



Project Information Document/ Integrated Safeguards Data Sheet (PID/ISDS)

Concept Stage | Date Prepared/Updated: 08-May-2017 | Report No: PIDISDSC21218



BASIC INFORMATION

A. Basic Project Data

Country Liberia	Project ID P162893	Parent Project ID (if any)	Project Name Liberia Land Administration Project (P162893)
Region AFRICA	Estimated Appraisal Date Jun 12, 2017	Estimated Board Date Mar 26, 2018	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 support the operationalization of the Liberia Land Authority and inform the development of a new land administration system.

Financing (in USD Million)

Financing Source	Amount
International Development Association (IDA)	10.00
Total Project Cost	10.00

Environmental Assessment Category B-Partial Assessment	Concept Review Decision Track I-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 after the final approval of the Commissioners under a one-year transition period, mandated by law, which will allow the LLA time to develop transition strategies.

Relationship to CPF

6. The Project supports pillar 4 of the Country Partnership Strategy (CPS) FY13-17, namely strengthening governance and state institutions. The CPS states that the need for land reform and improved land governance mechanisms are among the most sensitive and important constraints to achieving inclusive growth and reducing sources of conflict in Liberia. The Liberia SCD CN (draft March 2017) states that reforms in the land sector are needed to grow the economy, create jobs, and lower the risk of conflict. Further, Liberia’s long-term development strategy – the Agenda for Transformation: Steps towards Liberia Rising 2030, the World Bank’s Africa Strategy and the Agriculture Sector Strategy all consider land tenure security as a key factor to achieve poverty reduction and promote shared prosperity in Liberia.

C. Proposed Development Objective(s)

7. The Project Development Objective is to support the operationalization of the Liberia Land Authority and inform the development of a new land administration system.

Key Results (From PCN)

8. Proposed key results include:
- LLA has the necessary business plans and staff trained in place to function
 - LLA has a better understanding of the distribution of land rights at country level (specifically number of counties with land certificate inventory)
 - LLA has a road map for developing a system for recording and managing land rights information

D. Concept Description

The project will have four components and tentatively USD 10 million IDA financing:

1.1. 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, its transition phase and operationalization have not started yet. 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.

1.2. Component 2: Support inventory and analysis of tribal land certificates: Tribal 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 (see Liberia Land Administration Policy, 2015). 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. Pilot inventories were completed in at least 3 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, and to eventually establish a land administration system.

1.3. Component 3: Support options for land administration: Liberia does not have a system to record and manage land rights information. Further analysis to inform the development of a land information and administration system is required. A geodetic network is the prerequisite for gathering spatial information. Liberia once had a complete network of geodetic and survey control points throughout the country. Over the period of civil unrest, the network deteriorated due to the lack of maintenance and, in some cases, intentional destruction. In 2013, with funding from the US Millennium Challenge Corporation, an attempt was made to establish a geodetic network. However, only the network monuments were installed in 10 strategic locations but no measurement campaign took place and consequently, no coordinates have been obtained. The Project will advance progress toward establishment of a geodetic network for a common referencing system for all surveys, mapping, engineering and construction projects, land use plans, and any other referencing of spatial data gathered throughout the country. Illustrative activities include: a measurement campaign to finalize the establishment of the geodetic network; and studies, assessments and pilots to determine best methods for collecting, recording and managing land rights information. This may include analysis of drones, satellite and other technologies to gather and manage geodetic data. The support will contribute to developing strategies and options for a land information and administration system.

1.4. 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 the mid-term and end-of-project evaluations in order to assess performance and document important lessons to inform the design of future operations.

SAFEGUARDS

A. Project location and salient physical characteristics relevant to the safeguard analysis (if known)



Overall, the project will have a national focus. Component 3, for example, will support the development of system for recording and managing land rights information nationally. However, for field activities such as inventory and analysis of tribal land certificates, a few areas will be selected for implementing proposed pilot activities. Areas for these proposed pilot activities are yet to be determined and will be determined during year one of the project. Similarly, renovation of structures may be undertaken, but the list of structures and scale of renovation works have not been determined. Related to social issues, extensive research and assessments have been done by the Rehabilitation and Reform of Land Rights and Related Land Matters Project (P117010), USAID and others. Furthermore the team is preparing a legal-social desk review. None-the-less, the baseline survey to be performed in year one of the Project and the analysis/strategy on land administration to be prepared under the Project will include additional social assessment and analysis, particularly related to issues of customary land, conflict prevention and Alternative Dispute Resolution (ADR), gender and youth.

B. Borrower’s Institutional Capacity for Safeguard Policies

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 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 part-time consultant may be enough to oversee the implementation of the safeguards instrument. As part of the capacity building initiative of the LLA, key project staff, including the M&E officer, should be recommended for the upcoming Bank safeguards training for PIUs, Ministries and Agencies in Liberia.

C. Environmental and Social Safeguards Specialists on the Team

Demba Balde, Sekou Abou Kamara, Charles Ankisiba

D. Policies that might apply

Safeguard Policies	Triggered?	Explanation (Optional)
Environmental Assessment OP/BP 4.01	Yes	Some of the project activities will involve renovation works that may have potential impacts but are manageable. The project support to the LLA will also include work on legislation. It is not known at this stage the type of legislation and the impacts it may have on access to and use of forest resources. Given that the renovation works and support to legislation are not defined at this stage, the LLA is preparing an ESMF now, while activity- and site-specific Environmental Action Plans or ESMPs will be prepared at the time of implementation when these activities are defined. A legal-social review is currently being prepared based



		on available information and numerous assessments already prepared, however a full social assessment will be prepared as part of the baseline study in year one of the Project.
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	Component 1 of the project will provide support to the LLA, and this will include, among other activities, “work on legislation”. It is not clear at this stage what “work on legislation” will entail, hence its impacts on access to and use of forest resources cannot be established. 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 is being 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.
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.



E. Safeguard Preparation Plan

Tentative target date for preparing the Appraisal Stage PID/ISDS

May 31, 2017

Time frame for launching and completing the safeguard-related studies that may be needed. The specific studies and their timing should be specified in the Appraisal Stage PID/ISDS

An Environmental and Social Management Framework (ESMF) draft was prepared during the ongoing project preparation in order to comply with the Bank's safeguard policy OP4.01. Revisions of the ESMF are required given recent changes of the Project's scope. The ESMF will be reviewed by the Bank in May 2017. The LLA will review the Bank's comments on the ESMF in May. The document will be disclosed by appraisal.

CONTACT POINT

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APPROVAL

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