



Dedicated to people-centred justice



LAND JUSTICE GUIDELINE

Imo State - Nigeria



Ministry of Foreign Affairs of the
Netherlands





Preface

Land-related conflicts have become a growing concern in Imo State, particularly these disputes, which often stem from intra-family disagreements, have in some cases escalated into serious violence, including assaults and even fatalities, especially for disadvantaged and vulnerable individuals. The consequences of such conflicts are deeply felt in affected communities, undermining peace, livelihoods, and social cohesion.

In response to these challenges, the Office of the Special Adviser to the Governor on Alternative Dispute Resolution (ADR) of Imo State convened a group of experienced justice sector leaders to co-develop practical solutions to land-related disputes. Under the leadership of and with the support of the Hague Institute for Innovation of Law (HiIL), the team designed this guideline to assist professionals, including lawyers, judges, mediators, paralegals, and law enforcement officers, who engage directly with justice seekers.

Drawing inspiration from the healthcare sector's approach to professional guidance, these land dispute guidelines offer clear, actionable steps and recommended practices tailored to the justice context. They provide users with essential tools including communication strategies, mediation techniques and de-escalation skills that are crucial for resolving disputes constructively and equitably. The development of this guideline integrates both field-based insights from across Nigeria and rigorous evidence from global research on

effective justice delivery. It is intended to be a dynamic and evolving tool. As practitioners and community members share new experiences and feedback, the guideline will be refined and enhanced to reflect emerging best practices. Ultimately, this document aims to strengthen the ability of justice providers and citizens alike to navigate and resolve land disputes with fairness and confidence. We encourage ongoing collaboration and commitment from government institutions, justice sector professionals, civil society organizations, and the people of Imo State to ensure these guidelines are widely implemented and continuously improved. We extend sincere appreciation to all individuals and organizations whose contributions have made this work possible. Let us now work together to build a more accessible and effective path to land justice in Imo State.

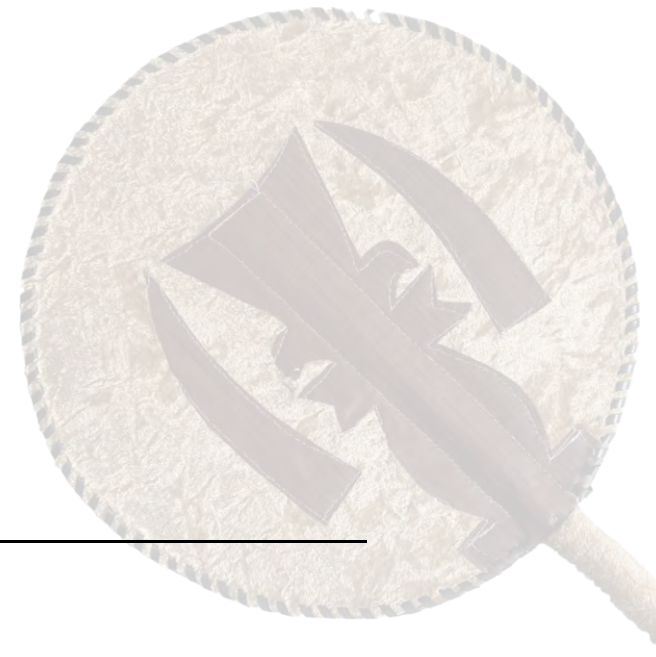


Table of Content



<i>Preface</i>	3
<i>Instructions on how to use this guideline</i>	4
<i>Introduction to Land Conflicts in Imo State</i>	5

1.	CONFLICT PREVENTION, REGISTRATION AND DOCUMENTATION OF LAND	6
	<i>Introduction</i>	6
	<i>Recommendations</i>	6
	<i>Best Practice</i>	6
2.	ALLOCATION OF LAND OWNERSHIP, INCLUDING INHERITANCE AND WILLS	9
	<i>Introduction</i>	9
	<i>Recommendations</i>	9
	<i>Best Practice</i>	9
3.	AGREEMENT ON LAND BENEFITS AND EXPLOITATION	11
	<i>Introduction</i>	11
	<i>Recommendations</i>	11
	<i>Best Practice</i>	11

4.	RESOLUTION OF ISSUES AROUND BOUNDARIES, THE USE OF LAND AND PROFITS	13
	<i>Introduction</i>	13
	<i>Recommendations</i>	13
	<i>Best Practice</i>	13
5.	COMPENSATION FOR DAMAGES	16
	<i>Introduction</i>	16
	<i>Recommendations</i>	16
	<i>Best Practice</i>	18
	RESEARCH METHODOLOGY	19
	<i>Establish a Committee of Experts</i>	19
	<i>Learn from the experiences of Local Justice Provider (collect practice-based evidence)</i>	19
	<i>Collect evidence from the literature and propose recommendations (evidence based practice)</i>	19
	<i>Experts review the first draft of the guideline</i>	25
	COMMITTEE OF EXPERTS	26
	Hiil TEAM	26
	RESEARCHERS	26
	DESIGN	26
	CONTACT	26

Instructions on how to use this guideline

This guideline provides a foundation for evidence-based care for individuals experiencing land-related conflicts. The Land Disputes Guideline contains 19 recommendations that support practitioners in their efforts to help people. The guideline follows the process from problem to solution and suggests ways for Practitioners to reach agreements in land-related issues. As a local leader, lawyer, paralegal, mediator or any other practitioner, you are required to follow the law. You should always rely on your expertise and experience and act accordingly in each case. All recommendations in the guideline are generalised and do not take into account specific situations that require exceptions. Therefore, a professional assessment on a case-by-case

basis is essential to make the best decisions possible. The recommendations listed in the Land Disputes Guideline are established according to a method widely applied in medical practice (PICO/GRADE). It combines local practice from both formal and informal systems and research on 'what works'. This distinguishes the guideline from existing legal guidelines.

Recommendations are categorized into four groups:

Strongly Recommended ★★★★★	The intervention is desirable and the quality of evidence is high. Apply recommendation and advise parties accordingly.
Recommended ★★★	The intervention is desirable and the quality of evidence is moderate or low. Apply recommendation and advise parties accordingly.
Context-specific Recommendation ★★ ★	The intervention is desirable in a specific context and the quality of evidence is high, moderate or low. Apply recommendation only in the right circumstances and advise parties accordingly.

Introduction to Land Conflicts in Imo State

Land remains a fundamental economic asset worldwide. In developing countries like Nigeria, its importance extends beyond economic value to profound social and cultural relevance. In Imo State, located in the heart of Southeastern Nigeria, land ownership plays a critical role in agricultural productivity, community development, and social status. For many families, land is not just property; it is a heritage passed down through generations, tied to identity and lineage.

Imo State, a largely agrarian state, relies heavily on land for farming, housing, and rural livelihoods. However, in recent years, the growing pressures of urbanisation, population growth, and industrial expansion, particularly around cities like Owerri and Orlu, have intensified the demand for land. This has led to a significant increase in land values, attracting speculative activities and creating fertile ground for disputes and exploitation.

Culturally, the Eastern region views land as a symbol of wealth and influence, especially in traditional communities. It is not uncommon for land to be at the centre of family and communal conflict, particularly when inheritance or boundary lines are unclear. Disputes are further complicated by the duality of traditional and statutory land ownership systems, often leading to overlaps in claims and legal confusion.

In Imo State, these land-related tensions are exacerbated by issues such as land grabbing, illegal sales, fraudulent documentation, and controversial acquisitions by government and private investors. These problems have placed a significant burden on the already overstretched judicial system. The high number of unresolved land cases in courts has led to prolonged litigation and erosion of trust in the formal legal process.

Alternative Dispute Resolution (ADR) mechanisms such as mediation, arbitration, and interventions by traditional rulers have emerged as vital tools in managing these disputes. Community elders, town unions, and religious leaders often play a central role in resolving land conflicts outside the courts. In some areas, traditional institutions collaborate with civil society organisations and local government authorities to establish structured processes for peaceful dispute resolution.

CONFLICT PREVENTION, REGISTRATION AND DOCUMENTATION OF LAND.

INTRODUCTION

Norms are rules of behaviour that are recognized and respected by the community. They can be created and enforced by justice system actors as well as authority figures in schools, workplaces, or other communities, such as religious institutions. Honouring one another's rights and agreements is necessary for preventing and resolving conflict. Parties, mediators and adjudicators all understand the difficulties that arise when there is no record of those rights and agreements. If rights are not documented and made known to the community in a language that everyone understands, how can we be sure that they will be respected? Documenting shared social commitments through contracts, registrations and other records is essential and should be accessible physically or online.



RECOMMENDATIONS

In this section, you can find internationally recommended interventions through repeated application and evidence, have consistently demonstrated effectiveness in achieving desired outcomes. It is typically based on a combination of empirical research, practical experience, and expert consensus, and is used as a benchmark for quality and performance in a given field. Any judge, arbitrator, cultural leader, religious leader, lawyer, mediator, therapist, advisor, or other relevant professional is encouraged to utilise the following recommendations.

(A). APPLY FIT-FOR-PURPOSE LAND MAPPING FOR DETERMINING BOUNDARIES.

For parties looking to document their ownership or use of land rights, fit-for-purpose land mapping is a flexible, transparent, and inclusive approach. The FFP approach has three fundamental characteristics. Firstly, there is a focus on the purpose and then how to design the means for achieving it as well as possible; secondly, it requires flexibility in designing the means to meet the current constraints; and thirdly, it emphasises the perspective of incremental improvement to provide continuity. Each of these components includes the necessary flexibility to meet current needs and can be incrementally improved over time in response

to evolving societal needs and available financial resources. The FFP approach recommends the use of ‘visual boundaries’ to delineate land rights.

Strongly Recommended ★★★

FFP land mapping is all about being practical and adaptable. It is designed to help people secure their land rights in a way that makes sense for their specific situation, with the ability to improve and become more detailed over time.

Strongly Recommended ★★★

(B). ACCEPT AND FORMALLY DOCUMENT AGREEMENT.

One way for parties to the ownership and use of land to prevent disputes is to accept and formally document their boundary agreements by signing a written contract. Additionally, parties to the ownership or use of land can honour their agreement by physically demarcating the land known as a “memorandum of understanding”. Additionally, parties to the ownership or use of land can honour their agreement by physically demarcating the land.

Recommended ★★

(C). USE A PARTICIPATORY GEOGRAPHIC INFORMATION SYSTEM TO RECORD LAND RIGHTS.

Participatory Geographic Information Systems (PGIS) integrate local or community knowledge with Geographic Information Systems (GIS) technology to enhance community-based decision making in areas such as land use, resource management, and development planning. PGIS is used for resolving boundary disputes between individuals and groups. Mediation often involves the use of professionals other than lawyers and judicial workers. They include the use of survey experts and traditional rulers. These professionals usually have both technical and historical knowledge of the areas in dispute. They can use PGIS mainly because of its participatory nature. We note that not all land disputes subjected to Alternative Dispute Resolution (ADR) in Imo State end successfully. Parties should be encouraged to include all features that they consider essential. Interveners, particularly when the dispute involves a communal boundary, should ensure that community leaders are invited to identify the boundaries together. The information is then converted into a document, which can be which can be interpreted by the professionals involved to involved to define the extent of the parties' rights.

Recommended ★★

(D). APPLY SMART SKEMA IN LAND ADMINISTRATION.

Land mapping exercises have been enhanced by technological advancements, which have replaced or supplemented existing human expertise in many aspects of this process. It interprets complex information in a summarised form that humans can act on. One such technological innovation that plays a vital role in documenting land rights and resolving boundary disputes is Smart Skema. It is a portable, platform tool that enables people to report their land tenure rights using hand-drawn sketches and tracing, which are familiar concepts. A sketch is made and then digitised and geo-referenced using numerical or logical approximations. Social customary tenure information is then attached to the digitised and geo-referenced sketch. These social information concepts are already in use by the communities where the documentation is being carried out. It is a combination of spatial mapping and tenure systems that provide information about customary tenure systems and ease the process of documenting land rights. It is designed on the seven principles of fit for purpose land administration, namely:

1. *Flexibility: able to capture different uses and occupations of the land.*
2. *Inclusiveness: covers all types of tenure systems.*
3. *Participatory: landholders are involved in supplying the necessary information and in how it is captured.*
4. *Affordable to use for society and government.*
5. *Reliable*
6. *Attainable: Within a short time frame.*
7. *Upgradable to meet emerging social, legal and economic needs.*



Recommended ★★

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ALLOCATION OF LAND OWNERSHIP, INCLUDING INHERITANCE & WILLS

INTRODUCTION

2.1. Documenting is essential for ensuring that the rights and agreements of individuals are respected and, if necessary, enforced. Oral understandings rely heavily on social trust and the goodwill of those involved. This can make them more challenging to implement when one or more parties fail to comply with the agreed-upon terms. Documenting is essential for making rights known to others outside of a particular agreement. Without acknowledgement, understanding and buy-in from the surrounding community, individual rights will not be respected or protected. For this reason, registrations, contracts, and legal rights must be made publicly available. 2.2. Compliance with norms results from (formal or informal) monitoring and enforcement. Once established, norms can facilitate decision-making and help avoid the tensions and stress associated with personal responsibility.



RECOMMENDATIONS

In this section, you can find internationally recommended interventions, through repeated application and evidence, have consistently demonstrated effectiveness in achieving desired outcomes. It is typically based on a combination of empirical research, practical experience, and expert consensus, and is used as a benchmark for quality and performance in a given field. Any judge, arbitrator, cultural leader, religious leader, lawyer, mediator, therapist, advisor, or other relevant professional is encouraged to utilise the following recommendations:

(A). APPLY THE CONSTRUCTIVE DIALOGUE TECHNIQUE IN RESOLVING LAND DISPUTES.

Constructive dialogue is beneficial for resolving disputes related to land use, resource allocation, sharing, and inheritance. In such cases, interveners who facilitate a resolution (such as paralegals or local leaders) enable parties to take ownership of the process. While parties discuss the issues, they (interveners) take note of the leading causes of disputes and then guide parties towards addressing them. They are careful not to allow parties to feel that they show bias towards either side. For example, facilitators may enable groups with the same interest on the conflict table to meet and agree on positions that they find comfortable and areas they

can cede as concessions. Each side is then recalled to state their need and position, which facilitators then use as guiding notes to steer the negotiation. This can be iterated as many times as needed.

Strongly Recommended ★★ ★

(B). USE CUSTOMARY TITLING

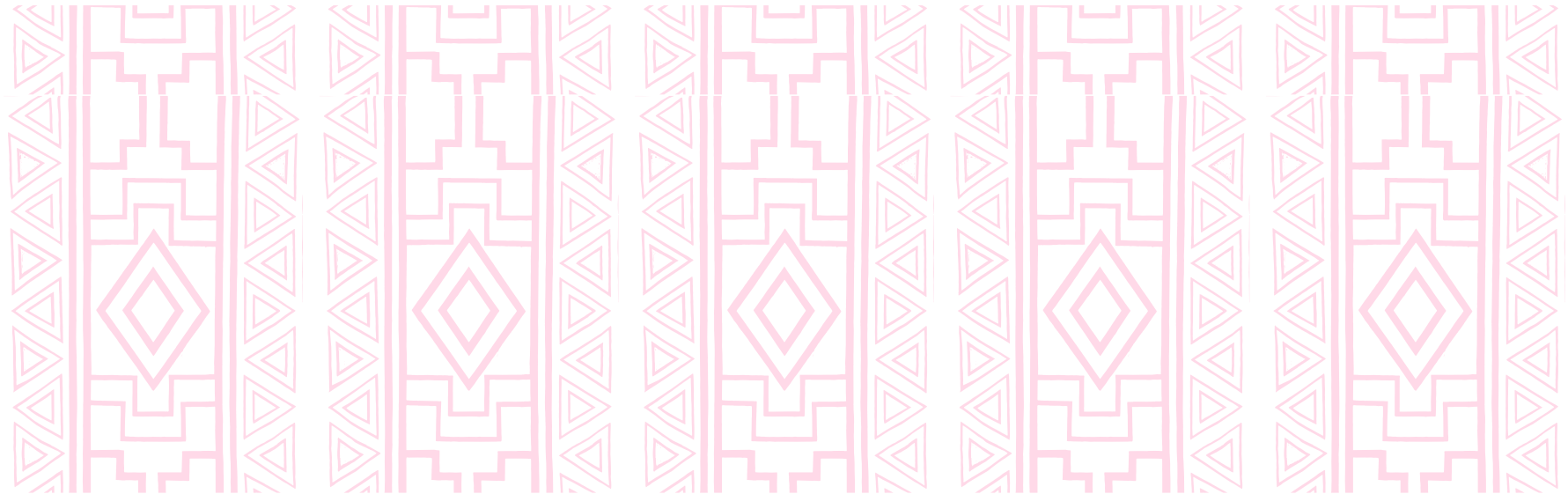
Customary titling is particularly helpful when disputes involve communities and groups. Boundary disputes, land use, and resource use disputes, which we found to be present between traditional rulers and religious leaders, as well as between communities, can be prevented or resolved through customary titling. In practice, facilitators (such as paralegals) can work with community members to identify the extent of rights they own over specified areas; these rights can then be formally documented and presented for registration. Such registration will include the preparation and lodgment of survey plans that embody each member's rights, as well as the drafting of a formal document outlining the terms mutually agreed upon by the parties to preserve the agreed-upon outcomes for posterity.

Recommended ★ ★

(C). APPLY COLLABORATIVE DECISION MAKING TO RESOLVE LAND DISPUTES.

Collaborative decision making focuses on the parties and their interest. Interveners must understand the genuine needs of the parties from the onset. These needs evolve throughout the resolution process. For example, an inheritance dispute is often the result of feeling marginalised. Once these fundamental needs are identified. The role of the intervener is to help parties identify and then focus on the real needs without intrusion. The mediator needs to remain as neutral as possible while suggesting pathways to jointly agree on outcomes. Each side to the dispute should also be free and not feel pressured to accept a suggestion.

Strongly Recommended ★★ ★



AGREEMENTS ON LAND BENEFITS AND EXPLOITATION

INTRODUCTION

3.1. To engage in respectful dialogue, parties involved in a land dispute must work through any negative perceptions they may have of one another and treat each other with respect and seriousness as human beings. To foster understanding and progress towards resolution, parties to a land dispute should uncover and recognise the emotions, needs, and interests of all those involved.

3.2. For a dispute resolution process to be successful, it must result in an agreement deemed legitimate by all participants. Once such an agreement concerning land use and ownership has been reached, it is crucial for those involved to demonstrate their commitment to and ownership of the outcome. 3.3. Have the parties achieved the outcomes they required? Conflicts often necessitate iterative resolution. This involves revisiting and refining agreements that no longer serve the parties due to changing circumstances or a deeper understanding of their needs.



RECOMMENDATIONS & BEST PRACTICES

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(A). APPLY PRINCIPLED BARGAINING OR NEGOTIATION

To reach a sustainable resolution for their land issue, the parties must negotiate the distribution of land and land rights in a fair and equitable manner. Principled bargaining or negotiation is an effective way for parties to share rights and resources in a fair and equitable manner. Principled bargaining and negotiation are based on interests and needs. Interests are often less clearly articulated (what people need). Interests are more long-term and reflect the broader hopes of a person or group, such as the desire to live peacefully, to have stable access to livelihood resources, or to have his/her identity recognised.

Interests can focus on both factual issues (e.g., distribution of resources) and relationship issues (such as trust and confidence).

Strongly Recommended ★★★

(B). APPLY COURT ADMINISTERED ADR TO HELP PARTIES REACH AN UNDERSTANDING

When a consent decree is court-administered, the judge endeavours to make parties settle their disputes without 'descending into the arena of conflict'. A judge faced with a land dispute of any kind can order parties to seek mediation or conciliation (by family elders) as a first option. Judges let parties understand that the strict application of adversarial procedures can do little to satisfy parties in certain situations, in addition to the cost involved for either side. Judges do well to keep within the bounds of law so as not to be accused of bias.

Context-Specific Recommendation ★

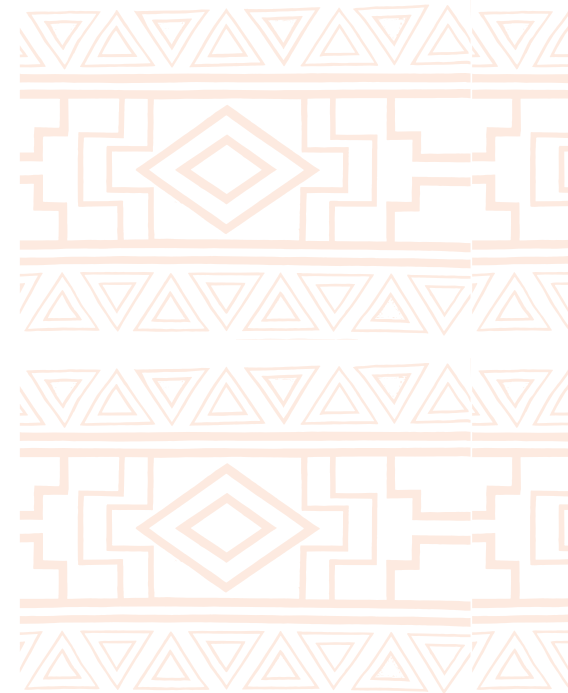
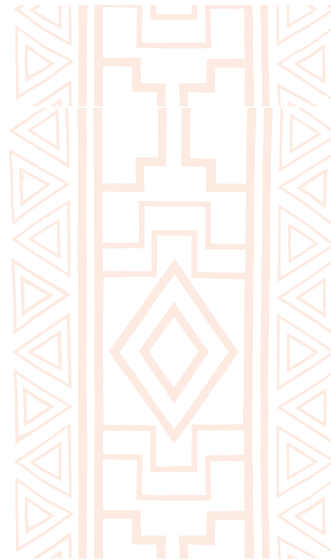
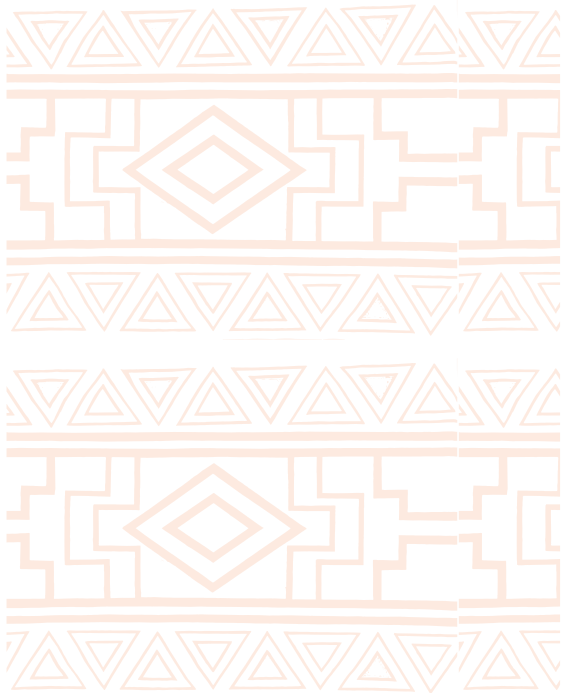
(C). ENHANCE THE COMMUNITY LAND TRUST

Community leaders should enhance the community land trust. Documentation of land use processes and the creation of a seamless system where each community member can identify the extent of their land should be maintained in a central document or database. Each party then follows the uses and extent of the rights granted, and reference is made to the database in the event of any disputes.

(D). PERFORM A CEREMONY TO AGREE

Once the parties involved in a disagreement over land ownership or use have acknowledged their agreement and demonstrated their commitment to its terms, a crucial next step is required to ensure their adherence and finalise the matter. A key element in all resolutions of rural land disputes is a reconciliation ceremony, which marks and formalises the conclusion of the conflict. During this phase of the land dispute resolution process, communities adhere to national legal procedures to officially document and register their lands, thereby obtaining government certification of their rights.

Recommended ★★



RESOLUTION OF ISSUES AROUND BOUNDRIES, THE USE OF LAND AND PROFITS.

INTRODUCTION

4.1. Identifying what happened between parties to a land dispute by establishing and mapping facts is an essential step in any resolution process.

4.2. Opening a channel for communication is another essential element of conflict resolution, as it enables parties to interact and share information collaboratively. This channel can serve as a meeting place or an online platform for discussion and collaboration. What is essential is that there is a safe container where both parties are present and willing to engage with one another. Without communication and collaboration, basic human needs to discuss and process what happened, find solutions, and prevent it from happening again cannot be met.

4.3. Establishing the needs and goals of the parties involved in a conflict or dispute is essential groundwork for reaching a mutually satisfying solution. The best solution is the one that meets the needs and interests of the parties involved.

4.4. In most conflicts and disputes, money, land, or other limited resources must be distributed or shared. Ideally, this distribution is done in a way that is fair, transparent, and informed by the needs and capacities of the parties involved. Objective criteria (formulas, market prices, and sharing rules developed through social norms or case law) relevant to the particular legal problem at stake can guide distribution decisions.

4.5. For parties to a conflict to achieve lasting peace and closure, the decisions made on the path to resolution must be implemented and complied with. Stabilising requires restoring a sense of safety and trust between parties in conflict so that they comply with what they have agreed upon and can move on with their lives. Achieving compliance and stability can be challenging, however, as parties are not always equally satisfied with the outcome of the resolution process, and issues may resurface.



RECOMMENDATIONS & BEST PRACTICES

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(A). APPLY THE TRANSFORMATIVE COMMUNICATION MODEL TO COMMUNICATE BETWEEN PARTIES IN LAND DISPUTES

The Transformative Communication Model is concerned with respecting gender rights and preserving the right of everyone to express themselves in conflict situations. The focus of the intervener is to recognise that, beyond the fact that marginalised and vulnerable groups are given a seat at the table, they are heard. This means that the intervener ensures that the meeting setting is designed to allow marginalised groups to express themselves at such meetings. Where necessary, these groups, after being identified in the conflict situation, can be brought together separately and allowed to speak, different from the

leading group. In that mini-meeting, they are allowed to express themselves freely. At main meetings too, the intervener ensures that they are given the chance to speak. As a result of custom, some groups may, by nature, refuse to take the chance even when offered, as the interventions show. In these instances, they may be consulted and spoken with in private rather than in group settings.

Strongly Recommended ★★★

(B). APPLY THE CONFLICT MODEL TO IDENTIFY THE INTERESTS BEHIND A POSITION AND UNTIMELY UNCOVER THE UNDERLYING NEEDS, FEARS AND DESIRES.

The conflict onion model is a useful visual tool for parties to understand and distinguish between the needs, interests, and positions of those involved. The conflict onion model is a dispute resolution tool based on an analogy of an onion with many layers. The outer layer of the onion represents the positions we allow everyone to see and hear (what we say we want). Underlying these are our interests (what we [really] want), which represent what we wish to achieve in a conflict situation. At the core of the onion are our needs (what we must have), which must be fulfilled for the conflict parties to be delighted with the outcome. Only focusing on the parties' positions will rarely solve a (land) conflict.

Strongly Recommended ★★★

When explaining the causes of land conflicts, the positions are often the same: 'I want the land. The land is mine! Give me the land.' The position only shows what one conflict party wants from the other party.

Strongly Recommended ★★★

(C). USE THE CONFLICT-TREE TO ENHANCE RESPECT AND UNDERSTANDING

To properly understand the dispute between parties, the intervener uses the conflict tree to separate the main issues from the irrelevant ones. He also uses the method to identify any unsaid words that point to the underlying cause of the problem. He draws the tree with the main issue being the trunk. The underlying issues being the root, and the manifestation of the problems is the leaves and branches. The conflict could be symmetric or asymmetric. It could be between individuals or groups. Whatever the case, the conflict tree helps to sift unrelated issues from the leading causes of conflict. The intervener then presents this to the parties for validation, after which dispute resolution methods appropriate to the conflict are implemented.

Strongly Recommended ★★★

(D). APPLY PARTICIPATORY COMMUNICATION IN ARBITRATION PROCESSES

Participatory Communication is recommended for use in customary arbitration, mediation, and facilitated meetings between disputing parties. The role of the mediator, arbitrator, or facilitator is to create an environment that fosters open discussion between the parties. They are made to own the process. Parties are permitted to jointly identify the areas of dispute, both the underlying issues and the manifestations of the conflicts. They are also allowed to jointly propose solutions to the identified problem and an implementation course that suits their joint interests. Interveners only wade in when parties are distracted by issues not directly relevant to the dispute or that are regarded as deal breakers by both parties.

Strongly Recommended ★★★

(E). APPLY ROLE PLAYING TO OPEN UP DISCUSSIONS

Roleplaying (socio-drama) can be an effective way for parties to build mutual respect. Roleplaying is recommended in closed conflict cultures, where parties may be less comfortable discussing underlying or taboo topics openly.

Context-Specific Recommendation ★

(F). APPLY JOINT FACT FINDING

Joint fact-finding by a neutral third party helps parties to get a shared and accurate understanding of what happened. It also tends to improve their relationship and increase the chances of resolving. We find variants of joint fact-finding already in use in customary arbitration. Chiefs and members of customary courts make arrangements for a locus visit where each party to a land dispute takes them to the land in dispute, calls witnesses who are interviewed in the presence of disputants on the land and other boundary men (if it is a boundary dispute) are called to identify the boundary. For more formal methods, such as mediation, parties value being carried along through every stage of the dispute resolution process. Efforts will require that parties jointly bear any burden associated with fact-finding (could be financial or logistical needs). Where groups are large, they can nominate representatives whom they trust. The rules should be clearly defined and implemented transparently to build confidence.

Strongly Recommended ★★★



COMPENSATION FOR DAMAGES AND THE DISPUTE RESTORATIVE JUSTICE SYSTEM

INTRODUCTION

Compensation for damages refers to the process of providing monetary payment, land, or other forms of restitution to a party who has suffered harm or loss, such as loss of property, land rights, or income, due to a land dispute or unlawful action. The aim is to restore the affected person as closely as possible to their original position before the harm occurred. A Dispute Restorative Justice System is an approach to conflict resolution that focuses on repairing harm, restoring relationships, and rebuilding trust among those involved in a dispute. Rather than focusing solely on punishment or blame, it encourages dialogue, accountability, and mutual agreement—often facilitated by community leaders or mediators.

5.1. Once parties to a conflict have communicated and understood each other's interests and needs, they can work together to brainstorm solutions that will meet them. Win-win solutions – which meet both parties' needs for information, recognition, reparation, or the prevention of specific behaviour – can often be found at little cost. Other interests may be more challenging to meet.

5.2 The concept of restorative justice has gained significant global attention as an alternative approach to addressing crime and conflict. Unlike the traditional justice system, which focuses on punishing offenders, restorative justice emphasises repairing the harm caused by criminal behaviour and fostering reconciliation among offenders, victims, and the community. In Imo State, Nigeria, adopting restorative justice approaches could provide a transformative method to tackle the challenges of crime, overcrowded prisons, and societal discord.



RECOMMENDATIONS & BEST PRACTICES

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(A). TRIBUNALS IN THE COMMUNITY SHOULD MAKE THIRD PARTY DECISIONS WHERE NEEDED

Parties involved in a land dispute who cannot reach a decision on their own require a neutral third party to adjudicate on their behalf. The authority of the chosen adjudicator will impact the degree to which the resolution is observed and respected by the parties, as well as by the wider community. Tribunals within the community are typically the most suitable forum for parties engaged in a land ownership or use dispute to receive a quick, accessible, and culturally appropriate third-party decision.

Context-Specific Recommendation★

(B). IMPLEMENT MONITORING MECHANISMS

A final and optional stage of a land dispute resolution process involves disputants completing procedural closure by designing and implementing monitoring mechanisms. This can improve agreements made over time. Seeing land dispute resolution as a continuous process, in which successes can be monitored over time, requires developing arrangements and mechanisms to monitor compliance and accommodate changing circumstances. In addition to identifying general and specific steps needed to implement the decision, parties must agree on several key issues to ensure the success of these monitoring arrangements.

Strongly Recommended★★★

BEST PRACTICES

The following best-practices are identified by 83 experienced practitioners in Imo State. These practitioners include judges, policy makers, lawyers, cultural- and religious leaders, paralegals and others. These best-practices are their experiences. All best-practices are compared to the recommended interventions, where we assessed whether they are in line with literature. Those best-practices that are not in line with the literature need further research.

WHAT ARE GOOD WAYS TO PREVENT LAND ISSUES?

Ensure that the parcel of land has a proper legal title. In accordance with literature

Ensure that property documentation is correct and legally valid. In accordance with literature

Conduct fact-finding on land before taking any other steps to purchase a parcel of land. Other practice

The need for a proper handover of land to a beneficiary/purchaser in the presence of witnesses (both family members and kinsmen), especially in instances of land purchase, gift of land, and land inheritance. In accordance with literature.

WHAT ARE GOOD WAYS TO FACT FINDING LAND ISSUES?

Utilise professional surveyors to accurately delineate the land and prevent future disputes. In accordance with literature

By interviewing older villagers who knew the history of the land use and inheritance patterns. Other practice

Give a listening ear to all parties involved. Other Practice

HOW DO PRACTITIONERS SOLVE ISSUES OF LAND INHERITANCE?

When engaging in land transactions with family members, it is essential to ensure that all parties are in agreement and that proper documentation is in place. In accordance with literature

Investigate the history of the land. Other practice

Advise that the land be shared equally among the benefiting family members. Other practice

WHAT KIND OF ARRANGEMENT DO PRACTITIONERS MAKE AN INHERITANCE AND WILLS?

Ensure that wills are registered. In accordance with literature

Advise the parties involved in inheritance to consult with appropriate professionals to prevent malpractice. In accordance with literature

Advice for obtaining a letter of administration by the family of the deceased, particularly when money claims are involved in an unmonitored bank account. In accordance with literature

WHAT KIND OF ARRANGEMENT CAN BE MADE TO COMPENSATE FOR THE LOSS OF INCOME DUE TO A LAND CONFLICT?

Once complaints are received, parties are invited (sometimes in writing) and each side is allowed to state their case. Mediators also conduct independent fact-finding and sometimes visit the lands to ascertain facts. **Other practice** Customary arbitration remains the primary approach to resolving disputes, particularly those involving land ownership, boundary demarcations, and inheritance issues. These disputes typically begin at the family level. When internal resolutions fail, matters escalate to village heads or community leaders, often referred to as Ndi Ichie or Ndi Nze na Ozo in Igbo culture. In Imo communities, aggrieved individuals may also approach traditional authorities directly, either orally or through formal petitions. **In line with the literature** Imo State also utilises modern conflict resolution channels, including civil adjudication and Alternative Dispute Resolution (ADR). While the state does not yet have a fully functional network of Multi-Door Courthouses like Ogun State, efforts have been made to incorporate alternative dispute resolution (ADR) within the state's legal framework. **Other practice**

HOW DO PRACTITIONERS SOLVE ISSUES THAT ARE ABOUT PROFITS FROM LAND?

By following all relevant legal rules and procedures. **In accordance with literature**

WHAT ARE GOOD WAYS TO CONDUCT MEETINGS TO SOLVE LAND ISSUES?

The mediator consults with the involved parties where needed, especially in boundary disputes. Mediators are chosen from a list of available candidates. Although parties typically have the freedom to choose their mediators, officials often make this selection for them in practice. Mediators assist parties in reaching agreements by drawing on the family, cultural, and religious values that are important to them. **In accordance with literature** Once the facts are established, the parties are informed of the decisions made by the traditional rulers. These decisions include pronouncements on ownership rights, resource distribution, and management arrangements. However, aggrieved parties may pursue the matter further by seeking judicial intervention from the courts. **Other practice** Conduct a virtual meeting to gather the views of those in different locations. **In accordance with literature**

WHAT ARE GOOD WAYS TO COMMUNICATE ABOUT LAND ISSUES?

Through open meetings, where parties are allowed to discuss the land peacefully, with mediators refraining from taking sides. **Other practice** Collaboration between formal law enforcement and traditional councils. **In accordance with literature**

WHAT ARE GOOD WAYS TO RESOLVE LAND DISPUTES?

*By exploring multi-door courthouses, as litigation processes are prolonged. **In Accordance with literature.***

*After a series of meetings, a clear idea of all parties' needs and routes of compromise will emerge. **In accordance with literature***

*Identify the issues that can be resolved via legal action and those which are best resolved through informal negotiation. Both parties can be appropriate based on the situation and the relationship between those involved in the dispute. **Other practice***

WHAT KIND OF ARRANGEMENTS CAN BE MADE TO COMPENSATE FOR THE LOSS OF PROPERTY DUE TO LAND CONFLICTS?

*Parties who reject customary arbitration or mediation take their disputes to court. Court proceedings are governed formally. Three levels of court manage land disputes in Imo State: the Customary Court, the Customary Court of Appeal, and the State High Court. Except for the customary court, where proceedings are structured according to customary arbitration procedures, though they are formally recorded and decisions are enforceable and appealable, the proceedings in the other courts are similar. Solicitors represent parties, and decisions involve declaring the rights of the parties. **Other practice***

*There should be a proper record of compensation arrangements to avoid future conflicts. In accordance with literature The party that has secured possession of the relevant land should be ordered to compensate the aggrieved party in the dispute. Other practice. Most arrangements usually involve a monetary refund; however, in a few cases, a reallocation of land is needed. **Other practice***

RESEARCH METHODOLOGY



1. ESTABLISH A COMMITTEE OF EXPERTS



The guideline development process starts by gathering a diverse group of local practitioners and justice experts. This group is referred to as the guideline's Committee of Experts (CoE). The Committee of Experts co-creates the guideline, performs quality control, and helps to establish local ownership.

2. LEARN FROM THE EXPERIENCES OF LOCAL JUSTICE PROVIDERS (COLLECT PRACTICE-BASED EVIDENCE)



An important element of the methodology is to identify what the local justice providers from the informal and formal sectors consider best practices for resolving their most pressing justice problems. We organize workshops and invite government, local, civil society leaders and practitioners to share their experiences on what works. The workshops are conducted in mixed groups of around 15 participants of justice providers from the formal and informal sectors from a specific area. It is recommended that at least 3 separate workshops take place in 3 different locations, collecting information from around 50 practitioners. Each workshop is facilitated as half-day

workshops and ample time is given to not only collect suggested best practices on specific interventions, but also how they relate to each other. In order to ensure that workshops are representative of the national population, HiiL conducts several workshops throughout the country the guideline is being developed for. Geographical coverage depends on the resources available, and is determined in partnership with the Committee of Experts.

3. COLLECT EVIDENCE FROM THE LITERATURE AND PROPOSE RECOMMENDATIONS (EVIDENCE-BASED PRACTICE)



There are many different steps in the path to resolving a justice problem. Each problem is broken down into a broad range of topics (such as mediation, adjudication, arrangements for raising children etc.) For each of these topics a number of possible interventions can be identified to help prevent or resolve the problem. Internationally available literature contains evidence which supports or invalidates interventions to justice issues. We test these interventions, rate the quality of evidence that underlies them, and define actionable recommendations.

The following steps explain this process.

i. First Literature Search: Identifying The Most Common Interventions

HiiL conducts a first literature search to identify all possible interventions for each topic. This is done in accordance with the search strategy (explained in step three). For each topic, the team selects the two or three most effective interventions. Two interventions are then compared with each other in PICO format and - if applicable - similarly compared to a third intervention.

ii. Defining The PICO Question¹

In order to assess the effectiveness of interventions, HiiL compares selected interventions using PICO questions. The PICO-approach is used in the medical sector to help define the effectiveness of an intervention. PICO stands for:

- Population
- Intervention
- Comparison
- Outcome

These four elements should always be present in the PICO questions. The standard structure of a PICO question is: For [population/person], is [intervention 1] more effective than [compared with intervention 2] for [outcome/goal]?

iii. Search strategy² and literature selection³

After identifying the PICO question, HiiL reviews and selects the literature. HiiL first defines which keywords are used for the literature search.

The literature search is conducted in a hierarchical manner. HiiL starts with looking into existing evidence-based guidelines, systematic reviews and meta-analyses. In case this results in insufficient evidence, the search extends to randomized controlled trials. If this is not available, the team searches for observational studies and empirical research. Lastly, if needed, HiiL gathers relevant opinions by international experts.

Steps taken in the process of selecting literature are (in this order):

1. **Screening of titles and abstracts:** A first selection is made where non-relevant titles are excluded.
2. **Selection on methodology, based on titles and abstracts:** The researcher selects sources according to their methodology.

1 How to phrase a PICO question is explained in: Schunemann, Brozek, Guyatt and Oxman, GRADE Handbook, Chapter 2, accessible via: <http://gdt.guidelinedevelopment.org/app/handbook/handbook.html#h.1yd7iwhn8pxp>

2 The search strategy is similar to the strategy used in developing guidelines for family doctors in The Netherlands, accessible via: https://www.nhg.org/sites/default/files/content/nhg_org/uploads/handleiding_ontwikkelen_nhg-behandelrichtlijnen_0.pdf

3 The literature selection-process is similar to the selection-process used in developing guidelines for family doctors in The Netherlands, accessible via: https://www.nhg.org/sites/default/files/content/nhg_org/uploads/handleiding_ontwikkelen_nhg-behandelrichtlijnen_0.pdf

b. Take into account factors for downgrading and upgrading

Next, HiiL looks for factors that reduce the quality of evidence. These being:

Risk of bias of the publication, such as:	
<ul style="list-style-type: none"> • Use of evidence by the author to support one favoured intervention (for example: the author is clearly in favour of mediation or supporting completely equal roles of men and women in family life as a matter of principle) • Reporting of outcomes is selective • Samples used in the study to back up arguments are not representative 	1 or 2 levels down
Risk of true effects reported being different in other culture/location,	
<ul style="list-style-type: none"> • For example: the Nigeria city population may not experience the same effects of an intervention as the Texas rural sample in the study 	1 level down
Inconsistent results from different studies, such as those based on:	
<ul style="list-style-type: none"> • Geographical area (different studies report different outcomes for different geographical areas) • Interventions (different studies report different interpretations of the same intervention) • Outcomes (different studies report different effects of the same intervention) 	1 or 2 levels down
Studies only present indirect evidence, such as:	
<ul style="list-style-type: none"> • Different results in different geographical areas in one study • A difference in how the intervention is applied in one study • A difference in the effects of the intervention in one study 	1 or 2 levels down

HiiL also looks at factors that increase the quality of evidence:

Imprecision	
<ul style="list-style-type: none"> • Uncertainty about the study results 	1 or 2 levels up
A large magnitude of the effect of the intervention:	
<ul style="list-style-type: none"> • The effects are consistent across different samples • Consistency in the studies on the magnitude of the effect 	1 or 2 levels up
Unanimous endorsement of the Committee of Experts	0 or 1 level up
All suggested best practices are in line with the recommendation	0 or 1 level up

3. **Selection on substance:** A substantive and definitive selection based on the title, abstract and the substance.
4. **Rating of selected literature:** The quality and quantity of the literature are assessed. If not sufficient, the search strategy and criteria are altered.

HiiL consults several (legal and psychology-related) databases, which are accessible through Google Scholar. The most relevant databases are defined on a topic by topic basis.

iv. Assessing and Grading the Evidence ⁴

The literature contains evidence. Following the selection of literature, the quality of the evidence is evaluated. HiiL grades the quality of evidence for each PICO question, based on the GRADE (Grading of Recommendations Assessment, Development and Evaluation) system. The GRADE-manual (accessible on www.guidelinedevelopment.org/handbook) provides an elaborate description of this method.

GRADE is used extensively by the medical sector for developing guidelines. The GRADE system provides a definition of the quality of evidence.

The quality of evidence reflects the level of confidence in the effect of the intervention on people's well-being. The evidence is graded according to a three-step process

a. Rate the entire study design

Rating the quality of evidence starts with the study design. The evidence is categorized by the type of study, using the four GRADE classifications:

High	Existing evidence-based guidelines, meta-analyses, systematic reviews
Moderate	Random Controlled Trials (RCTs), medium-sized/ large empirical research (including observational studies and experimental studies)
Low	Small empirical studies (including observational studies and experimental studies)
Very low	Opinions of international experts

⁴ The assessment and grading of evidence in the medical sector is explained in: Schunemann, Brozek, Guyatt and Oxman, GRADE Handbook, Chapter 5, accessible via: <http://gdt.guidelinedevelopment.org/app/handbook/handbook.html#h.1yd7iwhn8pxp>

Studies may report different outcomes. All outcomes of the studies that are essential to a recommendation are graded separately.

Until now, the upgrading and downgrading process has not been evaluated individually. In future iterations of the guideline, HiiL will provide reasons for upgrading or downgrading a recommendation and explain the reasons.

c. Rate the quality of evidence of the entire recommendation based on step A and B

After taking into account the rating of the study design and the factors for down or upgrading the quality of evidence, HiiL determines the overall quality of evidence. HiiL provides a single grade of quality of evidence for every recommendation. The quality of evidence can be classified into the following four categories of the GRADE model:

High	There is much confidence that the true effects of the tested intervention are close to the estimations of the effects
Moderate	The true effects of the intervention are likely to be close to the estimates of the effect. There is a possibility that they are different
Low	The confidence in the estimates of the effects is limited. The true effects can be substantially different from the estimates
Very low	There is very little confidence in the estimates of the effects

Because the GRADE approach rates the quality of evidence separately for each important outcome of the studies, quality might differ across outcomes. When determining the overall quality of evidence across outcomes, only the outcomes that are assessed as being most important are considered. These critical outcomes have been identified for each recommendation in the guideline. If the quality of evidence is the same for all critical outcomes, then this becomes the overall quality of the evidence supporting the answer to the question. If the quality of evidence differs across critical outcomes, then the overall confidence in effect estimates cannot be higher than the lowest confidence in effect estimates for any outcome that is critical for a decision. Therefore, the lowest quality of evidence for any of the critical outcomes determines the overall quality of evidence.

d. Define the research gap

After grading the evidence it is important to clarify where more research is necessary, in order to improve the quality of the recommendation. There might be a lack of good quality study designs, or there might be insufficient research on certain interventions available. This way, the research gap can support universities and research institutions in identifying impactful fields of research for in the future.

v. Propose Recommendations ⁵

The recommendations can be established following the answer to the PICO question and assessment of the quality of evidence by applying GRADE.

⁵ How to go from evidence to recommendations in medical guidelines is explained in: Schunemann, Brozek, Guyatt and Oxman, GRADE Handbook, Chapter 6, accessible via: <http://gdt.guidelinedevelopment.org/app/handbook/handbook.html#h.1yd7iwhn8pxp>

The strength of the recommendation depends on whether the desirable effects of an intervention outweigh the undesirable effects, and on the strength of the evidence.

Recommendations are categorized into four groups:

Strongly recommended	<p>Clear balance towards desirable outcomes of the intervention and a high/moderate quality of evidence</p> <p>Apply recommendation and advise parties accordingly</p>
Recommended	<p>Clear balance towards desirable outcomes of the intervention and a low/very low quality of evidence</p> <p>Apply recommendation and advise parties accordingly</p>
Context-specific recommendation	<p>Unclear balance towards desirable outcomes of the intervention (where desirable effects do not apply to all situations) and a high/moderate level of evidence</p> <p>Apply recommendation only in the right circumstances and advise parties accordingly</p>
Not recommended	<p>Clear balance towards undesirable outcomes of the intervention and a high/moderate level of evidence</p> <p>Beware of non-recommended practice</p>

4. EXPERTS REVIEW THE FIRST DRAFT OF THE GUIDELINE⁶



HiiL submits the guideline to the Committee of Experts for review. The Committee decides whether the recommendations are acceptable within the local/national context. They report their findings within three months of submission. If the Committee of Experts determines that a recommendation is incompatible with local practice, the Committee and HiiL collectively review the recommendation and determine whether it should remain the same, be modified, or be removed from the guideline entirely.



⁶ See: Schunemann, Brozek, Guyatt and Oxman, GRADE Handbook, Chapter 6, table 6.2, accessible via: <http://gdt.guidelinedevelopment.org/app/handbook/handbook.html#h.1yd7iwhn8pxp>

Key factors that influence the direction and strength of a recommendation are:

Domain	Comment
<p>The balance between desirable and undesirable outcomes (trade-offs) taking into account:</p> <ul style="list-style-type: none">• Best estimates of the magnitude of effects on desirable and undesirable outcomes• Importance of outcomes (estimated typical values and preferences)	<p>The larger the differences between the desirable and undesirable consequences, the more likely a strong recommendation is warranted. The smaller the net benefit and the lower the certainty for that benefit, the more likely a weak recommendation is warranted</p>
<p>Confidence in the magnitude of estimates of the effect of the interventions on important outcomes (overall quality of evidence for outcomes)</p>	<p>The higher the quality of evidence, the more likely a strong recommendation is warranted</p>
<p>Confidence in values and preferences and their variability</p>	<p>The greater the variability in values and preferences, or uncertainty about typical values and preferences, the more likely a weak recommendation is warranted</p>
<p>Resource use</p>	<p>The higher the costs of an intervention (the more resources consumed), the less likely a strong recommendation is warranted</p>

COMMITTEE OF EXPERTS

The Committee of Experts has played a crucial role in developing this guideline. They have facilitated the collection and evaluation of best practices and evidence that inform these guidelines. Furthermore, they have been instrumental in ensuring that the local context is taken into account in all recommendations and best practices. This achievement would not have been possible without their contributions:

- | | | |
|----------------------------------|-----------------------------|--------------------------|
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