

# Newsletter

## Land for Life Initiative Sierra Leone



### LAND FOR LIFE CONCLUDES REGIONAL PEOPLES' LAND CONFERENCE

In May 2023, Land for Life Initiative Sierra Leone in collaboration with members of the Voluntary Guidelines on Governance of Tenure of Fisheries, Land and Forestry (VGGT) Technical Working Group that sits at the Ministry of Lands, Housing and Country Planning, organized a day's Regional Peoples' Land Conference in Makeni for the North and Northwest Regions and in Bo for the South and Eastern Regions.

The thrust of the conference was to officially put the Customary Land Rights and Land Commission Act in the hands of customary people for whom the laws were created.

With funding from GIZ through Welthunger Hilfe, over two hundred customary people and investors including Paramount Chiefs, Landowner, farmers, investment companies were in attendance.

The Deputy Country Director for Namati-SL, Madam Eleanor Thompson, Esq presented some of the

key contents of the Customary Land Rights Act, 2022. She called on participants especially women to pay attention to all the provisions in the law that communities should focus on.

*“The customary Land Rights Act has made provision for a 30% representation of women in all land committees. Also, both male and female members of a land owning family are entitled to the same rights”* she stated.

Whilst Mr Joseph Rahall of Green Scenery presented on the journey leading to the enactment of the laws, Ibrahim Bangura of UN-FAO VGGT National Coordinator stated on the commitment of the UN-FAO VGGT Coordination Unit to ensuring that the new land laws are taken to communities across the country so that customary people will use it as a tool to foster rural development.

One of the key take-aways from the conference is the popularization of the laws at district level.

### Topic 1

Land for Life concludes Regional Peoples' Land Conference for north, northwest, southern and eastern regions of Sierra Leone.

### Topic 2

Land for Life concludes District Town Hall Training on the land laws of Sierra Leone

### Topic 3

Increased response reduced hostilities in investment areas

### Topic 4

an increase in women's access to land

### Topic 5

DMSP support in resolving land conflicts in rural communities



**LAND FOR LIFE CONCLUDES DISTRICT TOWN-HALL TRAINING ON THE NEW LAND LAWS OF SIERRA LEONE**

**“...women were never considered when it comes to family Land negotiations...”**

Five districts have benefitted from a training on the key contents of the Customary Land Rights and Land Commission Acts, 2022. The training came as a recommendation from participants during the People Land Conference in May, 2022

The one day training in each district which started on 2nd of August and ended on the 11th of the same month, was conducted in Kono District, Moyamba District, Pujehun District, Kailahun District and Kambia District respectively.

With a coordination led by the District Councils of the respective districts, Paramount Chiefs, Landowners and User, Farmers, Youth and women’s Groups and key government officials in the various districts were brought together for the training.

Taking participants through the journey that led to the enactment of the two land laws, Mr. Abu Brima the Executive Director of the Network Movement for Justice and Development said that a massive consultation was held across the country so that the customary peoples’ contributions can be featured into the laws. Mr. Brima said the enactment process started with the formulation of a Land Policy in 2015. The policy he said featured most of the aspects of the VGGT Guidelines and RAI Principles. “Policies are not laws and therefore not enforceable. We needed a law to back the principles. That why we advocated strongly for the passing of the Customary Land Rights and Land Commission Acts, 2022.” he said.

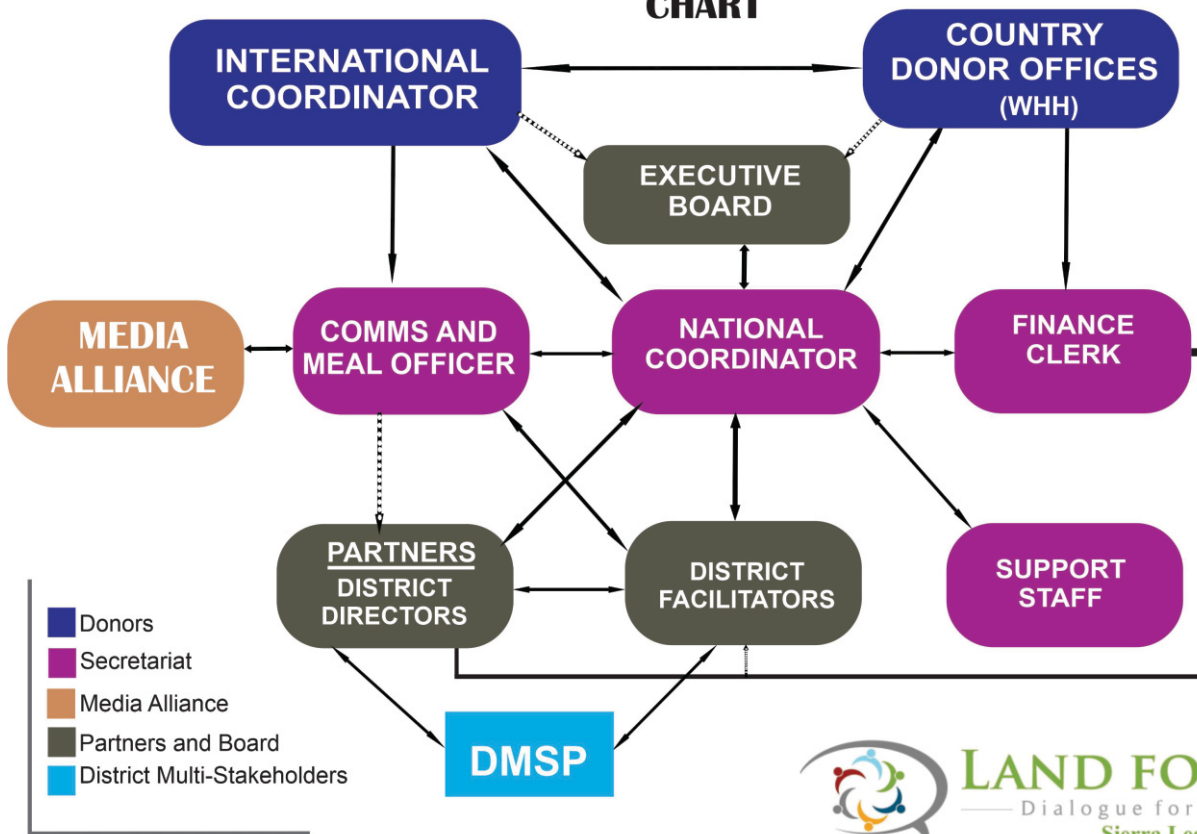
In his presentation, Berns Komba Lebbie, the National Coordinator for Land for Life Initiative Sierra Leone said that the Customary Land Rights Act is one of the strongest laws that the current government has enacted. Berns said the laws contain nine sections ranging from non-

discrimination, Gender Equality to Grievance Redress. He further mentioned that the laws call for a 30% representation of women in all land committees across the country. He therefor made available a copy of the laws to each participant to aid their knowledge on the content of the law.

Representatives from various women’s groups expressed gratitude on the “ Gender Equality” provision of the new laws. The women pledge support that they will further educate other women to take advantage of this provision. “ women were never considered when it comes to family Land consultation and thankfully this law has come to correct it” said Chief Sawio Vandi-Mamie Queen Kailahun District.



**LAND FOR LIFE  
COMMUNICATIONS FLOW  
CHART**



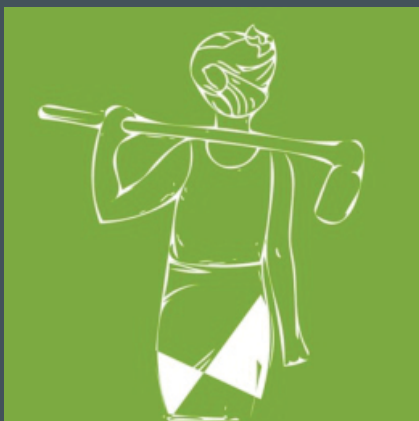
**OUR VALUES**



**RESPECT**



**EMPOWERMENT**



**COMMITMENT**



**PASSION**



## INCREASED RESPONSE REDUCED HOSTILITIES IN INVESTMENT AREAS



L to R: Berns, LFL Coordinator, Elke Proell, From Bengo Consultancy, Jens Kraus-Masse, German Ambassador to S/Leone Aruna Kapen Bangura, Community Affairs Manager -MIRO, Dagmar Ruerig-Partnership Officer-WHH, Halim Koroma -Lfl Cashier, Ibrahim District Facilitator

In the past, agribusiness and mining companies wishing to acquire large-scale land, found themselves negotiating land deals with communities who had no proper knowledge of land acquisition processes. In some cases, the companies would provide legal representation for the communities, who would more than likely negotiate in favour of the companies.

Communities are therefore not able to hold them accountable and the proposals can be backed by influential individuals who have an interest in the proposal investment. According to customary law, Paramount Chiefs are custodians of these lands but have often been accused of confusing that mandate with ownership. The power of the Paramount Chiefs has been challenged, due to numerous instances in which they have signed agreements with companies without the consent or even knowledge of land-owning families.

MIRO Agro-business company is one of those companies in Sierra Leone that been cooperating with CSOs. Below are some of the key outcomes of Land for Life's engagement with the company:

- Due to the constant and continuous engagement with Land for Life, MIRO have a behaviour shift in their operations, they become the few companies in Sierra Leone that follows the Free Prior and Inform Consent principles;
- The Company since 2022 to date, has shown interest and lived up to commitments for broad stakeholder dialogue and engagements. The company demonstrated this in a wide range of consultations during the accountability forum with land owners/users;
- The company has engaged in renegotiation for a new rent fee with land owners, Chiefdom authorities, and Local Council officials that is hoped to increase from the current 12.35 USD per

hectare. The company was due to renegotiate the rent in 2021;

- Higher numbers of community residents including women are now employed in casual jobs like plantation care (mainly weeding) and local security agencies;
- A large amount of land has been relinquished in some communities including wetlands;
- Many communities have access to safe alternative sources of water;
- Out grower scheme for the production and supply of trees;
- Some communities have copies of lease documents;
- Increased employment of women is bringing additional income to households;
- Increased recognition and respect of women's tenure rights in communities;
- Women's awareness of their tenure rights on land and understanding of referral pathways to receive justice for their land rights;
- Generally, community stakeholders now know their tenure rights.



## AN INCREASE IN WOMEN'S ACCESS TO LAND

**A**cross Sierra Leone, above 95% of the land mass is held under customary rule. Until now that the newly enacted land laws have annulled all customary rules that discriminate against women, there exist in several communities strong traditional barriers that prohibited women from inheriting properties of their late parents and would not benefit equally with their male siblings if family land is to be bequeathed, leased out or sold.

Land for Life came in with a mission to promote people-centred land governance and had a focus on breaking those strong traditional barriers so that women can have equal rights to land as men. Today, even before the laws made it compulsory for communities to do so, there are already testimonies that our community engagement effort have helped many women to access land and benefitted from their family land equally as their male counterparts. To achieve this, Land for Life has been conducting activities featuring women across its operational areas in the country. All our engagements – both at the national and local levels – have had a content of gender equality.

We also particularly have a special budget line for the promotion of women's land rights which we have used to support and mobilized women to be aware of their rights to land and further support those whose rights were touched to get justice.

Two women, Madam Yabom Posseh Turay of Port Loko and Madam Edna Bangura of Pitfu Fulamansa, Tonkolili are among the few women who have successfully challenged their male relatives or local authority when their rights to benefit from land lease



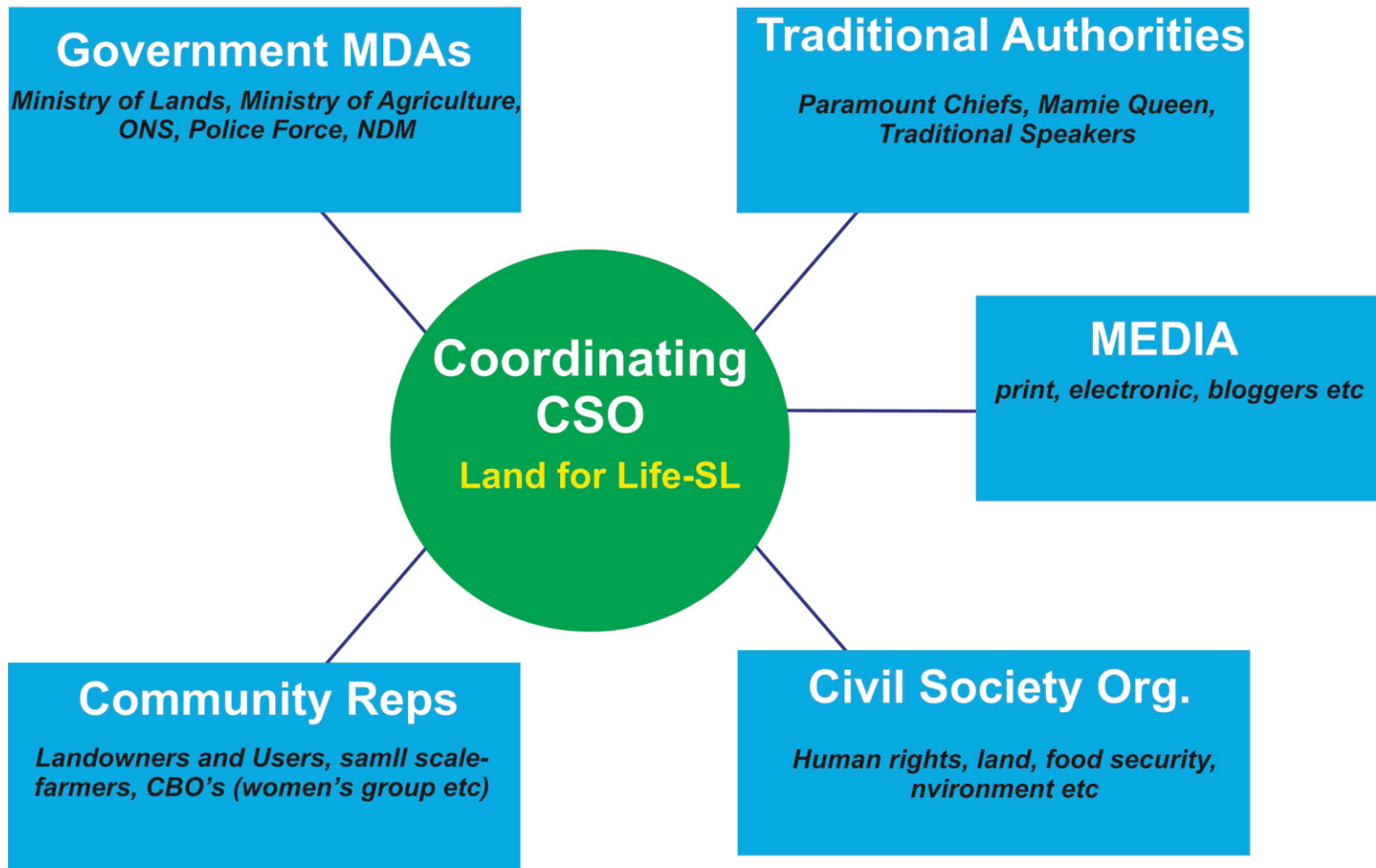
*Women of Kasseh in Port Loko District after a community engagement with women*

pay were being denied. Madam Edna Bangurah is from the paramount chieftaincy ruling home. Her elder brother who is the current paramount chief, had taken over the entire family and was not allowing any other relative to have control. Madam Edna Bangura, who is literate, was quick to get the awareness from our engagement about her her rights to control her portion of the family land. She had to challenge the decision of her brother and she was granted the right.

In Port-Loko, a female crop farmer, Ya Bomposseh Turay was arrested and detained by the police based on a complaint from a cattle-rearers, Bailor Jalloh, who had reported to the police that he found his cow dead near the garden of Madam Bomposseh. Meanwhile, Ya Bomposseh had previously made a series of compliant about cattle eating her crop – to the paramount chief, the local court, but no action was taken. She was able to speak up to the police about her innocence and requested any evidence from the police which was not provided. The Land for Life DMSF supported her to access justice without paying any fine

**“Today, even before the laws made it compulsory for communities to do so, there are already testimonies that our community engagement effort have helped many women to access land and benefitted from their family land equally as their male counterparts”**

# DISTRICT MULTI-STAKEHOLDER PLATFORM STRUCTURE



The District Multi-Stakeholder Platforms (DMSP) were established in 2021 across four districts (Port Loko, Tonkolili, Kenema and Pujehun) to support and resolve land and human rights issues in their respective districts.

Since 2021, the platforms have been able to solve many land conflicts that could have otherwise resulted into “blood-shed and eternal hatred”.

Three such efforts have reduced tension in **Sorogbema chiefdom**, Pujehun district, resolved a land case between the Masanga Hospital and the Mayata Kanigba community in Tonkilili and currently resolving critical conflicts on Cansa community of Tonkilili, Latu vs Kpaka and in Taninahun community, Lower Bambara chiefdom, Kenema district. Land for Life in currently investing a lot of resources to ensuring that these platform members are trained on the new land laws and conflict mediation



**KENEMA DMSP**



**PORT LOKO DMSP**



**PUJEHUN DMSP**



**TONKOLILI DMSP**

### Definition of customary Law

Every piece of land outside the Western There is no individual private ownership over customary land.

to families, to the community or the the State.

(Ref to NLCA– 2022) There shall be established chiefdom land committees and Village Area Land Committees.

### Non-Discrimination

Every citizen of Sierra Leone now has the right to acquire land anywhere in Sierra

Any existing customary law that discriminates against people based on their gender, religion, tribe, age, marital, social or economic status is considered void under the Customary Land Rights Act.

During the implementation of this the CLRA, Government shall preserve and conserve resources for the future generation.

### Gender Equality

Both male and female members of the family or the community now have equal right to hold, use, inherit, succeed to or deal with land without any discrimination.

Any existing customary law that discriminates against anyone based on their gender, is considered void under the Customary Land Rights Act, 2022.

All chiefdom and village-area land committees shall have a minimum 30% women representation.

### Family Land and Chiefdom Council

The title of a family land shall be vested into the name of the family as a unit.

At least 60% of the adult male and female members of the family must agree before a family land is leased for investment.

The long term tenancy for family land shall not exceed 50 years, to be renewed not more that 21yrs.

The Chiefdom Council shall play an oversight role to ensure that there is no conflicts in families as they deal with their land issues and that no member of the family is discriminated.

### Community Land

The title of a community (or communal) land shall be vested into the name of the village or the community as a unit and shall be administered by the Chiefdom or Village-Area Land Committee.

No indefinite tenancy for community land.

The relevant government agency shall support families, chiefdom and community land committees during land acquisition negotiation with a potential investor.

No investment shall take place on any land that is not titled.

### Protected Area (Reserved or Ecologically Sensitive Areas)

Government through the appropriate authorities shall ensure that wetland, wildlife habitats, steep slopes, old growths, virgin forest or any other ecologically sensitive areas within the customary land, are protected from degradation.

the authorized officer of government shall ensure that no mining, plantation, farming or any development takes place on, within, near or adjacent reserved land, wetland or any ecologically sensitive areas.

### Customary Land Rights and Responsible Investment (1)

A non-citizen or foreign company shall not acquire a leasehold interest in any customary land for a period exceed 50 years.

A 10% ownership rights shall be reserved for Sierra Leoneans in any foreign investment on a customary land, and priority shall be given to land owners.

The maximum size of land that anyone shall initially acquire for investment shall be 15,000 hectares for Agriculture and 10,000 hectares for mining.

All other investments other than mining and Agriculture shall receive an initial maximum of 5,000 hectares of land for a single investment.

### Customary Land Rights and Responsible Investment (2)

If an investor fails to put the land into the use for which it was acquired for within a 5 year period, the land shall be reverted back to the owner.

No investment shall take place on any land subject to customary law unless the investor obtains the written free, prior and informed consent of at least 60 % of the male and female adult members of the family or a fair representation of the community with rights to the land. The consent shall be obtained in a meeting held with the potential investor.

Families and communities shall set up a bank account in which land lease shall be paid.

### Customary Land Rights and Responsible Investment (3)

If two large-scale companies are competing over a land, priority shall be given to citizens and companies owned by citizens.

Government to set out a minimum rate per sector for leasing of land for specific purposes, which shall be reviewed after every 5 years.

No infringement on lawful occupants, and adequate compensation to be paid for the land and the crop on it. The crop compensation rate shall be set by the relevant government agency.

Families and communities to participate in surveys and may commission an independent survey to determine the size of their land to be leased.

### Investment Inducement Displacement and Resettlement.

Government and all other authorities shall try to discourage displacement or resettlement for investment. If resettlement should happen unavoidably, communities shall be informed about such possible resettlement prior to start of investment.

If an investor fails to inform communities about possible resettlement, shall only be allowed to do so during the investment when there is a real present danger to the lives of the people, and shall be approved by the government after the free prior and informed consent of the people.

The investor shall bear the full cost of resettlement.

### Grievance Redress

Land conflicts arising within the community may be referred to the land committees for resolution in accordance with the bye-laws, the customary laws that are non-discriminatory and the national laws.

Authorities of investment companies are obliged to cooperate with land committees if they are invited for grievance resolution sessions.

Matters relating to specific issues such as environment or mining, should be reported to the appropriate authorities.

There shall not be a parallel alternative grievance redress session of the same matter already being mediated.

### Repeal of other laws

Contrary to Section 18 of the chiefdom Council Act 1960, legal action can now be taken by or against villages and towns of the chiefdom, or against the chiefdom council.

Contrary to Section 34(A) of the Mines and Mineral Act, 2009, land lease payment shall be done directly to families and communities who own their land, witnessed by the Paramount Chief, Member of Parliament and the Councilor of the ward. Only mandatory (NRA) tax reduction shall apply.

Registration of lease under this law, shall continue in accordance with CAP256, until the alternative instrument set out by the NLC Acts 022, becomes operation.

# About Land -SL

We are a platform of civil society organizations, organized to promote inclusive, people-centered land governance in Sierra Leone. We desire to make sure that land laws and policies are in consistent with international standards to support responsible investment in agriculture towards achieving food security.

We are currently active in four districts that are strategically located in the four regions of Sierra Leone. In Port-Loko, the North-Western Region, we are represented by UPHR. PICOT are have their headquarter in Bo city, coordinate our steering engagements from there, but do have a field office in Pujehun and are actively engaging communities and decentralizing the MAP process in Pujehun district. NMJD is rolling out Land for Life engagement in Kenema while FoHRD ( a constituent organization of SiLNORF are in Tonkolili districts.

With the intention to expand on our member organizations, we will end up working in every districts of Sierra Leone and in a many communities as we can afford to cover.

## thank you to our donors



## and partners



Land for Life Initiative Sierra Leone



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Land for Life Initiative Sierra Leone

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