



# Project Information Document (PID)

Appraisal Stage | Date Prepared/Updated: 14-Apr-2022 | Report No: PIDA32562

**BASIC INFORMATION****A. Basic Project Data**

Country Sierra Leone	Project ID P177031	Project Name Sierra Leone Land Administration Project	Parent Project ID (if any)
Region AFRICA WEST	Estimated Appraisal Date 19-Apr-2022	Estimated Board Date 31-May-2022	Practice Area (Lead) Urban, Resilience and Land
Financing Instrument Investment Project Financing	Borrower(s) Ministry of Finance	Implementing Agency Ministry of Lands, Housing and Country Planning	

## Proposed Development Objective(s)

The Project Development Objective is to establish an efficient and accessible land administration system.

## Components

Institutional Development and Legal Reform  
Land Information System Development  
Recording and Registration of Land Tenure Rights  
Project Management  
Contingency Emergency Response Component (CERC)

**PROJECT FINANCING DATA (US\$, Millions)****SUMMARY**

<b>Total Project Cost</b>	40.00
<b>Total Financing</b>	40.00
<b>of which IBRD/IDA</b>	40.00
<b>Financing Gap</b>	0.00

**DETAILS****World Bank Group Financing**

International Development Association (IDA)	40.00
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IDA Grant	40.00
Environmental and Social Risk Classification	
Substantial	
Decision	
The review did authorize the team to appraise and negotiate	

Other Decision (as needed)

## B. Introduction and Context

### Country Context

1. **Sierra Leone has made progress towards development goals in the face of many challenges since the end of the country's civil war (1991-2002), a conflict in which key institutions, infrastructure and the economy were severely damaged.** The reestablishment of democracy over four elections since 2002 is an important achievement but signs of fragility remain. Generally, Sierra Leone benefits from both advantageous geography and abundant natural resources. The economy is driven by agriculture and mineral production. The country is one of the largest producers of such minerals as iron ore, diamonds, titanium, bauxite, and gold. Despite a decade of five percent average annual economic growth, Sierra Leone's economy has been volatile. The Coronavirus Disease 2019 (COVID-19) pandemic hit Sierra Leone severely, but its economy is projected to recover from the COVID-19 contraction.<sup>1</sup>

2. **Sierra Leone's population was estimated at 7.9 million in 2020 with an average annual population growth of 2.4 percent over the last decade,<sup>2</sup> requiring 70,000 new jobs per year to maintain employment rates.<sup>3</sup>** However, Sierra Leone's economy has seen very little structural change. The country suffers from a crucial lack of access to basic infrastructure and Sierra Leone performs relatively poorly on governance measures of government effectiveness, regulatory quality, corruption, and the rule of law. Sierra Leone's difficult business environment is a critical factor in explaining why the economy has struggled to diversify and create jobs. A structural reform agenda would need to include measures to improve the business environment; digitize the economy; strengthen governance and institutions; expand agricultural productivity and encourage agribusiness; promote value addition in manufacturing; and improve human capital to make the country attractive to investors.<sup>4</sup>

3. **Unresolved land issues and gender inequality in the land sector pose a significant risk to Sierra Leone's**

<sup>1</sup> World Bank (2021): Sierra Leone 2021 Economic Update. Welfare and Poverty Effects of the COVID-19 Pandemic.

<sup>2</sup> World Bank Open Data (2021): <https://data.worldbank.org/>

<sup>3</sup> World Bank (2020): Country Partnership Framework for Republic of Sierra Leone for the Period FY21-FY26. Report No. 148025-SL.

<sup>4</sup> World Bank (2021): Sierra Leone 2021 Economic Update. Welfare and Poverty Effects of the COVID-19 Pandemic.



**social cohesion and economic development.** Land related disputes played a prominent role in the country's civil war and it is estimated that 60 percent or more of all cases in the High Court arise from land disputes.<sup>5</sup> Large-scale land acquisitions that ignore local rights and do not comply with international standards for good governance are fueling Sierra Leone's fragility risks.<sup>6</sup> Women are affected disproportionately by land issues. The National Land Policy (2015) states that there is a conflict between constitutional and international provisions on gender equality vis-à-vis customary practices that discriminate against women in relation to land ownership and inheritance. The outdated legal framework, outdated maps, inefficient institutional arrangements, a paper-based land administration system, and low levels of registered land hinder public infrastructure investments, resilient urban planning, property taxation, investments in climate-smart agriculture and reforestation, and potential positive impacts of foreign direct investments

#### Sectoral and Institutional Context

4. **Sierra Leone's Constitution of 1991 recognizes a dual land tenure system that dates back to the colonial period.** Land in the Western Area, including Freetown, is administered under freehold tenure while customary land in the provinces is covered by customary tenure systems (community and family tenure). World Bank assessments revealed that only a tiny percentage of land in the rural and urban areas are mapped and recorded while institutional arrangements are opaque.<sup>7</sup> Sierra Leone's legal framework for the land sector stems from the 1960s and is not aligned with new technologies or principles of modern land administration and is not gender sensitive.

5. **The Ministry of Lands, Housing, and Country Planning (MLHCP) and the Office of the Administrator and Registrar General (OARG) under the Ministry of Justice are responsible for the administration of land tenure.** MLHCP is, inter alia, responsible for surveying of all land, demarcating private and state land boundaries, leasing State land (including where acquisition of customary land for investment purposes is involved), and compiling and maintaining a comprehensive record of land in the country. In the Western Area, the OARG is responsible for the registration of title deeds. OARG has offices in 4 out of 16 districts while MLHCP is represented in 6 districts and the urban Western Area<sup>8</sup> with varying staff strengths. MLHCP lacks administrative structures and policies for coordination and collaboration with councils at the district level.<sup>9</sup> Both entities report low levels of capacity and lack of staff specialized in land administration and management functions such as surveying, land registration, valuation, etc. MLHCP staff report that they have not benefitted from trainings specific to their functions since 2016 and MLHCP's Surveyor Training School has been defunct since 2009.<sup>10</sup>

6. **The OARG's General Registry does not guarantee the legal validity of deed records.** Cadastral boundary data at the MLHCP is not directly connected to the ownership data managed by OARG, resulting in long, unreliable, expensive procedures, which do not guarantee the protection of the rights of the property user and/or

<sup>5</sup> Report of the Presidential Task Force to Examine the Reasons for the Delay in the Administration of Justice and Other Related Matters (2008)

<sup>6</sup> World Bank (2021): Innovative Tenure and Investment Arrangements: Increasing Responsible Agricultural Investments in Sierra Leone.

<sup>7</sup> World Bank (2015): Sierra Leone: Land Governance Assessment Framework; World Bank (2019): Support to the Sierra Leone Land Agenda. Policy Note.

<sup>8</sup> Bo, Kailahun, Kenema, Kono, Port Loko, Pujehun, Western Area (Freetown)

<sup>9</sup> Government of Sierra Leone (2021): Management and Functional Review of the Ministry of Lands, Housing and Country Planning.

<sup>10</sup> Ibid.



owner. By far the majority of landowners and users in the Western Area do not utilize these official systems anyway, often because they are poorer members of the community that cannot afford the fees involved or because their occupation and ownership is informal, and the buildings are also informally constructed. The perceived tenure insecurity in Sierra Leone is 35 percent with 68 percent of citizens being afraid that owners may ask tenants to leave and another 51 percent also being afraid of disagreements with family or relatives.<sup>11</sup>

**7. Land in the provinces is administered under uncoded customary norms covering both communal and family tenure, with the bulk of land administered under the latter.** Family tenure tends to involve large, extended families with rights over a single parcel. Paramount Chiefs or traditional rulers who are members of landowning families serve as trustees/custodians of family property within their chiefdoms. Because of variations in customary land practices, there is no centralized registry and there are no boundary maps of family or communal tenure. As land becomes scarcer and more valuable, especially within cities and towns that have grown in the provinces, sales and leases are occurring even though their validity is not recognized by formal legislation. Records of land transactions are not consistently kept. Boundary disputes between Chiefdoms, between communities, between communities and private individuals or investors, and between extended families and individual households within families are a frequent source of conflict.

**8. Nearly all ethnic groups practice patrilineal descent, with respect to succession, marriage and other family matters that continue to regard decision making as predominantly male.**<sup>12</sup> In many cases under customary tenure, women are denied access to land and inheritance of land upon the husband's death, with the latter being dependent on whether she bore children with the husband or is willing to remarry a male relative of her deceased husband.<sup>13</sup> Women (and other members of landowning families) are often not well represented in negotiations as the patronage mediation role of Paramount Chiefs and Government in land deals often overpower them in forging agreements with investors and Government.<sup>14</sup> Overall, the level of land registration is very low with women's land rights being registered less often than those of men: 20 percent of urban women who own land have a title or deed with their name on it as compared to 28 percent of urban men. In rural areas 11 percent of women and 12 percent of men report to have a title or deed and men are more likely than women to own land alone (18 percent versus 5 percent).<sup>15</sup> Also, women are disadvantaged regarding access to land and land-based investment negotiations due to their lack of representation in local decision-making bodies.<sup>16</sup> There is however no reliable, regularly updated database with information on land ownership or land disputes, leading to a lack of gender-disaggregated land data for analysis and policy-making.

### **C. Proposed Development Objective(s)**

#### Development Objective(s) (From PAD)

9. The Project Development Objective is to establish an efficient and accessible land administration system.

<sup>11</sup> Prindex (2020): Sierra Leone. Securing Land and Property Rights.

<sup>12</sup> World Bank (2019): Sierra Leone Support to the Sierra Leone Land Agenda: Policy Note. Report No: AUS0000874.

<sup>13</sup> Green Scenery (2020): How Effective is the Promotion of Women's Customary Land Rights in Improving Women's Land Tenure

Security in Sierra Leone? The impact of an FAO project in Sierra Leone.

<sup>14</sup> UNFAO (2019): Protecting Women's Customary Land Rights in Sierra Leone: Technical Report

<sup>15</sup> Sierra Leone Demographic and Health Survey 2019

<sup>16</sup> Ryan, C. (2018): Large-scale land deals in Sierra Leone at the intersection of gender and lineage.



## Key Results

10. The Key results of the project are:

- i. People with use or ownership rights recorded (Number)
  - Women with use or ownership rights recorded (Number)
- ii. Time to complete the recording of a transaction of a land parcel in the land administration system (Days)
- iii. Transactions registered (Number)
  - Transactions registered to women (Number)



## **D. Project Description**

### **Component 1: Institutional development and legal reform**

11. The main objective of this component is to strengthen Sierra Leone's legal and institutional framework for land administration by supporting analyses and reform of the relevant legal framework, buildings, operational support, institutional strategies, capacity building, and sensitization campaigns.

12. *Subcomponent 1.1: Institutional development:* The project will finance a comprehensive needs analysis and training plan, which will be broken down into annual training plans to inform the implementation of a training program. A business plan for the establishment of a self-funding sustainable service will be prepared. The Project will finance the required analysis of human resources, investment and running costs, fee structures for services to be provided, including a transition plan to inform either the transition to the proposed National Land Commission or harmonization of OARG's and MLHCP's systems. The Project will support the funding required for office building or renovations. This will include a new headquarters office in Freetown and four regional headquarter offices in the provincial capitals Bo, Kenema, Makeni and Port Loko.

13. *Subcomponent 1.2: Legal Reform:* To address the outdated legal framework and to close remaining loopholes, the component will finance legal background analyses and technical support to support the development of land laws and regulations.

14. *Subcomponent 1.3: Sensitization:* The project will finance a public awareness and sensitization program, which will focus initially on public awareness campaigns to inform people about the changes in institutions and practice of registration but will later also require very focused campaigns when new offices are built and opened or when specific programs to register property for the first time are initiated.

### **Component 2: Land Information System Development**

15. Under this component, the project will finance the procurement of required ICT equipment and establishing appropriate ICT infrastructure, business processes re-engineering, design and development of a modern LIS for automation of land administration processes, digitization of paper archives, containing deeds and cadastral maps, development of ICT and digital archive strategies, conducting cyber-security audit, and providing base maps and a geodetic network. A key design principle of the LIS will be to enable the storage of gender-disaggregated land data.

16. *Subcomponent 2.1: Establishment of a land information system:* The project will finance the design and development of the land information system (LIS). The LIS will be one of the drivers in transformation and improvement of the land administration system in Sierra Leone. The new LIS will combine land registry and land cadastre services in one unified system, for the first time fully integrating spatial and legal attributes of land records. The project will also finance the digitization of existing paper archives of OARG and MLHCP, capturing cadastral maps and legal documents.

17. *Subcomponent 2.2: Base Mapping and Land Cadastre:* To ensure that ownership data in the LIS can be linked to cadastral boundaries, the project will finance the procurement of current high-quality orthophoto or satellite imagery. Base maps will be prepared for all areas that will be targeted under component 3. The subcomponent will also finance the mapping of high-risk zones so that these can be overlaid with the cadastral



index maps to ensure that the Project does not formalize tenure in high-risk areas that are affected by climate induced disasters, such as floods, mudslides, etc. The base maps will not only be used by the Project but also by a wide range of users within the government.

18. *Subcomponent 2.3: Geodetic Network:* To provide a new, reliable, and accurate geodetic reference frame for the land administration system and other spatial data capturing activities, the project will finance the establishment of a new national geodetic network with a datum based on and aligned with the International Terrestrial Reference Frame (ITRF). The network will consist of a Continuously Operating Reference Station (CORS) network and ground marks suitably located to improve the accuracy and efficiency of survey works.

### **Component 3: Recording and Registration of Land Tenure Rights**

19. The primary focus of this component is to improve the quality and completeness of the records of land tenure rights and the ease and security with which those rights can be transferred whether by inheritance, sale or lease, or for some other third-party rights. This will involve both mapping the parcels and assessing the legal and legitimate rights to those parcels. This will require participatory processes and involve a large cadre of people to visit, raise awareness, discuss with owners about their land and rights and to undertake surveys and prepare documents. The anticipated Registration of Title Law would enable a systematic process of land title adjudication and registration, but the project is not conditioned by the passage of this law. If the law is passed it will allow properties that currently do not have documented legal rights, or that have outstanding disputes or problems to resolve, to be registered. However, existing law will be used in the meantime to improve the existing land administration system. This component will finance primary data collection on land ownership and location, which will feed into the LIS supported under component 2.

20. *Subcomponent 3.1: Land Registration System improvements:* Existing records held by the OARG and the MLHCP will need to be analyzed, integrated and made ready for inclusion in the LIS. All existing plans covering both public lands and private lands, will need to be plotted on the base maps produced under Component 2 but it is expected that a high percentage of these plans will not match the ground situation as shown on the orthophotomaps. Consultancy services to assist with the design and supervision of such activities will be financed.

21. *Subcomponent 3.2: Systematic First Time Registration of Properties:* This subcomponent would finance the piloting and roll-out of land registration activities in Freetown and select customary areas in the provinces. The exact locations in the provinces will be determined based on the pilot results and multi-stakeholder consultations to identify specific criteria for the selection of areas. Once the pilot work in the provinces is completed, the project will finance the actual mapping and registration of customary rights and establishment of required land committees in priority areas. Specific attention will be paid to the registration of the land rights of women and youths. In Freetown, any parcels that have been identified as having no recorded ownership will be adjudicated and registered. This subcomponent will finance initial activities in this regard.

### **Component 4: Project Management**

22. This component will finance all expenses required to ensure efficient and transparent project management and coordination. The project will finance all external consultants to be hired as PCU staff. The component will also finance the services of an experienced international land administration consultant who will provide advice and assist MLHCP and the PCU with project implementation. Required studies, such as customer feedback surveys, baselines, a mid-term review, and an implementation and completion report will be financed





to inform the M&E system of the project. In addition, social and environmental studies as required per the World Bank's Environmental and Social Framework (ESF), including the establishment and operation of a Grievance Redress Mechanism (GRM) will be financed under this component.

### Component 5: Contingency Emergency Response Component (CERC)

23. Following an eligible crisis or emergency, the Borrower may request the Bank to re-allocate Project funds to support emergency response and reconstruction. This component would draw from the uncommitted grant resources under the Project from other Project components to cover emergency response. A CERC annex to the Project Implementation Manual for this Component will be prepared by the Borrower and will provide detailed guidelines and instructions on how to trigger the CERC and use funds (including activation criteria, eligible expenditures, and specific implementation arrangements as well as required staffing for the Coordinating Authority).

#### Legal Operational Policies

	Triggered?
Projects on International Waterways OP 7.50	No
Projects in Disputed Areas OP 7.60	No

#### Summary of Assessment of Environmental and Social Risks and Impacts

24. **The overall Environmental and Social (E&S) risk of the project is Substantial** based on the following risk ratings for environmental and social risks and impacts.

25. **The Project environmental risks and impacts are anticipated to be Moderate** due to a result of the nature and small scale of the activities, the sensitivity of the environmental receptors and the ease of implementing and managing the potential risks. The E&S impacts of the planned rehabilitation/ new construction to support the establishment of land offices under component 1 are localized, reversible and can be readily mitigated by established standard measures. The main E&S concerns are associated with (i) Occupational health and safety risks/impacts relating to incidents, accidents, or fatalities during rehabilitation or construction works, (there is also the risk of exposure of workers and the community to asbestos if old structures with asbestos containing materials are rehabilitated); (ii) labor and employment issues; (iii) air, water and soil pollution by sediments from excavated and exposed surfaces, construction wastes and operation of equipment; (iv) elevated noise levels; (v) community health and safety risks, social issues, sexual exploitation and abuse and sexual harassment (SEA/SH), gender based violence (GBV) and conflict; (vi) involuntary displacement and land acquisition issues if Project is not carried out on public property, and where squatters are involved; and (vii) threat to biodiversity, wetlands and natural habitats from water pollution. To minimize environmental risks and exposure of workers to asbestos, the Project shall prioritize new construction over rehabilitation, and on existing government property.

26. **The social risk of this Project is rated as Substantial** considering the potential social impacts under Components 1, 2 and 3. Land acquisition, restrictions on land use and involuntary resettlement risk may occur under Component 1 and 2 where lands may be acquired for the construction/ rehabilitation of the land offices



at the headquarters and in the provinces and the establishment of the CORS network. The exact locations for these works are undetermined at this moment. These risks will be covered under ESS5 and the Project will prepare an RPF detailing the specific processes that will guide land acquisition in general terms. Should there be need for displacement, specific Resettlement Action Plans will be prepared proportionately based on the identified risks during implementation. Compensation will be paid in a timely manner at full replacement cost before civil works commence. Under component 3, the demarcation and recording of land rights could lead to (i) conflicting property boundaries between third parties; (ii) reveal an overlap of rights and generate claims; (iii) land boundary contestations between village lands or neighboring communities; and (iv) encroachments on the boundaries between uses and vocations (housing areas, agricultural areas, pastoral areas, etc.). These risks require an adequate GRM and Alternative Dispute Resolution (ADR) processes alongside participatory survey and recording activities with landholders, land users, neighbors, community groups and land committees to ensure transparency in the demarcation and registration of customary lands. These types of risks will be handled as prescribed under ESS1 (b)(iv) and its footnote 29.

## E. Implementation

### Institutional and Implementation Arrangements

27. **Implementing Agency.** The Ministry of Lands, Housing and Country Planning (MLHCP) is the implementing agency. MLHCP has established a working group with the OARG to ensure adequate coordination within the land sector.

28. **Project Coordination Unit.** MLHCP will establish a Project Coordination Unit (PCU) to handle the day-to-day coordination of project activities, including fiduciary and environmental and social related aspects of the project. The PCU will be staffed with a Project Coordinator; Senior Land Specialist; Procurement Specialist; Financial Management Specialist; Financial Management Assistant; M&E Specialist; Training Coordinator; Legal Specialist; Community Engagement and Communications Specialist; Social and Gender Specialist; and an Environmental Specialist (as needed). Support staff will consist of an Administrative Officer, a Project Office Assistant and two Project Drivers.

29. **Project Steering Committee.** A Project Steering Committee (PSC) will be established to provide guidance throughout project preparation and implementation. The PSC will be co-chaired by MoF and MLHCP and will be based on an existing Inter-Ministerial Task Force (IMTF) that was created for the oversight of implementing the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries, and Forests (VGGT) in Sierra Leone.

30. **Technical Working Group.** A Technical Working Group (TWG) for VGGT has been created in 2014 to support land sector reforms and consists of government, CSOs and private sector representatives. Development partners join the TWG as observers. The TWG will serve as the technical committee for the Project to discuss technical matters.

## CONTACT POINT



## World Bank

Linus Benedikt Pott  
Land Administration Specialist

## Borrower/Client/Recipient

Ministry of Finance  
Dennis Vandy  
Minister  
den\_vandi@yahoo.co.uk

## Implementing Agencies

Ministry of Lands, Housing and Country Planning  
Turad Senesie  
Minister  
minister@molhcp.gov.sl

Jobo Samba  
Director GIS and Remote Sensing  
jobosamba@yahoo.com

Alphajoh Cham  
Director Policy, Planning and Project Development  
alphajohcham@yahoo.com

## FOR MORE INFORMATION CONTACT

The World Bank  
1818 H Street, NW  
Washington, D.C. 20433  
Telephone: (202) 473-1000  
Web: <http://www.worldbank.org/projects>

## APPROVAL

Task Team Leader(s):	Linus Benedikt Pott
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**Approved By**

Practice Manager/Manager:		
Country Director:	Abdu Muwonge	14-Apr-2022