



**PEACEBUILDING FUND (PBF)
FINAL PROGRAMME¹ NARRATIVE REPORT**

REPORTING PERIOD: FROM 12.2011 TO 06.2013

<p align="center">Programme Title & Project Number</p> <ul style="list-style-type: none"> Programme Title: Support to the establishment of a land disputes prevention and resolution system in Liberia— Phase 1 Programme Number (if applicable) MPTF Office Project Reference Number:³ 00080550 	<p align="center">Country, Locality(s), Priority Area(s) / Strategic Results²</p> <p>(if applicable) Country/Region Monrovia, Liberia and five counties</p>
<p align="center">Participating Organization(s)</p> <ul style="list-style-type: none"> UN-HABITAT 	<p>Priority area/ strategic results National reconciliation; Management of natural resources (including land)</p>
<p align="center">Programme/Project Cost (US\$)</p> <p>Total approved budget as per project document: 2,000,000USD</p> <p>MPTF /JP Contribution⁴:</p> <ul style="list-style-type: none"> by Agency (if applicable) Agency Contribution by Agency (if applicable) In-Kind <p>Government Contribution (if applicable) In-Kind</p> <p>Other Contributions (donors) (if applicable)</p> <p>TOTAL: 2,000,000USD</p>	<p align="center">Implementing Partners</p> <ul style="list-style-type: none"> Land Commission of Liberia; Land Disputes Resolution Task Force (including Ministry of Lands, Mines and Energy; Ministry of Internal Affairs; Liberia Institute of Geostatistics; National Archives; Ministry of Justice; UNMIL, Norwegian Refugee Council); USAID
<p align="center">Programme Assessment/Review/Mid-Term Eval.</p> <p>Evaluation Completed</p> <p><input checked="" type="checkbox"/> Yes No Date: <i>Draft internal evaluation: Aug 2013</i></p> <p>Evaluation Report - Attached</p> <p>Yes <input checked="" type="checkbox"/> No Date: <i>dd.mm.yyyy</i></p>	<p align="center">Programme Duration</p> <p>Overall Duration (months) 18 months</p> <p>Start Date⁵ (dd.mm.yyyy) 12 Dec 2011</p> <p>Original End Date⁶ (dd.mm.yyyy) 15 Nov 2012</p> <p>Actual End date⁷(dd.mm.yyyy) 30 June 2013</p> <p>Have agency(ies) operationally closed the Programme in its(their) system? Yes No <input checked="" type="checkbox"/></p> <p>Expected Financial Closure date⁸: 15 Dec 2013</p>
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¹ The term “programme” is used for programmes, joint programmes and projects.

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

³ The MPTF Office Project Reference Number is the same number as the one on the Notification message. It is also referred to as “Project ID” on the project’s factsheet page on the [MPTF Office GATEWAY](#).

⁴ The MPTF/JP Contribution is the amount transferred to the Participating UN Organizations – see [MPTF Office GATEWAY](#)

⁵ 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](#)

⁶ As per approval of the original project document by the relevant decision-making body/Steering Committee.

⁷ If there has been an extension, then the revised, approved end date should be reflected here. If there has been no extension approved, then the current end date is the same as the original end date. The end date is the same as the operational closure date which is when all activities for which a Participating Organization is responsible under an approved MPTF / JP have been completed. As per the MOU, agencies are to notify the MPTF Office when a programme completes its operational activities. Please see [MPTF Office Closure Guidelines](#).

⁸ Financial Closure requires the return of unspent balances and submission of the [Certified Final Financial Statement and Report](#).

EXECUTIVE SUMMARY

Land disputes are widely recognized as one of the key problems facing Liberia, and are seen as both a cause and a consequence of Liberia's civil war. The court system is overburdened, perceived to be corrupt, and often unsuited to resolving land disputes. A system to resolve land disputes peacefully is a fundamental piece of Liberia's reconciliation and peacebuilding process.

The establishment of an alternate dispute resolution system in Liberia was designed by UN-Habitat and the Liberia Land Commission to take into account traditional and community structures as well as Government structures already working in the provision of land dispute resolution services. In recognition that there is already a plethora of dispute resolution actors at community level, rather than adding a new actor to the mix, Liberia's new PBF-funded Land Coordination Centres (LCCs) coordinate the work instead. LCCs work with traditional authorities, with Government-appointed local officials, the judiciary, and also women and youth leaders to improve their alternative dispute resolution skills, and ensure inclusiveness in dispute resolution. The Land Coordination Centres undertake intensive outreach efforts to promote their services as a portal where people can bring their disputes to find the dispute resolver best suited to their needs. The LCC staff also accompany mediators when they undertake mediation efforts, providing documentation services as well as technical assistance. The project provided core staff and operational funds to the LCCs and also financed UN-HABITAT technical assistance, with staff embedded in the Land Commission.

The project has been quite successful in its major aims, particularly given that the pilot offices have not been long in existence. The five Land Coordination Centres have been able to counsel disputants to avoid resorting to violence over land disputes. They have also all independently assessed that their work has achieved a great deal in terms of restoring relationships and reinforcing peaceful coexistence in non-homogenous pilot communities. The work has proven, at least at this initial stage, to be efficient, reliable and cost-effective; parties maintain (or re-establish) a relationship once a dispute is settled; there is open communication which facilitates fair and timely resolution; and outcomes are mutually agreed and can be rather quick. Disputants in Liberia report that they far prefer mediated outcomes to judicial or arbitrated solutions, as the latter two end up with "winners" and "losers" and do not restore relationships.

Crucially, it has proven possible to alter traditional land dispute resolution structures to include women and youth, while preserving or even reinvigorating their traditional authority. Mediation committees have been created which always include a traditional leader (either male or female) as well as women and youth representatives. Yet at the same time, by including traditional leaders, traditional structures—to which the majority of Liberians prefer to turn--have been strengthened after losing efficacy, respect, and even self-esteem during the period of conflict. So bolstering these structures, while enhancing their inclusiveness, has been a major success of the project.

Catalytic effects of the project have included bringing in other donors, who have provided important funds and knowledge; and that the Land Commission being asked to expand its dispute resolution work into other areas such as concessions/community conflict over land and natural resources.

The project objective of developing of overall policies and laws to deal with land disputes is still pending, because the policy must be based on the findings of the pilot offices using the new system. There is currently no clear relationship between the alternative dispute resolution system and the judicial system. There is no formal referral system in either direction, and no recognition of alternative dispute resolution options under current laws. There is still a great need for both a land dispute resolution policy, and in conjunction with it, an overall alternative dispute resolution policy. Both of these need to be prepared in partnership with Liberia's judicial and legal actors, in order that the systems can work synergistically, rather than in silos as is currently the case.

ACRONYMS USED IN THIS REPORT

LPP	Liberia Priority Plan
SMC	Statement of Mutual Commitments
LC	Liberia Land Commission
LCC	Land Coordination Centres
ADR	Alternative Dispute Resolution

I. Purpose

Land disputes are widely recognized as one of the key problems facing Liberia. Grievances over land date back to the founding of the country in the 19th century, but also have resulted from the 1989-2003 civil conflict. Land grievances are thus seen as both a cause and a consequence of Liberia's civil war. The court system is overburdened, often corrupt, and often unsuited to resolving land disputes. In consultations about land issues in 2008 led by the Liberia Governance Commission, Liberians repeatedly uttered a version of this phrase: "If we go to war again, it will be over this land business." Thus, a system to resolve land disputes peacefully is a fundamental piece of Liberia's reconciliation and peacebuilding process.

The main overall objective of the project was to contribute to sustainable national reconciliation in Liberia by addressing disputes over land. The establishment of a dispute resolution system also contributes to overall capacity to resolve conflict peacefully and build social cohesion more generally. The project directly supported the Liberia Land Commission in its efforts to establish such a system, thus contributing to national capacity and ownership. The project provided core staff and operational funds to the Land Commission and also financed UN-HABITAT technical assistance, with staff embedded in the Land Commission.

The core outcome from the LPP was: "Conflict mitigation, enhanced social cohesion and youth empowerment". LPP relevant targets were: "By end 2012, a formalized and institutionalized system for alternative resolution for land disputes has been designed, relevant structures have been trained, and the system has been piloted in three counties. By end 2013, outreach and communication activities are carried out in parallel to the establishment of the system, and the system is consolidated and expanded to 10 counties."

The specific expected project outcomes were: 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 which are 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. Assessment of Programme Results

Project outcome 1/LPP Target 1: Develop a dispute resolution system and have five pilot land dispute resolution centres functioning at local level.

Result: This has been fully achieved, albeit with a no-cost seven-month extension to the project. (See the section on delays/challenges in **iii) Evaluation, Best Practices and Lessons Learned**) below. The first pilot office began substantive operations in Dec 2012 and the fifth in June 2013.

Project outcome 2/LPP Target 2: Develop policies, procedures, programs and laws to harmonize land dispute resolution, offer means for land disputes resolution which are 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./By end 2012, a formalized and institutionalized system for alternative resolution for land disputes has been designed, relevant structures have been trained, and the system has been piloted in three counties.

Result: The LPP target has been exceeded in terms of the number of pilot counties. The goal of developing of overall policies and laws to deal with land disputes is still pending, because the policy must be based on the findings of the pilot offices using the new system. Procedures are still being developed and adjusted, and data and lessons learned are still being collected, since the system is still only very new. However, the system is functioning as envisioned, and has met the goals of being accessible and affordable, improving coordination, and taking pressure off the courts. This result can therefore be seen as partially achieved.

Project Outcome 3: 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.

Result: A fundamental piece of establishing the LCCs was ensuring that there was outreach in the local areas encouraging community members to use the services of the LCCs to learn about their land rights and to assist with disputes. The overall education and outreach work of the Land Commission has also included specific public awareness about land issues and the existence of dispute resolution services. In addition, once established, each LCC has a communications and outreach officer whose job it is to continuously promote the services of the LCCs. The LCC Coordinators are also well-known figures in the communities and have also ensured that outreach has been extended to local authorities, both statutory and traditional, to ensure wide knowledge about the LCCs. LCCs have also done targeted outreach focused on women and youth, as well as ensuring that marginalized groups are also aware and able to access the services provided. This goal is being achieved continuously.

The project's achieved outcomes, in establishing a dispute resolution system, increasing awareness, and reducing violent disputes, contribute directly to the aims of the SMC, the LPP and Liberia's Reconciliation Roadmap, as well as the UN's UNDAF and One Programme. The Liberian Agenda for Transformation (its five-year socioeconomic development plan, launched in 2013) also identifies land issues and land conflict as a major challenge; so too does Liberia's Vision 2030 (a plan for achieving middle-income status by 2030, launched in 2012). Thus the project aims and achievements fit very much in line with Liberia's self-identified priorities for peace, stability and development.

The beneficiaries are, broadly, the entire country, whose knowledge about land rights and the dispute resolution system has been increased. More specific beneficiaries are the local communities in the areas where the Land Coordination Centres have been piloted, and in particular the more vulnerable or powerless in those communities, including women, who now have access to the dispute resolution system. Local officials in the pilot areas have also benefited from the training and coordination provided by the LCCs, and local courts and security officials in the pilot areas have seen their workload reduced. A further beneficiary is the Land Commission itself as it begins to compile lessons from its work leading to policy and institutional recommendations on resolution of land disputes.

According to LCC staff, community members and local officials interviewed by UN-Habitat, behavioural changes have been seen in the communities, who have responded to the LCC's offer of services with great enthusiasm, and in local officials as well. For more details, see "A specific story" section below.

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*

Result: As discussed above, the system for decentralized management of land disputes has been established as a pilot, thus achieving Outcome 1 above. Five field offices, operating in previously-identified “hotspot” districts for land disputes, have opened and are taking cases, as well as training local officials and community members in mediation, and undertaking continuous outreach and education activities. As of 30 June, 148 cases had been taken by the LCCs and 17 had been solved. Approximately 20-25 persons a week visit each LCC, either to discuss a case or to make queries about land issues. A total 273 dispute resolvers have been trained (209 men and 64 women).

Output 3: Land dispute resolution system institutionalized through legal and policy reforms

Result: As discussed above, the work of the pilot offices will be a key input to the development of policy and legal reforms. Therefore, this output has 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. In addition, each local LCC has convened a county-level Land Dispute Resolution Taskforce, both to increase coordination regarding handling of land disputes, but also to help provide inputs into policy formation. Each county has had at least one local Taskforce meeting already.

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

Result: 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. Refresher outreach sessions were conducted in the counties as the Land Coordination Centres prepared to open. Each LCC also has developed its own education and outreach workplan, which it is implementing. LC and LCC staff report that the functions of the LCC are well known in the areas nearest to the LCCs and in the target districts, though less known in the more remote areas. Education and outreach officers are preparing radio and other outreach activities which will extend knowledge further.

Qualitative assessment:

The project establishing an alternative dispute resolution system for land disputes has been quite successful particularly given that the pilot offices have not been long in existence. The five LCCs have all, independently of each other, reported many of the same conclusions regarding their ability to address drivers of conflict. They report that they have been able to counsel disputants to avoid resorting to violence over land disputes. They have also all independently assessed that their work has achieved a great deal in terms of restoring relationships and reinforcing peaceful coexistence in non-homogenous pilot communities.

The work has proven, at least at this initial stage, to be efficient, reliable and cost-effective; parties maintain (or re-establish) a relationship once a dispute is settled; there is open communication which facilitates fair and timely resolution; and outcomes are mutually agreed and can be rather quick. Disputants in Liberia report that they far prefer mediated outcomes to judicial or arbitrated solutions, as the latter two end up with “winners” and “losers” and do not restore relationships. Particularly in the context of Liberian land disputes, where judicial evidence may be lacking, where parties may have close personal or familial relations, and where communities can be highly affected, peacebuilding and reconciliation are much more promoted by mediation than by judicial or arbitration action. (See Annex 1 for a story demonstrating this.) Community-level is particularly useful for the most vulnerable in Liberia (including, e.g., illiterate women), as it is much more accessible to the poor, the less educated, and those with limited mobility than courts in distant towns.

Some enterprising LCC staff have begun visiting the local courthouses each day, where people wait in queues for long hours to have their cases heard in court. When LCC staff explain their services to those people in the queues, they generate many new cases for themselves, proving the project's hypothesis that Liberians may prefer alternative dispute resolution over court solutions for many different reasons (including cost, time, transparency, and sustainability of solutions).

One very important achievement of the project is that it has proven possible to alter traditional land dispute resolution structures to include women and youth while preserving or even reinvigorating their authority. Mediation committees have been created by the LCCs which always include a traditional leader (either male or female) as well as women and youth representatives. Yet at the same time, by including traditional leaders, traditional structures--which the majority of Liberians prefer to turn to--have been strengthened after losing efficacy, respect, and even self-esteem during the period of conflict. (Traditional elders were often pushed aside during the topsy-turvy war years, when teenage soldiers with guns were at times the only effective authority.) So bolstering these structures, while enhancing their inclusiveness, has been a major success of the project. Also, an obvious side benefit of these restrengthened and inclusive structures is that they can use their mediation skills for other disputes besides land, thus adding to the overall peacemaking capacity in-country.

The Bong County LCC is also working with the first PBF-funded Justice and Security Hub, situated in Bong Country. The Hub has referred one case to the LCC, and the Hub is participating in the LCC-led Land Dispute Resolution Taskforce. Such synergies are important to maximizing the effect of PBF-funded interventions, and will continue as the other Hubs get underway.

The project has 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 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 LCCs—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. 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 Liberia has significant capacity in this regard, this will be a valuable contribution as the work progresses, enabling the partners to identify successes and failures, and replicate or address them.

The PBF funding also helped realize a goal supported by another UN-Habitat/Land Commission donor, SIDA, which was supporting a project to undertake a pilot Urban Land Inventory. The Land Inventory, which documents every building and its use in a given urban area, was expanded to include collection of data on land tenure and land disputes, with PBF funding. This additional activity was deemed by the Land Commission to be a helpful piece of research to develop further activities aimed at urban-specific land disputes, since the current work focuses on rural areas. The Inventory is expected to finish in October 2013.

The establishment of the dispute resolution system and the launching of the LCCs have also brought some unexpected further peace developments. First, the LCCs find themselves serving as watchdogs: citizens are asking them to monitoring dubious land transactions. Even though they have no mandate to stop those

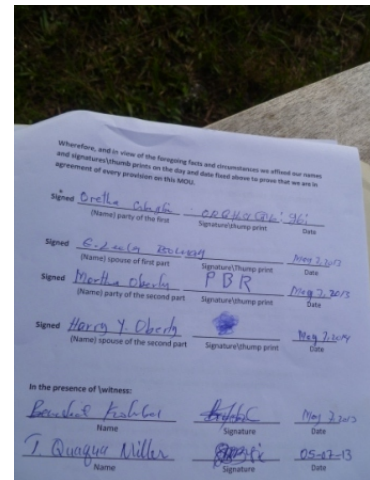
transactions now, their mere presence has given citizens a place to bring complaints and, it is hoped, their presence will possibly deter some of the most flagrant violations of land law.

In addition, the knowledge that the Liberian Land Commission has developed a land dispute resolution system 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, then, the programme has had another catalytic effect. 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 in December 2012 negotiated the first-ever forestry concession agreement signed by the affected community and the foreign investor. Two others have since been signed with Land Commission facilitation. These activities are being documented as best practices for the future.

In sum, key aims of the LPP, the project and indeed of PBF funding in general—addressing drivers of conflict, unleashing new peace initiatives, and catalyzing other donors—have been successfully achieved.



A local community mediator (centre) facilitating a mediation session between two disputants Salala District, Bong County, July 2013



A Memorandum of Understanding signed by both disputants and LCC staff formalizing the mediated agreement Salayea District, Lofa County, May 2013

ii) Indicator Based Performance Assessment:

Using the **Programme Results Framework from the Project Document / AWP**s - provide details of the achievement of indicators at both the output and outcome level in the table below. Where it has not been possible to collect data on indicators, clear explanation should be given explaining why.

	<u>Achieved</u> Indicator Targets (Cumulative over funding period)	Reasons for Variance with Planned Target (if any)	Source of Verification
<p>Outcome 1⁹ Establishment of a system for alternative land disputes resolution, increasing tenure security, addressing land grievances and strengthening capacity for peaceful conflict mitigation, social cohesion and national identity building</p> <p>Indicator: # of land disputes resolved without violence through the system Baseline: 0 Planned Target: not specified in prodoc</p>	<p>17 land disputes resolved via the system without violence</p>	<p>Slower than anticipated establishment of pilot offices due both to political tensions around Liberian elections in 2011, and administrative delays in 2012, resulted in slower than anticipated achievement of project goals.</p>	<p>Land Commission reporting; UN-Habitat on-site verification</p>
<p>Output 1.1 System for decentralized management of land disputes resolution is established</p> <p>Indicator 1.1.1 System established and operational in 2012 Baseline: 0 pilot counties in 2011 Planned Target: up to 5 pilot counties by 2012</p>	<p>System is established and operational. All five targeted pilot counties have offices up and running.</p>	<p>Pilot offices were slow to be established due to abovementioned delays. The first pilot office was ready to take cases only in Dec 2012, 3 others in early 2013; the last in July 2013</p>	<p>Land Commission reporting; UN-Habitat on-site verification</p>
<p>Output 1.2 System addresses land disputes in pilot counties preventing conflict escalation</p> <p>Indicator 1.2.1 # of people that refer to the centres to learn about land rights or address a</p>	<p>LCCs have not been collecting data</p>		<p>Land Commission reporting</p>

⁹ Note: Outcomes, outputs, indicators and targets should be as outlines in the Project Document/Priority Plan or PMP specific so that you report on your **actual cumulative achievements against planned targets**. Add rows as required for Outcome 2, 3 etc.

<p>grievance Baseline: 0 Planned Target: not specified in prodoc</p> <p>Indicator 1.2.2 # of land disputes solved through the system out of a total identified Baseline: 0 Planned Target: not specified in prodoc</p>	<p>on this particular statistic systematically; rough estimates are that an average of 20-25 people per week visit each LCC to get information or discuss a grievance. A total of 148 land dispute cases were received by the LCCs by 30 June.</p>		
	<p>147 cases have been referred to the system; 17 have been solved.</p>		<p>Land Commission reporting; UN-Habitat verification</p>
<p>Output 1.3 Land dispute resolution system institutionalized through legal and policy reforms Indicator 1.3.1 Policy for upscaling the system is formulated; Mediation law presented Baseline: No policy or law exists Planned Target: policy by 2012, law by 2013</p>	<p>-A land disputes policy coordination body has been established and a small working group has started work on actual policy drafting. -A Task Team has been formed with the Ministry of Justice to work on an overall mediation/alternative dispute resolution policy for Liberia, which will lead to an ADR law.</p>	<p>-Because of the slow start to the pilot offices, data has not been forthcoming upon which to base a policy. -Ministry of Justice is in the lead and has been slow in initiating this activity. Work is expected to begin in the second half of 2013.</p>	<p>UN-Habitat direct participation</p>
<p>Output 1.4 Awareness on land rights, regulations and options for peaceful resolution of land disputes increased Indicator 1.4.1 # of partner organizations' members (men, women, youth) trained and actively participating in the system Baseline: 0 Planned Target: not specified in prodoc</p>	<p>273 dispute resolvers trained (209 men and 64 women)</p>		<p>Partner M&E (USAID); UN-Habitat direct participation</p>

iii) Evaluation, Best Practices and Lessons Learned

As the substantive activities of the pilot offices only began in late 2012, it was not felt that by June 2013 there was enough data and experience to warrant a final external evaluation. Such an evaluation is planned at the end of 2013.

Instead, the Land Commission undertook its own internal evaluation in August 2013, assessing the challenges, successes, mistakes and lessons learned from the initial work of the pilot offices. A final version was not available for annexation to this report, but the key findings have been incorporated into the “Qualitative Assessment” section above and the “Key lessons learned and best practices” section below.

The implementation of the county pilot LCC offices was delayed for political, capacity, logistical and administrative reasons. 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. The project document identified 2011 elections in Liberia as one key risk for delay to implementation of county activities. That risk did come about and did delay the start of county work, necessitating an extension of the project deadline. The project document also identified timely processing of the Agreement of Cooperation between UN-Habitat and the Land Commission as a key challenge, and unfortunately that processing did see a certain delay which also delayed implementation. A further unanticipated delay was in identifying appropriate premises and undertaking needed refurbishments.

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. The no-cost extension granted from November 2012 to June 2013 allowed the implementation of three of the four outputs as the project as originally intended. The fourth output, development of a land disputes resolution policy, depends on data from the now-established pilot system, which is currently being collected. Policy development is expected to begin in August/September 2013, with refinements as more data is collected and consultations undertaken.

One clear lesson learned with the project has been a lack of initial indicators against which to measure the success of the project. While it is widely acknowledged that there are a lot of land disputes,¹⁰ and that many of them turn violent or risk doing so, the project lacked standardized and targeted data collection in the pilot areas to create a baseline, in its rush to set up offices and get working. Gender disaggregation of data has also been not implemented from the beginning. There has also been a lack of a clear baseline against which to measure outreach/awareness penetration. The fact that LCC offices are receiving a lot of visitors must indicate that the services are needed and useful, but it is unfortunate that there was no baseline before the existence of the LCCs.

The project also did not succeed in its initial methodology for identifying community mediator trainees. The first few batch of trainees tended to be people handpicked by local leaders, not necessarily people with the standing in the community or the talent/skill/motivation to mediate disputes. The first few trainings did not result in many cases coming to the LCC in question. Later on, assessments were added in at the beginning of the LCC’s inception workplan in order to ensure the attendance of correct trainees. This allowed the LCCs to train the real key actors in the communities, including those who were truly capable and willing to mediate disputes. Once the selection methodology was revised, the number of cases being reported to the LCC notably increased.

¹⁰ The Land Commission did commission an inventory of land disputes in three counties (Montserrado, Margibi and Bomi), which revealed 1,627 cases were on the dockets between January 2008 and July 2009; a separate 2010 study reported that 20% of Liberians surveyed were involved in a land dispute.

The initial trainings also did not include local authorities, which negatively affected their perception of and willingness to cooperate with LCCs. Thus the LCCs at their inception had to deal with negative or hostile reactions from local authorities, who did not understand or felt threatened by what the LCCs were doing. Some local authorities had also benefited monetarily from solving disputes (fees or fines or bribes). Including the authorities in trainings and outreach events, as well as private discussions, helped to solve this problem and win supporters for the LCCs' methods. Including the local authorities in the local Land Dispute Resolution Taskforces set up by each LCC also helped promote ownership of the land dispute work.

Another best practice has been to ensure the presence of eminent persons in the community to witness the signing of agreements at the end of successful mediations. Closure ceremonies with such witnesses seem to have a beneficial effect on impact on compliance/sustainability. LCCs will in future work to identify such persons, and train and mentor them to ensure their support and participation.

Motivation has proven to be another issue. LCCs have all noted that it will be difficult to ensure continued motivation of community mediation practitioners, who may invest considerable time in a case, and perhaps have to travel considerable distances, without any compensation. The loss of community mediators due to lack of motivation is a real risk that needs to be addressed in future programmes, probably with the provision of at least small incentives.

Also, operating costs of LCCs have been much higher than predicted. Travel time and transport costs have been considerably larger than budgeted, resulting in fewer cases taken and solved than would be possible with more motorbikes, more per diem money and more money for petrol. This shortfall also makes it impossible to expand beyond the two districts per county covered in the pilot. In addition, limited travel and operations budgets have also made it difficult for the five LCCs, which are dispersed over a wide geographic area, to come together to share experiences and learn from each other, which would have been particularly useful in the early months as they each struggled with similar challenges.

Administrative delays have also been a problem for the project. Delays in getting funding from UN-Habitat Nairobi to the LCC staff in the field (due to UN-Habitat internal delays, and also logistics of getting salaries to staff in remote areas) caused one set of LCC staff to quit en masse. UN-Habitat and the LC have endeavoured to ensure that such delays do not recur, but forward planning and ensuring a financial cushion in case of delays should be a priority in future.

Lastly, the two big-picture problems faced by the alternative dispute resolution system still remain to be addressed. The first is that there are no enforcement mechanisms to ensure that mediated solutions are followed. There is also no avenue for appeal beyond the ADR system at the moment.

This problem relates to the second problem, which is that there is currently no clear relationship between the ADR system and the judicial system. There is no formal referral system in either direction, and no recognition of ADR options under current laws. This is the issue that the project's third, incomplete outcome was designed to address: there is still a great need for both a land dispute resolution policy, and in conjunction with it, an overall alternative dispute resolution policy. Both of these need to be prepared in partnership with Liberia's judicial and legal actors, in order that the systems can work synergistically, rather than in silos as is currently the case.

A draft internal evaluation of the project prepared by the LC in August 2013 identified this as a major remaining challenge, and proposed some initial steps. A conference with the LC and legal and judicial actors on land and ADR is currently being prepared in conjunction with the Ministry of Justice, scheduled for

November 2013. In addition, USAID and the LC will sponsor a 3-day mediation training workshop for consensus building on ADR use by courts, particularly aimed at encouraging courts to refer cases to ADR mechanisms like the LCCs. However, it is recognized by UN-Habitat, the LC and all actors that the overall solution must be policy development with partners and stakeholders, and this is still planned for 2013-2014.

iv) A Specific Story

Conflict dynamics being addressed: *Describe the specific problem or challenge faced by the subject of your story*

Mr. Edward Yarkpawolo, who is the District Commissioner of Jorquelleh (1) District, Bong County, was sometimes asked by his constituents to solve land conflicts in their communities. But he had no knowledge of mediation techniques, and as a result either sent the cases to court or solved all the disputes by his own decision, levying fines on the losing party.

He was aware that land disputes were one of the major causes of conflict in his area, but because of lack of knowledge of any other way to approach the issue, he just did what he knew how to do, and what he thought his job as a government official should be (i.e. making unilateral decisions for a quick resolution of the problem). He was also aware that such decisions did not always last, and that many community members did not come to him for dispute resolution; he knew that despite his efforts, many conflicts continued to flare up.

Project Interventions: *Describe the Project interventions that were undertaken to respond to this problem. What was the intended 'change' at which level? Be as detailed as possible*

The establishment of the Land Coordination Centres was based on the recognition that many land disputes in Liberia do not lend themselves to third-party decisionmaking, either by courts or by Government authorities such as District Commissioner Yarkpawolo. Many cases involve families or close community members; decisions made by outsiders risk breaking relationships and sowing seeds of future disputes rather than promoting social cohesion.

In addition, many disputes do not even come to local officials' offices or to court, as local people have been reluctant to use government or judicial institutions that were based on a system different from their own traditional ways of dealing with problems. This is a legacy of Liberia's nationmaking story, in which freed slaves from the US came and established a new nation on the shores of the country, often causing indigenous people to feel overlooked or displaced. Thus, Liberia's statutory legal system and the system of Government administration is seen by many indigenous communities as an imposition by "settler" or "Americo-Liberian" elites, alien to their traditional culture and systems. But because those traditional systems were eroded by the 1989-2003 civil war and its effects, communities with disputes have risked being left with nowhere satisfactory to turn. This has led to frustration and further conflict risks, such as long ongoing feuds between family branches and/or angry youth taking matters into their own hands, including turning to violence.

The establishment of an alternate dispute resolution system in Liberia was designed by UN-Habitat and the Liberia Land Commission to take into account the old traditional structures as well as the newer formal structures, and try to incorporate both into the provision of land dispute resolution services. Liberia's new PBF-funded Land Coordination Centres (LCCs) work with traditional authorities, with Government-appointed local officials, the judiciary, and also women and youth leaders to ensure an understanding of alternative dispute resolution mechanisms, and inclusiveness in dispute resolution. Local community members including women and youth, local leaders and officials are trained in mediation techniques, and the Land Coordination Centres undertake intensive outreach efforts to promote their services as a portal where

people can bring their disputes to find the dispute resolver best suited to their needs. The LCC staff also accompany mediators when they undertake mediation efforts, providing documentation services as well as technical assistance.

The change intended is that LCCs are encouraging community members to not let their disputes fester unsolved, nor to settle for a third-party decision which might not solve the problem in the long term. Instead, the LCCs can be utilised to help people learn their rights, to learn about various dispute resolution options, and to take advantage of mediation if they so desire, particularly before a dispute becomes violent. Data, best practices and lessons learned collected from the LCCs will also help the Liberia Land Commission design a national land dispute resolution policy.

Result: Describe the *change* that occurred as a result of the project interventions. For example, how did relationships between previously conflicting groups change? How have the drivers and key causes of conflict been addressed?



District Commissioner Yarkpawolo has completely changed his professional approach to dealing with land conflicts since the Bong County LCC started working with him and after having been trained in mediation.

He reported that helping conflicting groups solve their problems more amicably and sustainably, and going away from adjudicative, win/lose solutions has led to considerably more success. His services are now much more in demand. He sees that mediated solutions have helped change the relationship between parties after the dispute was resolved. He recognized that third-party directive solutions (whether his own arbitration or court-ordered solutions) tended to result in a feeling that one party has won and one has lost. Lingering resentments on the part of the “loser” made decisions harder to implement and make solutions more prone to fail, risking a relapse into conflict.

By contrast, in a good mediated solution, both sides feel that they have compromised, and both sides see that the other side has as well. When both feel that they have won a little and lost a little, the solution seems fairer, the parties are overall happier with the outcome, and the solutions tend to be more lasting. Community involvement in reinforcing the decision is also seen to be more robust in a mediated solution. “People like mediation better,” District Commissioner Yarkwopolo said. “It is more participatory, more by people’s will. With arbitration, not everybody was satisfied.” In addition, mediation can be particularly useful in an early stage of a dispute, before a dispute becomes violent. “With mediation, it is easy to nip conflict in the bud,” he noted. These sentiments are seen not only in Bong County but reported by all four of the other pilot LCCs in other areas.

The LCCs also have noted that the mediation method is seen in many communities as a reversion back to, and restrengthening of, the more traditional, community-driven solutions which emphasize social harmony, which had been damaged during years of civil war--as opposed to the statutory legal system which in many

indigenous communities still feels like an imposition from an elite, even alien culture. The return to holding traditional reconciliation ceremonies in the community (such as both parties eating ceremonial kola nut to “seal the deal”) is felt to enforce community ties and cohesiveness much more than a formal judgment issued by a court, from a possibly remote area. “The presence of the LCC has restored hope to lots of people because it has created an alternative means of finding an amicable solution to the growing land conflict rather than the formal court system that is time-consuming, costly and most often creates perpetual bad feeling among the contending parties,” reported the Bong LCC Coordinator, Ms. Henrietta Sumo.

Another LCC director noted that youth are the ones who perpetrate violence related to land conflicts. Victims in land conflicts are often women, who may be mothers of youth inclined to violence in defence of their mothers’ rights when their mothers seem powerless. By involving both women and youth in local mediation committees, and by designing specifically targeted outreach on the work of the LCCs, incidents of violence have dropped, as confirmed by local police authorities.

In addition, besides the social benefit of mediated solutions, the new system eliminates the fines previously levied by the administrator or court judgments; the services of the LCC and mediators are free. Time may be saved as well as money; community mediation is generally much faster than the courts, such as in one case in Lofa, which had been pending for four years in court without a resolution. The parties referred the case to the LCC, where it was solved in a matter of a few months. Thus the mediation solution is not only socially beneficial but allows for conservation of scarce economic resources in poor communities. “Mediation can be faster than arbitration, because people don’t have to save up a long time for the money [for fees or fines],” explained District Commissioner Yarkwopolo.

The LCC pilots have showed that the new dispute resolution system can be embedded in the existing structures, both traditional and statutory. A change of mindset in officials like District Commissioner Yarkwopolo has been critical, as if they saw the LCCs as competing with them or infringing on their mandate, the system was unlikely to work.

The increase in parties asking for mediation (both from LCCs and from local officials or community leaders directly) is proof of the success of the system. The MP for the area has called District Commissioner Yarkwopolo from Monrovia to say he has heard about the work he is doing and to commend him. In Lofa County, one City Mayor’s only recommendation for improvement of the LCC system was for the LCC to handle even more cases. “I resolve more cases than before, and more people come to me for help,” said District Commissioner Yarkwopolo, adding that people from every community in his district have come to ask for mediation services. “Others come to me after I solve their friend’s problem,” he noted.

Lessons Learned: *What did you (and/or other partners) learn from this situation that has helped inform and/or improve Programme (or other) interventions?*

The downside of the success of the mediation approach so far is that local officials and community mediators are busier than ever, yet the LCCs provide no extra money or incentives to fund mediation work. This can particularly be a problem when officials or community mediators have to travel to remote areas. Officials also lose money from the fees and fines they used to levy. In District Commissioner Yarkwopolo’s case, he says he does not mind. “Yes, I have lost money, and my work takes longer,” he says. “But my job is to bring peace to people.”

However, most officials or community mediators are not as willing to put in long hours and travel long distances for free. Future programme interventions should 1) include the Liberia Land Commission working more closely with the Ministry of Internal Affairs (which oversees local officials) to ensure adequate

compensation for local officials doing this work; and 2) small incentives should be built into the next project to keep motivation up for unpaid community mediators.

All five pilot LCCs reported that sensitizing local officials to the LCC and its work, to allay fears of competition and to promote coordination, was one of the most important start-up tasks. This approach takes time but pays big dividends, such as finding champions of mediation such as District Commissioner Yarkwopolo. Another lesson learned for the future is that the development of a land dispute resolution policy must take into account the roles of all actors, including traditional leaders and local officials, and ensure that both customary and statutory systems have a place in the policy. Only then can Liberia ensure that a system of alternative dispute resolution for land conflicts will be useful and accessible to all of its citizens.

ANNEX 1

Story of a successfully mediated case in Lofa County, published on the UN-PBF website, the Liberia Land Commission website, and in the Liberia Observer newspaper in August 2013

Meet Martha Oberly.



Martha Oberly, in her shop in Salayea

Martha, 52, resides in the market town of Salayea, in Lofa County, Liberia. She runs a small grain and flour shop on a piece of land she owns on the main street.

Several years back, a “stranger” (non-community member) named Amadou Dialo moved to town. He became romantically involved with one of Martha’s relatives, and made an impression on Martha as a good businessman and potential neighbor. After several discussions, Martha agreed to allow Amadou to build a shop on her land, in a prime commercial location, next door to her own shop. She says they talked about how long she would let him stay there, but believes the discussions had not been concluded. Meanwhile, Amadou commenced building his shop, ending up with a sturdy bright blue building. He ended his relationship with Martha’s relative during the construction, but he and his new girlfriend worked in the completed shop selling drinks and snacks.

In mid-2011, Amadou passed away suddenly. Martha says the discussion regarding his tenancy on her land had not been concluded at the time of his death, although he was not paying rent at the time. However, Amadou’s girlfriend, Oretha Gbehgbeh, 26, tells a different story. She believed that Martha and Amadou had a clear agreement that Martha would let Amadou use the land rent-free for 25 years, and that she, as Amadou’s effective wife and heir, should be able to stay in the shop. (Oretha and Amadou had lived together, and many considered them married, even if not formally.) Martha disputed this, and demanded that Oretha get out of the shop and off the land.

The dispute escalated; the two disputants stopped speaking to each other. Martha took the case to the local district commissioner and the local court, but they were unable to solve the case to the satisfaction of both disputants because of lack of written records. As is common in Liberia, there is no legal record of Oretha’s status as Amadou’s heir; of any agreement between Martha and Amadou; or of Martha’s title to the land (though the entire community agrees that the land belongs to her).

The local magistrate had, however, been trained by the Liberia Land Commission’s new Land Coordination Centre (LCC) in Lofa County in land dispute mediation. He was aware that Oretha and Martha are both well-known townspeople, and that this bitter disagreement between next-door businesspeople was affecting the

community. He thus recognized this case as one better suited to mediation than to judicial processes, and referred the case to the Land Coordination Centre. LCC staff spent three months working on the case. They did background investigations, interviewed the disputants, neighbours and local elders, and finally convinced the disputants to allow their case to be mediated by the local elders.

After lengthy discussions, the elders supported by LCC staff assisted the disputants to find a solution that was acceptable to both parties. Oretha wanted to stay in the house for three years, and Martha initially only agreed to one. Finally the mediation process arrived at a satisfactory compromise: Oretha would retain the shop rent-free for 18 months, with a promise to return it to Martha in good condition at the end and a promise to make no more palava (dispute) over the premises or the land.

In June 2013, LCC staff prepared a written Memorandum of Understanding for the signatures of both parties, witnessed by the elders and LCC case intake officer, listing the undertakings of both parties. Each party keeps a copy and the LCC keeps a copy on file. The LCC will check up from time to time to ensure the agreement is being honoured.

The elders and the LCC feel the solution is good because it ends the community unpleasantness, and it respects the effort and time Amadou and his girlfriend put into building the shop. In addition, the elders believe that the compromise will keep Amadou's spirit from being angry or vengeful at Martha or at the community. Oretha feels the solution is good as it gives her a return on the investment she and Amadou had made, and recognises her rights as the effective widow of Amadou.

Martha feels the solution is good because it brings peace to her neighbourhood. "By myself, I would have said no" to the compromise, she said. "But the elders did not force it on me. They suggested it. From my heart, I am satisfied with the solution. The land palava is solved forever."



Oretha and Amadou's shop

Excerpt of signed MoU:

I, Oretha Gbehgbeh, party of the first part, do hereby commit myself as follows: that I will turn over the house we built on Martha Oberly's land by November 30, 2014. That I will turn over the house in living condition. That I will not build any other house on the land. That after signing this agreement I will not make palava for Martha Oberly again for this land/house.

I, Martha Oberly, party of the second part, do hereby commit myself as follows: To allow Oretha Gbehgbeh to live in the house/shop built on my land for one and a half years, beginning May 1, 2013 to November 30, 2014. That while/during this period the house belongs to Oretha Gbehgbeh. That Oretha will not pay rent for the property during this time. That after signing this agreement, I will not make palava with Oretha for this house/land business.