-documented gender-based discrimination over land access and rights that women have often faced in Liberia's customary system. Several aspects of the LRA were designed to strengthen women's land rights and ownership, including requiring equal representation of men, women, and youth on CLDMCs, and mandating that women and youth be involved in all decisions about customary land within communities.[22] However, there are also substantial cultural norms to overcome regarding women's land rights, and LRA's prescriptions may not translate to meaningful participation for women in practice.

We asked KII respondents to share the key issues their projects have encountered related to strengthening women's land rights and ensuring their participation in customary land governance. Respondents nearly universally noted that overcoming men's long-standing control of land in Liberian communities will require robust advocacy and take time to achieve, but progress is being made.

Despite the LRA's legal mandate that women have equal access to land, in many instances it is still seen as controversial for women – and children of women who married into the community – to own land individually. In such communities, projects must work on changing norms and attitudes around decision-making to ensure women's equal access to land and power. Respondents noted that such mindset changes can take years, but many of them are seeing gradual change on this which has also been helped community awareness raising on gender issues by CSOs more broadly over the past 10-15 years. One respondent noted the benefit of working with local CSOs that have a long history working in such communities on these issues.

IPs can and do take special measures to ensure women's more substantive participation, including in communities where there has not been previous programming related to women's empowerment. IPs lessons learned for ensuring adequate women's participation fell into three categories: conducting outreach and awareness-raising in the community, ensuring women's formal representation in decision-making committees, and building women's confidence and capacity to participate.

IPs nearly universally emphasized the importance of conducting early educational outreach and awareness-raising in communities on the LRA's mandates around women's land rights and

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[22] For more on the explicit protections for women's land rights in the LRA, see a simplified description here: https://www.idhsustainabletrade.com/uploaded/2019/07/IDH_What-communities-should-know-about-Liberias-land-rights-law.pdf, and the full text of the Act here: https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/108719/134558/F-880822474/LBR108719.pdf

representation. Several respondents said implementers should target community elders and chiefs for specific messaging on this very early in the process, before engaging in broader sensitization efforts with the larger community, as community leaders may feel the most threatened by power shifts and their buy-in is important for smoothing the process in the community as a whole.

For all stakeholders and messages, IPs stressed that consistent and continuous engagement is essential, and gender equality should be a key component of all project activities. For example, one respondent found it effective to highlight the rights of women and youth in any conflict-resolution trainings so mediation committees can act in a neutral role rather than upholding more conservative traditional norms. It is also useful to identify champions within the community to carry forward messaging when project staff aren't in the field.

Ensuring women's formal representation in decision-making committees can be achieved by having each sub-group in the community (women, youth, men) hold their own elections to select their representatives. Another respondent highlighted the need to enact monitoring mechanisms once governance structures are in place to ensure that women are participating substantively in decision-making and that the system is not reverting to a male-dominated process.

Women may not independently advocate for their land rights or raise objections to inequitable practices due to a "this is just the way it is" mindset. One respondent stressed the importance for projects to build women's capacity and confidence to attend meetings, speak up, and express disagreement with what others are saying. Respondents named several strategies for doing so. Two interviewees recommended holding women's-only meetings prior to major committee decision-making meetings to provide a safer, less-confrontational space for women to learn their rights, aggregate ideas and concerns, and draft contributions before presenting them collectively to the larger group. Another interviewee suggested providing trainings to women's groups on public speaking, and to allow women to practice lessons by catalyzing opportunities for women to speak up in front of elders and in sub-groups for decision-making.

Lastly, respondents noted that there is variation in the extent to which gender-based inequities and linked challenges for customary land formalization are present across different types of communities. In one respondent's experience, communities that are more dependent on agricultural livelihoods tended to be more accepting of women's land rights and roles in land formalization and land governance. Many communities also appear to recognize women's contributions to communities in terms of land-based livelihoods and their control over (and marketing of) certain resources. In some IPs experience, many communities are also now receptive to including women on CLDMCs and in leadership positions, including in community assemblies. In such communities, the bigger challenge now is around how IPs can make such participation more substantive and meaningful. Here, IPs suggested the key is to focus on giving women the tools to exercise meaningful engagement. Strategies suggested included helping women to document issues and concern that affect them, and how to present and represent those concerns to the community at large.

YOUTH LAND RIGHTS

IPs raised no specific distinct challenges with respect to youth land rights and representation in the context of customary land formalization. IPs highlighted that youth are not allowed to own land until they reach a certain age, but once they are of age owning land is often not seen as an issue. This is

distinct from women, who traditionally were not allowed to own land at any stage. In this sense, then, some IPs have suggested a focus in future on young women, rather than youth as a whole, given that youth concerns are so linked to overcoming access issues to land in general for women. Some of the issues that projects have encountered with respect to youth included families keeping women from land, or cases where a father had passed away and the family would not allow younger siblings or women to receive any of the land. More common, however, are situations where young women are disenfranchised of land rights, such as cases where a young wife married to a much older man is left without access to any land by the husband's family upon his death.

Some IPs noted that they generally use the same strategies for engaging youth as they do for women, and this is generally effective. A unique challenge for youth engagement is that they may be busy with school commitments, and so some projects have focused on working with the youth leadership within communities to ensure that broader messaging around youth future access to land is reaching the target demographic.

TRIBAL CERTIFICATES

Tribal Certificates[23] (TCs) have long been a source of confusion among members of rural communities in Liberia. The process of obtaining one was for decades characterized by a lack of transparency and record-keeping under previous legislation.[24] Under the LRA, the LLA is responsible for vetting and validating Tribal Certificates and assisting holders of valid TCs in converting them to Public Land Sale Deeds. The LRA states that Tribal Certificate holders will have 24 months to transition Tribal Certificates to Public Land Sale Deeds. The deed will be provided for the portion of the land held under the Tribal Certificate which is developed. According to the LRA, Tribal Certificate holders will need to renegotiate ownership of the undeveloped portion of the land held under the certificate with the community, and this undeveloped land may be returned back to the community as customary land.

Since 2013, the Land Commission has conducted inventories of tribal certificates in at least eight counties, which has helped to provide more comprehensive information on the prevalence of TCs and extent of land held under the certificates, as well as to inform on processes for how the LLA will validate the certificates.[25] To date, however, the LLA has not yet issued final regulations or clarified the procedures that will need to be followed to convert TCs. Nor has it defined what constitutes developed or undeveloped land for the purposes of transferring and validating the TCs.[26] This has resulted in ongoing uncertainty among implementers in the customary land space, particularly about how to conduct awareness-raising and advise community members on the vetting, validation and transfer process for Tribal Certificates during the customary land formalization process.

To date, the extent to which implementers are encountering issues or challenges related to pending or existing tribal certificates in the context of their customary land formalization work is not well-

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[23] As defined by the LRA, tribal certificates refer to legal documents issued by a tribal authority under the provisions of Liberia's 1956 Public Lands Law.
[24] The LLA's 2018 draft implementation strategy for the LRA states that no systematic records of tribal certificates exist in Liberia. To date, inventories have been undertaken in some counties and are planned in others.
[25] LLA. 2018. Liberia Land Rights Act Implementation Strategy.
[26] The LLA's 2018 LRA implementation strategy similarly notes that developed land needs to be defined, and should be done so with inputs from communities, County Land Boards and the Ministry of Agriculture.

documented.[27] As part of our interviews with project implementers for this review, we asked respondents about any key issues or challenges they are facing on this issue, including those that may have emerged related to validation or conversion of tribal certificates to Public Land Sale Deeds. In this section we summarize KII responses related to tribal certificates, including the prevalence with which IPs are encountering issues with them and nature of challenges, together with any best practices or lessons learned on how IPs can effectively confront or mitigate conflicts or challenges related to tribal certificates within communities.

KIIs with respondents confirmed that the TC conversion process is still largely in nascent stages in areas where customary land formalization pilots are underway. Respondents highlighted concerns around potential for conflict in future for at least two reasons: First, tribal certificate holders likely have an interest in not losing control or rights over land which had been given to them previously via the tribal certificate, which could set up potential conflicts with broader community members depending on community social dynamics. Second, elements of the conversion process and LLA's criteria for it are still not clear. Because landholders have 24 months to convert a tribal certificate to a deed, many implementers indicated that the conversion process may take place well after their land formalization work in communities has concluded.

Several IPs we spoke with had the impression that LLA is currently in discussion on the issue of TCs, but the timeline over which LLA expects to issue final regulations, or at minimum to provide clarification on what constitutes developed and undeveloped land, is not clear to IPs. Our KII responses indicated that at least four of the eleven organizations we spoke with had seen questions around tribal certificates brought up by community members in at least some community meetings. To date, however, according to the respondents we spoke with, the issue had not caused major complaints or direct challenges to the organization's land formalization efforts within any communities. It also has not come up for discussion in every community, according to KIIs. However, the main reason that TCs have not caused major issues to date appears to be simply that communities have not reached a stage in the land formalization process where the TCs might cause an issue. At least respondent we spoke with anticipated that pending TCs and associated land disputes will be likely to cause delays in finalizing the confirmatory survey.

According to our KII respondents, the issue of tribal certificates had come up as part of discussion with communities across several customary land formalization projects, and in some cases the project had also documented the names of people in the community who have tribal certificates. But, per the KIIs, the certificates have not caused major implementation issues to date for projects or been a source of outright tension or controversy in communities. At the same time, respondents indicated that the certificates also have not been dealt with yet in a way that resolves potential issues that could arise in future.

Respondents we spoke with pointed out that the process of validating tribal certificates has not commenced in earnest in Liberia, and so certificates have not yet been converted in the communities that the projects are working in. In addition, IPs stated that the issue of TCs has not required resolution in order for a project to move a community through communal land demarcation and other initial stages

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[27] One respondent, however, noted the inventory of Bong county found that 60% of land in the county was held under tribal certificates.

of customary land formalization. As a result, many respondents indicated that the project had either directly or indirectly tabled the issue for communities to sort out at a later time through their CLDMCs or otherwise.

This does not, however, mean that IPs foresaw a smooth process with respect to tribal certificates. On the contrary, some respondents predicted that tribal certificates could pose a significant challenge in some communities in the future.[28] Some respondents emphasized that currently, without full information on the process from the LLA, IPs can only create general awareness in communities about the issue of tribal certificate conversions. Also, as LLA is charged with the eventual responsibility of validating the tribal certificates, CSOs can only work on making communities aware of the law and requirements concerning tribal certificates.

Three organizations we spoke with highlighted that implementer's main concern was around LLA's lack of clarification on what constitutes developed vs undeveloped land. Respondents stressed the importance of LLA clarifying the regulations on this as soon as possible. The law is clear that undeveloped land should revert back to community land, but tribal certificate holders also have an option to renegotiate new terms with the community. While projects are not currently seeing a lot of tension around this issue, many of the respondents we talked with also noted that it is too soon to know whether this will become as issue later on when certificate holders actually embark on the conversion process. Some foresaw it could be a major issue in some communities, particularly in cases where chiefs may have given land away to particular individuals within or outside of communities without the knowledge of the broader community.

Another concern among respondents we spoke with was around the lack of public or transparent vetting of the certificates, or on broader concerns about LLA capacity to do this given the current capacity within the agency. IPs also would like to have more clarity on what stage in the customary land formalization process should tribal certificates within the community be vetted. One respondent highlighted that the vetting should be done after the CLDMC has been formed, so that a legal decision-making body that is representative of the self-identified community can be involved in the process and guide the decision-making. The respondent noted that vetting certificates before the CLDMC has been formed may be akin to reverting to former and less transparent governance processes within the community, where chiefs and local elites made decisions less transparently and did not always consult widely in the community before giving away community land.

One respondent predicted that most of the tribal certificates in communities they are working in will ultimately not be converted to Public Land Sale Deeds. In cases where the landowner will seek to convert them to a deed, at least two respondents foresaw this will bring issues for the community. For example, even in a case where an individual has some acreages and the tribal certificate was obtained validly in the eyes of the community, one respondent foresaw that social conditions would make it difficult for the community to decide to require the undeveloped land be given back to the community pool, even where the landholder obtained the land legitimately in the eyes of the community.

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[28] One respondent went as far as to suggest that tribal certificates are part of the reason why no communities in Liberia have yet obtained a land deed. The last step in the formalization process, the confirmatory survey, is the stage when the tribal certificates would ultimately be sorted out and any remaining land reverted back to community land.

Another respondent highlighted situations where a family has land under a tribal certificate that spans two communities. Here, it was noted there may be additional uncertainty over how to proceed, or added complexity in negotiating the conversion of tribal certificate across more than one community.

At least two respondents pointed out that it is not within the purview of their customary land formalization project to facilitate validation of the tribal certificates or help individuals who hold tribal certificates liaise with the LLA. Tribal certificates typically pertain to land that is internal to the community. Similarly, several respondents noted that TCs do not need to be addressed in order to move a community through the customary land formalization process, at least up to the point of the confirmatory survey. To date, for the most part they had not documented any complaints regarding private land and the tribal certificates.

For some projects, respondents indicated that the communities they are working in do recognize the existence of deeded lands, the deed holders and tribal certificate holders are known, and the communities to date are recognizing the tribal certificates and the respecting the boundaries of those lands. Another respondent felt that in some communities, those who do have a pending tribal certificate are not eager to have this be known more widely in the community, as the holders are unsure what will happen next.

Two respondents highlighted an important point regarding the role that projects can play in preparing communities to eventually resolve TCs in their communities. As the respondents noted, the land governance institutions that projects are helping communities to establish under the LRA will have to deal with the tribal certificates eventually. Thus, sound establishment and support to the functioning of those committees and institutions within communities, together with training on alternative dispute resolution processes that some projects do incorporate into the customary land formalization process, can help to lay the foundation for communities to resolve disputes that may arise over tribal certificates in future. Ultimately, strong land governance institutions within communities will be key for empowering communities to sort through these issues in future.

In the absence of guidance from LLA currently on the tribal certificates, our KIIs indicated that projects may feel they cannot do much more at this time beyond raising awareness in communities and preparing community members to understand that this issue will need to be dealt with at a later stage. Since communities will need to respect LLA's eventual guidance on this, one respondent highlighted that it will be especially important for communities to have a voice in establishing what LLA's criteria will be. However, LLA's plan in this respect is not clear.

For all KII respondents who spoke on this, there was strong agreement that LLA should complete its regulations and provide guidance on how the TC conversion process will work, including clarification on the definitions of developed and undeveloped land, so that IPs can use that as their basis to guide communities on the way forward. It would be helpful for LLA to put out more guidance on this issue as soon as possible, so that CSOs and communities can know the timeline, criteria and expectations, and proceed accordingly.

PROTECTED AREAS

Similar to issues around tribal certificates and setting aside public land, KII respondents were also asked about their experiences and any challenges they have encountered related to negotiating boundaries

between customary land and protected areas, or situations where community land overlaps with a protected area.

Our interviews suggested that IPs encounter this situation less frequently, as the situation of a community having land adjacent to a protected area is less common. Respondents from at least two projects we covered had worked with one or more communities that were located near to a protected area or in a concession area.

One KII respondent shared more on their experience working with communities that are adjacent to a protected area. Here, messaging aimed to help the community understand why the government has an interest in those public lands was found to be useful. It was also noted that in many cases, communities were already part of a consultation and consent process related to setting the public land aside. In the respondent's experience this is one reason that it had not created challenges for the customary land formalization process. Where challenges or issues do come up related to protected area boundaries, the respondent's experience was that it often tends to stem from an individual land user within a community using land within the protected area boundary.

With respect to concessions, the LRA is clear that any concession established prior to 2018 will stay as is for its existing term length. For concessions established in 2018 or later, the LRA states that the concession must receive the endorsement of the community.

Concessions often cover a large area of customary land, but the land has not been surveyed yet. According to some respondents we spoke with, it is also not unusual for a concessionaire to have only used a small proportion of their total concession area to date, but have an interest in expanding their use to a larger area within the concession. Negotiating such expansions with communities is challenging, as are the potential conflicts such situations may elicit among community members.

One KII respondent highlighted that a main challenge can be working to avoid politicization of the issue by elites within or external to the community. Under the LRA, in theory the CLDMC or other committees formally established through the customary land formalization process can help communities make decisions about what to do in ways that are more transparent and participatory, thus helping to reduce the likelihood that such decisions might be dominated by village or local elites.

In cases where IPs have had to work with existing concessions, several KII respondents highlighted the importance of meeting with the concession holders, keeping them informed of what the project will be doing in areas that may overlap with their concessions, proceeding transparently with the concessionaires and keeping them aware and informed of what the project is doing every step of the process. Even if the concessionaire is not involved in the process, respondents saw it important that they be informed at each step of way. Respondents also found it useful to invest time in explaining to concession holders the potential benefits to the concessionaires of allowing the customary land formalization process to proceed.

PUBLIC LAND WITHIN COMMUNITIES

The team also asked about any challenges projects may have encountered related to setting aside public land in communities. Some existing literature has highlighted potential concerns or challenges with this related to this, as the LRA requires communities to set aside up to 10 percent of community land.

The respondents we spoke with indicated that to date this issue has not been a major challenge in their experience. The main reasons appear to be because the percentage requirement is not seen as burdensome on communities, and because most communities have not yet begun the process. As one respondent pointed out, the law says that up to 10% of community land has to be set aside, but communities can choose to set aside a much smaller percentage of land for this designation, such as two or three percent. IPs we spoke with are educating communities on this requirement, although so far it does not appear to be a major issue that they are encountering in their community-level work.

INSIGHTS FOR NEXT GENERATION PROGRAMMING

Respondents were asked to share any key issues, changes, suggestions or recommendations they would make, including to the focus or nature of activities, to help improve future customary land formalization and governance activities in Liberia. The two key issues that multiple respondents focused on here was (1) a suggestion for improved coordination, communication, documentation and information-sharing across different donor-funded projects; and (2) a request for more guidance from LLA to enable CSOs to help communities through the customary land formalization process. These two key suggestions were accompanied by several smaller recommendations mentioned by fewer respondents, also highlighted below.

1. **Suggestion for improved coordination, communication, documentation and information-sharing across different donor-funded projects.**

This was highlighted in one form or another by more than half of the respondents we spoke with, and was the most common theme that emerged from this portion of our interviews. As one respondent noted, there are many donors and CSOs active in the customary land space in Liberia. However, at least one respondent expressed a feeling of a lack of a collaborative effort across different organizations working on customary land formalization issues. Multiple respondents mentioned that each organization seems to be developing their own strategy, approach, and tools, and in another respondent's view, there is a degree of confusion and inconsistent understanding of the process across different organizations. Some respondents mentioned their work could benefit from having more external guidance, resources and tools to draw on so that they would not need to try to develop all of it from scratch; others highlighted what they perceived as redundancies and inefficiencies stemming from different IPs or projects re-developing or creating the process anew.

Ultimately, one specific envisioned risk of this, highlighted by at least two respondents, is that some organizations that are moving communities through the land formalization process independently may have to redo some elements of their work in communities because they have not met certain requirements set out by LLA, or may not even be aware of those requirements. Other respondents noted that they feel fortunate to have a field officer point of contact from LLA assigned to their project, so that they can build a strong relationship with LLA from the start, work with the LLA contact collaboratively throughout the process and stay up to date on LLA's criteria and recently available or updated guidance, thus hopefully avoid having to redo elements of their work with communities.

Another implication of the current status quo is that some respondents foresaw challenges for LLA to manage the various projects and keep up to date on their status, extract learning from reports and project experiences, and maximize potential learning and dissemination of tools and guidelines that

different projects or donors may be developing (or in some cases potentially duplicating) across the different projects.

IPs had some clear suggestions for improving these coordination and information/knowledge tool gaps:

- *Take greater advantage of the recently established land donor working group to share information and coordinate efforts.* One respondent mentioned the recent establishment of the donor working group as a positive step in this direction, but also saw a need for more communication and information sharing from USAID and other donors. This could also help donors to coordinate efforts, particularly on providing guidance and support to LLA to finalize several pending tools, guidelines, guidance documents, and avoid duplication of effort.
- *Develop a standardized and harmonized set of tools and templates for each stage of the customary land formalization process that meet LLA requirements and are readily available for all organizations to use.* These tools would provide CSOs/NGOs with clear and standard guidance on how the work should be done, and serve as resources for community-level actors to do the work efficiently, with high quality, and in a way that conforms to LLA's expectations. Our KIIs with local CSOs suggested a strong demand and desire for such standardized tools and guidelines for local implementers to draw on across projects. We note that while some tools and templates are currently available, not all local CSOs may be aware of them or feel they sufficiently meet their needs, while multiple divergent tools across different projects may also cause confusion as to which ones should be relied on and meet LLA's most up to date criteria.
- *Establish a clear mechanism for sharing learning across different donor-funded projects.* Coupled with the above, respondents expressed an interest in more accessible learning, and a mechanism for shared learning on approaches, practices, and what has been accomplished across the different donor-funded efforts. For this to work well, ideally there would be consistent and active engagement across donors, as well as a way for local CSOs and field-level implementation staff to engage with each other across projects.

2. **Additional guidance from LLA for CSOs to work with in order to help communities through the customary land formalization process:**

Multiple respondents expressed a view that there is currently insufficient guidance available from LLA for CSOs to work with while assisting communities through the full customary land formalization process. Working in the absence of key regulations and templates is seen as risky by some CSOs, but they are proceeding in any case while waiting on LLA to finalize and share these tools. Once all of the regulations have been developed and approved, some respondents felt it will be easier for implementers to move forward with their community-level work and feel confident that communities are being best served and advised. Particular suggestions that different respondents highlighted as steps LLA could take to strengthen the likelihood of strong and even implementation across communities, regardless of community context and IP/CSO, were:

- Avoid being overly prescriptive so as not to over-burden the implementation process and inadvertently turn well-intended processes into box-checking exercises, while at the same time applying a set of minimum standards across the board to strengthen the ability for IPs to achieve common goals for customary land formalization processes in communities;

- Conduct shared trainings across local facilitators, and hold consistent trainings with staff across projects before fieldwork;
- Introduce common standards for community-level work on: documenting meetings, reporting, documenting grievances, providing feedback, and identifying emerging issues;
- Share templates for processes across IPs, so that different IPs and projects don't need to recreate these or think it through from scratch.

In addition to these two broader issues highlighted above that were echoed across several of the KIIs, some respondents made more targeted individual suggestions as follows:

- *Focus future donor support on finishing up land formalization work that has already started in many communities.* If possible, future funding should prioritize areas where some of the initial steps in the land formalization process have already started but may not have been able to have been completed through earlier efforts.
- *Greater donor support on strengthening the capacity within LLA to ensure sufficiently trained staff, systems, software, hardware and other equipment to conduct confirmatory surveys in communities that are led by technical experts from within LLA.*[29] Also consider building capacity and developing systems for integrating the community surveys into a national cadaster.
- Some respondents thought that future support should *prioritize strengthening LLA's ability to certify a community upon completion of the validation process.* Related to this, at least one respondent wondered what would happen in a case where LLA did not agree to certify, and what might be the reasons why LLA might decide not to certify a community? Further, if LLA's criteria and capacity to make a determination on validity are not clearly known and communicated to IPs and communities, would a decision not to a certify a community be seen as legitimate? One take-away is that by more clearly communicating to IPs and communities the decision criteria that LLA will use during the validation process, LLA can avoid such potential pitfalls.
- *Work on closing potential loopholes in the LRA that can potentially facilitate land grabbing while communities are moving through the land formalization process.* One respondent highlighted that CSOs are in some ways in a race against time to protect communities in this respect. As a result, some CSOs feel pressure to move as quickly as they can in educating communities and moving them through the self-identification process. But, the respondent worried about raising community hopes about land protection and then not being able to fully deliver on that because in the meantime some of the land may still be taken away from communities as facilitated by existing ambiguities in the LRA. Related to this, another respondent foresaw potentially greater challenges in future helping to protect community land from local land grabbers, noting that most of the efforts to date have been against foreign land grabbers and this was seen as relatively easier.

Our team notes that action on some of these suggestions for future support appears to already be underway at national level through donor-funded support to the LLA[30], but it seems this may not be apparent or known to local CSOs. If possible, downward sharing of anticipated timelines for targeted

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[29] This should include capacity building support to county-level staff and services as well, as planned decentralization efforts within LLA eventually move forward.

[30] For example, through the WB-funded LLAP and SIDA-funded ILAMP activities. As of this final report writing, LLAP was in process of procuring consultancy services to support several capacity building needs within LLA, and to provide technical assistance for LLA's own piloting of customary land registration in communities.

activities within LLA or release of finalized documentation on specific issues may help close information gaps across local-level implementation and national-level support processes within LLA.

BEST PRACTICE GUIDANCE AND OVERARCHING RECOMMENDATIONS

FOR IMPLEMENTING PARTNERS

Tables 2 through 8 in this report provide a long list of specific best practices guidance and recommendations for implementing partners in the customary land formalization space, synthesized across multiple IPs' experiences over the past several years.

FOR USAID, OTHER DONORS, AND LLA

The KIIs call attention to several common challenges and related suggestions that IPs made regarding how donors and the LLA together might improve the current operating context for implementers with respect to supporting Liberian communities in customary land formalization. While many of these are discussed earlier in this report, including in the previous section, we recap a small number of recommendations here on the basis of their salience across multiple interviews we conducted:

1. Consider ways to improve coordination, communication and information sharing across the range of donor-funded projects and organizations in the customary land formalization space in Liberia. This includes greater utilization of the donor working group, but also exploring potential mechanisms to more easily share experiences, tools and learning across projects, and downward sharing of information and information exchange across staff involved in all levels of implementation in communities.

2. Consider providing a clear and approved single set of tools and templates for implementing partners within any organization to use, that are tailored to each stage of the customary land formalization process and finalized with LLA's approval. Ensure such resources are accessible to all partners, and that consistent training on their use is available to all.

3. Prioritize support to LLA to complete pending guidance documents, regulations and tools related to key issues in the customary land formalization process. This includes clarification on the tribal certificate conservation process, definitions and requirements, and additional information for IPs on how, when, and the criteria by which LLA will conduct confirmatory surveys, validate community efforts to meet the standards set out in the LRA, and issue title deeds to communities.

4. Consider exploring how synergistic guidance, tools and additional support to LLA and local administrative authorities may be able to play a role in helping IPs to achieve CSI with communities via a shorter and less resource-intensive process. IPs we spoke with agreed that there was no need to change any of the steps in the customary land formalization process, and CSI was seen as perhaps the most important as it sets the foundation for all remaining stages of the process. However, it seems clear that the level of resources required and extent to which outside organizations must drive this process for communities cannot be sustainable over the longer term for achieving widespread implementation of customary land formalization across Liberian communities.

ANNEX A: SUMMARY OF LAND FORMALIZATION PROGRESS BY PROJECT

TABLE A. ACTIVITY STATUS ON CUSTOMARY LAND FORMALIZATION PROCESS IN COMMUNITIES BY PROJECT

PROJECT	IMPLEMENTERS	COUNTIES	NO. OF COMMUNITIES INVOLVED IN LRA PILOTING	ACTIVITY YEARS	ACTIVITY PROGRESS FOR CUSTOMARY LAND FORMALIZATION					
					COMMUNITY SELF-IDENTIFICATION	PARTICIPATORY MAPPING	BOUNDARY HARMONIZATION	BY-LAW DEVELOPMENT	CLDMC FORMATION	CONFIRMATORY SURVEY
USAID Integrated Land and Resource Governance (ILRG)	TetraTech, Green Advocates International (GAI), Sustainable Development Institute (SDI)	Lofa, Maryland, Nimba, River Gee	35	2018 - 2021	Done	Planned	Planned	Planned	Planned	Planned
USAID Liberia Land Governance Support Activity (LGSA)	Landesa, TetraTech, SDI, Parley, LLA	Bong, Lofa, Nimba	14	2016 - 2020	Done in 7 commun-ities*	Done in 7 commun-ities*	In progress*	Done in 7 commun-ities*	Done in 7 commun-ities*	Planned
USAID Land Rights for Sustainable Development Project (LRSD)	Landesa, Development Education Network-Liberia (DEN-L), Foundation for Community Initiatives, LLA	National	n/a	2018 - 2021	Not a project focus	Not a project focus	Not a project focus	Not a project focus	Not a project focus	Not a project focus
Protection of Customary Collective Community Land Rights in Liberia (P3CL)	Tenure Facility, FCI, Parley, SDI, LLA	Grand Bassa, Sinoe, Bong, Lofa, Nimba, Rivercess, Maryland, River Gee	24	2019 - 2021	Done*	Done*	In progress	Done*	Done*	Planned
World Bank Liberia Land Administration Project (LLAP)	LLA	National	n/a	2017 - 2022	Not a project focus	Not a project focus	Not a project focus	Not a project focus	Not a project focus	Not a project focus
SIDA Forum Civ Liberia	Forum Civ; small grants to 9 CSOs	Bomi, Bong, Grand Gedeh; may expand to more	n/a to date as still in grant-making phase	2019 - ?	TBD	TBD	TBD	TBD	TBD	TBD

Project	Partners	Counties	Pilots	Years						
"Land for Life" Multi-Actor Partnership (MAP) on land governance in Liberia	Welthungerhilfe, Rights and Rice Foundation (RRF)	Montserrado, Bomi, Grand Gedeh, Sinoe, River Gee, Maryland, Grand Kru, Rivercess	3-4	2018 - 2020	In progress	In progress	Planned*	Planned*	Planned*	Planned*
EU "Promoting and Protecting Community Land Rights for National Development"	Welthungerhilfe	Bomi, Grand Gedeh, Maryland, Montserrado, River Gee, and Sinoe	Primarily enabling environment-focused; unclear if community piloting occurred	2017 - 2020	*	*	*	*	*	*
EU "Supporting communities self-determination and land rights in Liberia"	SDI	*	n/a	2017 - 2020	Not a project focus	Not a project focus	Not a project focus	Not a project focus	Not a project focus	Not a project focus
EU "Equitable access to Land for the poor and marginalised in Nimba, Lofa, Bong and Margibi counties"	CAFOD, DEN-L, Liberian Law Society (LLS)	Margibi, Nimba, Lofa, Bong	10 (all in Margibi county)	2017 - 2020	Done	Not a project focus	Not a project focus	Not a project focus	Not a project focus	Not a project focus
UNDP, UN Women, WFP "Sustaining Peace and Reconciliation Through Strengthening Land Governance and Dispute Resolution Mechanisms Project"	Cooperative Development Authority, Institute for Research and Democratic Developmen (IREDD), RRF, Liberia National Rural Women Structure (LNRW)	Grand Cape Mount, Sinoe, Maryland, Nimba	43	2020 - 2023	Planned	Planned	Planned	Planned	Planned	Not a project focus*
World Bank Liberia Forest Sector Project (Subcomponent 2.1: Improved Land Use Planning)	Forest Development Authority (FDA), EPA	Sinoe, Montserrado, Lofa, Grand Gedeh, Grand Cape Mount, Bomi, Grand Kru, River Cess, Gparpolu, River Gee,	n/a	2016 - 2023	Not a project focus	Not a project focus	Not a project focus	Not a project focus	Not a project focus	Not a project focus
SIDA Capacity Building for Inclusive Land Administration and Management in Liberia (ILAMP)	Lantmäteriet, LLA	National	n/a	2020 - 2023	Not a project focus	Not a project focus	Not a project focus	Not a project focus	Not a project focus	Not a project focus

| IDH Southeast Landscape Program | IDH, Flora & Fauna International, Parley | Sinoe | 2 | 2019 - 2021 | Done | Done | Done | Done | Done | Planned |
| IDH Western Landscape Program | IDH, Meta Meta Research | Lofa | 6 | 2019 - 2020 | Done | Done | Done | Done | Done | Planned |

*Status is uncertain, or varies across different implementing partners.

ANNEX B: LIST OF KIIS CONDUCTED

KII NO.	NO. OF INTERVIEWEES PRESENT	ORGANIZATION(S)
TABLE B. LIST OF KIIS CONDUCTED		
1	1	IDH, Tenure Facility
2	2	Forum Civ
3	2	Rights and Rice
4	1	CAFOD
5	1	CAFOD
6	1	Lantmäteriet
7	1	Green Advocates
8	1	SDI
9	4	DEN-L
10	1	FCI
11	1	Parley
Total Interviewees: 16		
Total Organizations: 11		

Break-down of respondent organization or project roles across interviewees (titles are generalized to protect anonymity of respondents):

- Executive Director, Director, or Deputy Director: 5
- Program Manager or Program Officer: 8
- Other field staff roles: 3

ANNEX C: SEMI-STRUCTURED KII GUIDE

Key Informant Interview Instrument: Assessment of Lessons Learned from Community-level Pilots to Implement the Lands Right Act (LRA) in Liberia

Field Control	
Interview date: ____/_____/_____ (DD/MM/YYYY)	Interviewer name: Notetaker name:
Respondent name:	Respondent job title:

Introduction and Consent

Hello and thank you for agreeing to speak with us. My name is [NAME, from NORC at the University of Chicago], and with me is my colleague [NAME]. As you may be aware, the United States Agency for International Development (USAID) has commissioned our team to document project implementation experiences and help compile lessons learned by projects implementing community-level pilots of the Land Rights Act in Liberia.

As part of that study, we are conducting interviews with different project implementers. The purpose of this discussion is to learn about your project's experiences working with communities to pilot different aspects of the LRA. This will enable our team to better synthesize pilot experiences across different projects and compile lessons learned. We aim for our discussion to last about 60 minutes. We would like to record this discussion to accurately capture the contents. Our discussion contents will not be shared outside our team, and any material we draw on for our synthesis report will be free of your names or identifying details. Your participation is entirely voluntary and you can choose not to answer a question or stop your participation at any time.

Do you agree to participate in today's discussion? May I begin the tape recorder? [start recording]

Thank you for consenting to the interview and agreeing to recording – let's begin.

KII Protocol for Implementers: Lessons Learned in Community-Level Pilots of the LRA

A. Introduction

1. Please provide an overview of [project's] main objectives and activities.
   a. What is the role of [organization] on project?
   b. What is the nature of your role on the project?
   c. According to project information we've seen, [project] is operating in ==xx== communities across ==xx== counties. Is that still the current scope of the field-based community-level activities?
   d. Could you briefly describe the current implementation status?

2. [Placeholder for additional IP-specific questions – varies by KII]

B. Project Activities

1. Our team is interested in implementers' experiences supporting key aspects of customary land formalization and governance via the LRA. Of the key stages for customary land formalization in communities [read list below], are there any which are planned, but are not yet underway in the project communities you are working in? Are there any that your project will not be involved in?

2.

Customary Land Formalization Steps within Communities	Not involved in	Planned, but not yet engaged in	Any other notes
Community self-identification			
Participating mapping			
Boundary harmonization			
Developing by-laws			
Establishing and operating the CLDMC			
Confirmatory survey and registration			
Land use planning and management plan			

3. We'd like to discuss each of these stages in turn [that the project has already been engaged in].
   o What would say have been the project's biggest challenges so far in implementing this component?
   o What has the [project] found most useful for overcoming those challenges?
   o Are you able to share any key lessons learned or recommended best practices?
   o Do you have any other recommendations for implementers of other community-level pilots, including on community engagement, timelines, and otherwise?
     ▪ For the LLA, policy makers, or other key actors whether related to the enabling environment, clarification of regulations, or otherwise?

If it's easier to discuss in terms of general challenges, lessons learned and recommended best practices, that's okay too.

Stage	Main challenges	Most useful solutions	Key lessons learned / recommended best practices	Any other recommendations
Community self-identification				
Participating mapping				
Boundary harmonization				
Developing by-laws				
Establishing and operating the CLDMC				
Confirmatory survey and registration				
Land use planning and management plan				

Discussion of any general challenges, lessons learned and recommended best practices:

[Including probing on: What actions can implementers take at the project level to overcome or prevent those challenges? What would need to happen in the enabling environment to eliminate those challenges? What role can the donor community play on any of these issues?

C. Women's Land Rights and Land Governance

1. As you know, the LRA has many aspects designed to strengthen women's land rights and ownership, including equal representation of men, women, and youth on Community Land Management and Development Committees, and mandating that women and youth be involved in all decisions about customary land within communities. There are also substantial cultural norms to overcome regarding women's land rights, and the land law's prescriptions don't always translate to meaningful participation.
    o What are the key issues the project has encountered related to **strengthening women's land rights** and ensuring their participation in customary land governance? *[Probe about both women and youth if not addressed]*
        ▪ What do you see as the key barriers to women's ownership of customary land? To their participation in decision-making around customary land?
        ▪ What do you see as the key barriers to youth ownership of land? To their participation in decision-making around customary land?
    o Are you able to share any key lessons learned or recommended best practices related to strengthening women's land rights and participation in land governance in practice? Youth?

D. Negotiating Customary Land within other Land Categories

1. Thinking about the project's implementation experience, have you encountered any issues or challenges with pending or existing tribal certificates in the context of customary land demarcation in communities? Including their validation and/or conversion to Public Land Sale Deeds. If yes:
    o What was the nature of the issue(s)?
    o How was the project above to resolve this
    o Are there any key lessons learned or best practices you would highlight related to tribal certificates?

2. Has the project encountered any challenges related to setting aside public land in communities?
    o What was the nature of the issue(s)
    o How did [project] try to resolve it, and was this successful?
    o Are there any key lessons learned or best practices that you would highlight related to this?

3. Has the project encountered any challenges related to negotiating boundaries between customary land and protected areas, or spatial overlaps between the two? If yes:
    o What was the nature of the issue(s)?
    o How did [project] try to resolve it, and was this successful?
    o Are there any key lessons learned or best practices that you would highlight related to this?

E. General / Closing

1. Reflecting on the project's overall experiences with piloting aspects of customary land formalization in Liberia, are there any changes you would make to the focus or nature of activities, or process of community-level piloting that might help future / next-generation land formalization and governance activities in Liberia?

2. Is there anything else you would like our team to keep in mind or feel we should take into account as we proceed with our analysis and reporting? Do you have any questions for us, or other comments you would like to make?

Closing: This concludes our discussion. Thank you for your time today and your participation. Your comments will be invaluable to our synthesis.