Land Rights in Liberia
Strengthening Land Rights for Rural Women, Men, and Youth
Training Manual

October 2018
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Overview of the Training Manual

Land is life for both women and men. In rural Liberian communities, land is the primary economic asset and a basis for food, prosperity, and identity. In 2018, the Land Rights Act was passed, recognizing the land rights of Liberians holding land under customary tenure for the first time since the country was founded. Prepared by Landesa under the Land Rights for Sustainable Development Project, this Training Manual equips experienced trainers with the information and methodology needed to train community members, including women and youth, on land rights in Liberia, the legal framework governing land (including the Land Rights Act), gender and women’s land rights, youth land rights, and Alternative Dispute Resolution.

Guidance about the Manual
This Training Manual assumes that trainers have read and understood the Land Rights Act in advance of delivering the training. Each module in this manual presents a new type of information. Within longer modules, the content is divided into lessons. Lessons break up the Module into sub-topics. Within the modules and lessons, the trainer will find Facilitation Steps, which provide a step-by-step approach on how to guide the lesson and discussion. Experienced trainers should adapt the approach to best suit the needs of the participants.

Overall Training Duration: It is expected that this training will take three (3) days. Trainers should cover Modules 1-2 on the first day, Module 3 on the second day, and Module 4-5 on the third day. At the start of each day, trainers should revisit material from the previous day.

Training Modules:
Module 1: Land Rights
Module 2: Legal Framework Governing Land in Liberia
Module 3: Gender and Women’s Land Rights
Module 4: Youth Land Rights
Module 5: Alternative Dispute Resolution (ADR)
# Acronyms and Abbreviations

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ADR</td>
<td>Alternative Dispute Resolution</td>
</tr>
<tr>
<td>CLDMC</td>
<td>Community Land Development and Management Committees (CLDMC)</td>
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<tr>
<td>ERCM</td>
<td>Equal Rights of Customary Marriage Law</td>
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<tr>
<td>LLA</td>
<td>Liberia Land Authority</td>
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<tr>
<td>LRA</td>
<td>Land Rights Act</td>
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</table>
Module 1: Land Rights

**PURPOSE**
This module should be participatory and promote understanding among participants on what land rights are and why they matter for rural Liberian individuals and communities, including women and youth.

**DURATION**
1 hour

**MATERIALS**
Flipchart, markers

**Facilitation Note:**
This lesson is a participatory discussion, facilitated by the trainer. The trainer should encourage participants to talk about how they define land, how they use land, and why land is important for them, their families, and their communities. The trainer should animate the conversation by sharing other ideas about how land is defined, how land can be used, and why land is important. In Lesson 2, the trainer should share key definitions and concepts, which will serve as a foundation to the next training modules.

**Lesson 1: Land and Its Importance**

**Facilitation Steps:**
1. Ask participants to discuss how they define land. Write down key points on the flip chart.
2. Ask participants to brainstorm how they use the land. Write down key points on the flip chart.
3. Ask participants to discuss why land is important to them, their families, and their communities.
   - Animate the discussion by gently probing responses (refer to the discussion prompts below as needed).
   - Ask “What about ....?” if participants do not raise an obvious point.
   - Write down answers on the flip chart.

**Discussion Prompts:**
- Land - a natural resource, necessary for ensuring human survival and prosperity. Land is our source of survival, the ground we live on, where trees grow, where minerals are, where we get our food from, where plants and animals live.
- Land Uses – farming, mining, harvesting tree crops, hunting, building houses, gathering herbs and seeds, sacred areas, protected areas and parks, etc.
- Importance of Land – land is the basis for food security, income, wealth, power/voice, status, and heritage and identity.

**Trainers Ask:**
- What is land?
- How do you use land?
- Why is land important?
Lesson 2: Understanding Rights to Land

Facilitation Steps:
1. Generate a discussion on land rights by asking:
   - Who owns land in your community?
   - How is land acquired in your community?
   - Who gives land to communities and individuals?
2. Point out that the answers the participants have provided describe their land tenure system. Share the following information on land tenure in Liberia:
   - Land tenure is the relationship between people and land. This includes the length of time someone can use the land (forever, short time, while they are living), how they can use the land, and what they can do with the land (sell, lease, etc.).
   - Liberia has had two land tenure systems – the formal system and the customary system.
3. Ask participants what types of land tenure systems (ways people can hold land) they’re familiar with. What types do they have in their community?
Module 2: Legal Framework Governing Land

**PURPOSE**

This module introduces the legal framework governing land, including critical information on the Land Rights Act.

**DURATION**

6 hours

**MATERIALS**

Flipchart, markers

**Facilitation Note:** This module is broken into lessons to enable multiple opportunities for breaks, so that participants are not overwhelmed by new information. Trainers should frequently pause for questions and responses, and write down tough questions to which they do not know the answer. In addition to following the Facilitation Steps contained in each lesson, trainers should provide ample opportunity for revisiting information presented in preceding lessons.

The trainer should feel comfortable answering “I don’t know” when participants ask difficult questions to which the trainer does not know the answer. It is okay for the trainer to refer participants to the Liberian Land Authority with technical land-related issues and questions, or for assistance resolving a land-related dispute.

**Key Definitions:**

- **Community** – a self-identifying coherent social group or groups comprising of Community Members.

- **Community Member** – a Liberian citizen irrespective of age, gender, belief or religious backgrounds who was born in the Community or whose parent(s) was born within the Community; or who has lived continuously within the Community for at least seven years; or a spouse of a Community Member both of whom reside in the Community.

- **Customary Land** – the land owned by a Community and used or managed in accordance with customary practices and norms. Customary land includes, but is not limited to residential land, farmland, communal forestlands, and fallow lands.

- **Spouse** – a person who is married to a Community Member, including those married under formal law, customary law, and those who consider themselves married.
Lesson 1: The Constitution and the Land Rights Act

Facilitation Steps:

1. Briefly introduce the roles and functions of the Land Authority:
   - The Land Authority is responsible for implementing land laws in Liberia, including registering land rights (documents). The first step of the Land Authority will be a survey of Liberia’s customary land, so communities will clearly know their land.
   - Ask participants if they are familiar with the Land Authority. If so, what do they know about the Land Authority?
   - Explain that the Land Authority will be a go-to institution for land matters.

2. Next, explain that in Liberia, the first and most powerful law is the Constitution. The Constitution says:
   - Only citizens of Liberia can own land.
   - The Constitution guarantees the right to land, which is a property. But the Constitution prohibits private property in minerals – minerals are owned by the government for the enjoyment of the entire country.
   - The Constitution upholds equal protection and non-discrimination regardless of sex. Equal protection means that everyone is equal before the law and has equal protection under the law. Also, it is against the law to discriminate against women.

3. Pause for questions and responses.

4. Introduce the Land Rights Act. The purpose of the Land Rights Act is to:
   - Ensure that all communities, families, and individuals can use their land without fear that it will be taken from them.
   - Ensure that Customary Land and Private Land are given equal legal protection and that land ownership is provided for all Liberians, regardless of identity, custom, ethnicity, tribe, language, gender or otherwise.
   - Share the key definitions from the previous page, noting these are defined in the Act.

5. Explain that the Land Rights Act has four categories of land tenure (rights):
   - Customary land - land owned by a Community and used or managed in accordance with customary practices and norms, and which includes, but is not limited to, wetlands, communal forestlands, and fallow lands. Emphasize that this means that communities – including women, men, and youth – now own their customary land.
   - Private land - land that is owned or otherwise held by private persons under law, including women, men, and youth (e.g. deeds or residential areas).
   - Government land - land owned by the Government and used for buildings or projects like government offices; protected areas; military bases; roads; schools; hospitals and clinics; libraries and museums; utilities; and airports.
Public land - land acquired by the Government, which is not presently used by the Government for its facilities and operations and is also neither Private Land nor Customary Land.

6. Pause for questions and responses.

7. Explain that the law automatically recognizes customary land ownership, but that communities will eventually need to register their customary land with the Land Authority. Communities can formally claim their customary land in three ways:
   - If Customary Land was deeded to the community before passage of the LRA
   - If the land is considered to be Customary Land by common and long-standing understanding among members of the Community
   - If the community’s use/claim of possession is clear via historical activities/ties
   - Emphasize that, with the passage of the Land Rights Act, the community does not need written evidence that the land is theirs in order to claim it.

8. Pause for questions and responses.

Lesson 2: Community Organization and Responsibilities

Facilitation Steps:
1. Explain that the community must first self-identify. This means that the community must:
   - Decide they are a community. Point out that no community member can be excluded from membership in this community [Facilitator Note: reference the legal definition of a Community Member].
   - Have land that they and their forbearers have been using for 50 years or more.
   - Have customs and traditions to manage their land.
   - Have people and communities around them that agree with their boundaries.
   - If the community meets these criteria, they can apply to the Land Authority for a document for their land rights, which will be written in the name of the community.

2. Explain that the Land Rights Act puts governance of customary land in the hands of the community.
   - The Community—including all its members—is recognized by law. It has the power to make big decisions about land matters, including to make contracts or to sue people, companies, or the government if they violate the community’s right to its land. The community can also be sued.
   - Community members acting together are the biggest decision-makers in the community. Together, community members must draft by-laws for managing their customary land. Clarify that the Land Authority will provide guidance on how by-laws should be developed by the community.
Communities will also form Community Land Development and Management Committees (CLDMC) to administer and manage customary land. The CLDMC will be accountable to the community for day-to-day land matters.

i. CLDMC members will be elected by community members, including women.
ii. Women, men, and youth must be represented equally on the CLDMCs. This means that women and youth will take an active role in customary land governance. Chiefs will also sit on the CLDMC.

3. Pause for questions and responses.
4. Emphasize that community members now have new responsibilities:
   - They must ensure that no community member is excluded from membership in the community.
   - They must ensure that all community members have equal rights, regardless of their gender or age, to use and manage community land.
   - They must ensure that voting for all land matters is democratic, including CLDMC representatives, land transfers, and concessions over 50 acres.
   - They must ensure that each community member gets their residential area.

Lesson 3: Tribal Certificates, Deeds, and Concessions

Facilitation Steps:
1. Ask participants to define Tribal Certificates and deeds, as they understand them.
2. Listen to responses, then clarify the definitions if necessary:
   - Prior to the passage of the Land Rights Act, a deed conveyed full land ownership. Deeds were signed by the President
   - Tribal Certificates were not signed by the President and do not convey full land ownership.
3. Point out that the Land Rights Act recognizes valid deeds. The Land Authority is responsible for validating deeds.
4. Generate a discussion on Tribal Certificates by asking:
   - Are there any Tribal Certificates in your community?
   - Do any of you hold Tribal Certificates?
5. Explain that Tribal Certificate holders will have 24 months to transition valid Tribal Certificates to deeds. There are several important pieces of information:
Holders of valid Tribal Certificates are entitled to 100% of the developed land. The Land Authority will define what this means.
Tribal Certificate holders must renegotiate ownership of the undeveloped land with the community. The Land Authority will develop a process for this.
Emphasize that the Land Authority is responsible for validating and transferring Tribal Certificates.

6. Pause for questions and responses.
7. Ask participants if there are any concessions in their area.
8. Listen to their responses then point out that the law says that concessions on community land will remain in effect for their entire term. Add that:
   - A concession on community land is the community’s land - not the government’s land.
   - After the concession term, the land will revert back to the community and become their customary land again.
   - Importantly, the community should earn 5% interest from the concession
   - Every five years communities will participate in a review of concessions already granted by the government.
9. Explain that new concessions have to be negotiated with the CLDMCs, to ensure that the community will benefit. Really big concessions (over 50 acres) need to be voted on by all community members.
10. Pause for questions and responses. Refer to the “World Oil Palm story” below to provide an example and engage discussion around what will happen to concessions under the Land Rights Act.

**World Oil Palm: The Story of a Fictional Company**

In 2006, World Oil Palm leased 100 acres of agricultural land for a palm oil plantation from Gboluta community (a fictional community) in Grand Bassa County. The company has a 50-year lease, but has not fully developed the plantation. What will happen to this concession under the Land Rights Act? What will happen to the land after the concession period ends?

**Facilitation Note:** Trainers should lead a discussion with participants then explain that the CLDMC will represent the community in a review of the concession every 5 years to ensure that the company is following their contract. The CLMDC will represent the community to advance the community interest in the discussion. At the end the 50-year lease period, the land will go back to the people of Gboluta Community.
Lesson 4: Transfers of Customary Land

Facilitation Steps:

1. Explain that each community member will have the right to residential land for their house. This will be their private land, like land that is owned in cities. They can apply for a deed for the land, but it is not required.
2. The community cannot sell Customary Land until 50 years from 2018, which is when the LRA was passed.
3. The community cannot lease out customary land until the community has organized itself and established a CLDMC. After that, it can lease up to 50 acres for 50 years.
4. Pause for questions and responses.
Module 3: Gender and Women’s Land Rights

<table>
<thead>
<tr>
<th>PURPOSE</th>
<th>This module focuses on why gender issues and women’s land rights matter and clarifies the legal protections for women’s land rights.</th>
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<tbody>
<tr>
<td>DURATION</td>
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<tr>
<td>MATERIALS</td>
<td>Flipchart, markers</td>
</tr>
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Facilitation Note: Prior to leading this module, the trainer should read and understand the key definitions, as these are integrated into the lecture component of the lessons. In Lesson 1, the trainer should encourage participants to discuss their perceptions of gender issues and women’s land rights in their community before finding an opportunity to discuss why women’s land rights are important in rural Liberia. In Lesson 2, the trainer will present new information on women’s land rights under the Land Rights Act and facilitate a discussion on what this means for women.

Trainers should acknowledge that some community members may not immediately accept women’s land rights. Trainers should be prepared to hear comments like:

- “Women are property. Property cannot own property.”
- “Women in our community can access land. Women are happy with the way things are.”
- “Women are not restricted from planting cash crops.”
- “Women’s land rights are a western influence. This is not our tradition.”
- “Land matters are not for women.”

Trainers should approach the conversation with empathy, as the Land Rights Act brings big changes for communities – and change is not always comfortable. Point out that traditions and values change over time. Share specific examples from rural Liberia of when communities abandoned traditions that were harmful or adopted traditions that were beneficial. Remind participants that women’s land rights are beneficial to women, their families, and their communities. Trainers may need to repeat these points throughout the training.

Key Definitions:

Gender Definitions

- Gender Stereotype – The way people believe a woman or man, girl or boy should behave, which is usually based on culture and tradition.
• Gender Equality – Women and men, girls and boys have equal rights, responsibilities and opportunities that do not depend on whether they are born male or female. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups of women and men.

Legal Definitions

• Equal Protection – the rights of all persons to enjoy and exercise all the freedoms and rights established by the Constitution and laws of Liberia, irrespective of age, ethnic background, race, sex, creed, and place of origin or political opinion.

• Equal Benefits – the fair share to be received by all Community Members of a Community relative to the proceeds from use, lease or transfer of Customary Land or a fair share by all Liberians of the proceeds from the use, lease and/or sale of Government Land or Public Land.

• Equal Rights in Customary Land – All Community Members of a Community are members of the Community and have equal rights to the use and management of the Community Land, regardless of age, gender, ethnicity, religion and disability.

• Community Member – a Liberian citizen irrespective of age, gender, belief or religious backgrounds who was born in the Community or whose parent(s) was born in the Community; or who has lived continuously within the Community for at least seven years; or a spouse of a Community Member both of whom reside in the Community. This means that women – so long as they are citizens and meet one the four conditions – will be regarded as community members and entitled to benefit in community land rights.

• Resident – a person who resides within the Community.

• Spouse – a person who is married to a Community Member, including those married under formal law, customary law, and those who consider themselves married.
Lesson 1: Gender and Women’s Land Rights

Facilitation Steps:
1. Ask participants to discuss the following questions:
   - What are cultural beliefs and practices about women and men in relation to land in your community?
   - What are common challenges that women and men face in relation to land in your community?
   - Write down the answers on a flip chart, if possible.

2. Explain that some of these beliefs, practices and challenges may be based on biology (e.g. only women can bear children and breastfeed them), while others are social (e.g. women cannot climb trees, only men can clear bush, etc.). Note that many of the cultural beliefs and practices related to land may be social rather than biological, and therefore changeable.

3. Introduce the concept of different categories of women. Explain that women—over the course of their lives—experience different challenges and opportunities related to their land rights in a community (especially if they marry outside the community of their birth). For example, a married woman with children may not be at risk of losing access to family land in her husband’s community, while a widowed woman may be chased off the land and out of the community. The risk is compounded for widowed women without children.
   - Ask participants to think through other categories of women and the unique challenges and opportunities that they may have related to land rights.
   - If necessary, animate the discussion by introducing different categories of women:
     - Wives (married into their husband’s community and polygamous arrangements)
     - Widows (and also those following the dissolution of their relationship: divorced, separated, abandoned)
     - Daughters (born to community members, born to strangers).

4. Pause for questions and responses.
5. Introduce women’s land rights. Explain that women’s land rights are not only about women owning land, but also about women’s rights to access and use agricultural land, their rights to inherit land, their rights to harvest food and fuelwood from the forest, and their rights to make decisions about the land, among other examples.

6. Initiate a discussion with participants by asking if women’s rights to land are the same or different as men’s in their community. Animate the discussion by asking the following and including differences based on the different categories of women:
   - Can women own a house spot forever?
   - Can women in your community plant life trees by themselves and own those trees?
If a woman is widowed, can she stay on the land she had with her husband forever?
Can daughters inherit land? Can they make decisions about that land?
Can a woman get customary land by herself?
Are these rights different to men’s within your community?

7. Ask participants to think about why women might have different land rights than men. What challenges does this create for women, their families, and their communities?

8. Listen to the responses, then explain that women’s land rights are important because, when women have land rights, they and their entire communities benefit:
- Agriculture productivity increases
- Household nutrition and health improves
- Children are more likely to go to school

9. Ask participants to reflect on the values in their community that support women’s rights to land. Encourage them to share examples of these values. The trainer can also ask participants to share examples of women’s land rights benefiting women, their families (including their husbands), or their communities. If possible, write down these examples.

Lesson 2: Laws Governing Women’s Land Rights

Facilitation Steps:
1. Animate the discussion by asking participants if they know of any laws protecting women’s land rights. Write down the responses.
2. Explain that the Constitution is the biggest, most powerful law in Liberia. The Constitution guarantees women the right to acquire, possess, and protect land, which is a type of property. This means that women can own land just like men. The Constitution also says that women and men are equal.
3. Pause for questions and responses.
4. Point out that the Land Rights Act also recognizes women’s land rights. Introduce key definitions.

Facilitation Note:
There are intrinsic and instrumental arguments for women’s land rights. Intrinsic arguments are focused on equity, social justice, and human dignity, regardless of gender. Instrumental arguments focus on social welfare and economic efficiency. The benefits of women’s land rights included in this curriculum are instrumental, but the trainer may identify opportunities for introducing intrinsic arguments – for example, if the community identifies strong values around protecting women’s land rights.
5. Explain that the Land Rights Act guarantees:
   - Women who are community members have equal rights to customary land. This means that they can use and manage land just like men.
   - Women who are community members are also entitled to their own residential land, which is private land and cannot be taken away.
   - Women have rights to access and use community agricultural land for farming, including planting life trees.
   - Women must meaningfully participate in land governance, just like men, and must be equally represented on CLDMCs. Land matters are for women, too.

6. Liberian law (the Equal Rights of Customary Marriage Law) also guarantees that customary wives have inheritance rights to land. A customary widow is entitled to 1/3 of her husband's land. The rest of the land should be equally divided between their sons and daughters.

7. Pause for question and responses.

8. Building off the information provided by the Trainer, ask the participants to discuss the following questions:
   - Does a woman have the right to own land by herself? Why or why not?
   - Do married and unmarried women in a community have different rights over land? What if they were born there? What if they were not born there?
   - Does a wife need her husband’s permission to claim her residential land?
   - Can a woman plant what she wants on community agricultural land?
   - If a woman is widowed, can she be chased off the land?

9. Participants can share their own stories if time allows. Questions that can be used to facilitate this could include:
- Have any of you or has anyone in your family experienced treatment like that mentioned above?
- Do any of you know women who have been in similar situations?
- How did this affect the women, their families, and their communities?

10. Invite the participants to ask their own questions, and then conclude.

**Facilitation Note:** Questions about women’s human rights may arise during the training. Trainers should know that Liberian law prohibits these violations of a woman’s rights:
- Forcing a widow to marry her husband’s kin in order to stay on the land;
- A woman’s husband or his parents reclaiming dowry following dissolution of marriage;
- Parents choosing a husband for their daughter; and
- Marriage of a customary female under the age of 16.
Module 4: Youth Land Rights

**PURPOSE**
This module focuses on youth and land issues. Participants will understand who youth are, and their land rights.

**DURATION**
2 hours

**MATERIALS**
Flipchart, markers

**Facilitation Note:** This module should be delivered primarily through guided discussion, which the trainer should use as an opportunity to clarify key concepts and help participants understand who youth are and why their land rights matter.

**Facilitation Steps:**
1. Ask participants: Who are the youth in your community? Are women also youth? Could a girl be a youth when she is married? What about a boy? Write down key responses.
2. Point out that the Government of Liberia defines youth as men and women between the ages of 15-35.
3. Animate the discussion by asking:
   - What livelihood activities do youth in your community engage in?
   - What about female youth?
   - Why do youth need land rights?
4. Explain that land rights are important for youth because they also need land for their livelihoods; as a safety net in their home community if they choose to migrate to the city; and to help ensure a more prosperous, peaceful future for the country.
5. Pause for questions and responses.
6. Explain that youth do not have unique land rights under the law, but that they have the same protections as other Liberian citizens. This includes the right to land, which is a property.
   - Under the Land Rights Act, youth have rights to own land for a house, to access and use community agricultural land, and to participate in land governance – the same as other community members.
   - Youth also must sit on the CLDMCs in equal numbers as men and women.
7. Pause for questions and responses.
8. Ask participants to brainstorm the ways in which youth land rights in their community might change under the Land Rights Act. What are the potential challenges and opportunities associated with these changes? If possible, write down answers.
Module 5: Alternative Dispute Resolution

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<tr>
<th>PURPOSE</th>
<th>This module focuses on Alternative Dispute Resolution (ADR). Participants will understand what ADR is and how it can benefit their communities. This module is not designed to give trainers or participants the skills to mediate land disputes. It is intended to show them that there might be alternative land disputes mechanisms that they can seek rather than going to court.</th>
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<tbody>
<tr>
<td>DURATION</td>
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<tr>
<td>MATERIALS</td>
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Facilitation Note: This module should be delivered primarily through guided discussion, which the trainer should use as an opportunity to clarify key concepts and help participants understand what ADR methods are and why are they important.

Facilitation Steps:
1. Explain that Alternative Dispute Resolution (ADR) is any process used to resolve disputes – including land disputes – outside of courts.
2. Generate a discussion on ADR by asking participants how they resolve land disputes in their communities. The trainer can also ask:
   - Does anyone in this community use the courts? Why or why not?
   - Where do women prefer to take their land disputes?
   - Where do youth prefer to take their land disputes?
   - Where do men and elders prefer to take their land disputes?
   - Do these different forums count as ADR?
3. Ask participants to brainstorm about the benefits of ADR. The trainer can animate the discussion by contributing the following points, if participants do not add them:
   - Accessible (courts can be far away)
   - Fast/timely (courts can be slow)
   - Non-confrontational (should be focused on mediation)
   - Sense of equality
   - Affordable, especially for women and youth (courts can be expensive)
   - Element of choice
   - No clear loser, no clear winners
   - Preserves relationships
4. Ask participants to think about someone in their community who is a trusted mediator. What characteristics does that person have? The trainer can animate the discussion by contributing the following points, if participants do not add them:
   - Trustworthy
- Wise
- Neutral
- Interested in making peace in the community
- Knowledgeable about community land matters

5. Ask participants how ADR works well in their communities and how it can be improved. If possible, record answers.

6. Invite the participants to ask their own questions, and then conclude with the definition of ADR and summarize its importance.

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4 Steps 5-8 are adapted from: USAID. 2018. Training Manual on Women’s Land Rights: Land Governance Support Activity.