

The Peoples' Land Conference

*...putting the Customary Laws in the hands
of the Customary People...*

REPORT - May, 2023.



Acknowledgment

Members of the organizing team of the 2023 regional level Peoples' Land Conference, under the VGGT-Technical Working Group, do wholeheartedly thank and appreciate everyone, who, in diverse ways, contributed in material resource and in kind to making the events a great success.

We are particularly grateful to the government and the people of Germany whose financial resources provided through GIZ, made the events possible. We also thank the implementing organizations of the VGGT+10 project - Welthungerhilfe, FAO and ILC, for the technical backstopping support and the collaboration to this end.

We thank the government authorities of Sierra Leone, the traditional leaders, CSO representatives and the customary land-owners and land-users, who attended the events in person and those who followed the event remotely online.

We are especially grateful to the Minister and staff of the Ministry of Lands, Housing and Country Planning, particularly to the staff of the VGGT/SLLAP Secretariat for the overall leadership in the land sector governance and reform to this remarkable success with the two new laws.

We have to mention specific stakeholders who played key roles during the event – Madam Eleanor Thompson (Esq) for facilitating the sessions, Mr. Joesph Rahall for chairing the session in Makeni, and Mr. Joseph Munda Bindi for chairing the session in Bo; Paramount Chief Boima of Karkwa chiefdom for his keynote address in Bo and Mr. Aiah Kaingbanja, (Acting) North-eastern Regional Land Officer for delivering a keynote address in Makeni.

We thank and appreciate the resilience of the various women's organizations whose members attended and participated actively in the sessions.

Foreword



The successful organization of the Peoples' Land Conference has further justified the proposition that policy reforms are only necessary if the policy change was intended for the people, and the only way to demonstrate that is by taking the people along at all levels of the reform process. The Peoples' Land Conference was organised on the motive to make the customary people, especially women, have the feel of

a successful reform effort that nearly addressed all their major concerns in the land sector.

When last policy stakeholders of the VGGT-Technical Working Group engaged communities at regional and community levels, it was to ask of their views about what policy changes they would want in the then proposed laws. They said many things. Fortunately, most of what they desired were considered – largely – though understandably, the reform effort had also to consider the interest of other groups, thus to avoid a clash and stalemate, a mid-point was gauged. The laws therefore are precisely the indication of the collective views of the different interest groups. Most remarkably, the path to reaching that mid-point has been both a daunting and interest path. It is now a known truth that, because of the multi-invested interest in land, any decision about its relocation, its acquisition and use, should be taken with the active participation of all the interest groups.

When the US based Ford company owner, Henry Ford, propounded that *'coming together is the beginning, keeping together is progress, and working together is a success*, he was emphasizing the importance of multi-actor partnership and cooperation. It was no doubt that Ford later emerged as a very notable car inventor.

Today in Sierra Leone, there is a resounding high-level cooperation among the various actors in the land sector. They are galvanized for the singular goal of making the land administration more organized and people-centred - a further testament of Henry Ford's view about the power of collaboration and cooperation – towards common interest.

In addition to the power of multi-actor cooperation, there is another emphasizes on the will-power – the will-power of the political leadership to create the platform for partnership and for constructive dialogue. The will-power and cooperation of the other actors – of the traditional leaders, the civil society and the private sector. Some of these actors were aware of the possible power-shift that the reform was leading to, yet they put the common interest above their personal interests. These human dynamics in the midst of social complexity is the reason we will keep asking that the VGGT and other international tool are internalized and fully implemented for the regulation of peoples' behaviour for the common good of all.

Abu A. Brima

Executive Director, NMJD, National Convener, Land for Life – Sierra Leone

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Abbreviations

CSO	- Civil Society Organizations (working on land)
DMSP	- District Multi-Stakeholder Platforms
EIA	- Environmental Impact Assessment
EPA	- Environmental Protection Agency of Sierra Leone
FAO	- Food and Agricultural Organization of the United Nations
FoHRD	- Forum for Human Rights and Development
GIZ	- German Agency for International Cooperation
ILC	- International Land Coalition
IMTF	- Inter-Ministerial Task-Force for the implementation of the VGGT
MAFS	- Ministry of Agriculture and Food Security
NMJD	- Network Movement for Justice and Development
NPAA	- National Protected Area Authority
PICOT	- Partnership Initiative for Conflict Transformation
Pre-Leg	- Pre-Legislative engagement with Members of Parliament
RAI	- Responsible Agricultural Investment (Principles formulated by the UN Committee on Food Security)
SLLAP	- Sierra Leone Land Administration Project 9(unded by the World Bank)
SUN	- Scaling Up Nutrition
TRC	- Truth and Reconciliation Commission (set up in Sierra Leone after the decade long civil war)
TWG	- Technical Working Group (established for the implementation of the VGGT)
UPHR	- United for the Protection of Human Rights
VGGT	- Voluntary Guidelines for the governance of Tenure of Land, Forestry and Fisheries, developed by the UN Committee on Food Security
WHH	- Welthungerhilfe
WIND-SL	- Women in Development – Sierra Leone

1. Introduction

On the days of the 29th and 31st May, 2023, Land for Life-Sierra Leone collaborated with the Sierra Leone's VGGT Technical Working group to facilitate two separate regional level mini-conferences named '**The Peoples' Land Conference**'. The initiative to hold the conference was partly to involve rural people who are customary land owners in the land governance discussion, but also to celebrate the success made in the land sector reform, while putting women at the centre.

Nonetheless, the event was described, overall, as a huge success, granting the opportunity for the rural participants to receive a first-hand information on the key contents of the newly enact land laws and to discuss some of the trending context issues that the land sector stakeholders should focus on in the next line of endeavours. At the end of the events, representatives of the government did a symbolic handing-over of printed copies of the laws to the participants as an empowerment tool for the defence of their rights against injustice.

This report thus, gives account of the key highlights of the events, the overall process leading to the organization of the conference, the category of participants targeted, the contents of the discussion, main highlights of contributions from key speakers, the conclusion drawn, challenges and learning to inform the next step.

1.1. Background

Several events led to the holding of the Peoples' Land Conference. The pathway was coded as '*From Policy to Laws to practice*'.

The background could be traced far back from the oblique days of yore when Sierra Leone's land governance framework was characterized by several inconsistencies – weak laws, centralized institutional framework and awkward customary practices in some areas that discriminated against certain set of people and other other vulnerable groups, including women.

The awareness for reform was part of the several lessons learnt from the decade long civil war that besieged Sierra Leone within the years of 1991 to 2001. The government's Truth and Reconciliation Commission set up immediately after the war, charged with the responsibility to document the events leading to the war and the causes, had documented unfair redistribution patter of national wealth, including land, as a key contributor to the national animosity and rancour which made a set of people to choose the path of violence over peace. The war era was catastrophic, leaving the scar of fear of agony on the minds of every Sierra Leonean who survived to tell the story. The implementation of the TRC report became a national assignment, and the reform effort started with the consolidation of peace and democracy as priority areas.

Year later, with support from donor community, Sierra Leone initiated discussion for the reform of its land sector. By 2014 there was already a fifth version of a National Land Policy as testament of such reform effort. From 2015 to 2022, Sierra Leone was actively busy with strengthening its land governance ecosystem, as a result, two laws now exist to reform both the institutional and regional framework.

But in 2012, the United Nation's Committee on Food Security (CFS) had formulated the Voluntary Guideline for the governance of Tenure of Land, Fisheries and forestry (VGGT). The VGGT served as the screen-board for the Sierra Leone's reform process and thus has most of its recommendations included in the new laws. As if by coincidence, by 2022, the VGGT was already ten years, same year that Sierra Leone had succeeded with the enactment of the first two important laws – the National Land Commission Acts and the Customary land Rights Act, 2022. To mark the commemoration of the VGGT, the German development agency, GIZ supported an initiative called the VGGT+10 through a coalition of organizations, Welthungerhilfe, ILC and FAO. The implementation framework of the VGGT+10 Initiative facilitated a light country assessment of the impact of the VGGT in twelve countries, including Sierra Leone. A portion of the funds was dedicated to these countries to organize a national dialogue session for key stakeholders to discuss the VGGT, its impact and plan some follow-up actions.

Unavoidably, a significant delay was experienced in Sierra Leone. This was because just as the VGGT+10 Initiative could materialized, the land sector authorities had just organized a very needful dialogue session in Freetown. The dialogue was to have the full buy-in of all stakeholders for the contentious reform process to go on unhindered. Following the dialogue, there was a heightened effort for the bills to go through the Parliament and have the signature of the President. That made the entire half of 2022 a very busy period for the land sector authorities, thus requiring the deferment of the VGGT+10 national dialogue to an indefinite time, but considerably, until the laws were passed by the Parliament and signed by the President.

The laws were finally enacted in August and signed in September, 2022. There was a long cooling off period and later, a need for stakeholders to go back to drawing board and start engagement process. All of that resulted to the delay with the national Dialogue until finally scheduled for the said dates.

1.2. The Introduction of the VGGT in Sierra Leone and its impact

The Peoples' Land Conference gave an opportunity to reflect on the impact of the VGGT since its introduction in Sierra Leone. Two years after its coming into being, the VGGT was introduced in Sierra Leone by the UN-FAO through a German government funded initiative. Since its introduction, the VGGT has been the core corner-stone for the progressive land reform success that Sierra Leone has achieved today.

First, it influenced a review of the existing fifth version of Sierra Leone's National Land Policy leading to a highly acclaimed sixth version of Sierra Leone's National Land Policy (NLP) – 2015. The policy was launched in 2017.

The implementation framework of the VGGT also established several layers of multi-stakeholder partnerships. The most notable structure is the VGGT-Technical Working Group (VGGT-TWG). Above that VGGT was the Inter-Ministerial Task Force (IMTF) and the Multi-stakeholder Group which was to meet annually at a National Land Conference. Through the VGGT-TWG, several joint actions were undertaken, including the piloting of the NLP, the pilot mapping of customary land in selected chiefdoms across Sierra Leone and other concrete actions leading to the enactment of two important laws.

1.3. Goal, objective and Rationale of the People's Land Conference

The government and its partners have devised some strategies for the effective implementation of the laws. Quite recently on the 26th May, 2023, the tripartite body of CSOs, the government's Ministry of Lands, and traditional leaders, signed an MoU that committed each party to the collective effort of implementation of the laws.

However, as such a high-profile stakeholder co-operations are strengthened at national level, there is a general acknowledgement within the VGGT-TWG that the (customary, rural) people should not be left behind.

Thus, the Peoples' Land Conference was inspired by our unreserved commitment to '**put people at the centre of the reform**'. The theme was to '*Put the customary law in the hands of the customary people*'.

The rationale was to start the public engagement with the people for whom the laws were enacted. For this reason, we referred to the conference as an action of accountability and coded it as '*konani*' time, which means, to 'give account'; to report or to give feedback. This was exactly what the Land for Life National Coordinator explained when asked to state the purpose of the conference.

"Few years ago, we came here as a delegation of policy stakeholders from Freetown to ask you for your policy recommendations to feed into a reform process which we said the government was undertaking. Most of you attended the sessions and gave a list of recommendations. Well, to inform you, we had documented your recommendations into policy papers and submitted to the government. We are here today with the final copy of the enacted laws, to explain to you some of the key highlights, so that you see whether your policy recommendations were taken on-board. This is why we have come today".

Berns Komba Lebbie, National Coordinator, LfL.

The overall goal was to strengthen the people-centred land governance orientation in Sierra Leone and to illustrate that the people were the significant target of the reform effort.

Therefore, as key outputs, the event created the platform for the new laws to be officially introduced to the people, brief highlights of its contents explained, a question and answer session held, and there was a symbolic handing over of the law to them.

Specifically, by the end of the day-long event in each location, the following were achieved:

- i. Community stories relating to land rights, land governance procedures, private-sector related conflicts and contemporary issues to be addressed, were shared by various participants, which facilitated an opportunity for share-learning;
- ii. Participants had the opportunity to interact with key government authorities and members of the VGGT Technical Working Group;
- iii. Participants learned about key legal provisions in the two land laws, asked questions and their doubts were cleared;
- iv. Women had the opportunity to appreciate the new land law and acknowledge how their interests were protected by the laws;
- v. The political leaders and development partners who steered the reform, and members of the VGGT Technical Working Group, were celebrated;
- vi. The session referenced the new Gender Equality and Women's Empowerment Act, 2022 and emphasized the stakeholder commitment to the minimum 30% quota for women, as illustrated by the presence of more women in the conference.
- vii. Ideas about what next step to take towards promoting a people-centred land governance in Sierra Leone, were discussed;

1.4. The Trending Context

In the contemporary Sierra Leone, the government is engaged on many fronts – trying to consolidate the ‘fragile democracy’, as it meets with the global challenge of economic meltdown due to the combined impact of COVID19 and the Russia-Ukraine war. Government is also seen making attempts to respond to the high demand for jobs for the youth, to balance gender and empower women. Amidst these challenges, the economy has not been doing well. The country's currency (Leones) has depreciated dramatically within the past two years, giving rise to inflation and expanding the debt stress on the government as it reflects on the cost of living of citizens. Sierra Leone's GDP is stagnated below 4b USD since 2018. Global reports¹ on hunger have corroborated on the increasing food insecurity

¹ Global Hunger Index Report for 2022

in Sierra Leone. World Bank's 2022 analyses of Sierra Leone's poverty situation affirms that rate of poverty has exacerbated with the same period².

Meeting these challenges, key recommendation from most informed think-tanks is for the government to strengthen its reform process. And there have been increasing efforts to reform the laws and the institutions. Just within the couple of years since the last elections were held in 2018, there have been notable achievement with reforms. First, there was a five-year (2019-2023) Medium-term national development plan. Added to the laws enacted in the land sector, there are now three mining policies formulated just after the 2018 elections – the Artisanal mining policy, the Geo-data Management Policy and the Sierra Leone Minerals Policy. Following these policies, the government has reviewed the 2019 Mines and Minerals Act to now have the 2022 Mines and Minerals Development Act. Several large and small scale mining companies have emerged even before the new laws were enacted.

Similar reform efforts took place to establish a separate Ministry of Environment. Earlier, the national food security drive was taken from the Ministry of Agriculture to the Office of The Vice President under the Scaling-Up Nutrition (SUN) initiative. But after a couple of years without any significant result, the decision was reversed. We now have a Ministry of Agriculture and Food Security (MAFS), which has also formulated a five year National Agriculture Transformation Plan, 2023 and the just concluded Food Systems Resilience Program (FSRP-2).

For gender equality and women's empowerment, Sierra Leone now has the 2022 Gender Equality and Women's Empowerment Act³. The Environmental Protection Agency Act has also been review, so did the National Minerals Agency Act. The latest law of all is the 2023 Finance Act which the government says would strengthen domestic revenue collection and reduce tax evasion. Business owners have however contested this claim and instead called the law and an exacerbation of the already stretched economy, especially for the private sector.

Several international efforts are also pouring in to help the government find its way through these challenges. Key support are coming in as direct financial aid to the government from the World Bank, IMF, EU, UN agencies, and other donor partners. Specifically in the land sector, the World Bank approved a 41m USD grant to support the implementation of the newly enacted laws through a project titled 'Sierra Leone Land Administration Project (SLLAP). The project has five components and aimed to reform and strengthen Sierra Leone's land administration. Implementation of the project has taken full effect.

National elections in Sierra Leone were held on the 24th June, 2023. There were two main contenders whose supports are nearly equally divided along regional and tribal lines of the

² <https://www.worldbank.org/en/country/sierraleone/publication/sierra-leone-poverty-assessment-poverty-trends-development-and-drivers>

³ https://www.parliament.gov.sl/uploads/bill_files/THE%20GENDER%20EMPOWERMENT%20ACT,%202021.pdf

country. The APC gains most of its supports from the north-western regions among the Temne tribe(2ND largest ethnic group in Sierra Leone) while the incumbent SLPP holding strong support to the south-eastern region, with only Kono District staying as a 'swing state' to be grabbed by any of the two parties. Both parties had shared key features of their manifestos. While the APC has promised to 'fix the economy', the SLPP promised food self-sufficiency in the next five years.

There were rising political tensions leading to the elections with supporters of the main opposition APC party expressing distrust in the electoral process and calling for the resignation of the entire electoral management team within a 72hr ultimatum. The electoral team didn't resign and elections were held everywhere with the main opposition seemingly unprepared and unwilling to participate. There were several violent confrontation between the State security forces and members of the main opposition APC, especially in the party's stronghold areas where the electoral management body said tally process of results were disrupted at some point.

The presidential election results were however finally announced on the 27th June, 2023, with the incumbent SLPP, Julius Maada Bio scoring 56.17% while his main challenger, Dr. Samura Kamara scoring 41.16%. By Sierra Leone's 1991 Constitution and the Public Elections Act, 2022, a candidate must score a minimum of 55% to win the polls. On that note, Juliuls Maada Bio of the incumbent SLPP was declared winner and was sworn same day.

There were general consensus among electoral observer missions about the political resilience and willingness of Sierra Leoneans to exercise their political franchise and they were commended for that. However, there were also concerns expressed about the lack of transparency in the tally process which the main opposition demanded should be projected on a screen for the view of all observers.

With the present electoral scenario, the main opposition APC party issued a press statement stating that all of its elected officials for parliamentary and Local Councils will not participate in state government unless the presidential election is redone.

It is uncertain what the next few months of the post-electoral period hold for Sierra Leone, but most political pundits hold the view that the main opposition party is already fragmented from within and would not have the energy to facilitate any further disruption of governance process to any significant level of concern. It may also seem that a third party – expectedly, the International Community – will play an intermediary role to bring the government and the opposition to a dialogue table. This may be difficult since the international bodies have all jointly questioned the credibility of the tally process and thus may have to hold on to that view.

1.5. What was at stake as a problem, leading to the Conference?

Amidst the heightened high-profile national level engagement in Freetown, commitment to bring the rural people to the discussion table was declining. The last time any government-led rural-level engagement was held on policy issues relating to the enacted land laws was in 2021 when the bills were being developed. Those meetings were funded by FAO under the VGGT project, and were held at regional level. Since then, there has not been any opportunity for policy stakeholders to mobilize rural people for their input into a policy process. Other meetings facilitated by CSOs and other agencies were focusing on specific topics and not necessarily feeding into the on-going reform.

More precisely, women in particular have had a notable influence on the reform. For instance, when there was a stand-still because the traditional leaders were wrist-twisting the government, CSOs led by Green Scenery and Namati mobilized rural women to attend the Parliamentary deliberation and to show their strong support to the reform effort.

Decentralized stakeholders, local council authorities and sub-chiefs in rural communities have all had their inputs either directly when engaged by the government, or indirectly through CSOs. Aware of their relevance, and with the laws fully enacted, there was such a need to reconnect the rural people to the policy discussion and make them have the feel of the successes achieved with the new laws.

2. The Conference

The conference was organized by the members of the VGGT-Technical Working Group of the Ministry of Lands, Housing and Country Planning for which FAO is the lead donor and technical organization. Civil Society organizations on the VGGT-TWG, led by Land for Life – Sierra Leone (acting on behalf of Welthungerhilfe), played the pivotal role in the planning and implementation of the event. Planning and Coordination

2.1.1. Conference Locations

The conference sessions were held in two separate locations: In Makeni on the 29th May, 2023 at the District Council hall, Makeni City and in Bo City on the 31st May, 2023 at the DE Wizzard Conference Hall.

2.1.2. Participants

The conference targeted a total of 200 customary people and 50 policy stakeholders both at local and national levels. At each location, approximated 125 participants attended the session. Of this number, 100 (x2) were exclusively rural people from the fourteen regional districts of Sierra Leone. 12 stakeholders travelled from Freetown with 8 media practitioners

invited from the mainstream media institutions in Freetown and few other local media institutions attended the sessions. The Conference laid premium on the participation of more women. Therefore, in each location, at least 70 women were mobilized as against 30 to 40 men.

2.1.3. Mobilization

The Conference was planned within a relatively shorter period. However, the mobilizations was well-organized and made easier by the strategic geographical positions of Land for Life Consortium partners.

For the north and north-western regions, two LfL partners collaborated to mobilize participants. FoHRD whose office is located in Makeni, took the central stage for the hosting and mobilized participants in Bombali, Falaba, Karene, Koidnagu and Kono. UPHR are rolling out Land for Life activities in Port-Loko, it was therefore easier for them to mobilize participants from Port-Loko and nearby Kambia district. For Bo city, PICOT is a Land for Life partner organization which has its head office in Bo city. PICOT therefore led mobilization for Bo, Moyamba, Pujehun and Bonthe. NMJD are in Kenema and were asked to mobilize for that district and nearby Kailahun district.

2.1.4. Planning and Coordination



Cross Section of TWG Members Planning the Conference

Land for Life – Sierra Leone acted on behalf of Welthungerhilfe to lead the planning and coordination meetings of other TWG members. Virtual coordination meetings were organized twice weekly, especially with the field team. A concept note was written that clearly laid out the format, objective, target participants and other details of the conference. Each field coordinating organisation was asked to pre-determine names of participants

based on their existing contacts. Names given were computerized and varied with phone numbers. Later, letters of invitation were sent to each of the listed participants. Arrangement for the venue, refreshment, traditional dancers and other logistics were planned in similar manner.

2.1.5. Media and Visibility

A reasonable media expertise exists within the Land for Life Secretariat. The first action was thus, to include media engagement and visibility in the planning and budget. Earlier enough, a media expert was contracted to produce a short (5mins) jingle which was played on main national and local radio and TV stations. An event flyer was then designed and shared on social media – also printed in various sizes. The land laws to be ‘launched’ were printed so that each participant could go home with a copy. Key highlights of the laws were also summarized on a pager which was further designed and printed on hard cards. There were other flyers with messages illustrating the gender equality and other changes that the new laws have brought.

For ease of mobilization of the media representation, Land for Life had long established an alliance with key media institutions in Freetown and in the four operational districts. These media representatives were informed and formally invited to the sessions. Arrangement in terms of legists was made with eight of the national media institutions – a crew of two staff of two Television stations, one staff of two prints and two radio stations. Coordinating partners in the field were asked to send special invitations to key media institutions they are working with at local level.

2.2. The Conference proceedings and Deliberations

The conference proceedings were guided by the following agenda items:

Time	Item	What	Responsible Person
9:00 - 9:30	Arrival and Registration	Participants arrived and filled the attendance list	LfL
9:30 - 10:00	BREAKFAST		
10:00 – 10: 05	Opening Prayers	Prayers are said according to individual faith.	Attendees
10:05-10:10	Introduction of Chairman	The chairman of the occasion is introduced	
10:10- 10:20	Chairman’s Opening Statement	The chairman of the occasion gives a brief	
10:20 - 10:30	Introduction of Key Personalities.	Key attendees from various works of life are introduced.	Land for Life National Coordinator
10:40 - 11:00	PRESENTATION		

	Presentation – 1 The journey so far with the reform	<ul style="list-style-type: none"> • <i>Key provisions</i> 	VGGT-TWG Representative
11:40 - 12:00	Presentation – 2 Key highlights of the new land laws	<ul style="list-style-type: none"> • <i>Key provisions</i> • <i>How they apply to context</i> • <i>How the laws will be implemented</i> 	Eleanor Thompson
12:00 – 12:30	Plenary (Q&A) Session	<ul style="list-style-type: none"> • 	
	STATEMENTS		
12:30 - 1:30	<ul style="list-style-type: none"> • <i>On behalf of the Traditional Leaders</i> • <i>On behalf of MAF;</i> • <i>On behalf of MLRD;</i> • <i>On behalf of FAO;</i> • <i>On behalf of WHH</i> 	<ul style="list-style-type: none"> • <i>VGGT Secretariat</i> • <i>On behalf of other CSOs;</i> • <i>On behalf of land owners and land users;</i> • <i>On behalf of large-scale private sector investors</i> 	
1:30-2:35	Introduction of Keynote speaker		
2:35 – 2:55	Keynote Address		
2:55– 3:00	Symbolic handing over of the Customary Land Right Act to Customary People		
3:00-3:30	Administration and Departure		

2.2.1. Arrival of participants and Opening Courtesies

This events were organized just days to Sierra Leone’s June 24th national elections. Also a rainy season, there were already some fears that attendance may be impacted by these circumstances. But that was not the case. The event were to start at 10:00am, and early as at 9:00 (at the Makeni venue for instance), the long-distanced participants from Koinadugu and Falaba who had travelled overnight, were already arriving. Registration process was orderly and tea was served. By around 10:00, a significant number of participants were already seated in the hall. The sessions started approximated around 10:30am at each location.

Land for Life’s Communications officer played the initial role to call participants to order. Two volunteers offered prayers in the Christian and Islam religions respectively. The Chairperson was introduced and the session was declared opened.

2.2.2. Opening Remarks of the Chairpersons

The Conference was chaired in Makeni by Mr. Joseph Rahall, Executive Director for Green Scenery and member of the VGGT-TWG. In Bo, the Conference was chaired by Mr. Joseph Munda Bindi, former Chairman of the Bo District Council and a notable figure for land governance and other customary issues in the southern region.



In his opening remarks, Mr. Rahall thanked the lead-organizers (Land for Life – Sierra Leone) and the stakeholders, especially of the host districts, Bombali, and particularly the authorities of the Bombali District Council, represented by the Chief Administrator. He emphasized the importance of the conference and the reason for putting women at the central of the discussion. He referenced the long history of the reform process and acknowledged the effort that the government and partners had made to have the laws enacted. He allayed the fears of participants that some big moments had already been crossed that should guarantee that best was done for the laws to take the shape they are in. He said some of those moments were both hot and cool, requiring constructive engagements with various sectors and stakeholders.

He recalled several activities – since the reform process started to date – and asked the audience to commend themselves and the key stakeholders who led the reform effort. He registered his sincere appreciation the women who participated in various actions, including the ‘300 women march to Parliament’ during the parliamentary deliberation, to express their strong support to the provisions in the laws on gender. He pointed out that as a result of that action of the 300 women, all the parliamentarians had no objections to the provisions of the law on gender equality. He therefore particularly thanked those women. He also thanked the traditional leaders, the paramount chiefs for their strong support to the reform process, the civil society for their resilience in the process and the Minister of Lands, Housing and Country Planning who provided the political leadership that steered the reform process.

He rated the laws as not 100% perfect but could be anywhere above 60% better. He indicated his personal acceptance of the contents at 55%, but acknowledged that it was okay for everyone to understand that the laws would not meet the overall expectation of one group.

He ended by expressing hope that the conference provides the platform for deliberations on the content of the laws and how the women could express their appreciation of the laws.



In Bo, the Chairman's opening remarks was based on the local contents and his personal experience dealing with land issues. He was referenced for leading the formulation of the 13 guiding principles for the acquisition of land for investment in Bo district.

He started his statement by recognising the presence of all stakeholders, particularly the Paramount Chief of Bo Karkwa chiefdom, PC Boima, other government authorities, the women, the CSO and other participants there present. He pointed out his unreserved interest in the land sector governance which motivated him accept the offer to chair the occasion. He congratulated Sierra Leone for the long journey taken in the land sector reform, as an indication that the stakeholders had taken land issues serious. Nonetheless, he also acknowledged that the challenges surrounding land governance would not be wiped off just over a short period, as he put it *'land is connected to creation and human existence'*.

To further emphasize on the importance of land, he referenced the hard battles that the forefathers had fought for the liberation of the portions of land that families and communities now lay their rights of ownership over. He cited several instance of human effort, how land is used for various purposes and how everyone needs land for their existence, which defines life – relating this to the name of the lead organizers 'Land for Life', acknowledging that *'indeed, land is life'*.

He pointed out the historic land governance decisions whereby land was trusted into the hands of the traditional leaders – whose forefathers had sacrificed their lives for the land they occupied.

'Today, government has made new laws to make the land governance more inclusive and better for everyone. But please note that these laws do not replace the roles and responsibilities of the traditional leaders.'

Joseph Bindi, former Chairman of Bo District Council

He also identified several other use of land other than construction – pointing out on forestry and conservations which are necessary for human existence on the surface of the land.

Referring to the new laws, he admonished participants to understand the importance of the conference, which he said was to explain to them the content of the new laws. That the

conference was not just a workshop rather a meeting for the discussion of a serious business. He finally welcomed all participants and asked them to stay active in these.

2.3. The Long Journey – from Policy to Laws – Mr. Joseph Rahall

This agenda item was to reflect on the long journey through which the reform process had passed. This could be traced as far back in history – around 1927 – when the British colonial rule had identified the provinces of Sierra Leone as the protected areas and had put the land under the control of the traditional leaders as tribal heads – coded as: *'custodians of the land'*. This custodianship role was guaranteed by the provisions in Chapter 122 of the Protectorate Land Ordinance, later referred to as 'CAP. 122'. The instability that Sierra Leone faced in governance and in people's behaviour, which led to the decade long civil unrest, is part of this history. But the reform effort that was started as part of democratic rebirth and reconsolidation are the take-off point with the current reform and this started with policy formulation.

2.3.1. Why Policy was not enough

Under Sierra Leone's legal system, a policy is a mere political instrument of the particular government that formulates it. A policy is not a representation of the national decision and therefore does not have enforcement powers and cannot be used to seek justice in the legal court of law. Therefore, for the good recommendations in the 2015-NLP to take effect, there was a general consensus that the key policies must be translated into bills and subsequently enacted into laws.

2.3.2. Who led the reform? –

It is the mandate of the responsible government agency/ministry to provide the political leadership for any reform. In the case of the two laws, the Ministry of Lands, Housing and Country Planning relied on the VGGT-TWG to facilitate all engagement and other multi-actor process. Thus, this has become a novelty for many other government ministries and agencies to adopt. However, it is appropriate to give credit to the (current) Minister of Land, Housing and Country Planning, Dr. Turad Senessie as the political leader for the reform efforts. He was supported by the leadership of the VGGT TWG and the various heads and representatives of member institutions of the said TWG.

2.3.3. What processes led to the laws finally being enacted?

Following the piloting of the NLP from 2015 to 2018, in 2019, the Ministry of Lands contracted a team of legal consultants to pioneer the drafting of two model bills. That was a swift move - to make things easier for the government's responsible agency for the drafting of bills. The VGGT-TWG held several consultations – both at national level in the capital city, Freetown and in the provinces. Some CSOs of the TWG through other funding opportunities, held more decentralized levels of engagements with rural people, customary

land owners, smallholder farmers, youth, women and other non-state actors at district and chiefdom/community levels. All efforts under the VGGT implementation framework geared towards making Sierra Leone's institutional and legislative environment favourable and with the overall goal of making land governance a people-centred.

When the consultants had a draft of the model bills ready, several validation sessions took place – at national and decentralized levels. The Minister of Lands, Housing and Country Planning – as responsible ministry for the reform process – tabled a request before the panel of Ministers (known as the Cabinet) for its approval. This was required for legitimacy of the whole reform process and the Minister had to do so as proof of commitment.

Finally, following the cabinet approval, the model bills and all policy views of CSOs and other institutions were sent to the Law Officers Department of the Ministry of Justice – the responsible government institution for drafting of bills. When those documents were interpreted into government bills, those bills were first gazetted and sent for public consultations. Smoothly, on the 22nd October, 2021 the Minister of Land Housing and Country Planning was granted the permission by the Parliament of Sierra Leone to introduce the two bills in parliament as further step with the reform.

2.3.4. Contestation from multi-stakeholder interest and how it was dealt with, following the first reading of the bills in the Parliament.

As if many stakeholders, especially the traditional leaders never believed in the reform until the bills were finally gazetted and introduced for the first time in Parliament, sooner than the Parliament laid the bills for the 27 day period of maturity, than the National Council of Paramount summoned an emergency meeting with the aim to halt the whole reform process. They had argued in a leaked position paper addressed to the president that the reform was an affront to their authority as traditional leaders. Particularly the South-eastern chiefs dominated by the Mende tribe, arguing that 'land is the epitome of their authority as they are called *'Dor-oor mahin* which means 'chief for the land'. The NCPC further held regional engagements in all the regions and came up with a protest letter written to the President, out-rightly condemning the reform process and rejecting all the provisions in the bills, as they put it 'in its entirety'.

Within the same period when the traditional leaders were protesting, the private sector actor stakeholders were mobilized by a UK funded investment-promotion initiative called, Invest Salone,⁴ to interrogate the bill and come up with a position. Invest-Salone later facilitated a round-table discussion for the private sector actors and CSOs to clarify some of the issues. Some government agencies were in attendance. The meeting was not to broker any understanding, rather to make clarity on some of the issues and to take a collective position

⁴ (to insert website of Invest Salone)

that the reform process should go on. But the traditional leaders who wanted the reform process stopped were not in that meeting and therefore, the okay from the private sector and CSOs was not any assurance that the obstacle was being crossed. Notably, one of the prominent agri-business private sector investors, Socfin, walked out of the meeting, after referring to the entire reform effort as a death trap for investment in Sierra Leone.

The reform process was almost facing a stalemate. For several months, nothing was happening. To cross over this state of stagnation, the Minister of Land became more transparent, accommodating and flexible. First, he asked to hold a special meeting with the National Council of Paramount Chiefs. That engagement was considered as a separate bilateral engagement with one interest group – traditional leaders. Then, another meeting was held with the private sector stakeholders – as another separate engagement with a second interest group. For the CSOs, several meetings were already being held.

Following the separate engagements, a large town-hall meeting was summoned that brought together the three parties – CSOs, traditional leaders and private sector entities. At the end of that very emotionally-filled but fruitful meeting, most of the grey lines were crossed. In fact, the process entailed that each line of the bill was read out and revised to meet the satisfaction of the parties. At some points, one sector would have to give up on some expectations. Line-by-line, the words were rephrased in some cases, deletions or addendum made. At the end of the meeting, an understanding was reached for the reform process to go on. Everyone left the room with a lukewarm satisfaction – with some expectations met, while others given up on. And that was the last hope.



2.3.5. The Pre-Leg

The next level with the reform was a pre-legislative engagement with the Members of Parliament (MPs). This event was organized for MPs to have a clue about the whole reform effort and particularly the contents of the bills. It's a legal requirement before a bill can be tabled in the main chamber of parliament. The Pre-Leg was held with Parliament and other stakeholders in the natural resource governance sector on the 25th July, 2022.

2.3.6. The second reading, Committee-stage review, third reading and passing into law Reform process is such a herculean feat. Following the pre-leg, the law was finally tabled for the second reading on the 27th and 28th July, 2022, respectively. On the days of the 29th

July, - 4th August, the bills were reviewed at committee stage with the participation of the Minister of Land, Housing and Country Planning, cross-section of his technical staff, the bill drafters and VGGT-TWG-CSO representatives. Some key changes made, the bills were then sent back to the main chamber of parliament for a plenary session which were held on the 5th – 8th August, 2022. Following the plenary session where some further reviews were recommended, the parliament then passed the two bills into law. But it could not still become law until the President had signed. And after a month of waiting, finally, on the 7th September, 2022, the President signed the two laws, making them fully enforceable in Sierra Leone.

2.4. Presentation of Key contents of the land laws



This agenda item was the hit of the conference. It was to grant an opportunity for participants to have a first-hand synoptic explanation of the key contents of the laws, with emphasis on the Customary Land Rights Act.

The session was facilitated by Madam Eleanor Thompson, Deputy Country Director for Namati, member of the VGGT-TWG and key player of the legal team in the reform process. At the beginning of her presentation, she dramatized an illustration of the context through a short drama that featured two women. The play was to conceptualize how the reform process has corrected an existing mishap in the customary land governance practices, especially about the difficulties that some families face when accessing their lands from some of their traditional leaders.

In the play, one of the women acted as a local authority (like a paramount chief) and the second woman as a representative of a land-owning family. A mobile phone was used to illustrate a property – that further symbolizes a piece of land.

Madam Eleanor asked the owner of the mobile phone – the woman representation the land owning family – to give the mobilize phone to the next woman, (the local authority) for safe keeping. While handing-over the phone for safe-keeping, she was to explain the reason and the rationale of choosing the chief (speaking to the original reasons for which the British rule had entrusted the land into the hands of traditional leaders – as custodians). The woman thus indicated that she trusted the chief and her powers to keep the phone safe, which she would need at any time for communication. She indicated that there were many thieves in the community who had the interest to steal her phone and that she was not very careful with safeguarding her precious phone. She wouldn't want to lose the phone as she uses it to communicate to her husband who lives far away. Without the phone, her husband wouldn't understand what was going on at home and that he wouldn't be able to send family support in time. In effect, she emphasized that the phone is the property of the family, and therefore pleaded with the chief to keep it safely.

Eleanor also asked the 'chief' to make any statements about whether she would accept to keep the phone and under what conditions. In both occasions (Makeni and Bo), the statements of the 'chiefs' were very brief. The 'chiefs' appreciated the trust of the women who gave them their properties for safe-keep and promised to take a very good care of them. They assured that the properties would be readily available at any time the owners needed them.

Turning round the discussion, Madam Eleanor approached the audience and informed them about what had just happened – that trust has been built and that nothing was wrong at that stage. She now narrated that after some years had passed, the woman who owns the phone was ready for her phone and had come to collect it. She asked the phone-owner to come to the chief and present a case that made her not come for the phone for a quite a long time due to whatever reasons, but that she was now ready to get her phone back. It was the chief's turn to respond.



In both occasions, the women representing the chiefs were very consequential and reluctant to give back the phone.

In Bo city for instance, the woman representing the chief came from Malen chiefdom⁵. She was very dramatic in her response to the property owner. She brought in many unnecessary demands – for the woman to bring the receipt of the mobile phone and her husband – that it was not okay to give the ‘family phone’ to a woman without her husband. She further requested a meeting with the entire family before the phone was released. There was a critical response from the phone-owner which aggravated the chief. She was angry that the ‘woman’ was opposing her instructions and called that as ‘abuse of traditional leader’. The woman stood her ground, for a while and there was a short emotional expressions. The play was called off.

In Makeni, the woman who represented the chief later made it known that she was indeed a legitimate chief of her village. She stated that she refused giving back the phone because she attributed the phone to a community property and that she wanted a fair redistribution of the property to both the family of the woman and the community. In Bo, it was easy for everyone to attribute the statement of the ‘chief’ to the real case of Malen chiefdom.

The Presentation – Following the drama, Madam Eleanor introduced the two laws by name. She referenced the statements of previous speakers about the importance of the laws and the history of the process of enactment – which she acknowledged, was a long rough road. But, as everyone had stated, the journey was worth taken. She then cited some key provisions in the laws.

Key points included:

- i. ***The re-organization of the land governance sector*** - That the creation of a special National Land Commission will re-organize and decentralize power. That chiefdom and community level (village-area) land committees would be set up.
- ii. ***Secure customary land rights through titles*** – that the reform will now make families and communities have a proper documentation of rights of ownership to their land. The process, she assured, will secure tenure and guarantee permanent ownership, except otherwise, the land is given out by the wish of the owner.
- iii. ***Inclusive decision-making*** – That, the committees to be established, will be inclusive of both land owners and land users, and that their decision-making

⁵ Malen chiefdom is located in Pujehun district where Socfin Agricultural Company has invested in almost all the available land of the chiefdom and the paramount is playing a key role to protect the interest of Socfin and thus, in the process tampering with the rights of family land owners.

arrangement will be guided by a written by-laws which will be developed out of the participation of every member of the committees.

- iv. *Base-mapping to prevent future confusion about boundaries* – That, the law obliges the government to ensure that the base map of every piece of land is recorded in a cadastre and that the records will be traceable from anywhere in the world. She referenced the World Bank funded SLLAP as being in progress to hire a consulting firm for that process. She however made it clear that it will be the responsibility of land-owners to undertake the mapping process and present the document to the government authorities for recording and documentation;
- v. *Removal of all forms of discrimination against certain groups* – That the Customary Land Rights has removed any form of discrimination in the acquisition and ownership of customary land, and that any such practice or customary law that exist anywhere in Sierra Leone was being annulled by the new law.
- vi. *Gender Equality* –Referenced Part-III of the Customary Land Rights Act, and explained that women now have equal rights as men to own, acquire, participate in all levels of decision-making in land that belongs to them, their communities and their families. She also informed women that the National Land Commission Acts provides for a minimum of 30% female representation in all land governance structures, including chieftdom and village-area land committees.
- vii. *Land rights and Responsible Investment* – That the Customary Land Rights Act now provides that potential investors first have to secure the free prior and informed consent of land owners and that such consent should be documented at a meeting held with the family or community. She also referenced the obligation on investors to pay lease rents into the bank accounts of land owners, obligation on the potential investor to provide all necessary information during land negotiations and that such information should include any possibility for resettlement. The law, she said, is clear on penalties that will emerge should a potential investor hide any necessary information from the land owners and communities.
- viii. *Environmental protection* – She emphasized on the provisions for the government through the appropriate authorities, to protect areas demarked as being protected and the restraints on people not to conduct any activity on areas referred to as being ‘ecologically sensitive’. She indicated some examples of such areas, as wet land, growth areas, reserved lad etc.

- ix. *Alternative grievance redress mechanisms* - That the Customary Land Rights demands for the establishment of land tribunals and sub committees to resolve conflicts out of court. She explained the roles that some community-based paralegals will play and called on participants to continue working with CSOs who were already dealing with some of the issues in the communities.

2.4.1. Plenary for Questions, Comments and responses from the facilitator

There was a plenary session following Madam Eleanor's presentation. Key comments noted were:

- a. On the crucial role of traditional leaders** - Both in Makeni and Bo, there was an expressed concern from women about the roles of traditional and local authorities and the need to have their commitment to the full implementation of the laws and the compliance of investment companies. For instance, a female participant in Bo requested that, for the law to achieve the desire change, especially for women to have their equal rights, policy stakeholders should talk to the traditional leaders. She asked about referral pathway, about who to ask if she was denied her right. Another woman from Miro investment community in Mile-91, narrated the history of how land was acquired and the important roles that the local authorities played. She shared the concerns of the land owners about their disagreement with the survey data of Miro Forestry and the need to review and to rectify the data. However, she believed that the local authorities and traditional leaders have an idea about how the survey was done and said that they would be instrumental in the rectification process. Another female participant from Bo was concerned about how women would get their rights to land title, when the decision would be in the hands of the paramount chiefs;
- b.** An male participant in Makeni asked two questions: (1) Who owns wet lands and whether anyone has a right to construct a house on wetland; and (2) whether it is right for a few members of the family to collude with a paramount chief to lease out family land to an investment. Response to his questions were precisely an emphasis of the provisions of the Customary land Rights Act which prohibits any form of development on wetlands and other ecologically sensitive areas.
- c.** The female representatives from Sahn Malen asked about what would be their fate under the new laws, in the given circumstance that their lands were already being leased out to Socfin. The response from the facilitator was a statement of partly of hope and partly of the fact that laws are not retroactive. She described the situation as 'being difficult' and painstakingly explained that laws are not enacted to look

behind – meaning ‘laws are not retroactive’ and therefore, it would be somehow impossible to use the law to regulate a change of the situation. Nonetheless, she emphasized that the political willpower of the government can change anything in the lives of the citizens. She admonished the women to continue working with the CSOs and their traditional authorities until they achieve what they are asking for from the government and from the company.

- d.* Another female representative from Malen shared a story of her family being denied access to the surface rent paid by Socfin. She said the paramount Chief had denied them on the basis that their claim of rights to the land was linked to their maternal origin. Also would want to understand how the law would help them.
- e.* The president for Sierra Leone Widow’s association wanted to know what the law provides for widows, whom she says, have been the most deprived of their rights to access and own land belonging their husbands and families;
- f.* Few other participants appreciated the appropriateness and timeliness of the laws and called on stakeholders to cooperate for the successful implementation of the laws.
- g.* A representative from Human Rights Office of Port-Loko was concerned about the conditions under which Environmental Impact Assessment (EIA) process for companies were done. He referenced the case of a mining company in Port-Loko for which he said no public EIA process was done to his knowledge. That he was never invited and would not believe that any such process was done in the first place. He therefore called on policy stakeholders and certification agencies to look keenly into how EIA processes are undertaken and that the process to document the true responses of land-owners and communities.
- h.* A female representative, responding to the clarion call for women’s active participation in land related decision-making process, assured that they, the women, were henceforth prepared and willing to be part of all decision-making processes. She asked for the continuous support of right-based institutions and the government to ensuring that women’s rights were guaranteed and protected.
- i.* A member of the Tonkolili district security committee emphasized the concerns about the indiscriminate building on wetlands and in some ecologically sensitive areas. He said most of the cases that do meet him as the District Security Officers were related to land and in most of those cases, the rights of women were being tampered with.

- j.* A female representative from Kono, a member of WIND-SL (Women in Development Sierra Leone), foremost chanted in her organization's slogan '*women in development*', and the response was '*men support*'. She assured that, as an organization promoting women's interest, they would stand strong to defend the space for women on the proposed land committees, but asked of civil rights organization to be proactive in monitoring compliance of authorities. She also called for land rights advocates to go further into environmental and health issues surrounding land-based investments. She referenced that in most mining operations, little consideration is paid to the environmental hazards caused by mining companies.
- k.* Another female representative from Kono who seems to have some understanding of the work of the Environmental Protection Agency (EPA), but declined to state that her statement was a representation of the views of the agency, asked participants to have the courage to take some of the difficulties they are having with companies on environmental issues to the EPA. She further whether what would happen about the ecologically sensitive area already being exploited by investment companies, and whether how the government would ensure that activities in those areas were stopped.
- l.* A representative from Legal Aid Board appreciated the effort of all right-based advocacy organizations. She is a member of the Land for Life established District Multi-stakeholder Platforms (DMSP). She narrated the numerous constraints that women face when defending their rights. She is also a leader for the Widow's organization. She narrated instances where she said most traditional authorities have denied women their rights to own land.
- m.* A female representative from Port-Loko, member of Port-Loko DMSP, identified that getting the power-holders committed to granting women the due rights on the land committees and in other decision-making structures would be a major concern. For instance, about land registration, she stated that women have had difficulties with some private surveyors – especially for the exorbitant amount of money that they demand. She calls that government clearly state the amount of money that should be paid for the survey of land.

Giving a general comments and response to the questions and concerns raised, the facilitator referred to various sections of the law that speak to most of the issue raised. To some of the issues, she described them as 'a bit sensitive' and would require a deeper understanding of them before to proffer any logical recommendations.

On the concern to talk to the traditional leaders, she dramatically turned round to the Paramount Chiefs and relayed the request. She further added that the National Council of Paramount Chiefs were already on board the reform process and had made a commitment to support the implementation of the laws. She mentioned that a memorandum of understanding was already being signed to that effect. She emphasized on the leading role that the paramount chiefs would have to play, which she said, they had already started demonstrating. On the referral pathway, she referenced that the law is very clear on the referral pathway and the requirement for a grievance redress committees and land tribunals.

Concluding her presentation, Madam Eleanor asked that other members of the Technical Working Group of the VGGT contribute to answering some of the questions, as she put it:

'...all of these stakeholders have been part of the reform process, including the paramount chiefs. So, each and every one of them is in the position to make an informed comment on all of the concerns raised...'

Eleanor Thompson (Esq.)

To buttress the clarifications given by Madam Eleanor, the Regional Land Officer for eastern Region, shared his experienced that survey process had been participatory with land owners and CSOs playing key role. In some cases, youth who are children of the land owners were trained on the survey process. He assured that such a trend would continue and that the trained youth will continue to act as para-surveyors.

Other members of the Technical Working Group made comments in response to some of the questions asked. Joseph Rahall, for instance, narrated several instances of how survey process led by some investment entities were not made participatory, and thus were characterised by inconsistencies. He called on families and communities to demonstrate interest in every process during the acquisition of their lands, including the survey and mapping. In response to the several questions raised on construction and other development on wetlands and in ecologically sensitive areas, Mr. Rahall clearly stated that construction on wetland is illegal in Sierra Leone. He said that, even before the coming in of the new land laws, other laws of the Environmental Protection Agency and of the National Protected Area Authority (NPAA), have had clear provisions that prohibit human activities on wetlands and other ecologically sensitive areas.

2.5. Statement from Key Stakeholders

In the absence of some of the invited representations, key stakeholders present made their statements generally in reaction to the presentation of the laws and other issues. Some of the statements include:

2.5.1. Assistant District Officer, Port-Loko



He registered his delight over the successful enactment of the new land laws, especially about the repeal of CAP122 which he said most traditional leaders had misconstrued and abused. Further the gender equality provisions of the same law, and cited instances where women were marginalized and deprived of their rights to family land and other properties. He further shared his experience about how some investors had conducted themselves in the wrong way – citing a particular investor who had proposed a land lease agreement which indicated that the investor would invest on the surface, but owns everything beneath surfaces, which contravenes other laws (eg., the Mines and Minerals Act). He emphasized on the need for some authorities and members acting on behalf of land-owning families to be sincere and honest – referencing the clarion call by the former and incumbent presidents of Sierra Leone – for attitudinal and behavioural change. This call was in relation to the people involved in dual and multiple land sale, which he frowned at and called on all those in the practice to desist. He also admonished land owners to avoid rush into receiving payment and signing land deals without the adequate information. Calls for land-owners to heed to the statement from the facilitator ‘that land belongs to the past generation, the present and the future’; and therefore to deal with the land responsibly.

2.5.2. Statement of the Paramount Chief of Bakalokeh Chiefdom, Port-Loko District – on behalf of the traditional authorities.



Referred to the conference as a very, very important and timely endeavour. He said, for several years in the past, they, the paramount chiefs, had had series of problems in relation to land in their respective chiefdoms. Therefore, as traditional leaders, the new laws will give them the clear way-out to making the rightful decision on land, to ensure that the rightful owners of lands in their respective chiefdoms get it. He urged all other traditional leaders to be sincere in their deeds, to acknowledge that the land over which they preside over is not theirs, rather, belong to their people. Therefore, it should not be the role of traditional leaders to take decisions against the interest

of their people. He pointed out that most private sector investors come with huge amount of money to lure land owners to hastily sign papers and lose their land. In other to avoid that, he calls on his colleague traditional leaders to be very cautious and sincere, to avoid taking decisions that go against their people. He thanked everyone and the organizers for the opportunity.

2.5.3. Statement from a Civil Society on the VGGT-TWG



Registered his appreciation of the effort of all stakeholders who put resources together for the Conference. He referenced some of the circumstances in history under which Sierra Leone's land governance system was made dual – colony and protectorate. He also highlighted some of the difficulties that the dual land governance system had brought upon Sierra Leoneans. He

however pointed out that, after independence, Sierra Leoneans had the rights and the privilege to make laws and to take decisions for the governance of their land. He said the enactment of the new laws is already a commitment of the government. He calls on other authorities to do their parts. In as much the new laws have repealed CAP122 of the 1923

Protectorate Land Ordinance, he called on the paramount chiefs to understand that they were no longer the custodians of the people's land. He therefore called on the civil society to take a proactive step, to be in the communities and to monitor compliance. He shared his experience about how some men had had an opportunity over time to evade the laws that promote co-ownership of land. For instance, some husbands had registered their joint property in their individual names, leaving out the women. Now, he said, the new law has enforced joint ownership and joint title. He however, expressed concern about the lack of land banks and the use of land without considering reserve for the future generations and for future development. Referencing the facilitator when she said that land is for the past, the present and the future families, he asked a rhetorical question - whether it would make sense if the current families use all the land without taking the future into consideration. He emphasized on the importance of land saving:

'Land is Life. We all survive on the land, when we die, we all will be buried in the same land. We wouldn't want to die and there is no land to bury our remains'

John Paul Bai

He informed the participants about the World Bank funded SLLSAP and assured that most of the actions will be taken after the then pending national elections.

2.5.4. Statement from the Representative of FAO-Sierra Leone – Mr. Ibrahim Bangura

He is the head of the VGGT Project in Sierra Leone. In his statement, he mentioned the VGGT as a guideline for land and other resources. He talked about the support to Government from FAO in the introduction of the VGGT and its implementation in Sierra Leone. He expressed delight that the VGGT was able to guide the review of the land policies and to support the enactment of the new laws. He then craved on the indulgence of participants to read the laws by heart, to understand the policy provisions and to work hard to adhere to those legal requirements - for women to have their equal rights from their male counterparts and for people to make responsible use of their natural resources. He called on every participant to take the message back home, about the laws and the education they have received from the technical facilitators. He assured of FAO's continuous support to the VGGT and land governance process in Sierra Leone, towards national food security.

2.6. Statements of Keynote Speakers

There were two keynote speakers – one for each location. The North-Eastern Regional Land Officer delivered a keynote address in Makei on behalf of the Ministry of Lands Housing and Country Planning, while Paramount Chief of Bo Karkwa, delivered a keynote address on behalf of the traditional leaders.

2.6.1. Regional Land Officer, North-East – Mr. Aiah Paul Kamgbanja –



He spoke on behalf of the Minister of Lands, Housing and Country planning, a role he described as difficult. However, his statement was generally, a synopsis of the land sector update, about the rationale of the reforms and what specific changes that the new laws have brought. He started his statement with a direct response to the question earlier raised about who owns wetland and whether anyone

had any rights to construct on it. He stated that all wetlands belong to the government and that no one has any rights to construct houses on wetland. The rationale for this, he said, had already been mentioned - because wetland pose future problems when dwellings are constructed on it and also they are the source of all the rivers and running waters. He expressed some dissatisfaction about the level of turnout of the relevant stakeholders, that he had expected the meeting to be attended by high profile national and regional level stakeholders.⁶ He asked participants to congratulate themselves as Sierra Leones for being one of the few countries in the world to enact such a progressive laws. He referred to the laws as 'very beautiful laws'.

He further narrated some of the participatory processes through which the enactment process went thorough, especially when public consultations were held. He said that the laws were the outcome of those consultation which he said, started sometimes around 2005. He went on to explain some of the further steps that the implementation process will take, mentioning that the survey process which other speakers had talked about, would be very participatory and consultative.

He also highlighted some of the challenges that had characterized the land sector - the discrimination of certain people from owning land and the gender inequality against women. He said the new law had addressed all of those anomalies. He further declared that the laws were very clear about how to acquire land for investment and the collective roles of the various stakeholders – paramount chiefs, local authorities, government and the CSOs.

⁶ He was later better informed that the conference was primarily organized for rural people and that a possible national level conference would be held for national and international stakeholders.

He also explained briefly about the new institutional framework that the National Land Commission Act has brought, about the separate National Land Commission, to be headed by a Commissioner General, the sub-district commissions and the local level land committees. He spent a considerable time explaining other critical issues that the new laws will address - about the removal of all forms of discrimination, the private sector and land owners relationship management and the ease on the role of the traditional leaders. He emphasized that the new laws have strengthened people's access to land and their rights of ownership, and that he hoped for a reduced tension and conflicts between families, communities and with private sector investors – for instance, that it is now an obligation for the investor to seek the consent of the land owners prior to investment.

He however pointed out that the implementation of the laws may come along with some challenges and spill-overs. He therefore called on all stakeholders to take on those challenges and contribute to making the process better other than undermining it. He quoted a statement of the Minister of Land Housing and Country Planning, Dr. Turad Senesie, when he once said that the reform had brought a win-win for all – that whatever the ways it affects the authorities and rights for some people, there are still many other good things to take home from the new laws. A notable reputation of the reform process, he said is a good precedent that Sierra Leone and few other West African countries have set, which he referred to as 'a model for other civilizations to emulate'.

He then performed the symbolic handing-over rituals on behalf of the Minister of Lands, Housing and Country Planning, who was unavoidably absent.

2.6.2. PC Boima of Bo-Karkwa Chiefdom, Bo District.



He foremost registered his sincere appreciations of all the efforts of the government and partners for helping to make the land sector better governed and organized. He made few comments about what the previous speakers had said and helped to clarify some of the issues. He affirmed that the land title process will particularly ease the pressure on them as

customary land administrator and further noted that the registration will also generate income for both the government and the chiefdom councils. He narrated that over the years,

his chiefdom council had already been supportive to people by imposing a much reduced cost for registration – Le. 100 (apprx. 5USD);

He went on to cite many good provisions of the Customary Land Rights Act which he observed, also speaks to other laws like the devolution of Customary Marriage and Divorce Act. He explained a case of a certain widow whose husband left her a house and children. She later got married to another man, and unfortunately, she died later, leaving the children with the new man. The new (surviving) husband then chose to sell the house unknown to the children. He recalled that the children had gone to him (the PC) asking for help. He then contacted some legal practitioners who provided a free legal service and the children were able to get their rights back. Though the man had already sold the house, it was the buyer who had to lose his money as the man was on the run after the property was retrieved from the buyer.

He therefore called on citizens to make good use of the new laws and not to abuse it. He encouraged citizens not to just focus on their rights and forget their responsibilities as many advocates had done with the child rights act and other right-given laws. To emphasize his call for citizens not to focus on their rights and abandon their responsibilities, he expressed a dismay that most children had become ‘wayward’ because of misunderstanding of their rights and a total negligence on their responsibilities;

He also expressed hope that, as the new laws were being popularised, they would make the desired positive impact on women, and further urged the women to use the laws at their advantage - to change their own lives and their communities.

He recalled some efforts that his chiefdom council had already done even before the laws were enacted. He also mentioned government’s interest to attract investment with the laws, amidst the conflicting impact such an interest had had on some families and land owners. He however cited some instances where he had, before then, admonished families on how to promote equality in land redistribution and how to negotiate deals - to prevent conflict in dealing with land. He reminded participants that the customary land would require the protection of customary laws. For instance, the role of the chiefs to sign and authenticate family rights, a process he said, had helped to prevent confusion. He indicated that in the customary laws of his chiefdom, lands are not sold, that people only paid what the chiefdom indicate as a ‘token of appreciation’. Therefore, occupiers are obliged to obey the laws of the land and be good citizens. On that note, he admonished that people have responsibility to take good care pf their land and the development they put on them.

On the concerns raised by the people of Malen chiefdom, in relation to the investment of Socfin Agricultural Company (SAC), he said he had been to Malen chiefdom where he had

observed some of the mistakes that led to the improper acquisition of the land – for instance, the central government holding a huge stake and as the lessor to SAC after it had sub-leased the land from the chiefdom council. He said, upon seeing the agreement, he had requested for the team to go back to the drawing board. He referenced that he had already started discussion with some stakeholders about the need to start re-engaging. However, he acknowledged that it would be difficult to reverse any decision, given that government had already invested a high interest in the investment.

Concluding his statement, he thanked everyone for listening and the organizers for granting him the opportunity to deliver a keynote statement. He also performed the symbolic handing-over rituals to the women of the south-eastern regions.

At both locations, the events were climax by the fanfare of traditional dancing, celebrations and jubilations. Both in Makeni and in Bo, the women couldn't hide their appreciation of the whole reform process, the notable changes on their behalf and the importance attached to their roles as women in the popularization of the laws.

3. Conclusion and Next Steps

At a debriefing and reflecting meeting held after the sessions, a conclusion was drawn that the the Peoples' Land Conference was a huge success and a novelty. It granted the participants, majority of whom were customary people and women, the opportunity to interact with policy stakeholders and to understand the key contents of the enacted laws from the most reliable sources. The comments and discussions held further guided the CSOs and policy stakeholders on the next levels of actions, especially towards the full implementation of the laws.

3.1. Next steps

At the same debriefing meeting following the events, the following were identified as next steps, and collective actions of the team:

1. Simplification of the laws with illustrations;
2. National level training of key stakeholders of the media, the legal, education and CSO sector on the new laws and the VGGT;
3. Replication of the training in selected districts of Sierra Leone
4. Chiefdom level awareness raising on the new land laws;
5. Media engagements;
6. More information and communication materials on the laws;
7. Continuation of VGGT

4. Photos and Links

4.1. Event Photo



Group Photo in Makeni after the Land Conference



A Female Chief from Pujehun District stating her points



Kenema District Facilitator introducing participants from the south-east



Cross Section of women from Northern Region



Cross section of women from the north-west region receiving the Customary Land Law



Cultural Performance and dance during the land conference in Bo

4.2. Links to Event Publications

www.landforlife.org.sl

Facebook Page: Land for Life Initiative Sierra Leone

Twitter: Land4Lifesalone

5. Facilitators:

No	Name	Organisation	Signature
1	Joseph Rahall	Green Scenery	
2	Eleanor Thompso	NAMATI	