

# **A Peoples' Land Conference to Celebrate Land Reform Success and the Impact of the VGGT in Sierra Leone.**

**...putting people at the center of land governance...**



*Women receiving the Customary Land Rights Act*

Since it attained independence in 1961, Sierra Leone has undergone a long list of legal reform efforts. Many laws have been enacted and policies formulated, but the reforms that have taken place in the country's land governance sector have been dubbed "the century's novelty" by many.

Notably, several factors are the driving-forces for this remarkable change – leadership, collaboration and passion, are the three outstanding ones. Foremost, the Technical Working Group established for the implementation of the VGGT played a pivotal role from policy formulation to the passage of the Customary Land Rights and Land Commission Acts in August, 2022. This became possible under a record-breaking political will of the Honourable Minister of Lands, Housing

and Country Planning, Dr. Turad Senesie. The cooperation of the CSOs in the technical Working Group, the technical backstopping and financial support are the lubricants that oiled the moving train.

These new laws have brought a long list of remarkable changes that many people believe will help correct long-standing historical injustice against minority groups like women and other vulnerable groups. For instance, the Customary Land Rights Acts has abolished any form of discrimination against any citizen on the basis of gender, tribe, religion, ethnicity, marital status, social status or economic status. Women now have the same right as the male members of their families and communities to access, own, use and participate in land-negotiations

Given such importance of the laws to the customary people, and for the commemoration of the tenth anniversary of the VGGT, the Land for Life Initiative Sierra Leone, with funding support from GIZ through Welthungerhilfe under the VGGT+10 project, collaborated with members of the Sierra Leone VGGT-technical Working Group – FAO, Namati, Green Scenery, Transparency International, Sierra Leone Land Alliance and other CSOs mobilized 200 customary people for a two-day regional level “Peoples' Land Conference” in Makeni City on the 29th of May for the north and northwest regions and in Bo City on the 31<sup>st</sup> May, 2023, for the south and eastern regions of Sierra Leone.

Participants in these conferences were invited from chiefdoms, towns and villages across the country – making sure that every district was represented and nearly every category of stakeholder had a say in the discussions. Typical Sierra Leonean traditional dancing and singing resonated with the cultural outfit worn by some of the participants.



*Group photo of participants in Makeni*

The conference's main goal, according to Berns Komba Lebbbie, the National Coordinator for Land for Life Initiative Sierra Leone, was to showcase the policy stakeholders' commitment to people-centered land governance in Sierra Leone. This, he said, would be proven by making sure that the customary people were the first to receive first-hand information about the key contents of the enacted laws through a notable legal practitioner, Madam Eleanor Thompson, who also had placed a frontline role in the reform process. The symbolic handing-over of

*Berns Komba Lebbie on the purpose of the meeting*



the Customary Land Rights Act to the customary people was to create such a picture of the acclaimed commitment.

***“The government of Sierra Leone and development partners, including CSOs have ensured that the laws take the shape to respond to the policy recommendations that***

***you (the customary people) made during policy consultations. The Conference is part of an accountable governance process – for policy stakeholders to ‘konani’ (report back with feedback) that explains how much of your recommendations were taken onboard by the government into the laws” Berns Komba Lebbie***

The policy stakeholders from the VGGT-TWG were of the singular opinion that the laws were enacted from the people. Therefore, the conference was meant to facilitate mutual learning and experience sharing on customary land management and raise awareness of the various provisions of the laws that women and other community members can leverage to create the necessary changes in their lives and communities.

*“Additionally, we are commemorating the Voluntary Guidelines on Governance of Tenure of Land, Fisheries, and Forests in Sierra Leone's tenth anniversary” he mentioned.*

The first session of the event in Makeni was chaired by Joseph Rahall, Executive Director of Green Scenery, who is a member of the VGGT-Technical Working



*Mr. Joseph Rahall giving background of the law and CSO involvement*

Group. In his opening address, he reckoned with the statements of Berns. He expressed his reasonable satisfaction with the overall content of the laws, however clarifying that the laws would never meet the one hundred percent expectation of one group, thus, there was a need for compromise on some of the issues.

***“What looks to be a very beautiful land law in Sierra Leone today didn’t emerge as easily as was thought. From the consultation stage until the legislative stage, women were crucial to the reform process” Joseph Rahall***

Giving a rundown of the activities that led to the laws, Rahall narrated that after the VGGT was introduced in Sierra Leone in 2014 and launched in 2015, the process leading to the adoption of two laws became quite intriguing as discussions were mounted at various levels. A review of Sierra Leone’s National Land Policy (NLP), particularly the sixth version, was necessary at the moment as all players were willing to participate. With specific recommendations for the creation of a National Land Commission with the technical staff to implement a people-centered land administration in Sierra Leone, the 2015 NLP highlighted the necessity of protecting the customary land rights of rural Sierra Leoneans.

The Deputy Country Director for NAMATI, Madam Eleanor Thompson, rolled-played how the law would change the land right narrative – a process she described as the restoration of rights.

In her role-play, she called out two women from among the participants. One woman played the role of chief and another owner of a mobile phone. She then asked the mobile phone owner to give her phone to the chief for safekeeping and to collect it later. In the process of asking the chief for the mobile phone, the woman playing the role of the chief was asked to use her understanding of how chiefs deal with land issues to decide whether she would voluntarily give back the phone or not. Interestingly, there was a prolonged argument almost leading to denial. The woman playing the role of the chief at some point requested for the husband of the



*Lawyer Eleanor Thompson presenting key contents of the*

owner of the phone as the only guarantor before she would release the phone back to her. At another heightened level of emotions, the chief became angered and asked the owner of the phone to leave her house. There was a very loud reaction in the affirmation that such was always the case with many chiefs when women or vulnerable people want a piece of their family or community land for use.

Explaining the key contents of the laws, Madam Eleanor mentioned that the current land laws have made provision for the protection of women's interest in land acquisition. She urged women to take advantage of the major provision of the law, particularly the minimum 30% quota set aside for women in the chieftdom and village-area land committees. She also referenced the provision on the obligation on potential investors to first secure the free prior informed consent of land-owning families and communities before their land is taken for any investment. According to that section of the law, except a minimum of 60% of adult male and female members of a family or community have given their consent, a land cannot be taken for investment.

Conflicts over land have persisted over the years due to the lack of land title registration. In a situation where historic physical boundaries tagged to ecological features have been erased, moved off or distorted, there is a certain need for a digitized, web-based land-based mapping. According to the new laws, every land in the provinces would be registered and published on a digital database that anybody may easily access, and no negotiation can proceed for any piece

of land except that land is titled. Therefore, for the land mapping and titling process to be a success, Eleanor admonished community stakeholders to play a critical role in the community participatory mapping process and to assist their people to document their land rights.

Inwardly, these key provisions have been part of the several calls that CSOs have made for the government to adhere to. The challenge with poor land

documentation does not only affect customary land. There is a general understanding that the serious land corruption, particularly in the capital city – Freetown – is largely facilitated by land of reliable data and due to poor documentation processes. Therefore, the courts are overwhelmed with cases of multiple land sale, falsification of land documents, alleged land grabbing and forceful acquisition of land by wealthy and powerful



*Cross-Section of Participants during the conference*

people. A case scenario that is currently trending is at a community along the Freetown-Peninsula axis called Black Johnson, where the government has land claim over 252 acres of land that it needs to construct a fishing harbour with funds provided by the government of China. An organization of land owners in the said community have challenged the government on all front, accusing the government representatives of using violence to grab their land.

Back to climaxing activities at the Peoples' Land Conference, the Northern Regional Director of Lands, who handed over the Customary Land Rights Act to participants on behalf of the Minister of Lands in Makeni, stated that the laws are intended to shape the country's customary land system. With over 95% of the country's total land mass under customary rule,, the director said that the ministry is doing its part to ensure sanity in the sector and for communities to benefit from their land.

Similarly, in Bo, where the conference for the Southern and Eastern Regions was held, Paramount Chief Prince Bioma for the Bo-Kakwa chiefdom performed the symbolic handing-over of the laws to a cross-section of the women. While doing so, he encouraged the women to take advantage of the law that now protects their rights to own, use and inherit the land. He further affirmed that the process that led to the enactment of the laws was somehow difficult, at some points going

against the wish of them, the chiefs, but that, was because they later realized how much the country will benefit when the laws are fully implemented-they had to accept some of the provisions.

The conference ended in both Makeni City and Bo City with a clear provision of what is next in the implementation of the land laws across the country. Key among the submissions made was the need to further educate communities on the key provisions of the laws, and present those provisions in a simplified version that can be easily accessed by customary people.