



Combined Project Information Documents / Integrated Safeguards Datasheet (PID/ISDS)

Appraisal Stage | Date Prepared/Updated: 29-Jun-2017 | Report No: PIDISDSA21781



BASIC INFORMATION

A. Basic Project Data

Country Liberia	Project ID P162893	Project Name Liberia Land Administration Project	Parent Project ID (if any)
Region AFRICA	Estimated Appraisal Date 12-Jun-2017	Estimated Board Date 28-Sep-2017	Practice Area (Lead) Social, Urban, Rural and Resilience Global Practice
Financing Instrument Investment Project Financing	Borrower(s) Ministry of Finance	Implementing Agency Liberia Land Authority	

Proposed Development Objective(s)

The Project Development Objective is to strengthen the institutional capacity of the Liberia Land Authority and establish a land administration system.

Components

- Support to the Liberia Land Authority
- Support for inventory and development of policy for tribal land certificates
- Development of a land administration system
- Project Coordination, Monitoring and Evaluation

Financing (in USD Million)

Financing Source	Amount
International Development Association (IDA)	7.00
Total Project Cost	7.00

Environmental Assessment Category

B - Partial Assessment

Have the Safeguards oversight and clearance functions been transferred to the Practice Manager? (Will not be disclosed)

No

Decision

The review did authorize the preparation to continue

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Other Decision (as needed)

B. Introduction and Context

Country Context

1. Liberia has made considerable progress in the face of daunting challenges since the return to democratic governance in 2006. Fourteen years of civil conflict (1989-2003) destroyed key institutions, infrastructure and the economy. The return to multi-party democracy in 2006 created the environment for long term reconstruction. Between 2006 and 2013, gross domestic product (GDP) growth averaged 7 percent with a strong boost from the resumption of iron mining since 2010. The incidence of poverty at the national level fell to 56 percent in 2010 from 64 percent in 2007 due mainly to the decline in rural poverty. The comparable data for 2007 and 2010 showed that inequality, as measured by the Gini coefficient was marginally lower in 2010 than in 2007, falling from 0.36 in 2007 to 0.35 in 2010. The overall drop in poverty has reflected economic growth, the sharp fall in inflation, particularly since 2008, as well as steps taken by the government to provide income support to the poor and vulnerable.
2. In 2012, Liberia launched the Agenda for Transformation (AfT) as a first step towards its vision of achieving middle income country status by 2030. Liberia was in the second year of the implementation of the AfT when the Ebola crisis struck in March 2014. The Ebola crisis has not only impaired the government's capacity to deliver basic services including critical health services, but it has also brought about a sharp disruption of economic activities across all sectors and heightened social and political tensions. The Ebola outbreak coupled with declining global commodity prices led to a considerable decline in Liberia's economic performance, which has led to job losses and a decline in welfare.
3. Liberia is at a critical stage in its peace building and development process, given the multiple challenges the country has to grapple with in FY2016/2017: Post-Ebola economic recovery, UNMIL (UN Mission in Liberia) drawdown, the decline in global commodity prices and upcoming presidential elections in October 2017. The continued terms-of-trade shocks and the reversal in foreign private investment inflows due to the Ebola outbreak, have prolonged Liberia's post-Ebola economic recovery. GDP growth declined sharply from 8.7 percent in 2013, to less than 1 percent over the period 2014-2015. The mining sector, which was one of the key drivers of economic growth declined by 16 percent, followed by 1.5 percent decline in the manufacturing sector. Investments to increase mining capacity and palm oil production have been put on hold. As a result medium term growth prospects are much weaker than before the crisis.

Sectoral and Institutional Context

4. One of the main triggers of the civil conflict and a critical constraint to Liberia's sustained and inclusive growth is its land tenure system. Liberia faces unique land tenure challenges mainly related to its specific historical and political context. Liberia was founded by former slaves coming from the US who attempted to create a Western statutory system of land ownership. The majority of Liberians in rural areas however use their own customary systems, which are based on community or collective ownership of discrete territories. Furthermore, the fragile land tenure situation in Liberia is made more insecure by contradictory natural resource policies, an unclear



legal framework and low professional and technical capacity in core land administration and land management disciplines to develop and administer policy and law. It is widely claimed that between 45 to 75 percent of the country is covered by land concessions, which often overlap with other private and customary rights. This is a major area of concern as it may be a significant driver for new rounds of conflict. A moratorium on new land concessions issued by the President in 2012 provided some space for re-considering policy. Furthermore, some of Liberia’s land holders, especially in the rural customary system, hold “tribal certificates” for which there is no comprehensive inventory, or consistent legal definition. The legal uncertainty regarding the security of tenure of tribal certificates continues to pose significant risk for designing policy interventions aimed at protecting customary land rights.

5. The Government of Liberia created a national Land Commission in 2009 to explore and analyze Liberia’s land tenure challenges and propose policy and legal reform. The term of the Land Commission expired in January 2016 and led to the creation of a new body, the Liberia Land Authority (LLA). With the passing of the LLA Act by the Legislature in October 2016, the LLA has the legal mandate for land administration in Liberia. The LLA will subsume the Department of Lands, Surveys and Cartography (DLSC) under the former Ministry of Land, Mines and Energy (now Ministry of Mines and Energy), the Deeds Registry currently within the Center for National Documents and Records Agency (CNDRA), and relevant functions from the Ministry of Internal Affairs (e.g. County Land Commissioners)—a significant mandate that will take time and resources. The LLA will start operation under a one-year transition period, led by a transition Committee, which will allow the LLA time to develop transition strategies.

C. Proposed Development Objective(s)

Development Objective(s) (From PAD)

6. The Project Development Objective is to strengthen the institutional capacity of the Liberia Land Authority and establish a land administration system.

Key Results

7. Proposed key results include:
 - i. LLA departments are functional, with managers and minimum technical staff in place
 - ii. Policy and processes for recording of customary land rights are developed
 - iii. System for recording and managing land rights information is established

D. Project Description

8. The project will have four components and tentatively USD 7 million IDA financing:
 - 8.1. Component 1: Support to the Liberia Land Authority: With the passing of the LLA Act by the Legislature in October 2016, the LLA has the legal mandate for land administration in Liberia. Even though the LLA has been legally established, and the transition committee has been appointed by the President. The LLA will need support in key areas to become operational. Activities will focus on support to the operationalization of the LLA and its core responsibilities, including but not limited to: land laws/regulations and administrative procedures; business systems, plans and processes as well as a strategic investment strategy for financial sustainability; capacity building; communication and awareness raising; and acquisition of office equipment,



furniture, supplies and vehicles necessary for conducting the work of the Project. Work on legislation will be informed by the social assessment and other consultations and will be sensitive to vulnerable or disenfranchised groups.

- 8.2. Component 2: Support for inventory and development of policy for tribal land certificates: Tribal land certificates refer to a legal, procedural document issued by the County Land Commissioner under the 1973 Public Land Sale Law, certifying the consent of tribal authorities (chiefs, elders, etc.) to sell customary land through the Public Land Sale Program.¹ While the Government introduced tribal certificates initially as a tool to enable customary land to be sold, many local Chiefs issued tribal certificates to community members under the assumption that the certificate guarantees their tenure security. The different understanding of the Government and the communities about the rights the certificates provide, has led to conflicts and undermined investment. Large, but unknown numbers of tribal certificates exist, but the total extent of areas covered by them is unclear. Inventories were completed in four counties and piloted in three other counties with support from USAID and SIDA. A full inventory process is necessary to provide a broader basis for the analysis of the extent and understanding of tribal certificates, the amount of customary land transferred to public land, and the overlap of the certificates with other forms of land rights. The data will also inform the development of a tribal land certificate policy, which will be necessary to establish a land administration system.
- 8.3. Component 3: Development of a land administration system: Liberia does not have a system to record and manage land rights information. Further support and analysis to establish a land administration system is required, specifically with regard to customary land rights.² The activities under this component will support assessments and pilots in key areas of the 2015 Land Administration Policy: survey and mapping; recording of land rights; valuation of land; land use planning; and management of government and public land. Project support will focus on necessary steps to establish a geodetic network.³ This component will also support assessments and pilots to determine best methods for collecting, recording and managing land rights information. This support will develop and begin implementing a road map including strategies and options for a land administration system leading to the establishment of a land administration system in Liberia (deed or title based). Activities to support land valuation could include the development of standards and procedures for the valuation of land and property. Further, a coordinated institutional framework for the management of both Government and Public Land could be supported under this component.
- 8.4. Component 4: Project Coordination, Monitoring and Evaluation: The Project is expected to be implemented through a Project Implementation Unit (PIU) under the LLA. There is need to ensure that the LLA has adequate capacity to provide effective project management, fiduciary support (financial management and procurement), monitoring and evaluation of project activities and the establishment of a solid M&E framework. As such, this component will be used to support operational costs required for project implementation within the framework of the LLA. The project will also undertake the baseline study and social assessment, and the mid-term and end-of-project evaluations in order to assess performance and document important lessons to inform the design of future operations.

¹ See GoL (2015): Liberia Land Administration Policy

² For details, see: Marquardt, M. & M.A. Pay-Bayee (2011): Study on Assessing the Potential Role of Land Title Registration in Liberia; Thomson Reuters (2012): Implementing an Affordable, Rapid Deployment Land Records Management Solution for Liberia; USAID (2012): Customary Land Tenure in Liberia: Findings and Implications Drawn from 11 Case Studies.

³ Based on previously conducted work. See USAID, MCC (2012): Strategy for Modernizing the Geodetic Infrastructure of Liberia



E. Implementation

Institutional and Implementation Arrangements

9. To support LLA to implement its first World Bank financed Project, a Project Implementation Unit (PIU) will be established within LLA to be staffed by experienced consultants and to support the LLA staff to manage the key project management functions – project management, procurement, Financial Management, safeguards supervision, and monitoring and evaluation. A Project Coordinator will be hired under the Project to coordinate and manage project activities – full time. The technical staff of LLA will be involved in preparing technical specifications and terms of reference as needed for the Project. The Project Coordinator will be responsible for: (i) preparing Annual Work Plans and Budgets and the annual procurement plan; (ii) aggregating demand from LLA departments to be approved by the LLA senior management; and (iii) facilitating effective coordination and implementation of the work plan through regular review meetings with relevant LLA departments. The Project Coordinator will report regularly to the LLA Project Manager – a staff member appointed by the LLA to manage all externally financed projects.
10. The PIU will consist at the minimum of a Project Coordinator, Procurement Specialist, FM Assistant, Monitoring and Evaluation Specialist and an Administrative Assistant, all financed by the Project with TORs acceptable to IDA. Further, other specialists may be hired on an as needed basis to supplement LLA’s capacity, e.g. Safeguard Specialists or technical staff to provide more support for preparation of TORs and technical specifications. An international procurement consultant, with significant experience in Bank procedures, will be hired during the first year of the project, and then as needed, to provide additional support to the LLA and capacity building for the PIU and LLA staff. The PIU will perform the following specific functions: (i) provide support to the Project Coordinator to prepare annual work plans and budgets; (ii) carry out all procurement work related to the project as per approved procurement plans; (iii) prepare regular monitoring reports on WB safeguards implementation; (iv) prepare quarterly, semi-annual and annual project progress and monitoring and evaluation (M&E) reports; and, (v) plan and organize all M&E activities, including baseline studies, the social assessment, and thematic impact assessment studies.
11. The PIU specialists will all work with similar specialists in the LLA – for example the PIU Procurement Specialist with the procurement staff in LLA – in order to train and transfer skills to the LLA staff with the goal that the LLA staff are able to take over the PIU functions within years 3 or 4 of the start of the Project. This will be assessed annually by the LLA management and the Bank team to determine what PIU tasks could be taken on fully by LLA and what should remain.
12. Financial management and procurement capacity assessments have been carried out to assess the current capacity of the LLA to implement the Project according to Bank standards.

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F. Project location and Salient physical characteristics relevant to the safeguard analysis (if known)

Overall, the project will have a national focus but will largely be office based. The only field activities are the inventory and analysis of tribal land certificates which will be a data gathering exercise and will not confer any rights. Areas for the tribal certificate inventories are yet to be determined. The specific areas will be confirmed during the first year of the project. Similarly, renovation of existing office structures for the LLA



may be undertaken, but the list of structures and scale of renovation works have not been finalized. If and when these office renovation works are determined, site-specific ESMPs will be prepared and consultations will be held.

G. Environmental and Social Safeguards Specialists on the Team

Sekou Abou Kamara, Charles Ankisiba

SAFEGUARD POLICIES THAT MIGHT APPLY

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Safeguard Policies	Triggered?	Explanation (Optional)
Environmental Assessment OP/BP 4.01	Yes	The Project may include office renovations and support for policy, legislation/regulations for land administration. The office renovation works may have potential impacts but they are manageable. It is not known at this stage the type of legislation/regulatory activities and the impacts this may have on access to and use of land and forest resources. Given that the renovation works and support to legislation are not defined at this stage, the LLA has prepared an ESMF, while activity- and site-specific Environmental and Social Action Plans or ESMPs will be prepared at the time of implementation when these activities are defined.
Natural Habitats OP/BP 4.04	No	The project activities are not expected to have adverse impacts on critical or other natural habitats.
Forests OP/BP 4.36	Yes	OP.4.36 has been triggered as a matter of precaution since work on legislation could have potential impacts on the health and quality of forest, affect the rights and welfare of people dependent on forests, or bring about changes in the management, protection and utilization of forest resources. No standalone safeguards instrument is required at this stage to address the triggering of this OP apart from the ESMF that has been developed. When “work on legislation” is defined at a later stage, and depending on its potential impacts, the necessary activity- and site-specific social and environmental mitigation plans will have to be completed, prior to



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		implementing those activities of the project triggering this OP. These plans could include livelihood restoration plan, stakeholders' engagement plan, etc.
Pest Management OP 4.09	No	The project activities will not promote or increase the use of pesticide. The project activities will not involve procurement, transportation or storage of pesticides or pesticide application equipment.
Physical Cultural Resources OP/BP 4.11	No	The project activities will not affect physical cultural resources.
Indigenous Peoples OP/BP 4.10	No	This is not applicable to the project and Liberia at large.
Involuntary Resettlement OP/BP 4.12	No	The project activities will not require land acquisition. Physical or economic displacement of people will not also be required.
Safety of Dams OP/BP 4.37	No	Project activities do not involve construction of new dam or renovation of existing dams. The project will not rely on any existing dams.
Projects on International Waterways OP/BP 7.50	No	The project does not affect international waterways.
Projects in Disputed Areas OP/BP 7.60	No	None of the project activities is in disputed areas.

KEY SAFEGUARD POLICY ISSUES AND THEIR MANAGEMENT

A. Summary of Key Safeguard Issues

1. Describe any safeguard issues and impacts associated with the proposed project. Identify and describe any potential large scale, significant and/or irreversible impacts:

The Project may include office renovations and support for policy, legislation/regulations for land administration. The office renovation works may have potential impacts but they are manageable. It is not known at this stage the type of legislation/regulatory activities and the impacts this may have on access to and use of land and forest resources. Given that the renovation works and support to legislation are not defined at this stage, the LLA has prepared an ESMF, while activity- and site-specific Environmental and Social Action Plans or ESMPs will be prepared at the time of implementation when these activities are defined. OP.4.36 has been triggered as a matter of precaution since work on legislation could have potential impacts on the health and quality of forest, affect the rights and welfare of people dependent on forests, or bring about changes in the management, protection and utilization of forest resources. No standalone safeguards instrument is required at this stage to address the triggering of this OP apart from the ESMF that has been developed. When "work on legislation" is defined at a later stage, and depending on its potential impacts, the necessary activity- and site-specific social and environmental mitigation plans will have to be completed, prior to implementing those activities of the project triggering this OP. These plans could include livelihood restoration plan, stakeholders' engagement plan, etc.

2. Describe any potential indirect and/or long term impacts due to anticipated future activities in the project area:

The Project is expected to raise considerable awareness on land policy reforms which seeks to provide a clear tenure



regime for the recognition of customary practices, incorporation of traditional resource management rules and arrangements, and for the legal protection of community land rights. Further, the Project might finance some small building renovations of existing offices for the LLA. As such, it is expected to have some environmental and social impacts associated with its implementation. These impacts are expected to be minimal and manageable. Long term impacts are not expected in this respect.

3. Describe any project alternatives (if relevant) considered to help avoid or minimize adverse impacts.

Given that the current potential adverse impacts are already minimal as they mainly focus on potential renovation works on existing office buildings, project alternatives to avoid or minimize these impacts are not relevant.

4. Describe measures taken by the borrower to address safeguard policy issues. Provide an assessment of borrower capacity to plan and implement the measures described.

The LLA has prepared an ESMF. The LLA or its predecessor (the Land Commission) has no experience in implementing World Bank-financed projects and hence no experience in implementing safeguards instruments that may be developed for this project. The project activities and sites have not been finalized at this stage. For the activities proposed so far, the potential environmental and social risks and impacts seem to be minimal and manageable notwithstanding the low capacity of the LLA for safeguards implementation. However, strengthening the safeguards capacity of the LLA is still recommended to ensure implementation of safeguards instruments that may be developed. In case the proposed activities do not change substantially, and the sites for field activities, especially those involving renovation works, are not in sensitive environment, the project may not require a full-time safeguards specialist. A consultant may be hired on part-time as and when needed to oversee the implementation of the safeguards instruments.

In addition, a legal-social desk review is being carried out and will be completed by negotiations. The principal objective of the legal-social desk review (LSDR) is to provide an understanding of the current stakeholders and the legal, institutional and social context in which project activities are being prepared and would be implemented. The LSDR should provide information about the enabling and constraining impact of project activities on potential target groups (vulnerable groups such as women, elderly, youth) in order to identify ways to overcome constraints that would limit project impact.

This will be complemented by the baseline survey to be performed in year one of the Project. A social assessment will also be conducted at the early stages of the project effectiveness and the outcome is expected to inform the development of appropriate strategy for land administration, particularly on issues related to customary land management, land conflict prevention and Alternative Dispute Resolution (ADR), gender and youth.

5. Identify the key stakeholders and describe the mechanisms for consultation and disclosure on safeguard policies, with an emphasis on potentially affected people.

The direct beneficiary of the Project will be the Government, specifically the LLA. Capacity building activities, the development of business plans, and provision of equipment will benefit the LLA staff to execute their duties. The establishment of an inventory of tribal land certificates will benefit the LLA by providing a clearer picture on the land rights situation in the country. The establishment of a geodetic network will benefit other Government entities as well. The indirect beneficiaries are customary and private land rights holders. Communities in rural areas, including women and vulnerable groups (e.g. youths and elderly), will benefit from awareness raising campaigns focusing on land rights.

During the formulation of the draft of the ESMF in 2014, the following key stakeholders were consulted through workshops, key informant interviews and focus-group discussions: Environmental Protection Agency (EPA) officials,



various ministries, departments and agencies of Government (i.e. Ministry of Lands, Mines and Energy, Center for National Documents and Records Agency (CNDRA), regional and district officials in various agencies responsible for land administration and management); and selected beneficiary groups (male and female) at the county and sub-county levels.

In 2017 the LLA conducted additional consultations with CSOs, including the Civil Society Working Group on Land Rights Reform, legal professionals, and as well as traditional leaders about the new role of the LLA and the proposed Liberia Land Rights Act. Decentralized Government officials and women’s groups participated in consultations as well. The feedback received about the project from the consultations was positive and there is the high expectation across the counties about the long term benefits and impacts of the project in particular with regards to the Tribal Land Certificates.

B. Disclosure Requirements (N.B. The sections below appear only if corresponding safeguard policy is triggered)

Environmental Assessment/Audit/Management Plan/Other

Date of receipt by the Bank 26-Jun-2017	Date of submission to InfoShop 27-Jun-2017	For category A projects, date of distributing the Executive Summary of the EA to the Executive Directors
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"In country" Disclosure

Liberia
23-Jun-2017

Comments

The LLA has publicly disclosed the ESMF in the newspaper ‘The Inquirer’ on June 23, 2017. Copies of the ESMF were made available at the LLA’s main office in Monrovia. The ESMF and a disclosure note were also published on the ‘Executive Mansion’ website (<http://www.emansion.gov.lr>).

C. Compliance Monitoring Indicators at the Corporate Level (to be filled in when the ISDS is finalized by the project decision meeting) (N.B. The sections below appear only if corresponding safeguard policy is triggered)

OP/BP/GP 4.01 - Environment Assessment

Does the project require a stand-alone EA (including EMP) report?
No

OP/BP 4.36 - Forests

Has the sector-wide analysis of policy and institutional issues and constraints been carried out?
NA

Does the project design include satisfactory measures to overcome these constraints?



NA

Does the project finance commercial harvesting, and if so, does it include provisions for certification system?

No

The World Bank Policy on Disclosure of Information

Have relevant safeguard policies documents been sent to the World Bank's Infoshop?

Yes

Have relevant documents been disclosed in-country in a public place in a form and language that are understandable and accessible to project-affected groups and local NGOs?

Yes

All Safeguard Policies

Have satisfactory calendar, budget and clear institutional responsibilities been prepared for the implementation of measures related to safeguard policies?

Yes

Have costs related to safeguard policy measures been included in the project cost?

Yes

Does the Monitoring and Evaluation system of the project include the monitoring of safeguard impacts and measures related to safeguard policies?

Yes

Have satisfactory implementation arrangements been agreed with the borrower and the same been adequately reflected in the project legal documents?

Yes

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APPROVAL

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