

THE STRUGGLE BETWEEN **THE POWERFUL** **AND THE PEOPLE:**

How Customary Communities
Struggle for Land and Livelihoods.



A study on elite land capture and the implications on the livelihood/food sovereignty of local communities in view of the expansion of Sime Darby's plantation activities in Bomi County


sustainable
development
institute

MAY 2019



Disclaimer:

The contents of this publication are the sole responsibility of SDI, and can in no way reflect the views of the funder.

Acronyms:

CBOs	Community Based Organizations
CDA	County Development Agenda
CFSNS	Comprehensive Food Sovereignty and Nutrition Survey
CLR	Customary Land Rights
CSOs	Civil Society Organizations
FGD	Focus Group Discussion
FPIC	Free Prior and Informed Consent
FUN	Farmers' Union Network
GoL	Government of Liberia
GVL	Golden Veroleum Liberia
KII	Key Informant Interview
LLA	Liberia Land Authority
LRA	Land Rights Act
LRP	Land Rights Policy
NFRL	National Forestry Reform Law
SDI	Sustainable Development Institute
SDPL	Sime Darby Plantation Liberia
USAID	United States Agency for International Development

Table of Contents:

Pages 1-6 — Executive Summary

Most rural Liberians depend on common resources such as forests and water bodies for their survival and cultural practices.

Pages 7-8 — Political context of land

Political manipulation and control of how land can be owned and managed among citizens has created economic and social inequalities.

Pages 8-8 — Agricultural land context in Liberia

Technically, most farmers in rural Liberia do not have the technological capacity to increase food and crops productivity.

Pages 9-9 — Industrial concession related to oil palm

The commercial value coupled with the fact that Liberia has an ideal climate for palm oil production puts the country into the spotlight for oil palm companies seeking land.

Pages 9-9 — Overview of Bomi County

70 percent of the active workforce in Bomi County is engaged in agricultural activities but this mainly at the subsistence level.

Pages 10-13 — Analysis

Community members interviewed are deeply concerned that their livelihood is under threat because of the scale of the lands that they have lost to small holder who are all mainly national elites.

Pages 14-14 — Conclusion

Despite the recent passage of the Land Rights Act that provides for the protection of customary land rights, this right cannot be guaranteed if national elites continue their expansion of land acquisition.

Acknowledgment:

The Sustainable Development Institute (SDI) would like to thank the Forest Peoples' Programme (FPP) for its generous support for this research. SDI wishes to thank everyone who participated through field work, reviews and commenting on earlier drafts of this report. A special thanks goes to Att. Oscar Bloh who contributed to the drafting of the report.

Executive Summary

Liberia

Since its founding in 1847, Liberia has maintained a dual land tenure system over statutory and customary lands characterized by unclear terms of ownership. Most rural Liberians depend on common resources such as forests and water bodies for their survival and cultural practices. These resources are largely communally owned, used, and managed. The Liberian government, however, has effectively treated all un-deeded land as public land to be managed and administered by the State. This designation has undermined the land rights of the majority of Liberians.ⁱ A nearly 100-year history of granting large-scale land concessions to foreign investors and national elites has also weakened land tenure security with communities' customary lands often targeted for development by foreign investors.

Policy and legal reforms

Liberia has made substantial efforts towards land reform through legislation and policies such as the National Forestry Reform Law (NFRL of 2006,¹ Community Rights Law of 2009² and the Land Rights Act of 2018.³ These laws recognize communities' rights to own and manage their customary lands and resources. They also affirm communities' rights to provide or withhold their free, prior, and informed

consent (FPIC) for any development on their customary lands. However, the continued expansion of concession areas, including land acquired for palm oil plantations, has exacerbated tensions between local communities, companies, and the State, with increasing, documented claims that communities' lands have been appropriated against their will.

Palm oil sector

Palm oil is the most widely consumed vegetable oil in the world today, estimated to be present in roughly half of all consumer goods on supermarket shelves in the United States and Europe. In Europe, more than half of imported palm oil is used in biodiesel, despite widely published research into its negative climate impacts.ⁱⁱ While palm oil companies promise economic development, rapid plantation expansion has been accompanied by consistent charges of human rights violations, deforestation, and land grabbing. In Malaysia and Indonesia, palm oil plantations have been a major driver of forest loss and social conflict for over two decades.ⁱⁱⁱ Across tropical Africa's rainforest belt a similar story is unfolding, with palm oil expansion threatening high-carbon forests, community livelihoods, and wildlife habitats from West Africa to the Congo Basin.

Footnotes

¹ <http://www.fao.org/forestry/16151-05fd47b845599b5d3a594a9b0240dacff.pdf>

² <http://extwprlegs1.fao.org/docs/pdf/lbr143892.pdf>

³ https://www.sdiliberia.org/sites/default/files/publications/Land%20Rights%20Act_full%20draft.pdf

The research

In November 2018, the Sustainable Development Institute (SDI) commissioned field-based research on privately owned monoculture plantations across Bomi County, Liberia. The study sought to identify and provide a broader understanding on the nature and implications of privately owned land holdings on the livelihood/food sovereignty of local communities in view of the expansion of Sime Darby's plantation activities.

The research is aligned with promoting SDI's approach on community rights and food security with good governance in forest and climate policy of Liberia⁴. The research was also conducted within the context of Liberia's new Land Rights Act of 2018. The new law has paved the way to formal recognition and protection of the customary land rights of rural communities.



footnotes

⁴ <https://sdg.iisd.org/news/liberia-launches-climate-change-policy-and-response-strategy/>

The objectives of the research are threefold:

(a) To document the implications of land grabs by national elites and the implications for livelihood of communities using Bomi as a case study;

(b) To increase public information on the land holdings by national elites in Bomi County; and

(c) To share as early warning of potential challenges to customary land formalization under the new land rights Law.

Methodology

In pursuit of the above objective, information related to the research was generated through the conduct of Focus Group Discussions (FGDs) and Key Informant Interviews (KIIs) with local community members and their leaders.

Key findings:

Land acquisition by elites could undermine the land rights law:

'Although the Land Rights Law provides for the formalization and protection of customary land rights, land grabbing by national elites could jeopardize full implementation of the law.

The lack of political will impacts on food sovereignty in Liberia:

Despite being endowed with land, fertile soil and a climate favorable for agricultural activities, successive governments have not demonstrated the political will through adequate budget allocation for sustained agricultural investment in food crops production.

Industrial Agriculture Model undermines Food Security:

Liberia has not broken from its historical past of agriculture investments based on the concession model and this is contributing to food insecurity. Agricultural concession model may bring short term benefits in the form of revenue for central government and some job creation but it undermines land security tenure that communities need for sustained food crops production beyond subsistence level.

Gap in legal framework regulating the agriculture sector:

Unlike the forest sector that has legal statutory framework to guide its operations, there is no law in Liberia to regulate agricultural investments. The passage of the Land Rights Act (LRA) does not

negate or undo the terms and conditions of current agreements signed between the government and agricultural concession companies. Nonetheless, the LRA has implications for agricultural productivity. Without a law to guide the agricultural sector, communities that depend on the land for livelihood may not reap the full benefits of communal land ownership.

New wave of land grab by national elites:

Land tenure security for communities is also under threat by a new wave of land grab by national elites, using their political influence and wealth to acquire land. The acquisition of land by elites is dispossessing communities of their land that they need for livelihood purposes. Unfortunately, national elites have reinforced the negative impacts of the concession model in the agriculture sector by planting cash crops including rubber and oil palm on community lands and displacing their livelihood activities. The cultivation of these crops requires labor force from the communities, which in many instances, runs the risk of being exploited due to limited employment opportunities.

Increased realization for community driven approach:

There is an increasing realization among community members of the need to establish communal smallholders as compared to individual smallholders and asked for legal trainings to enable them understand their rights and better resist elite land grab for individual smallholders.

Recommendations:

The study proposes the following policy recommendations for action:

Government:

Demonstrate commitment to agriculture through increased budget allocation: Increase public expenditure for agriculture activities in food crops production and support to community-based small holder farmers in cash crop investments based on agro-ecological systems. Meet the Africa-wide consensus and the ratified Maputo Declaration that national budget allocation for agricultural programs should be at least 10%. Attract other types of (private & institutional) investments in community based forest and land management.

Review, research and develop alternative approach to large scale land acquisition: Conduct land valuation and increase transparency on all payments of large scale land acquisition as compared to community-based small holders farmers in cash crop investments. Clarify how the different systems provide for the Liberian people and their food sovereignty in contrast to how they provide to central government and international companies (shareholders).

Enact law to regulate the agricultural sector: Leverage the passage of the LRA to formulate a law specifically to regulate the agricultural sector to place a check on the expansion of agricultural concession-based model in order to protect customary land rights that is needed for sustainable livelihood of

communities. Until such agriculture law exists and until all communities have formalized their customary land claims, in the meantime, install a moratorium on new concession contracts, the expansion of current concessions and the proliferation of land titles for the national elite.

CSOs:

Statutory and policy advocacy: Develop an advocacy strategy to engage stakeholders or pressure points including the National Legislature, Executive Branch, private sector, and communities for statutory reforms in the agricultural sector.

Support community-driven advocacy: Develop a social mobilization and capacity building strategy to strengthen the ability of communities to innovate and sustain community driven advocacy for agricultural reforms.

Establish strategic relationship with CBOs: Given the complexity of legal reforms particularly with land, building strategic relationships with Community Based Groups (CBOs) such as the Farmers' Union of Liberia is important in order to build a critical mass of actors with similar interests.

Institutionalize the LRA: Support communities to institutionalize the LRA with an emphasis on CLRs which will create the opportunity for communities to own and decide how their land is used. This would include technical support to communities in establishing the needed governance structure and providing training and legal services on provisions

of CLR.

Local Communities:

Request third party support:

communities need to ask for legal trainings to enable them understand their rights and better resist elite land grab by individual smallholders.'

Start organizing: to formalize their claims to customary lands under the newly passed Land Rights Law and produce a shared community vision on development.

Protect customary land through documentation: With the passage of the Land rights Act, communities need to

begin the process of developing strategies on how best to protect their customary land through proper documentation.

Develop skills and evidence for advocacy: In securing customary tenure, communities need skills to gather evidence and use it for advocacy against further elite land grab.

Institutionalize customary land rights: Communities need to institutionalize their customary land rights by establishing relevant governance structures and by-laws to manage their land in an inclusive, accountable and equitable manner.

VONJO FARMS INC.
GOLODEE-DUDU TOWN, SUEHN-MECCA STATUTORY DISTRICT
BOMI COUNTY, REPUBLIC OF LIBERIA

ACTIVITIES:

- Palm Oil Production
- Rainbow Washing Soap
- Liquid Soap
- Bathing Soap
- Organic Fish Production (CATFISH, PLANK FISH, TILAPIA)
- Rubber Production

Contact #: 0886-565005 / 0886-516644 / 0888-983511 / 0777-528575 Email:...

HALF A MILE DISTANCE

Political Context of Land:

Article 11(a) of the 1986 Liberian Constitution guarantees the right to possess and protect property but political manipulation and control of how land can be owned and managed among citizens has created economic and social inequalities. This has been and remains the source of the Liberian conflict.⁵ With the passage of the Public Land Laws of 1956 and 1973, the government operated as if all land that was not under private deed was public.⁶

This gave successive governments the legal rights to control land in the country that was not owned privately but also discarded recognizing customary land ownership. With all lands owned by the government except land held in fee simple, governments used customary land as the means of its economic development policy. The focus of this policy was to attract international private firms into large-scale capital-intensive investments in the natural resource sector and plantations including the cultivation of rubber and oil palm.

The results have been that successive governments have used their political power to uproot communities from their land in the name of job creation and socio-economic development, when land is vital to rural communities being able to survive and thrive.

Similarly, political control of the land contributed to previous government's breach of the law, which sets limitation on the substantive terms of agricultural concession contracts. The defunct Public Lands Law at the time set a maximum duration of fifty years for agricultural concession agreements.

According to the then⁷ Public Lands Law of Liberia, Chapter 5 (70); Leasing of Public Lands to Foreigners: *"The President is hereby authorized to lease any portion of the public lands not appropriated for other purposes to any foreign individual, corporation or company for engaging in agricultural mercantile or mining operations in Liberia. The term of any such lease shall not exceed fifty years, but the lessee may review the lease for another term of fifty years upon such terms as the contracting parties may agree."*⁸

Despite this legal provision at the time, the Government of Liberia in 2010 entered into separate lease agreements with oil palm producing companies, Golden Veroleum Liberia (GVL) for 65 years and Sime Darby for 63 years, respectively. Although the legality of these contracts has been brought into question, the government has ignored calls to appropriately address the situation.

footnotes

⁵ Truth and Reconciliation Report on Liberia.

⁶ <https://www.cambridge.org/core/journals/journal-of-african-law/article/legal-history-of-public-land-in-liberia/773E2E9E4A6633D0F179FF5799433FD8>

⁷ With the passage of the Land Rights Act, the Public Land Law has been repealed.

⁸ Public Lands Law, Title ³⁴ Liberian Code of Laws Revised.

In addition to the phenomenon of granting hundreds of thousands of hectares to oil palm companies, elites have also engaged in significant land grabs affecting customary land and local livelihoods. In Bomi County, most of those involved have cleared some of those lands and planted oil palm. Because lands owned by elites⁹ are private property and not properly documented and demarcated on the ground, it is difficult to ascertain how much of communities' land has been taken away jointly by elites for the planting of oil palm.

Over the years, national and local government officials and influential business personalities have used many different means across the country to take away local peoples' land. The tactics of these individuals have taken different approaches. Prominent amongst these include request for farm lands, financial inducements through influential community residents, and enticing local traditional and statutory leaders to grant them land without the full involvement of their broader communities.

Agriculture land context in Liberia:

food sovereignty:

In 2018, the Government of Liberia through the Ministries of Agriculture and Health validated the report of a Comprehensive Food Security and Nutrition Survey (CFSNS) with the participation of other food and nutrition sector stakeholders. According to the

Report, Liberian households headed by individuals with little or no education are more vulnerable to food insecurity while the opposite is true for households headed by someone who has attended a technical institute and above.¹⁰

At the same time, guaranteeing food security is both a technical and political matter. Technically, most farmers in rural Liberia do not have the technological capacity to increase food and crops productivity. This negatively affects their ability to produce more and good quality food as well as overall agricultural productivity. Politically, successive governments in Liberia have identified agriculture as a key development priority to ensure food security. However, rhetoric has not been matched by a demonstration of political will to commit sufficient resources in the national budget to implement agriculture programs.

As far back as 2003, there was a general Africa-wide consensus that national budget allocation for agricultural programs should be raised by ten percent (10%).¹¹ The Maputo Declaration, which Liberia has ratified, recognized the critical role of agriculture in equitable development and committed to allocating at least ten per cent of Government budgets to the sector. The Maputo Declaration further calls on member states to commit to “revitalize the agricultural sector through special policies and strategies targeted at small-scale and traditional farmers in rural areas.”

footnotes

⁹ Elites in this document mean individuals in national government who use their wealth and influence to grab land in the counties, thus displacing local communities and undermining their livelihood.

¹⁰ <https://allafrica.com/stories/201808100538.html>

¹¹ <http://www.fao.org/docrep/MEETING/006/Y9483E/Y9483E00.HTM>

The industrial concession model:

reference to oil palm development in Liberia

Liberia's economic development framework has been influenced over the years by successive government entering into concession agreements with private companies in the agricultural sector including palm oil. Agriculture concessions have been expanding in Liberia since 2010 and have had a significant impact on the country's land use and management. The U.S. Agency for International Development (USAID) estimated that as of 2013, over 50 percent of Liberia's land had been conceded to agriculture, forest and mining concession.¹² An international non-governmental organization, Rights and Resources Initiative (RRI) placed that estimate closer to 75 percent.¹³

Investment in oil palm production in Liberia has been particularly attractive to financiers. The commercial value coupled with the fact that Liberia has an ideal climate for palm oil production puts the country into the spotlight for oil palm companies seeking land. The rush for the suitable lands in Liberia has come with tensions and in some instances conflicts within and between adjoining communities and between host communities and oil palm concessions seeking land from the communities.

As plantations have expanded, some Liberians (especially local residents who are dependent on the land) have lost

land for subsistence agriculture but have not recouped income or compensation in return. There have been numerous reports of farmers complaining that cash payments given for their destroyed crops have often failed to compensate for the loss of livelihood they experienced.¹⁴

An overview of Bomi County:

Bomi County, one of the fifteen counties of Liberia is a relatively small county in terms of land space and population and is composed of five administrative districts. It lies in the northwest part of Liberia occupying a land area of 1,942 square kilometers (750 square miles) and a population of 84,119 according to the 2008 national census report. According to the County's Development Agenda (CDA) of 2008-2012, 70 percent of the active workforce is engaged in agricultural activities¹⁵ but this mainly at the subsistence level. Food crop production is mainly in the areas of rice and cassava.

Like the country at large, the county has an agricultural plantation history since the 1960s operating largely in the rubber sector. Prior to the war, a foreign firm, Guthrie operated a rubber plantation in the county and provided some form of employment and basic social services for workers and surrounding communities.¹⁶ The percentage of households receiving salaries from employers was 4%¹⁷ in the years preceding the investment of Sime Darby Plantation Liberia (SDPL).

footnotes

¹² https://pdf.usaid.gov/pdf_docs/PA00M7RK.pdf

¹³ Who owns the World's Land? http://rightsandresources.org/wp-content/uploads/GlobalBaseline_complete_web.pdf

¹⁴ See New Snake Oil, supra note 26, p. 13; Smell-No-Taste, supra note 25, pp. 42-44.

¹⁵ http://www.mia.gov.lr/doc/Bomi%20CDA_web.pdf

¹⁶ Ibid.

¹⁷ Ibid.

Analysis, Findings and Conclusions:

Type(s) of crops investment by private landowners:

In seeking response to the issue of crops investment by private landowners, the research team interviewed heads of households and asked about the primary agricultural or crops investments in their communities. Respondents from the different target communities mentioned that investment on their land by private landholders was mainly in cash crop production notably, rubber and oil palm. Rubber has been one of the traditional agricultural activities in Bomi prior to the war so it is a sector that communities are familiar with. The new wave of investment in oil palm cultivation by private landholders has been greatly influenced by the investment of multi-national companies and in this region by Sime Darby and including the prospects of value-added activities associated with the sector.

Land acquisition by private land holders:

Following the formulation of the Land Rights Policy (LRP) and the drafting of the Land Rights Bill, President Sirleaf issued in December 2013, Executive Order Number 53, placing a moratorium on the sale of public land and the issuance of Tribal Certificates and Town Lot Certificates. In January 2015, this moratorium was extended for another year through the issuance of Executive

Order Number 67. According to these Orders, the moratoriums were put in place in order to address three fundamental issues:¹⁸

- The continuous sale of public land in accordance with the procedures of the repealed Public Land Act of 1973 would exacerbate unequal access to land.
- Insecurity of land tenure.
- Ensuring the rule of law in public land transactions.

The restriction on the sale of public land and the issuance of Tribal Certificates by traditional leaders or local government authorities would have allowed the government to formulate a new land law, regulations and procedures for transactions of public land. The Orders mandated that all Tribal Certificates or Town Lot Certificates issued while the moratoriums were in force should be considered illegal and void. The Orders further noted that continuation of the issuance of Tribal Certificates by traditional leaders would diminish the benefits of Customary Land Ownership as recognized by the LRP.

footnotes

¹⁸ https://www.emansion.gov.lr/2press.php?news_id=3183&related=7&pg=sp

It is unclear whether or not traditional and local authorities adhered to or were in compliance with the mandates explicitly expressed in the Orders issued. This is against the background of the acquisition of relatively substantial customary land by national elites from communities in Bomi. Responses from community members who participated in Focus Group Discussions (FGDs) demonstrate that they do not know exactly the quantity of land they own but at the same time they acknowledged selling or relishing land to local elites. One male discussant asserted: *“We don't know our land size and we don't know the amount of land given to people who come to negotiate with us for land”*. He further stated that some local elites would ask the community for land under the pretext of making farm but they use their political connection to eventually turn the land into private ownership.

Responses from Key Informant Interviews (KIIs) indicate that past and current government officials have acquired land in different districts of the county. Discussants highlighted that in Suehn-Mecca District a female member of the House of Representatives from Bomi County owns about 1,200 acres of land, a Senator from the county possesses approximately 800 acres, someone who is fronting for the same Senator has acquired around 2,700 acres, and a Minister in the current government from the county owns 1,500 acres. In this district, the total land community members claimed that elites have acquired is around **6,200 acres**.¹⁹

footnotes

¹⁹ These assertions were not backed by documentations.

Similarly in Klay District, a senior and a junior official in the Ellen Sirleaf government owns around 800 and 200 acres of land, respectively. In Senjeh District, a seated lawmaker from the county has 350 acres of land used from oil palm cultivation. Another member from the House of Representative possesses 700 acres, a Senator from another county acquired 200 acres, and a government official of the past and current government owns 600 acres. These combined quantity of land amount to **2,850 acres**. This figure could be slightly higher if the quantity of land owned by past and current local government officials including Land Commissioners, District Commissioners is known. In Tieh District, respondents averred that the immediate past President owns a considerable quantity of land in the district but they do not know the exact figure.

The research could not independently verify whether the quantities of land owned by local and national elites as provided by community members are correct. This is primarily due to the lack of information and or any form of agreement between the communities and those acquiring the lands. What was established is that past and current government officials who have acquired land mentioned above have made cash crops investments on hundreds of acres of land in the county.

By the same token, the scope of the study did not allow to independently establish whether the quantity of land mentioned that national elites acquired was done through the transfer of fee simple title or the issuance of Tribal Certificates. It is highly unlikely that individual members of the mentioned districts have titles to the quantities of customary land referenced above to enable them transfer title to other private individuals.

In a similar vein, adequate information and documentation were not provided by communities to have enabled the research team to make an informed judgment whether the different quantities of land acquired by local elites were done at the time Executive Orders 53 and 67 were in place. If it is established that the lands referenced were acquired through the issuance of Tribal Certificates from the period between 2013 to January 2016, then the lands were illegally acquired in accordance with the terms and conditions of Order 67.

Tribal Certificates issued by communities after January 2016 are considered legal because of the expiration of the Moratorium of January 2015. At the same time, it is implausible that the lands acquired could have been acquired in 2016 or 2017 due to the scale of the investments and the level at which the crops have reached.

At the same time, the transfer of Tribal Certificates to deeded property remains a major challenge in Customary Land

security tenure. Article 47(1) of the Land Rights Act mandates that: “the holder of a valid Tribal Certificate issued prior to the effective date of the passage of the LRA for which a Public Land Sale Deed was not obtained is granted a maximum of twenty four months to finalize and complete all the steps necessary to obtain a Public Land Sale Deed”.

It is not clear how many Tribal Certificates are in circulation or have been registered with the Liberia Land Authority (LLA) to be processed into Public Land Deeds. The LRA also calls for community self-identification to establish their Customary Land Area (Articles 34 and 37). The law, however, is unclear whether this exercise would take place before Tribal Certificates are processed into deeded land. If the LLA goes ahead to transfer Tribal Certificates into Deeds before Self-Identification, there might be little land left for customary ownership.

Without putting into place safety mechanisms, it is plausible that powerful Tribal Certificates holders, counting on their influence, could use the law to transform their Certificates into Deeds. This will amount to a new wave of legal land grab this time not by concessionaires but by local elites. This invariably will pose a risk to security land tenure and undermine one of the main objectives of the LRA: The promotion and protection of Customary Land Rights.

Nature of social benefits provided to community:

Despite losing their land to private small holders, all of the communities targeted in this study indicated that they have not accessed any form of social benefits. Because the lands acquired by small holders are privately owned, they owe no legal or moral obligations to communities in terms of social benefits or responsibilities. The investments by small holders like corporate entities have adverse impact on the environment and cause other forms of human rights violations.

Employment Opportunities:

Even though small holder cash crop investments are not on a large scale, they need labor. According to discussants, the agricultural investments by small holders in rubber and oil palm provide them with employment opportunities but as daily workers. Daily wage is inconsistent and varies from farm to farm. Some of daily hire make \$2.50. Others make \$3.00 and \$4.00 per day. These amounts are accumulated into monthly wages and in some instances workers are not paid for two to three months. This is not enough to provide for a living wage and is directly against the regulated and legal minimal wage of Liberia which stands at 5.6 dollars per day.

Expansion:

The responses from FGDs and KIIs provide no evidence that national elites who are small holders are expanding beyond the land areas that they have acquired. However, there are concerns

among community members about their livelihood. In some communities, the respondents indicated that they were not informed about the sale of the land especially with the land ownership been held by people in distant communities such as the United States of America. *An elder in Sirleaf Curve said: I am 73 years now and before me were my parents and have never been told before that this land belong to someone; but we ask the big man claiming to be the new owner and clearing our land, all he said to us that he bought the land from the owner in the United States of America.*

They also indicated that they do not intend to sell more land to small holders. They equally expressed the desire to engage current small holders so that there is a common understanding on the limits of their lands.

Livelihood:

Community members interviewed are deeply concerned that their livelihood is under threat because of the scale of the lands that they have lost to small holder who are all mainly national elites. The money they earn as daily workers cannot sustain their families. The land they used to cultivate food crops is gradually being taken away by national elites. There is an increasing realization among community members of the need to establish communal smallholders as compared to individual smallholders and asked for legal trainings to enable them understand their rights and better resist this elite land grab by individual smallholders.

Conclusion:

Industrial agriculture with an emphasis on large scale cash crops production has had an influence on the country's agriculture landscape. Though at a lower scale, small holders have copied this model and have shaped their agriculture investment strategy.

The new wave of land grab by national elites for the planting of rubber and oil palm, influenced by industrial agricultural have reduced land that communities depend on for their livelihood. This reduction in land poses a constraint on the ability of communities to engage in food crop production and this increases the risk of food insecurity among households. This wave of land capture by national elites if left unchecked will make communities vulnerable to labor exploitation, environmental issues and the inability to feed themselves.

Despite the recent passage of the Land Rights Act that provides for the protection of customary land rights, this right cannot be guaranteed if national elites continue their expansion of land acquisition. Communities are vulnerable and they need safety nets to be able to resist the wealthy, powerful and

influential elites from further expanding their desire to grab more land. Land acquisition by national elites is done with the support of local elites: traditional leaders and local government officials. Working with the governance of communities is one of the ways of building the communities' capacity to resist local and national elites.

Even though small holders provide employment opportunities for some community members, income generated from daily contracts is not enough to sustain their families. At the same time, there is growing interest among communities to form communal small holder systems to engage in cash crop production. This would create the opportunity to generate communal wealth but this can only be sustainable if communities have land security tenure through Customary Land Rights (CLR) as provided for in the LRA.

Despite the provision of this right in the LRA, communities have little knowledge about the contents of the law. The law will need to be institutionalized within communities and the relevant structures are put in place in order to increase citizens' knowledge of their rights and responsibilities in claiming, protecting and enjoying their CLR.



**sustainable
development
institute**

The Sustainable Development Institute (SDI) works to transform decision-making processes in relation to natural resources and to promote equity in the sharing of benefits derived from natural resource management in Liberia. The organization's vision is a Liberia in which natural resource management is guided by the principles of sustainability and good governance and benefits all Liberians. Its activities cover a range of crosscutting issues including governance and management, the environment, state and corporate social responsibility, economic and social justice for rural populations, and the democratic participation of ordinary people in government management of natural resources. The organization received the Goldman Environmental Prize (the world's largest prize honouring grassroots environmentalists for outstanding environmental achievements) in 2006