

## **Promoting Rural Land Tenure Security in Haiti: Ensuring community participation and engagement through a tailored public consultation process**

Public consultations prior to land tenure programs can be inclusive, gender-oriented, transparent and participatory processes that help set a similar tone for implementation. Public consultations provide an opportunity to explore environmental and social risks of a land program in a manner that puts stakeholders' concerns at center stage and that can result in forms of participatory monitoring.

This paper presents the key findings and lessons learned from public consultations with project beneficiaries, stakeholders and interested parties of the second phase of the Haitian Rural Land Tenure Security Project. Starting in 2012 and currently in process, the Haitian Comité Interministériel d'Aménagement du Territoire (CIAT) is implementing the Rural Land Tenure Security Program (PSFMR). This program is designed to promote and facilitate investment in agriculture and the sustainable management of land and natural resources in Haiti. It includes two components: (i) clarification of the land system in targeted rural areas; and (ii) modernization of the land administration system. PSFMR is demonstrating that it is possible to develop a simplified land tenure database in the Haitian countryside. To continue to build on these results, the Government of Haiti is in the process of developing a second phase (PSFMR II) to: (1) secure land rights in targeted areas; (2) improve access to land administration and management services; and (3) strengthen the legislative, regulatory and institutional framework for land tenure security. It is in this context that public consultations were carried out in the communes selected for the second phase. CIAT, with the support of Land Alliance, developed a Public Consultation Process following Inter-American Development Bank (IDB) guidelines for public consultation. CIAT implemented the process in summer of 2017.

The process adhered to IDB guidelines which promote consultations that:

- are inclusive ensuring the participation of all stakeholders, interested parties, including vulnerable groups;
- are informative and transparent about the project impacts, benefits and risks, as outlined in the EIA (an environmental and social impact assessment) in a manner that is accessible to the different groups (local language and suitable format);
- allot ample time for project implementers to listen to participants' questions, concerns and recommendations with regards to the project;
- ensure the careful consideration and incorporation of measures that address participants' recommendations in the intervention design as much as possible;
- share with the participants the measures taken in response to their concerns in a timely manner; and
- promote the use of feedback mechanisms that are in place throughout project implementation.

The recurrent themes that emerged through the consultation process were: (i) suspicion; (ii) personal interest; and (iii) involvement and interest of women.

The principal theme that emerged at the start of most consultation meetings was suspicion of the government's intentions. Given that there is little outreach by national government in many of these rural areas and a general lack of information about government agencies and actors, participants were suspicious of a government "hidden agenda" and of the authority of CIAT. There was fear that the State had come to confiscate land. Participants also often expressed suspicion towards the local land professionals (surveyors, notaries), citing abuses of power in the past as well as the historically high and inconsistent costs associated with land surveying and notary services. Additionally, there was significant skepticism about the validity of the documents that would be provided by the PSFMR. Therefore, it is important for CIAT to be prepared for this level of suspicion regarding land issues in these areas and develop a plan to clarify the most important issues at the very start of the implementation of the Program.

Also, as the consultation teams clarified details about the objectives and scope of the Program, participants' concerns shifted towards their particular land tenure situation and personal interests, and toward the expected employment opportunities associated with the Program. As the questions regarding individual cases of land tenure and regarding employment opportunities will continue to arise, it is important that the Program develop strategies to manage the expectations with regard to the resolution of certain land tenure cases and any possible employment opportunities.

The consultation process included a series of separate sessions for women to raise concerns and ask questions. These discussions centered mainly on personal circumstances or very specific cases of land tenure. This may reflect a lack of access to information on land rights, services and options - either due to lack of time, lack of opportunities to share information with other community members, or lack of sources information on land tenure. This suggests potential gaps in basic knowledge of land tenure issues. It also highlights the importance of ensuring a significant participation of women so that they may benefit from the Program on an equal basis with men in the community. Women's recommendations pivoted around four main topics: (i) incorporating local authorities to gain people's trust; (ii) information campaigns for all to benefit from the program; (iii) sharing program documents at mayoral and at CASEC (local committee) offices; and (iv) CIAT presence throughout the implementation of the Program to promote trust and respond to local people's questions. Partly as a result of the response to the concerns raised during the public consultation, the Program includes an information, training and empowerment activity focused on explaining women's 'land tenure roles, rights and responsibilities' to be conducted in each of the selected communes in advance of the systematic parcel demarcation and tenure clarification campaigns. The objective of this activity is to increase women's understanding of land tenure, increase women's access to land through formal transactions and inheritance, and strengthen women as local leaders in the removal of social barriers that make purchase and inheritance more difficult.

Five key recommendations were presented to CIAT based on the results of the consultation process:

- To dispel suspicion of the Program early in the implementation, CIAT could use testimonials and targeted messaging about the objectives and scope of PSFMR II;

- To ensure transparency in the hiring process CIAT could disseminate written and pictorial information about available employment (number of jobs, requirements, application);
- To establish a continuous presence in the area during the implementation, CIAT could designate local individuals as points of contact who maintain regular updates on local implementation of the Program (in addition to the existing participatory activities that take place as part of the Program methodology);
- To promote trust and transparency between communities, the Program and the field teams, CIAT could create a “regional office hotline” for comments and complaints as part of a larger feedback mechanism within PSFMR II; and
- PSFMR II has a gender communication and training program for staff. In conjunction with this aspect of the PSFMR II, CIAT could promote the participation of women in all facets of the program (awareness, local hiring and community auditing, among others).

The following lessons learned from the Haiti public consultation are intended to inform both the implementation of the public consultation process of IDB-financed land projects, as well as the implementation of land tenure related consultation processes generally:

- Logistics in rural areas similar to Haiti present challenges due to inaccessibility, impacts of weather, insecurity, unreliable connectivity, among others. Therefore, having back up plans, a flexible time frame and constant communication is essential. Examples from Haiti are presented (cellphones for facilitators were a success, flooded roads meant annulled meetings, no additional days to adjust to women’s schedule in the north meant low participation of women).
- Local knowledge is essential (especially for a delicate subject like land in Haiti) and projects should harness local contacts to gain access and trust. Using a variety of local contacts to get an understanding of who is who, and to gain access to different groups helps to ensure the inclusion and acceptance of various stakeholders (including vulnerable groups) in the meetings. Hiring upstanding members of the community to deliver the invitations helped to gain people’s trust and save time in delivering invitations.
- Reporting back to consultation participants is important. Consultation team members pointed out that participants greatly appreciate the sharing of results. It demonstrates to participants that their input is valued and they are respected by the project implementers.
- Ownership of the consultation process is the key to successful consultation. Ownership makes the implementers be responsible and accountable for:
  - adhering to the consultation guidelines;
  - respecting the budget;
  - adjusting the process when the realities of the field call for it;
  - ensuring a variety of stakeholders are included in the consultation;
  - collecting quality data; and
  - considering and incorporating participants’ recommendations into project design (to the extent possible).

- How to promote ownership? Understanding the benefit of doing public consultations is the first step toward building that sense of ownership of the consultation process. Implementers will strive for quality consultations if they see the added value of consultations. Public consultations can build trust and a cooperative relationship with the community. They can promote the project and dispel misconceptions about it.