

## SELECTING AND TRAINING COMMUNITY LAND MOBILIZERS AND INTERIM COORDINATING COMMITTEES



The community land protection process is most successful when it is powered by the energy, motivation, and efforts of community members themselves – not by outside facilitators. The role of the facilitating organization is to guide, direct, steer, advise and empower. **Giving community members the direct responsibility to complete the land protection work helps to further communities’ sense of ownership over outcomes and motivate communities to take the community land protection activities seriously.**

Years of trial and error have demonstrated that it is most effective to have two main groups of community members leading their community through community land protection efforts:

**1. Community Land Mobilizers**, who work closely with the facilitating organization and help lead each land protection activity; and

**2. An Interim Coordinating Committee**, composed of representatives from key stakeholder groups in the community who:

- Spread news and updates about the community land protection work throughout their networks;
- Seek out the ideas, comments and reflections of people in their network who cannot attend meetings, then share their contributions at meetings (to ensure that all voices are heard); and
- Report what happened at each meeting back to their networks.

The Interim Coordinating Committee is a *temporary body*: it will be replaced by an elected Land Governance Council after the community drafts and adopts its by-laws. The Interim Coordinating Committee is officially disbanded when the Land Governance Council is elected, although members of the Interim Coordinating Committee that perform their duties well may be elected to the Council.

### THE POWER OF COMMUNITY LAND MOBILIZERS

A two-year study of community land protection efforts in 60 communities across Uganda, Liberia and Mozambique<sup>1</sup> found that communities led by Community Land Mobilizers/paralegals were frequently more successful at completing the community land protection process than communities led by outside lawyers or technical experts. This finding led to various conclusions:

- When communities are responsible for completing most land protection activities on their own, instead of relying on outside “experts,” they take the work more seriously, are more motivated to address intra-community obstacles proactively, and feel greater “ownership” over the process.
- When trusted community members lead the community land protection work, community participation in activities increases and more people attend community meetings.
- Community Land Mobilizers are better able to help communities navigate intra-community tensions or obstacles that outside professionals may fail to perceive, accidentally make worse, or address inappropriately.
- Well-trained Community Land Mobilizers can also help and advise neighboring communities to successfully protect their lands.
- Community Land Mobilizers make community land protection efforts less costly and easier to scale, because they allow a small number of professionals to work with many communities at the same time.



1. <http://namati.org/resources/protecting-community-lands-and-resources-evidence-from-liberia-mozambique-and-uganda/>

## HOW TO EXPLAIN THE ROLES, RESPONSIBILITIES AND PAYMENT OF COMMUNITY LAND MOBILIZERS AND INTERIM COORDINATING COMMITTEE MEMBERS?

### COMMUNITY LAND MOBILIZERS

Typically 2-3 individuals selected based on their ability to guide and support the community through the process.

#### Roles and responsibilities:

- 1. Lead meetings.** Facilitate community land protection meetings and take minutes; hold and facilitate community meetings between facilitator-led meetings (or at the village/town level).
- 2. Liaise.** Be the facilitating organization’s eyes/ears on the ground to mediate concerns between the community and the organization, within the community, between the community and leaders/elites.
- 3. Hold the vision.** Support community leaders and members to remember the community’s vision and to begin to plan for the community’s future.
- 4. Educate.** Teach community members about their land rights and the community land protection process.
- 5. Clarify.** Clear up misunderstandings, rumors or confusion within the community about the land protection process.
- 6. Mediate.** Support boundary harmonization efforts; help mediate land conflicts; and address intra-community disputes that facilitators may not be able to recognize or address.
- 7. Gather input.** Collect/write down ideas and by-laws from each village/town within the larger community.
- 8. Promote women’s participation.** Ensure that women are involved in all community land protection efforts and aware of their legal rights. (Female Community Land Mobilizers especially should ensure to support women’s participation.)
- 9. Collect data.** Support facilitators to collect M&E data such as short- and mid-term impacts.
- 10.Alert:** Call facilitators when legal and technical help is immediately necessary, such as when investors approach the community seeking land.

#### Payment:

Because of the significant time and effort that Community Land Mobilizers spend carrying out these responsibilities, most facilitating organizations choose to pay them a salary or a small stipend and to create a contractual agreement to hold them accountable to fulfilling their role.

### INTERIM COORDINATING COMMITTEE

A temporary, larger group of community members who represent all the types of people and stakeholders within the community during the process.

#### Roles and responsibilities:

- 1. Mobilize participation.** Inform community members about meetings, and make sure that a high percentage of community members participate in every meeting.
- 2. Represent.** Seek out the opinions and ideas of community members who cannot attend a meeting, and present their ideas on their behalf, so that all voices can be present.
- 3. Report back.** Communicate meeting minutes/actions/decisions back to community members unable to attend meetings.
- 4. Participate.** Take part in all community land protection activities before the Land Governance Council is elected.
- 5. Support.** Help and advise the facilitating organization and the Community Land Mobilizers in their work.

#### Payment:

These individuals are unpaid volunteers.

## HOW TO SUPPORT COMMUNITIES TO SELECT THEIR COMMUNITY LAND MOBILIZERS AND INTERIM COORDINATING COMMITTEE MEMBERS?

The election or selection of Community Land Mobilizers and Interim Coordinating Committee members should take place directly after the meeting on Terms of Engagement. To be able to complete the election or selection process in one meeting, facilitators may want to complete steps 1 – 4 during the Terms of Engagement meeting. Otherwise, the election process may take two meetings.

Before the election or selection meeting, work with leaders to ensure that notice about the upcoming (s)election is spread widely throughout the community and that the meeting is very well attended. At the meeting, support the community to follow the following steps:

**Step 1. Review the Terms of Engagement.** These terms set the roles and responsibilities of the Community Land Mobilizers and Interim Coordinating Committee members.

**Step 2: Brainstorm and agree upon the qualities** that Community Land Mobilizers and Interim Coordinating Committee members should have. Generate two lists, one set of criteria for Community Land Mobilizers and one set of criteria for Interim Coordinating Committee members. Because the Community Land Mobilizers will be working closely with the facilitating organization, facilitators should feel free to add criteria to the list.

**Step 3: Decide what types of people will fill each role.** These decisions are not simple and there are important differences between the two roles.

- **Interim Coordinating Committee:** Facilitators should ask the community to brainstorm and agree upon a list of what types of people should be on the Interim Coordinating Committee. Committee members can represent:
  - The various smaller spatial or social units within the larger community;
  - Different stakeholder groups, such as women, youth, people who practice specific livelihoods, minority ethnic groups, etc.; and
  - The various ethnic/religious/tribal groups living together in the community.

This is a critical decision, and should be made carefully. Make sure that all major stakeholder groups in the community are represented – any group that is left out or not adequately included might sabotage or undermine the process.

It is also important for the community to decide how many members will be on the Interim Coordinating Committee. Experience has shown that anywhere from 10 to 15 members works most efficiently. If possible and culturally appropriate, facilitators should ask the community to ensure that at least one third of the committee is female.

### COMMUNITIES MIGHT ASK THAT MOBILIZERS MEET CRITERIA SUCH AS:

- Respected and trusted by community members.
- Effective leadership abilities.
- Strong communication skills.
- A basic level of literacy (at least one of the Mobilizers should be able to read and write well enough to take meeting minutes/notes).
- Ability to speak the same language as the facilitators.
- Hardworking, determined and reliable.
- Passionate about community land rights.
- High integrity, honest, transparent.
- Calm in the face of conflict; good mediator.
- Respectful of community leadership; able to liaise with government officials.

- **Community Land Mobilizers:** Most facilitating organizations can only afford to pay a salary or stipend to two – or at most three – Community Land Mobilizers. The individuals who take on the role of Community Land Mobilizer are central to the success of the community land protection process. Choosing the wrong “kind” of person for the job will make the process more challenging. Communities should consider the following factors:
  - **Literacy.** In communities where the best candidates for the role are a respected male leader and a respected woman, yet both are illiterate, the community will have to devise a solution to ensure that meeting minutes are kept, by-laws are drafted, land laws are read and explained, etc.

- **Youth.** Requiring that Community Land Mobilizers be literate may result in only youth being eligible for the job. In some cultures, youth may not speak in front of their elders or lead meetings, a restriction that makes it difficult for them to fulfill their roles. Even in cultures where youth do have a stronger voice, they may not be the appropriate people to organize or lead meetings about land and natural resources, or leaders may overshadow them during meetings.
- **Leaders.** If there are existing leaders or managers who are responsible for managing common lands and resources, the role of Mobilizers may be a natural extension of their current responsibilities. If these leaders are honest and respected by their community, it is a simple matter for the community to choose them for the role. However, if these individuals have a reputation of corruption, drunkenness or dishonesty, matters become complicated. Facilitators should support communities to delicately find a solution to such challenges.

If community leaders are not chosen to be Community Land Mobilizers, then the community must figure out how to involve them in the land protection process: Will they be ex-officio (non-voting) members of the Interim Coordinating Committee? Will they work with or advise the Community Land Mobilizers? All existing leaders should be included in the community land protection process and given clear roles (see the chapter on *Working with Leaders*).

- **Women.** It is best if the Community Land Mobilizers are not both male. Because many of the community land protection activities involve splitting into groups of men and women (to allow women to speak freely), it is helpful if one of the Community Land Mobilizers is a woman so that she can facilitate these group discussions. This may cause challenges in some contexts, for example in cultures where women are not allowed to meet with men they are not married to or travel unaccompanied to other villages. Facilitators should consult with the community about how to manage cultural challenges to having a female Community Land Mobilizer.

#### **Step 4: Decide on the process for choosing Community Land Mobilizers and Interim Coordinating Committee members.**

How a community chooses to select or elect its Interim Coordinating Committee members will depend on how it has defined the criteria for who will serve on the Committee. Once a representative structure (by town/village, by clan/tribe, by characteristics like age/gender/religion, etc.) is agreed upon, each defined “group” may need to gather as a small group to decide who would best represent them. Facilitators should help the community determine an election or selection process that feels most appropriate. Be careful to listen to the concerns of minority groups and make sure that the election or selection process does not disenfranchise or silence members of minority groups.

The process for electing or selecting the Community Land Mobilizers may be done in various ways. Facilitators should support communities to discuss and choose one of the following methods:

- **Community elects Mobilizers from the entire community:** Community members who wish to become a community Mobilizer voice their interest in the position and speak about why they believe they will make a strong candidate. Community members then vote for the candidates.
- **Community elects Mobilizers from selected nominees:** An existing group of leaders nominate individuals who they believe will be strong Mobilizers. The community then votes on the nominees, selecting the two it most prefers. (This strategy – and the one below – have a high risk of nepotism or elite control, facilitators must be careful that powerful elites or leaders do not co-opt the process or appoint only family members, etc.)
- **Leaders select Mobilizers:** Existing community leaders appoint Community Land Mobilizers who they feel best meet the designated criteria. Facilitators should ensure that the community supports this process and feels comfortable with the decisions.
- **Community selects existing leaders.** Some communities may choose to select existing community leaders. This method of selecting Mobilizers can help avoid creating parallel or conflicting leadership structures and may help prevent power struggles between Community Land Mobilizers and existing leaders.



- **Facilitators select most qualified candidates.** Some facilitating organizations may want to have a stronger say in the selection of Community Land Mobilizers – especially when paying them a salary or stipend. In this scenario, the community or community leaders suggest several trusted, respected individuals who are well-qualified for the position. The facilitating organization interviews, tests, or otherwise evaluates these individuals and chooses from among them. This strategy tends to ensure the highest quality Community Land Mobilizers, but it may create a situation in which the Mobilizers are seen as employees of the organization, which may or may not be appropriate for the context.
- **The community land protection process,** including:
  - A detailed explanation of each step of the process, including what the community will be responsible for, what the Community Land Mobilizers will be responsible for, and what the Interim Coordinating Committee will be responsible for during each step;
  - Discussion of challenges that might arise and how to address them, including: weak leadership, power struggles between leaders, intra-community conflict, extra-community sabotage by regional elites, intractable boundary conflicts with neighbors, fracturing of community unity, etc.;
  - Suggestion of mobilization strategies, particularly for ensuring the inclusion of women, youth, minorities and vulnerable groups; and
  - Any other topics that facilitators deem appropriate or that Community Land Mobilizers and Interim Coordinating Committee members request.

**Step 5: Complete election or selection.** Facilitators then support the community through the chosen election or selection process. The roles, responsibilities and criteria for each role should be read aloud again, any remaining questions answered, and then the process can unfold, overseen by the facilitators and community leaders. During the process, facilitators should help ensure that voting is done in a fair, transparent manner. If the process appears to have been co-opted by community elites, facilitators should support community members to request a new election.

## HOW TO TRAIN COMMUNITY LAND MOBILIZERS AND INTERIM COORDINATING COMMITTEES?

Once selected, facilitators should train the Community Land Mobilizers and the Interim Coordinating Committee about all aspects of the community land protection process. The first few training sessions should be provided to both Community Land Mobilizers and Interim Coordinating Committee members together. These trainings should include:

- **Basic legal education** concerning:
  - Sections of the national constitution that pertain to lands, natural resources, customary or Indigenous People's rights, due process, equality between people/equal protection;
  - National laws and regulations that allow for documentation or registration of community lands and resources;
  - Relevant sections of other national laws, including inheritance law, natural resource and conservation law, family law, environmental law, Indigenous People's laws, and all others; and
  - The position of customary/indigenous law within the statutory legal framework.

This is all the education that the Interim Coordinating Committee members require. Community Land Mobilizers will continue to receive legal and technical training and support throughout the community land protection process, as explained below.

## HOW TO WORK WITH COMMUNITY LAND MOBILIZERS?

To effectively manage and supervise Mobilizers, facilitating organizations should:

- **Support Mobilizers to develop work plans and timelines.** These should clearly lay out when they will facilitate meetings, mediate land conflicts, organize MOU or by-laws adoption ceremonies, and complete other necessary work. Facilitating organizations and Mobilizers should review and revise these work plans regularly.
- **Open clear lines of communication.** Community Land Mobilizers should feel empowered to reach out to facilitators when they have questions or need additional support. If necessary, provide all Mobilizers with a phone or airtime credit so they can call facilitators on an as-needed basis.

- **Hold monthly supervision meetings.** Facilitators should plan to meet monthly with the Community Land Mobilizers to supervise their work, answer any questions they may have, and continue training them. If possible, organize the monthly meetings so as to bring together Mobilizers from different communities. This allows Mobilizers to share their experiences with each other, brainstorm solutions to common challenges, and support one another to improve their skills. The monthly trainings are also a good time to review Mobilizers’ work plans, hold them accountable to completing the planned work, and support them to handle difficulties as they arise.

If it is too costly to bring all the Community Land Mobilizers together for a large meeting each month, it is also possible to:

- Meet monthly in small clusters of Community Land Mobilizers who live in neighboring communities; or
  - Meet privately with a community’s Mobilizers directly after large community meetings.
- **Provide ongoing legal and technical training** that covers the following topics:
    - Meeting facilitation skills, with emphasis on ensuring that women’s and youth’s voices are heard;
    - The practical skills required to mediate and resolve land conflicts and harmonize boundaries;
    - The importance of the by-laws drafting process and practical skills to ensure that the drafting process is participatory and inclusive;
    - Strategies to help communities align their customary/indigenous rules with national laws and human rights principles;
    - Strategies to help communities prepare to interact with potential investors, including awareness-raising about FPIC (Free Prior Informed Consent) and other strategies to ensure that community rights are protected and that any resulting contracts are fair, equitable and will result in increased community prosperity and well-being;
    - Information concerning the role of all relevant government agencies and how to contact them;
    - Instructions for accessing and completing government forms and successfully lodging a community land registration application; and
    - Any other subject facilitators deem appropriate to teach or that Community Land Mobilizers request.

- **Establish a clear payment plan and schedule.** Serving as a Community Land Mobilizer is no small job — Mobilizers may spend dozens of hours each week undertaking community land protection work. As such, they should be compensated for their time. They also tend to provide better support to their communities when they are provided with a small stipend/salary and required to fulfill certain responsibilities and complete certain tasks in order to receive that stipend/salary. Possible ways to structure Community Land Mobilizers stipends/salaries include:

- Monthly payment, regardless of work completed;
- Linking payment of salary/stipend with the completion of a particular “stage” or “step” of the process (e.g., they receive payment after their community has harmonized all its boundaries, after the MOU signing ceremony has been celebrated, after the completion of the second draft of the by-laws, after the by-laws have been adopted formally, etc.); or
- No financial payments, only provision of necessary resources, such as mobile phones and/or airtime phone credit, a means of transportation like a bicycle, stationary supplies, etc.

Facilitators may need to take into consideration community leaders’ salaries, and ensure that the Community Land Mobilizers are not paid more than the community leaders. The facilitating organization should also think critically about how to address organizational funding constraints while also motivating Community Land Mobilizers to do the work efficiently and effectively.

With adequate legal education and capacity-building, communities can successfully complete many of the community land protection activities on their own.

- **Create a strategy to ensure accountability.** Community Land Mobilizers are accountable both to their community and to the facilitating organization. Community members should feel empowered to take action if they feel that their Mobilizers are not doing a good job, have conflicts of interest, or are acting corruptly. Similarly, if facilitators believe that a Community Land Mobilizer is not fulfilling his/her role, they should have a plan for how to discuss this with the community directly. It is best to address this potential problem directly in the Terms of Engagement so that there is a clear protocol for how the community and facilitators will handle the situation. For example, the community may decide that it will give Mobilizers two “official warnings” that they must do a better job before dismissing them. Alternatively, the community may decide that dismissing a Mobilizer requires a community-wide simple majority vote (more than 50% voting to select a new Mobilizer).
- **Create a strategy to keep Community Land Mobilizers safe.** Mobilizers may face threats or violence from individuals seeking to undermine community land protection efforts. It is not unusual for Community Land Mobilizers to become the focal point of these individuals’ targeted attacks: in the most serious situations, Mobilizers have had to leave their communities and hide in regional urban centers until it was safe to return home. Facilitators should work with Mobilizers to create plans of action for how to handle violence or threats of violence.

## HOW TO WORK WITH INTERIM COORDINATING COMMITTEES?

In addition to providing the basic training described above, facilitators should establish a good working relationship with all Interim Coordinating Committee members and meet with them periodically (such as before or after a larger community meeting). This enables facilitators to:

- Ensure that Committee members understand their roles and responsibilities;
- Ensure that Committee members are successfully increasing community members’ participation in all community land protection activities;
- Ensure that Committee members understand the community land protection process; and
- Address any questions or concerns that Committee members might have.

## THE IMPORTANCE OF FACILITATORS’ LEGAL AND TECHNICAL SUPPORT

Motivated communities led by trained Community Land Mobilizers can successfully complete most of the community land protection process. However, communities benefit from the targeted legal and technical help from facilitators throughout the community land protection process, including:

- Periodic legal education and capacity-building training concerning the community’s legal rights to its land, the legal process to formally document these rights, and how to successfully complete the necessary community land protection procedures;
- Mediation and conflict-resolution support during any particularly contentious land conflicts or boundary disputes that communities are unable to resolve on their own;
- Legal support and technical assistance throughout the drafting of a community’s second and third draft by-laws;
- Support for the creation and implementation of a women’s empowerment/participation strategy;
- Support and training around any future interactions with potential investors; and
- Assistance during all administrative components of the land documentation process, including: liaising with government agencies, contracting professional land surveyors, compiling all necessary evidentiary proof of community land claims, and completing all relevant application forms.

Facilitators have found that they must closely supervise Community Land Mobilizers’ efforts, not only to ensure that their work product is of high quality, but also to step in when necessary to demonstrate to stakeholders (government officials, investors, local elites, etc.) that a community’s efforts are supported by a team of lawyers who have the capacity to take legal action.