

INTRODUCING THE COMMUNITY LAND PROTECTION PROCESS TO COMMUNITIES



Once communities have self-defined and the facilitating organization has selected communities to work with, facilitators should convene large first meetings with each community to introduce the land protection process and describe all the activities that the community will undertake. This first meeting sets the tone for the rest of the community land protection process, so it is important to approach it carefully and skillfully.

It is important that a very high proportion of community residents attend the first meeting. Facilitators should be explicit and clear with community leaders that they will only visit to begin the work when the leaders are confident that they can convene a meeting with at least 50% of community households represented. If facilitators arrive at the first meeting and find only a handful of community members, do not have the meeting. Explain the community land protection process to the people who have convened, as well as why it is important for the first meeting to have a very high attendance, and ask the leaders to reconvene the meeting on another day when more people can attend.

SOLUTIONS FOR LOW PARTICIPATION

Early in the process, some people may not attend meetings because they have been frustrated or disillusioned by failed attempts to deal with land disputes. Others may feel that their work or other activities are more important. Some may not see the importance of attending or investing energy into community land protection. Namati and partners have found that it can help to:

- **Ask community leaders and members to create a mobilization strategy** for their community. Encourage creative strategies for mobilization from multiple angles. Announcements heard in multiple places — in church, on the radio, on signposts, at events and gatherings, in clan meetings, and door-to-door — are more likely to be heard and considered as legitimate.
- **Encourage people to “bring a friend next time.”** Task regular attendees to bring someone new to the next meeting, such as a family member, friend, or neighbor.
- **Support attendees to spread the message.** Ask participants to discuss how they can spread the information from meetings to those who did not attend. A discussion of how to talk about the meeting can help community members feel prepared to tell others about the meeting and what they learned in their own words. This can help prevent the spread of misconceptions among those who did not attend.

Facilitators should be extremely careful about which leaders introduce the field team and the community land protection process. Facilitators will have met with leaders during community definition and selection and should ask all community leaders to attend the first meeting in their community so that leaders can introduce the organization and the community land protection process. **Being introduced by a trusted leader is crucial to the work's success.** Facilitators should also do research to understand which community leaders are trusted and take steps to align themselves with these leaders (see the chapter on *Working with Leaders*).

Ask community leaders to arrive at the meeting an hour before community members. During this hour, reconfirm that community leaders are committed to the goals of the community land protection effort, that they understand the basic steps of the process, and that they are aware of the potential challenges involved. Confirm the meeting agenda with them and ask that they jointly introduce the facilitators to the community.

HOW TO FACILITATE THE FIRST COMMUNITY-WIDE MEETING?

Step 1: Ask community leaders to open the meeting and introduce the facilitators and facilitating organization, including an explanation of why the leaders invited the facilitators to the community to support the community's land protection efforts.

Step 2: Outline communities' legal rights to their lands, under both national and international laws.

Step 3: Describe broader national and international trends that threaten community land tenure (increasing competition for water and natural resources, land speculation by corrupt national elites, international investment deals/concessions, climate change, etc.).

Step 4: Briefly explain the community land protection process from start to finish (see the *"Summary of the Community Land Protection Process"* box at the end of this chapter), including a description of the aspects related to governance, gender, conflict resolution and natural resource conservation.

It may be necessary to emphasize that the facilitating organization does not have any interest in acquiring or using the community's land and natural resources and that the facilitators are only there because the community's leaders have requested help to protect the community's lands and natural resources.

Step 5: Ask community members to brainstorm and discuss the potential benefits of community land protection efforts (ask community members to "shout out" the benefits that may result from the work).

Step 6: Emphasize that the community will drive the pace of the process, but that the goal is to complete the work in 12 months or less.

DEMONSTRATING HOW COMMUNITIES MUST SET THE PACE:

"WE WILL WALK OR RUN BESIDE YOU AT THE SPEED THAT YOU CHOOSE, BUT WE CANNOT CARRY YOU!"

Facilitators have devised a simple but effective physical metaphor to help communities understand that the pace and progress of their community land protection process is truly in their hands:

- Ask for a volunteer from the audience. Select a male who is of medium size and build.
- Explain to the community that the facilitators can only go as fast or as slowly as the community can go. To demonstrate, ask the volunteer to walk very slowly across the meeting space. Walk next to the volunteer at that same slow pace.
- Next, ask the volunteer to walk moderately fast across the meeting space. Walk next to the volunteer at this rapid pace.
- Next, ask the volunteer to run across the meeting space and run alongside to show that the work can be done quickly.
- Finally, explain that facilitators cannot drag the community through the process or force them to do the work. To make this point, try to pick up the volunteer and carry him around the meeting space. (He should be heavy and large enough that this looks ridiculous — the demonstration should cause the community to laugh.) This final "carrying" demonstration is a good lead-in to the discussion of how the community will do most the work, not the facilitating organization.

Step 7: Clearly explain that the community will be responsible for completing much of the work on its own.

Describe how the facilitators will educate the community about what to do and how to do it, but then the community must complete the work as “homework” between meetings, supported by the community’s Community Land Mobilizers and an Interim Coordinating Committee.

If there is a chance that community members will expect a “sitting fee” or some kind of monetary compensation for attending meetings, it may be necessary to make sure that the community understands that the facilitating organization will not be paying any fees, as the effort is something the community is undertaking for its own benefit. It may be helpful

to indicate the value of the free legal services that the facilitators are providing.

Step 8: Emphasize that *all* community members must participate actively in every step of the community land protection process, including and especially women and members of minority groups, in order to avoid elite capture, to promote equality and justice, and to ensure that all community members have a voice in the governance and management of their community’s lands.

Step 9: Ask the community to set “ground rules” that will ensure that all community land protection meetings are participatory, respectful, and well-run.

EXAMPLE GROUND RULES FROM UGANDA, LIBERIA, AND MOZAMBIQUE

1. **Do everything out in the open.** Nothing should be done in secret or by a few people acting alone. All decisions should be made publicly, and every household should have an equal chance to contribute in the deciding process.
2. **Keep your eyes on the goal.** Going through the land documentation process with so many people can bring up conflict and disagreements. But don’t get distracted! Focus on finding positive ways forward to help the community complete the process and achieve the goals the community sets for itself.
3. **Every type of person who uses the community land should be part of this process.** For example, widows, child-headed families, people who are sick or have a disability, divorced or unmarried women, and children born at home should all be invited to meetings to have their voices heard. If certain people are left out, they may challenge what is done, causing confusion later.
4. **All villages, clans, and groups in your community must be represented and actively take part in the process.** This includes people from distant villages who come to graze their cattle in the dry season, smaller clans, women who break stones, shopkeepers, men who burn trees for charcoal, and people who live in the community but are not originally from that place.
5. **Listen to, consider and respect everyone’s ideas and opinions.** It is important that people feel free to speak and that their ideas are listened to. Listen to people who do not always speak the loudest or are not the most powerful in the community like women, strangers, and minorities, because they may have useful ideas about how to best manage the community resources.
6. **Make sure that your elected and customary leaders work together with your community, but do not make all the decisions by themselves.** Leaders are there to support the community to complete this process together as a group, not to control the process on their own.
7. **This process will take a lot of time and work, but don’t do this process in a hurry.** Take time on each step to make sure everyone understands what is being done and agrees with it. It is better to go slowly and do each step well than to move fast and have confusion at the end. Make time for people to fully discuss everything and make changes when necessary.
8. **Make decisions that are in the whole community’s best interest.** Do not let people living outside of the community in the city or elsewhere stop the community from making the best decisions for the community.
9. **Resolve disagreements peacefully.** If there are any disagreements when doing these activities, stop and discuss the disagreement and reach an agreement before moving forward. If there is no agreement, put it on the agenda for the next meeting to give people time to think about it.
10. **Do not rely on others to do the work for you, but ask for help when you need it.** If the community gets stuck in the process, ask the Community Land Mobilizers or the NGO for help.

Step 10: Discuss the potential for challenges and obstacles, especially the risk of sabotage by internal or external actors.

Include advice about how community members can ensure that rumors do not spread or that saboteurs are not successful in stalling or undermining the community's land protection efforts.

Step 11: Confirm all information gathered about the community to date, including:

- The names and titles of all community leaders;
- The community's population, including all languages spoken, religions observed, livelihoods practiced, etc.;
- The approximate size of the community in hectares;
- The names of all sub-units (towns, villages, zones, wards) within the community;
- Any major investments, concessions and companies operating in the region;
- Any large private land claims within the community;
- Any existing land conflicts in the community, or between the community and its neighbors (do not let the community get into details at this point);
- Any shared access or use rights held by neighboring communities or others who use the area (e.g. seasonal users, renters, pastoralists, nomadic groups etc.) who should be informed of the process and invited to take part as appropriate; and
- Any existing community-based organizations, groups, societies or cooperatives – and how facilitators and Community Land Mobilizers can work with those organizations to mobilize community members.

Step 12: Slowly explain each of the next steps in the “Laying the Groundwork” phase and the purposes behind each activity. Discuss and confirm the schedule for when these activities will occur.

Step 13: Ask the community to come to consensus about the location and time of future meetings. Include discussion of which location is most central and easiest for meetings (if the community's area is very large, consider suggesting a rotating schedule of locations to fairly share travel time). Discuss which day(s) of the week and time(s) of day are best to ensure that women and people with various livelihoods can attend meetings. During this discussion, make sure that community leaders do not select a day and time that is inconvenient for women or that discriminates against a particular group or population.

After covering all this information, allow time for community members to ask any questions they may have. **Make sure to manage community expectations about what outcomes are possible and the risk of obstacles along the way.** Use this time to ensure that community members feel comfortable with the process and excited to begin.

SUMMARY OF THE COMMUNITY LAND PROTECTION PROCESS

1. Laying the groundwork includes:

- A “visioning” exercise to help community members plan for the future and understand the benefits of seeking formal documentation of their land rights;
- A basic valuation exercise to help communities understand the high value of their natural resources, as well as their replacement cost;
- Legal education on all relevant laws and policies, such as national constitutions, laws related to land, relevant inheritance laws, and environmental laws;
- Creation of an “Interim Coordinating Committee” responsible for ensuring widespread participation in all community land protection activities as well as spreading information throughout the community; and
- Election and training of Community Land Mobilizers to lead their community through the land protection process.

2. Ensuring good governance of community lands and natural resources includes:

- Discussion and adoption of by-laws for community land governance and natural resources management, resulting from a three- to nine-month, intensive process that involves full community participation in the preparation of three successive drafts of by-laws and adoption by community vote;
- Creating zoning plans that identify areas of land that can be used for specific agreed purposes;
- Creating systems for transparent financial management, to create systems for equitable and transparent management of revenue generated from community lands and resources;
- Election and training of a representative “Land Governance Council” composed of existing leaders as well as women, youth, members of marginalized groups, and all other stakeholder groups in the community; and
- Ensuring implementation and enforcement of the community’s new by-laws.

3. Documenting communities’ land claims includes:

- Participatory map-making;
- Boundary harmonization and land conflict resolution;
- Memorandum of Understanding (MOU)-signing and boundary marking, in which neighboring communities come together to plant boundary trees or other locally-valid markers of their lands’ limits, as well as hold large “MOU signing ceremonies” to create a paper record of all agreed boundaries, witnessed and signed by leaders from each community, relevant government officials, and hundreds of community members;
- Recording of agreed boundaries and other spatial information using GPS, survey, or other techniques.

4. Completion of formal government registration procedures includes:

- Communities and facilitators submit all necessary paperwork to government agencies and apply to receive a title, deed or certificate of registration for their community land claims.

5. Preparing for communities’ prosperity includes trainings on:

- Livelihood diversification, to support communities to earn a sustainable income off their land;
- Community planning, to support communities to plan for their own future development;
- Negotiation, to prepare communities to negotiate with investors or other outsiders seeking land; and
- Ecosystem regeneration, to ensure a thriving natural environment and promote sustainable land and natural resource use.

NOTES