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**LIBERIA PEACE BUILDING FUND “Support to the establishment and initial functioning of the Land Commission**

**Final REPORT, 15 JANUARY 2011**

1. **Project information**

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| **Recipient UN Organization:** | UN-HABITAT | | **PBF Priority Area:** | | Priority Area 3: Strengthening State Capacity for Peace Consolidation |
| **Implementing Partner(s):** | Main Implementing Partner: Land Commission.  Additional partners: Governance Commission, Ministries of Lands, Mines and Energy, Internal Affairs, Planning and Economic Affairs, Gender and Development, Agriculture, Justice and Forestry Development Agency, Environmental Protection Agency, UNMIL, LISGIS, the Judiciary, and University of Liberia, NRC. | | | | |
| **Project Number:** | C 248 XB-LIR-09-X01 2009 QXB-2030-C 248-2833 | | | | |
| **Project Title:** | **Support to Establishment and Initial Functioning of the Land Commission/Liberia** | | | | |
| **Total Approved Project Budget** | **US$750,000.00** (Seven hundred and fifty thousand United States Dollars) PBF | | | | |
| **Funds Disbursed:** | US$750,000 | | | | |
| **SC Approval Date:** | January, 2009 | | | | |
| **Project Duration:** | 22 months | **Revised end date:** | | 31 December 2010 | |

1. **Purpose**

The project ‘Support to the establishment and initial functioning of the Land Commission’ project is intended to provide support for the establishment of a Land Commission. The Government of Liberia in its effort to address the urgent need for major land reform has articulated in its Poverty Reduction Strategy (PRS), where the establishment of a Land Commission is indicated as an essential initial intervention. The Governance Commission, as part of its overall governance reform agenda, has undertaken activities in support of the establishment of a Land Commission. This has been done through consultation with all relevant stakeholders, including rural and urban communities, and in close coordination with relevant ministries and agencies and others involved in land matters. This request to the PBF for support to the establishment of the Land Commission (LC) is being requested for by UN-HABITAT in partnership with the Governance Commission. UN-HABITAT has been working closely with the Governance Commission in undertaken a number of activities in support of the establishment of the LC.

The purpose of the project is to make the Land Commission (LC) operational and known to the public as a peace building instrument of trust, competence and integrity, within a broader institutional framework for improved land governance.

Immediate Objectives are four-fold: (i) strengthen capacity of the LC including its Technical Secretariat, (ii) increase public awareness aimed at improving understanding of the LC and land issues in Liberia, (iii) enhance LC’s capacity for analyzing, monitoring and evaluating land-related activities and land sector coordination between relevant ministries and agencies and other stakeholders, (iv) enhance the capacity of the LC to develop short and long term land administrative and management procedures, policies, programs, and laws as part of a long term land reform program.

# Resources

*Financial Resources:*

The United Peace Fund (PBF) was the main contributor to the project with a total of seven hundred fifty thousand United States dollars, ($750,000.00). UN-HABITAT allocated for the project Seventy-Five Thousand United States Dollars (75,000USD), FAO intended to contribute with Twelve Thousand United States Dollars, and the Government of Liberia Two Hundred Eighty-Three Thousand United States Dollars (283,000USD). At the end of the project only the contributions from the Peace-Building Fund, UN-HABITAT and partially the Government had come through. There was a four months no-cost- extension due to the delay in establishing the Land Commission. The fund was managed by UN-HABITAT, Liberia Office in partnership with the Liberia Land Commission.

*Human Resources:*

UN-HABITAT recruited and deployed an International Technical Advisor sitting in the Land Commission Offices. The funding to hire the national technical staff was passed through an Agreement of Cooperation to by the Land Commission to preserve national ownership.

# Summary of Achievements

* The Commission was established in 2008 and became fully operational in early 2009.
* The Land Commission has a Secretariat composed by qualified national technical experts.
* On-going program for capacity building (both on technical and organizational topics) were provided in collaboration with other partners for the Commissioners and the technical secretariat staff.
* Local level consultations were carried out in all the counties with extensive media coverage, bi-weekly up-dates on the activities of the Commission are distributed through the news-papers and the Land Commission web-site has been designed and is operational.
* The first national urban conference has been held in September 2010 to open, for the first time in Liberia, a dialogue on urban land issues
* The Land Commission has with the support of the project convened a Land disputes resolution Task Force that is taking the lead in alternative land disputes resolution in the country
* A Land partners group, chaired by UN-HABITAT and USAID, has been established and is meeting on regular basis to better coordinate the efforts in the land sector. The group includes among others the EU, WB, SIDA, NRC, and MCC.

1. **Key out-comes:**

* Land Commission has been established as the Government body in charge of identifying reforms for the land sector in Liberia;
* Increased public awareness and understanding of the Land Commission;
* Improved land sector information and coordination;
* Strengthened Land Commission capacity to address critical land issues;
* Increased resources for land issues mobilized within a 3-5 year holistic framework;
* Strengthened capacity for identification, documentation, and provision of referral services for land disputes;
* Increased capacity for Alternative Dispute Resolution and conflict prevention; identification and management of priority land; planning for a nation-wide programme for land-dispute resolution;
* Selected public land sales reviewed using transparent procedures and criteria;
* Mechanisms to support the recognition and protection of individual and community land rights identified;
* Support to a systematic inventory and assessment of concessions.

1. **Qualitative achievements against expected results**

This intervention has supported the establishment and initial functioning of the Land Commission by implementing a series of conflict-mitigation and institution-building activities that make a direct contribution to the peace building process yet are part of a long term land reform programme. This project was designed in a flexible way to provide the Land Commission the needed support to start functioning quickly after its establishment (even with a limited Government budget support) and be able to respond to emerging needs. The funding and technical support provided under the project supported the Land Commission in achieving these objectives and, after less than one year from its official launch, the Land Commission is taken in Liberia as an example of efficiency and good management.

1. **Overview of out-puts and achievements**

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| **Outputs:** | **Achievements:** |
| 1.Land Commission established and operational | * 1. The Land Commission was established by Act of the Legislature, enacted into law in August 2009. The President nominated the seven members of the Commission in October, 2009. Dr. Cecil T.O. Brandy is the Chair and Mr. Walter Wisner Co-Chair.   The Technical Secretariat has been staffed and is supporting the work of the Commission. UN-HABITAT has employed a Technical Advisor for the project whose office is inside the Commission.  Office space has been identified and the substantial renovation undertaken, equipment and supplies as per the project document have been procured. The office is fully operational.  A detailed Workplan has been developed for 2010 and the one for 2011 is under development.   * 1. Briefing and trainings organized by the Land Commission and its partners included: one Induction training for commissioners and secretariat in November 2009; ten half-a-day sessions on specific topics with national and international experts; and one retreat to finalize the consultations reports and prepare guidelines for future consultations.   2. The Commission has identified six programme areas and assigned one to each of the Commissioners. One 2-days retreat 25-26 March was held to clarify roles and responsibilities, staffing needs, develop a detailed work plan for 2010 and revise the 5 years work plan. The Commission is acting as a catalyst for the land sector, identifying needs, developing projects, and channelling the funds to other institutions in the Government that deal with land (MLME, MIA, Archives, etc.).   The Land Commission has equally mobilized to reach international partners with advocacy and awareness raising, involve them in its activities and ensure coordination in land sector interventions. Several presentations and meetings were held during 2010 with the Land Partners Group, the HAC, the UNCT, PBF and PBC and individual donors. A Donors round table is planned for first quarter 2011.  The Commission held several retreats including: induction training for commissioners and secretariat in November 2009; a 2-days retreat 25-26 March to clarify roles and responsibilities, staffing needs and start developing a detailed work plan for 2010; ten half-a-day sessions on specific topics with national and international experts; a 1-day retreat on 5 May 2010 to finalize the consultations reports and prepare guidelines for future consultations. Six out of seven Commissioners accompanied by Technical Officers or consultants have participated in training events both in Liberia and abroad. |
| 2. Increased public awareness and understanding of the LC | * 1. The Commission was launched officially by the Vice President during a public ceremony on March 11 2010. The media strategy has been developed by the Information and Communication Technical Officer with the Commissioner in charge of Communication, Education and Awareness.   2. The Commission has carried out 15 1-day county consultations. All the Commissioners have travelled to the counties where they have oversight responsibilities and met with local authorities and civil society representatives. The objectives of the first round of consultations were to expose the Commissioners to the reality of land issues in the specific counties and give them an opportunity to introduce themselves and clarify the role of the Land Commission. A report was finalized shortly after and is being published for dissemination.   3. Key stakeholders groups have been identified for the different issues prioritized by the Land Commission. For the Public Land Sales policy and law review, the Land Commission is chairing a Committee formed by line ministries, Civil Society, and specialized agencies of the Government.   For the work on disputes, the Land Dispute Resolution Task Force has organized under the supervision of the Land Commission a series of Workshops targeting specific groups including women, youth, traditional leaders and statutory authorities.  The Communication strategy identifies information needs for different target groups and adapts the messages based on these assessed needs.   * 1. One of the commissioners has been appointed to be in charge of the public awareness tasks of the LC. A strategy for communication and outreach has been developed and a big media campaign was started with the official Launch and has been developed ever since. The campaign has taken place at both national and county level through the news-papers and the radios. Besides guaranteeing wide exposure for the Commission through interviews and public appearances, the Secretariat has produced material for dissemination including a short version of the ‘Act Establishing the Land Commission’, a brochure on the Commission, press releases on the mandate and role of the Commission, etc. Both Technical Officers and Commissioners have visited repeatedly the counties. To date The Commission has accumulated more than 75 appearances on local and national radios, more than 40 articles on national and international press and has develop a plan to keep the public informed on its activities with regular appearances. |
| 3. Improved land sector information and coordination | * 1. The Land Commission has identified jointly with national and international partners stakeholders involved in different departments of the land sector. Based on its assessment it has created several platforms for discussion on specific issues (land disputes, public land sales, boundary harmonization, urban) and is working in strong partnership with all relevant national stakeholders.      * 1. A local donor land sector coordination group (Land Partners Group) has been convened. The group, Chaired by UN-HABITAT and USAID include among its members UNDP, SIDA, MCC, WB, NRC. Meetings are held on monthly basis, Terms of Reference and a matrix of the various donor interventions in the land sector have been produced. This Committee has met with the Chair of the Commission with the objective to apprise him of its actions and concerns and to obtain from the Chairman a progress report on the Commissions activities as well as his views about the Coordination Committees role in the land sector. In a second meeting the Commission presented to the partners a detailed work plan for 2010. It was agreed that meetings between the Partners and the Commission will take place periodically to evaluate progress, assess needs and improve coordination.   2. Monitoring and evaluation has been done in strong collaboration with all Land Partners Groups. The Commission has produced and published a financial report for 2009-2010 and a narrative report on activities for 2010. MCC and the WB are collaborating with the Land Commission to develop land sector M&E tools while the data-base collection is on-going in all program areas. Quarterly reports have been presented to PBF. |
| 4. Strengthened LC capacity to address critical land issues | * 1. Technical support has been provided to the Land Commission for the development of guidelines for the vetting of Public Land Sales. Based on this work the deeds identified by the President have already been vetted while interim procedures for public land sales have been developed and should become effective during the first quarter of 2011. The interim measures will remain in place while a new policy and draft law are developed.   2. The work on concessions is on-going. A national consultant has been hired to produce an initial assessment that will serve as a basis for a WS to convene a Task Force on concessions to be Chaired by the Land Commission. The WS, to be held in February 2011, will be funded by other partners who have an interest in engaging with this issue.   3. The Judiciary and the Ministry of Justice have been engaged in the work of the Land Disputes Resolution Task Force and consultations are on-going to devise the best option for harmonizing the gap between formal justice and alternative disputes resolution for land cases.   4. The identified priority areas included: urban and peri-urban land issues; land disputes and boundary harmonization. Out of each assessment several Land Commission activities were developed. * Urban and peri-urban land issues in Liberia: the study was carried out by an international consultant that participated as well in the induction training for the Commissioners; based on the study the Land Commission held a 2-days National Urban Conference in October 2010. The Conference was opened by the President and saw the participation of more than 100 mayors and other administrators, civil society organizations, and private sector representatives. The recommendations form the Conference are the basis for the urban component of the Land Commission work plan. * Land disputes: the Land Commission created a Land Disputes Task Force including all the stakeholders involved with land disputes resolution in Liberia. The task force has held four workshops with target groups (women, youth, traditional leaders and statutory authority) and developed with them guidelines for setting-up a system for alternative land disputes resolution. The Land Commission is now trying to mobilize funding to support the system. * Boundary Harmonization: the Land Commission is a member of the inter-ministerial committee for county Boundary Harmonization process. The process aims at settling disputes between counties which has to be finalized in order to determine constituencies for the elections. Responsibilities for resolving the disputes were divided among the different members of the Committee. With the Land Commission support and contribution 2 of the eight out-standing conflicts were resolved. |

1. **Challenges:**

There was an initial delay in starting activities (funding was available since March 2009, but activities started only in November 2009) due to the fact that the Legislature signed off on the Act establishing the Commission only in August 2009 and the Commissioners were only appointed in September the same year.

The short life-span of the Commission and the fact that land conflicts are in wide-spread in Liberia and one of the main sources of violent conflict put a lot of pressure on the Commission, allowing it little time for initial planning and forcing it to immediately get involved with activities and show results. The Land Commission represents the first formal attempt of a Government in Liberia to tackle land issues in a holistic way. It is a first of the kind immediately generated high expectations from the public. The main challenge in terms of information and awareness-raising was to explain that the Land Commission did not have adjudication power.

A Government contribution and an FAO contribution were foreseen in the original project document for both staff salaries and activities. Due to the limited budget provided by the Government the contribution for staff never came through provoking an over-expenditure on the International Technical Advisor salary of about 60.000USD which had to be funded by UN-HABITAT.

Lastly, the project struggled in its first months to identify the right mechanisms to allow the Commission implement and manage directly the activities.

1. **Lessons learned:**

* Even if the project started six months later than planned, the delay did not impact the out-comes. Thanks to the time and effort invested in the planning, as soon as the Commissioners were appointed activities started immediately.
* From the design of this project to every step of the implementation the Land Commission has been driving the process. An open dialogue and direct interaction with the TA has allowed the project to respond to and accommodate emerging requests.
* The presence on the ground of an international technical advisor helps overcome all difficulties related to the building of a new partnership while providing institutional and technical support on continuous basis.
* Had UN-HABITAT not been able to fund the TA post when the PBF funding run out, the project would not have been completed. Technical Advise must be prioritized in projects that entail a direct partnership with Government organizations and institution building.
* The support provided under the project for technical secretariat staff allowed the Commission to hire highly respected professionals who were able to drive the technical and normative work and support field activities making it possible for the Commissioners to play a more political role.
* The strong partnerships built between UN-HABITAT and the Land Commission and its other partners has allowed for more efficient implementation of activities under the project and in the Land Sector.
* National ownership was increased based on the fact that activities such as the consultations or the National Urban Conference were organized and held by the Land Commission and not the Agency.
* The Memorandum of Understanding and subsequent Agreement of Cooperation have been a good tool to implement a project where national ownership was of prime importance. Through these arrangements, the Land Commission was directly implementing activities while taking advantage of the expertise of the Technical Advisor.

# Future Work Plan

The PBF project has helped the Land Commission get started and develop a work plan that identifies sectoral needs and work plans in the framework of the broader land sector reforms. The Land Partners group established under the project has allowed for much more frequent interaction and coordination among international partners and supported the Land Commission in its efforts to identify capacity, technical and operational needs of key actors in the land sector such as line ministries, government agencies and Civil Society. Based on this assessment the Land Commission has been able to guide and channel donors and partners interventions avoiding duplication and overlaps.

The project has acted as a catalyst and the Land Commission has secured support from SIDA Sweden for its technical capacity and its institutional needs picking up for the next three years some of the Technical Secretariat staff costs previously covered under PBF. This was of primary importance because the Land Commission needs to have sufficient capacity to maintain throughout its mandate this facilitation and coordination role in the land sector.

For the next PBF phase the Land Commission will then build on the work done to date on land disputes and focus its proposal on the peace-consolidation related objectives and more directly and exclusively on land disputes resolution which is considered to be one of the main sources of violent conflict. Keeping in mind the principles of sustainability, government driven initiatives and building on what already exists instead of creating artificial parallel institutions, the Land Commission will drive the process of development, piloting and institutionalization of an alternative land disputes resolution system for Liberia.