



**PEACEBUILDING FUND (PBF)**

**GENERIC ANNUAL PROGRAMME<sup>1</sup> NARRATIVE PROGRESS REPORT**

**REPORTING PERIOD: 1 JANUARY – 31 DECEMBER 2012**

<p><b>Programme Title &amp; Project Number</b></p> <ul style="list-style-type: none"> <li>• Programme Title: PBF/LBR/F-1: Support to the Establishment of a Land Disputes Prevention and Resolution System in Liberia</li> <li>• Programme Number <i>(if applicable)</i></li> <li>• MPTF Office Project Reference Number:<sup>3</sup> <u>00080550</u></li> </ul>	<p><b>Country, Locality(s), Strategic Results<sup>2</sup></b> <i>(if applicable)</i> Country/Region Liberia/Monrovia and five counties, with national effects</p> <hr/> <p><i>Priority area/ strategic results</i> Priority Area 2: National Reconciliation/The establishment of a system for alternative land disputes resolution increases tenure security, addresses land grievances and strengthens capacity for peaceful conflict mitigation, social cohesion and national identity building.</p>				
<p><b>Participating Organization(s)</b></p> <ul style="list-style-type: none"> <li>• Organizations that have received direct funding from the MPTF Office under this programme UN-HABITAT</li> </ul>	<p><b>Implementing Partners</b></p> <ul style="list-style-type: none"> <li>• National counterparts (government, private, NGOs &amp; others) and other International Organizations Land Commission of Liberia Members of the inter-agency national Land Dispute Resolution Taskforce (including Min. Justice, Min. Lands/Mines/Energy, Min. Internal Affairs, national archives, University of Liberia, UNMIL et al)</li> </ul>				
<p><b>Programme/Project Cost (US\$)</b></p> <p>MPTF/JP Contribution: 2,000,000</p> <ul style="list-style-type: none"> <li>• <i>by Agency (if applicable)</i></li> </ul> <p>Agency Contribution</p> <ul style="list-style-type: none"> <li>• <i>by Agency (if applicable)</i></li> </ul>	<p><b>Programme Duration</b></p> <table border="0"> <tr> <td>Overall Duration (<i>months</i>)</td> <td>12 plus 6-mo no-cost extension</td> </tr> <tr> <td>Start Date<sup>4</sup> (<i>dd.mm.yyyy</i>)</td> <td>12.12.2011</td> </tr> </table>	Overall Duration ( <i>months</i> )	12 plus 6-mo no-cost extension	Start Date <sup>4</sup> ( <i>dd.mm.yyyy</i> )	12.12.2011
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<sup>1</sup> The term “programme” is used for programmes, joint programmes and projects.

<sup>2</sup> Strategic Results, as formulated in the Performance Management Plan (PMP) for the PBF, Priority Plan or project document;

<sup>3</sup> The MPTF Office Project Reference Number is the same number as the one on the Notification message. It is also referred to “Project ID” on the [MPTF Office GATEWAY](#)

<sup>4</sup> The start date is the date of the first transfer of the funds from the MPTF Office as Administrative Agent. Transfer date is available on the [MPTF Office GATEWAY](#)

Government Contribution

*(if applicable)*

Other Contributions (donors)

*(if applicable)*

**TOTAL: 2,000,000**

End Date (or Revised End Date) <sup>5</sup>	12.12.2012, with request for extension to 30 June 2013
Operational Closure Date <sup>6</sup>	30 June 2013
Expected Financial Closure Date	30 June 2013

**Programme Assessment/Review/Mid-Term Eval.**

Assessment/Review - if applicable *please attach*

Yes  No Date: *dd.mm.yyyy*

Mid-Term Evaluation Report – *if applicable please attach*

Yes  No Date: *dd.mm.yyyy*

**Report Submitted By**

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<sup>5</sup> As per approval by the relevant decision-making body/Steering Committee.

<sup>6</sup> All activities for which a Participating Organization is responsible under an approved MPTF programme have been completed. Agencies to advise the MPTF Office.

## NARRATIVE REPORT

### **I. Purpose**

The main objective of the programme is to contribute to sustainable national reconciliation in Liberia by addressing one of the root causes of conflict here—disputes over land. The establishment of a dispute resolution system should also contribute to capacity to resolve conflict peacefully and build social cohesion. The programme directly supports the Liberian Land Commission in its efforts to establish such a system, thus contributing to national capacity and ownership. The programme provides core staff and operational funds to the Land Commission and supports UN-HABITAT technical assistance. The specific expected outcomes are: to develop a dispute resolution system and have five pilot land dispute resolution centres functioning at local level; to develop policies, procedures, programs and laws to harmonize land dispute resolution, offer means for land disputes resolution accessible and affordable for all groups, improve coordination in the land sector and take pressure off the courts thus contributing directly to peace building, stability, equitable growth and natural resource management for the benefit of all Liberians; and increasing the general public understanding of land issues and peaceful land dispute resolution mechanism in Liberia with special focus on women, youth and marginalized groups.

### **II. Results**

#### **i) Narrative / Qualitative reporting on results:**

##### Outcome

While the main outcome of the programme—establishing a land dispute resolution system in Liberia—is yet unmet, **the overarching aim—reducing conflict over land—has been addressed by the programme** nevertheless. Just the knowledge that the Liberian Land Commission is in the process of developing such a system (supported by UN-PBF funds and UN-HABITAT technical assistance) has encouraged Liberians—from the grassroots to the highest level of Government—to turn to the Commission to solve problems not originally in its dispute resolution mandate.

In this respect, **the programme has had a catalytic effect already**. The Land Commission has been tasked by the President to vet land documents which were being used as the basis for often-suspect forestry and other natural resource contracts—the issuing of which were a common cause of disputes and grievances. In addition, the Land Commission facilitated negotiations of the first-ever agriculture concession agreement negotiated between a rural community and a foreign concessionaire, which was signed on November 29, 2012. These are key building blocks for establishing a decentralized natural resource governance mechanism which will significantly contribute to conflict prevention. These activities are being documented as best practices for future work, including the establishment a dispute resolution system. The main **beneficiaries** are the affected communities and legal landowners in areas where Government and industry may have been colluding to increase their access to valuable land without the required community consultations, social benefits and protections.

The programme has also been recognized by partners as a critical piece of the peacebuilding puzzle in Liberia. Other donors have not been willing to directly support the work of the Land Commission, but were eager to provide “software” once the “hardware” was in place. The programme has thus also had a **catalytic effect in terms of bringing in other donors**, who have provided important funds and knowledge. Once it was known that the Peacebuilding Fund was supporting the establishment of the local land dispute intake offices (Land Coordination Centres)—with the core staffing, operational and

technical assistance needed to turn the offices from theory into brick-and-mortar reality—USAID and the Norwegian Refugee Council joined as partners with the Land Commission and UN-HABITAT in the land disputes sector. On the initiative of the Land Commission, assistance received from all three donors has been combined into one program coordinated and implemented by the Land Commission. This has enabled the Commission to increase the number of pilots being implemented from two counties that were originally funded under the a previous UN-Peacebuilding Fund programme to five counties. USAID is working hand in hand with the LC and UN-HABITAT under an agreed Joint Work Programme, funding training of staff and local dispute resolvers and further outreach and awareness programmes nationwide. The Norwegian Refugee Council donated equipment to the local offices, provided technical assistance in surveying and mediation, and assisted in the setup of the first pilot office. This additional funding and in-kind assistance was only possible once there was a base upon which to build, which is what the PBF and UN-HABITAT provided. In addition, USAID has provided funding specifically for **M&E** on the effectiveness of the Land Coordination Centres and the Land Commission’s outreach and education work. As neither the Land Commission nor UN-HABITAT has significant capacity in this regard, this will be a valuable contribution as the project progresses, enabling the partners to identify successes and failures, and replicate or address them.

The **beneficiaries** of the increased donor support will be the entire country, whose knowledge about land rights and the planned dispute resolution system will be increased, as well as the local communities in the areas where the Land Coordination Centres will be piloted, and the Land Commission itself as it begins to compile lessons from its work leading to policy and institutional recommendations on resolution of land disputes.

In terms of the **stated programme outcome, the implementation has been slower than expected**, due to several factors. The first is the unexpected extra work that was put on the Commission, described above. There were also political slowdowns; the programme was signed just at election time and many activities in Liberia which may have been perceived to have political implications were delayed until a few months had passed and tensions had lowered. In addition, there were administrative delays within UN-HABITAT which delayed some disbursements. However, **as of 31 December, 72% of the programme funds have been spent** and significant preparatory work has been put in place to allow rapid progress on the outcome in the first half of 2013.

## Outputs

*1&2: The system for decentralized management of land disputes resolution is established; the system addresses land disputes in pilot counties preventing conflict escalation*

The target was for five pilot land dispute intake offices (Land Coordination Centres) to have been set up and be functioning by the end of 2012, with measurable caseload and data on numbers of conflicts resolved. However, due to political, administrative, capacity and logistical factors, the establishment of these centres has been delayed considerably. In one county a needs assessment has been done; staff is hired and deployed; and dispute resolvers have been trained. The office (Lofa County) expects to take in its first case in mid-January 2013. The other four pilot offices are in varying states of preparedness, with two likely to be up and running by March 2013.

In addition, public knowledge about the Land Commission’s dispute resolution focus has led to spontaneous approaches to the Commission at its existing Monrovia office by disputants. 126 cases were registered by the Commission in 2012, many of which are from areas where the Land Coordinator

Centres will be established. The Commission has taken varying approaches to the cases, including mediation, witnessing, and referrals. The outcomes of the cases are being tracked and best practices are being compiled. This data and experience has formed both part of the training and operational plans for the Land Coordination Centres, and also will be used as inputs for the eventual policy development process. In particular, it has been noted that disputants appreciate a neutral place to bring their complaints and to sit down together in an informal yet official environment, in order to be able to talk in a cooperative rather than confrontational or adversarial atmosphere.

### *3. Land dispute resolution system institutionalized through legal and policy reforms*

The work of the pilot offices described above will be a key input to the development of policy and legal reforms. Therefore, this output has also been delayed as it depends on the work being done in the pilot offices. However, work has been ongoing at the national level; a Land Dispute Resolution Taskforce has been established under the leadership of the Land Commission with technical assistance from UN-HABITAT. This Taskforce (which includes Government agencies, donors, and civil society including women and youth) has met monthly since January 2012 and is serving an important purpose of coordination in the land sector particularly with regard to institutional overlaps regarding disputes, as well as identifying productive partnerships. The Taskforce adopted a workplan which will lead to joint drafting of policy recommendations in 2013.

### *4. Awareness on land rights, regulations and options for peaceful resolution of land disputes increased*

There has been good progress on this output. The Land Commission's outreach and education section has conducted nationwide awareness activities on land rights and land dispute resolution as well as its target of 5 county-specific awareness raising/outreach/consultations. With additional funding from USAID, further awareness-raising has been made possible, such as radio jingles and plays. One refresher outreach has been conducted in Lofa county as the Land Coordination Centre prepares to open; a further four will follow in early 2013 as the other four pilot centres also open.

Delays: The implementation of three of the four outputs has been significantly delayed for political, capacity, logistical and administrative reasons (as noted in II (i) above). Many of these risks—particularly those relating to Liberia's political context and the limited capacity of the Land Commission—were identified during programme formulation. Nonetheless, 64% of the funds were spent at the notional end of the project (November 2012), ensuring that significant preparatory work was put in place for achieving the outputs. Recognizing that early 2013 will be when the preparatory work is acted on, there has been a request for a no-cost extension of the project. As detailed in II (i) above, it is felt that despite slow progress on the specific outputs, key aims of the programme and indeed of PBF funding in general—addressing drivers of conflict, unleashing new peace initiatives, and catalyzing other donors—have been successfully achieved so far by the programme. The outputs should be achieved by mid-2013, giving more specific measurable progress.

ii) Quantitative reporting on results

**INDICATOR BASED PERFORMANCE ASSESSMENT**

	<b>Performance Indicators</b>	<b>Indicator Baselines</b>	<b>Planned Indicator Targets</b>	<b>Achieved Indicator Targets</b>	<b>Reasons for Variance (if any)</b>	<b>Source of Verification</b>
<b>Outcome 1<sup>7</sup></b>	Indicator Local and county level land disputes are resolved to prevent conflict escalation	Prior to the establishment of the programme, the only formal mechanism to resolve land disputes were the courts. A 2010 study showed that 25% of Liberians surveyed were party to a land dispute in 2010 alone but only 6% had gone to local court.	See below	See below	Dispute resolution system has been slow to get up and running due to political and administrative constraints, as well as extra duties given to the Land Commission.	Day-to-day work with the Land Commission
<b>Output 1.1</b>	Indicator 1.1.1 The system for decentralized management of land disputes resolution is established	Prior to the establishment of the programme, no local institutionalised system of alternate dispute resolution existed.	System established and operational in up to five pilot counties: # of county needs assessments completed # offices established # of dispute	1 county needs assessment completed (Lofa) 1 office established (Lofa); 2 offices identified (Margibi, Bong) 75 dispute resolvers trained (Lofa, Margibi, Bong);	Implementation of LCC activities was slow, due to delays in disbursement and slow down in government operations during the period of the presidential elections in late 2011/early 2012, then the onset of the rainy season (May-November). LCC staff identification and turnover	Day-to-day work with the Commission; Commission reporting

<sup>7</sup> For PBF: Either country relevant (from the Priority Plan or Project Document) or PMP specific.

			resolvers trained # of persons approaching the LCCs to inquire about land issues or get assistance to resolve a dispute	0 persons/cases intaken at the LCCs as offices not officially open yet	was also problematic. Negotiating the Agreement of Cooperation between UN- Habitat and the Land Commission was also time- consuming. Lofa County LCC will open for business 16 Jan 2012.	
Indicator 1.1.2 The system addresses land disputes in pilot counties preventing conflict escalation	Prior to the establishment of the PBF-funded Land Coordination Centre, a needs assessment in Lofa County revealed: Significant instances of land disputes; forum- shopping by disputants for resolution services; no system for centralizing or keeping track of disputes and resolution	% of land disputes solved which were identified through the system	N/A; system not yet up and running	See above	See above	
Indicator 1.1.3 Land dispute resolution system institutionalized through legal and policy reforms	No legal recognition of alternative dispute resolution systems (ADR). No policy extant on ADR.	# of Land Dispute Resolution Taskforce meetings (inter- governmental, including civil society, women and youth); Policy recommendations for an ADR law	LDRT has met 12 times in 2012; Only very preliminary work has begun on policy.	The Land Commission's capacities have been stretched to the limit with extra responsibilities given by the President as well as the practicalities of opening operations of the LCCs. This output is expected to be prioritized in 2013.	Day-to-day work with the Commission; Commission reporting; minutes of the Land Dispute Resolution Taskforce meetings	

			and an institutionalized use of ADR in land disputes prepared.			
	Indicator 1.1.4 Awareness on land rights, regulations and options for peaceful resolution of land disputes increased	Land Commission outreach including on land rights and its planned work on land disputes had taken place in all 15 counties prior to the start of the programme, but not on the specific work of the local Land Coordination Centres.	# county outreach/consultations undertaken to promote knowledge about pilot LCCs	5 county awareness raising/outreach/consultations completed; 1 additional refresher outreach (Lofa)	The other four refresher outreach activities have been delayed and will be undertaken when the four respective remaining pilot LCCs are ready to open.	

### iii) Success Story

#### **Conflict dynamics being addressed:**

One important obstacle to building peace in Liberia has been land management, in particular land related to valuable natural resources. Liberia is still under review by the UN Security Council with regard to the management of such resources, including timber. This is because the sale of such resources has in the past been used to fund violence; in addition, logging and other natural resource exploitation based on faulty or deceptive land documents has ignited conflict between foreign extraction companies and local communities. The affected communities and legal landowners were essentially ignored, while Government officials and industry were likely colluding to illegally increase their own access to valuable land. Even when the land deals themselves may not have been based on fraud, they were often undertaken without the required community consultations, benefits or social protections.

#### **Project Interventions:**

The land disputes originally targeted by the Land Commission and supported by the programme were at the community level and seen to be amenable to local-level mediation. However, since the establishment of the Land Commission, it has become increasingly clear that conflict risks also stem from more complex problems regarding land and natural resource management. These issues involve foreign investors and Government entities and personnel as well as local landowners and local communities.

Knowing that the Land Commission's mandate on land disputes was actively supported by UN-PBF, particularly including: work towards formulation of a national policy-to-law process on dispute resolution mechanisms, and coordination of key players in Government and civil society dealing with land disputes; and knowing that both the Land Commission's capacity and its integrity were of a high level, the President of Liberia tasked the Land Commission in mid-2012 to vet land documents which were being used as the basis for often-suspect forestry and other natural resource contracts—the issuing of which were a common cause of disputes and grievances.

#### **Result:**

The Land Commission's findings in late 2012 spurred the President to freeze the issuing of permits and suspend a number of involved Government officials. The Land Commission has further been tasked to review the entire regulatory system of such natural resource permits and make recommendations, which should go a long way towards improving the strength of community land claims and benefits, reduce land-related problems in natural resource investment, and thus reduce the related risk of conflict. These are key building blocks for the overall outcome of establishing dispute resolution policies, legislation and institutions that address drivers of conflict at all levels.

### **III. Monitoring Arrangements**

As most of the project outputs have been delayed, there have been few opportunities for meaningful M&E. A baseline survey/needs assessment will be undertaken in each of the five pilot counties (one has already been done) to guide the work of the dispute resolvers. Data will be collected by the Land Coordination Centres in terms of the outcome of dispute cases and the effectiveness/sustainability/success of any solution found.

Data may also be provided by members of the Land Dispute Resolution Taskforce in terms of members' respective successes or failures in resolving land disputes.

These data sets will be incorporated into the eventual policy recommendations the Taskforce will draft.

In terms of more immediate M&E and feedback on/changes to programme implementation, the Joint Workplan drawn up between the Land Commission, USAID and UN-HABITAT allows the other two partners to draw on the M&E activities funded by USAID. This will become most relevant once the Land Coordination Centres are fully functional in early 2013.

### **IV. Future Work Plan (if applicable)**

As discussed in II (i), work towards the overarching outcome and the associated outputs is on track, but delayed by approximately six months. The no-cost extension will allow the launching of the five Land Coordination Centres (Lofa in January 2013; Bong and Margibi by March 2013; and Maryland and Nimba by March or April 2013). UN-HABITAT will also support the Land Commission in doing further work on harmonizing the Land Coordination Centres activities and goals with the court system in the counties, including with the existing and future Peace and Justice Hubs.

Alternative Dispute Resolution policy development is planned for 2013, and the programme's work will feed into that process with regard to land disputes. In addition, the Land Commission has identified a particular need for research and technical assistance with urban land disputes, so UN-HABITAT plans to provide targeted assistance on these matters in 2013.

Once the Land Coordination Centres are in place, dispute resolvers are at work, processes are being documented; lessons are being collected, and databases are established, it will be possible for the policy and institutional work to be reinvigorated with the new information. This will indicate substantial achievement of outputs 1, 2 and 4. It is expected that all funds will be disbursed by mid-2013 but that output 3, "Land dispute resolution system institutionalized through legal and policy reforms", was too ambitious to be achieved in the project's lifetime.