



# LAND REFORM IN AFGHANISTAN (THE LARA PROJECT)

QUARTERLY REPORT (FOURTH QUARTER FY 2013)  
OCTOBER – DECEMBER 2013



JANUARY 2014

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**Cover Photo:** LARA “Lessons Learned” Conference Panel, December 2013 (photo by Ali Assad)

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## **DISCLAIMER**

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# ACRONYMS AND ABBREVIATIONS

AGCHO	Afghan Geodesy and Cartography Head Office
ALRMIS	Afghan Land Records Management System
Arazi	The Independent Afghanistan Land Authority
BizCLIR	Business Climate Legal and Institutional Reform
CBDR	Community-based Dispute Resolution
CDMS	Cadastral Data Management System
COP	Chief of Party
COR	Contracting Officer’s Representative
DCOP	Deputy Chief of Party
DFID	United Kingdom’s Department for International Development
DRACS	Deeds Registry Archive Conversion System
DUDA	Department of Urban Development Affairs
GIRoA	Government Islamic Republic of Afghanistan
GDMA	General Directorate of Municipal Affairs
Harakat	Afghan Investment Climate Facility Organization
IDLG	Independent Directorate of Local Governance
ILS	International Land Systems
IT	Information Technology
LARA	Land Reform in Afghanistan
LEL	Land Expropriation Law
LML	Land Management Law
LRMP II	Land Records Modernization Project, sponsored by DFID (the Harakat Foundation)
LTERA	Land Tenure and Economic Restructuring in Afghanistan
M&E	Monitoring and Evaluation
MAIL	Ministry of Agriculture, Irrigation, and Livestock
MOJ	Ministry of Justice

MOU	Memorandum of Understanding
MOWA	Ministry of Women’s Affairs
MUDA	Ministry of Urban Development Affairs
PIA	Public Information Awareness
PMP	Performance Monitoring Plan
USG	United States Government
USAID	United States Agency for International Development
WBI	World Bank Institute
WLRTF	Women Land Rights Task Force

# PREFACE

The United States Agency for International Development (USAID) Land Reform in Afghanistan Project (LARA Project) is managed by Tetra Tech ARD under USAID Contract No. 306-C-00-11-00514-00, with implementation assistance from its partners Tetra Tech DPK, International Land Systems (ILS), Development & Training Services, Inc., and Landesa (formerly the Rural Development Institute).

LARA project's primary government partners are Ministry of Agriculture, Irrigation, and Livestock (MAIL)/Arazi (formerly the Afghan Land Agency), the Ministry of Urban Development Affairs (MUDA), the Independent Directorate of Local Governance (IDLG), and the Supreme Court and selected local municipalities.

The purpose of the LARA project is to develop a robust, enduring, and Afghan-owned and-managed land market frame work that encourages investment and productivity growth, resolves/mitigates land-based conflict, and builds confidence in government's legitimacy, thereby enhancing stability in Afghan society.

The project continues USAID/Afghanistan's support for land reform and land rights strengthening that began through the earlier Land Tenure and Economic Restructuring in Afghanistan (LTERA) Project. The LARA project currently comprises an 18-month Base Period and an 18-month Option Period, with a contract amount of \$41.8 million. The LARA project is designed to contribute to USAID's Assistance Objective and Afghanistan National Development Strategy. Three influences will help shape the LARA project's contributions to this Objective: (1) the foundations provided by the former LTERA project that provides a starting point and methods that can be adapted; (2) USAID/Afghanistan management objectives including Afghanization and conflict mitigation; and (3) the following major LARA project objectives:

Improve property rights delivery (land administration and formalization);

Enable all citizens (women, minorities, and vulnerable populations) to exercise their rights through public information awareness (PIA);

Strengthen land dispute resolution processes to reduce conflict and promote peace and stability;

Promote economic development through clear and enforceable property rights, PIA, land rights delivery, and land dispute resolution;

Strengthen institutional, policy, and legal reform to secure property rights for Afghan citizens; and

Provide assistance in the cross cutting areas of gender, training, PIA, and private sector development.

These objectives are supported by three components that provide the over-arching structure for Programming activities and tasks in the work-plan are as follows:

1. **Informal Settlements & Formalization** – Support MUDA, the Afghan Geodesy and Cartography Head Office (AGCHO), IDLG, and the Municipality of Jalalabad with informal settlements upgrading, formalization, cadastral mapping, laws for urban planning and land use regulation, and training in planning and enforcement. Also, this project strengthens tenure security by supporting the Supreme Court and communities with rights formalization and informal dispute resolution.
2. **Legal Framework** – Provide limited assistance to Ministry of Agriculture, Irrigation, and Livestock (MAIL)/Arazi to identify, manage, lease, and obtain revenue from Afghan government lands and provide targeted technical assistance.

3. **Capacity Building** – Build capacity of public (AGCHO, Arazi, IDLG, MUDA, Supreme Court) and private sector land service providers to improve and streamline land tenure processes to Afghan private and public sectors.



# 1.0 EXECUTIVE SUMMARY

## 1.1 GENERAL OVERVIEW

During this quarter the project completed the upgrading works in the two target informal settlements in Jalalabad. A formal event marking the completion of all upgrading activities in Jalalabad took place in the Jalalabad municipal guesthouse on October 20, 2013. With this event the upgrading activities in the informal settlements of Araban and Campoona, and the physical refurbishment of technical offices in Jalalabad were officially completed and accepted.

A Maintenance Plan for the upgrading works in Araban and Campoona recommending routine site inspections, maintenance and repair of the upgrading was submitted to the Jalalabad engineering department and to the residents of the informal settlements of Araban and Campoona.

The project continued to monitor the implementation of the IT systems and work towards their sustainability. Five days of training for DRACS took place from October 19 to October 23, 2013 attended by court makhzan personnel from Kabul, Nangarhar, Balkh, Herat, Paktia, Parwan, Logar, Kunduz, Baghlan, Panjshir, and Laghman provinces and one IT specialist from the LRMP II project implemented by Harakat. ALRMIS training for Arazi employees started on October 5, 2013 and continued through October 23, 2013. The training for GRM Registry was completed on October 20, 2013 and training for GRM Cadastre and its integration with GRM Registry ended on October 23, 2013. The Software Development Kit (SDK) training for two Arazi IT Specialists took place over 11 days during the month of November, provided by Thomson Reuters.

The training on the CBDR Manual was completed at Arazi for Kabul and provincial staff.

The booklets containing the translation of recently developed procedures for land lease, transfer, exchanges, and land clearance, were distributed to Arazi, the Ministry of Finance, the Courts, and the Governor's office.

The last series of gender training for Arazi staff was completed on October 9, 2013. This three-week training was part of a larger effort to build the capacity of Arazi staff so that the institution and its programs are more gender-responsive.

During the month of November, the M&E unit with assistance from project components and under the coordination of LARA project Technical Adviser/Manager conducted a performance evaluation process in order to gather qualitative information about beneficiary satisfaction with services and progress on key project PMP indicators. The evaluation involved mini-surveys and focus group discussions with both men and women in LARA project's target informal settlements and key informant interviews with GIROA officials.

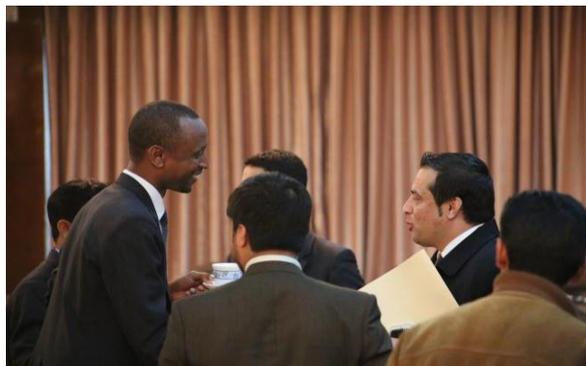
A LARA project "Lessons Learned" Conference was held in Kabul at the Kabul Star hotel on December 10, 2013. A detailed Conference report as well as a Final Conference Counterpart Survey is included in Annex C.

## 1.2 OVERVIEW BY COMPONENTS/ACTIVITIES

### 1.2.1 Component One: Strengthen Land Tenure Security through Formalization and Upgrading of Informal Settlements

#### Project “Lessons Learned” Conference

During this quarter the LARA project organized a “Lessons Learned” Conference in Kabul at the Kabul Star hotel for 82 attendees. During the conference, the Minister of Women’s Affairs, Husan Banu Ghazanfar, USAID Director of the Office of Economic Growth and Infrastructure, the Arazi CEO, Jawad Peikar and IDLG Deputy Minister, Farid Mournadzai, presented their thoughts on the impact and project’s main achievements.



LARA Project COR Gilbert Mwendata and Arazi’s CEO, Jawad Peikar

Minister Ghazanfar gave thanks to USAID and the LARA Project for its activities in establishing the Women’s Land Rights Task Force and the associated public information awareness activities. She noted that despite the existence of land an inheritance

rights for women under Afghan Law, many women struggle to claim these rights after the death of their fathers or husbands. The LARA project in partnership with the Ministry of Women’s Affairs (MOWA) launched the first campaign in Afghanistan to create awareness about these rights to both men and women. As a result, several women were able to exercise their rights. As a result of the campaign, 55 cases women inheritance cases were referred to the Ministry of Women’s Affairs, some of which have already been solved.

Mr. Jawad Peikar, CEO of Arazi, thanked USAID for the technical support provided by the LARA Project. He said that based upon his two years as the head of Arazi, and his experience working with international development projects, he regards the LARA project as a success. He hoped that USAID would not end its support to the Afghanistan land sector as the country is in need of more technical support to encourage the development of a real, formal land market. Mr. Peikar noted that if the only achievement of the LARA Project was the amendments to the Land Management Law, LARA would have been a successful project. In his closing remarks, Mr. Peikar noted that concrete results of land reform projects cannot be achieved overnight. He recommended that USAID continues to build on the momentum created by the LARA Project: *“The Project was unique in the history of Afghanistan. If there is a time for further support, this is the time for it.”*

#### Assistance to AGCHO Cadaster Department

After LARA provided technical support and equipment to AGCHO Cadaster, the former AGCHO Cadaster Department (now institutionally contained with Arazi) said that they are making use of the mapping equipment, including TOPCON total stations, GPS units, and large scale plotters provided by LARA on which cadaster staff have recently been trained. According to Mr. Haji Rasul, Head of Digitized Map Department, “producing maps by hand used to take months, but with the new equipment it takes just minutes.” The technology allows maps to be produced at different scales much more efficiently than the hand drawings, which the cadaster department had been producing.

#### Upgrading of Informal Settlements

During this quarter all the upgrading works in the informal settlements of Araban and Campoona in

Jalalabad were completed.

## **Gender**

The LARA Gender unit has completed the gender training for a total of 75 Arazi employees (the first training for the first batch of 33 Arazi employees occurred during the previous quarter). The Gender unit also helped Arazi draft and finalize a Gender Strategy that has been included in the Arazi five-year Strategic Plan. The inclusion of gender into Arazi's overall strategy will ensure that gender is mainstreamed into Arazi's programs and activities and that the organization in itself is more gender-responsive.

## **Community Participation**

The focus group discussions with project beneficiaries revealed that community participation in the upgrading activities in the informal settlements of Araban and Campoona (involving the communities, the Municipality of Jalalabad, municipal engineers, and local leaders) has been highly regarded by all stakeholders who have been involved in all steps of the process, including in the participatory monitoring and evaluation of the upgrading works. The success of upgrading works has been an incentive for the communities to provide land tenure data and allow parcel surveying as a means for providing more complete land data to the city.

## **Community-based Dispute Resolution (CBDR)**

In this quarter, the project has conducted three series of CBDR training activities. A total number of 119 Arazi staff members were trained on the CBDR Manual. The training included several field office staff from the provinces. At the end of the training, Mr. Peikar, the CEO of Arazi, commented that the LARA project CBDR training has been instrumental in strengthening the capacity of Arazi to resolve land-related disputes.

### **1.2.2 Component Two: Legal Framework**

During this reporting period the LARA legal team completed incorporating the comments of the AGCHO Technical Committee into the draft AGCHO Law. The Law has been under deliberation since March 27, 2013, but put on hold pending the merger of AGCHO Cadastre with Arazi. Many of the cadastre provisions that had been previously part of the AGCHO Law have now been rolled into the proposed draft of the Land Management Law. The proposed draft of the Land Management Law has been sent to the Executive Committee of the Ministry of Justice and is to be sent to the Cabinet of Ministers.

The legal team started working on a new Land Acquisition Law (LAL). The LARA legal team worked with the Arazi CEO and the Arazi Department Heads on this legislative task. The initial structure of the Law has been finalized and the team has reviewed prior literature regarding land acquisition by the Government. A draft of the law is expected by the end of December 2013. A key objective of the Law is to provide an appropriate legal basis for large development projects, including New Kabul, the Copper Project in Logar province, the Steel Project of Bamyan province and others. Proper compensation strategies for the acquisitions pursuant to the law and resettlement procedures are a priority.

### **1.2.3 Component Three: Capacity Building**

The Capacity Building unit provided administrative support to all training activities as well as to the "Lesson Learned" Conference.

### **1.2.4 Cross-Cutting: Gender & Communication**

During this quarter the LARA gender team conducted four focus group discussions in Jalalabad province to evaluate the impact that LARA activities have had on both men and women gaining a better understanding on women's inheritance and land rights. A data analysis of the meeting reports is currently

ongoing and the main findings will be highlighted in the project Final Report.

### **1.2.5 Coordinate Communications and PIA Strategies across all Components**

During this reporting period the LARA Communications team was able to plan and finalize the communications-related material for the “Lessons Learned” Conference.

# 2.0 PROJECT ACTIVITIES REPORT YEAR 2, 3RD QUARTER 2013 (FY)

## 2.1 INFORMAL SETTLEMENTS AND FORMALIZATION COMPONENT

### 2.1.1 Activity 1: Upgrade Informal Settlements

#### **Task 1.1.1: Assist Stake holders to Develop Criteria for Informal Settlements Upgrading**

Task is completed.

#### **Task 1.1.2: Conduct a Workshop on Informal Settlements Upgrading and Formalization**

Completed in November 2011

#### **Task 1.1.3: Select Informal Settlements.**

Completed in February 2012

#### **Task 1.1.4: Develop Manual/Handbook to Guide Upgrading Work.**

The task is completed and the manual has been presented to the GIRoA counterparts. The Manual and attachments have been officially handed over to all stakeholders.

#### **Task 1.1.5: Conduct Participatory Assessments of Planning and Physical Upgrading Issues in Selected Informal Settlements**

Task completed.

#### **Task 1.1.6: Develop Phased Community Action Plans of Priority Upgrading Projects and Formalization/Regularization Activities**

Task completed.

#### **Task 1.1.7: Develop Community Outreach Strategy to Ensure the Smooth Implementation of the Upgrading Works**

This task is completed

#### **Task 1.1.8: Design, Plan, and Implement Physical Upgrading Works**

A formal event marking the completion of all upgrading activities in Jalalabad took place in the Jalalabad municipal guesthouse on October 20, 2013. Abdul Baqi Popal, Director General of Municipal Affairs of IDLG, Mrs Sherzai, Directorate Head of MUDA from Kabul, and Girdiwal, Governor of Nangarhar Province, together with Lalagha Kakar, the Mayor of Jalalabad, Eng. Hakim, Deputy Mayor, Eng. Shafiq Deputy Director of DUDA and Eng. Shahabi Nangarhar Cadastre Head, participated in the closing ceremony. Nisar Ahmad Ranjber, the LARA Settlements Upgrading and Formalization Component

Manager, and community elders and CDC members from both settlements were also in attendance. Formal remarks were made by the Jalalabad Mayor, Nangarhar governor, GDMA/IDLG director, head of wakil-e gozar from Jalalabad municipality and Engineer Nisar Ahmad Ranjber. The event adjourned with a ribbon cutting ceremony by Mr. Popal, and the Jalalabad Mayor. Mr. Popal stated that “The overall upgrading process went very well, with good participation by the acting Governor, Mayor, the Head of Municipal Advisory Board, wakil-e gozars, MUDA, and IDLG”. With this event the upgrading activities were officially finished with acceptance by those in attendance.

### **Zone 1 Araban**

During the focus groups conducted in both Araban and Campoona as part of the project performance evaluation process, community members (both men and women) expressed their satisfaction with the results of the upgrading works. The improved infrastructure reduced dust in the neighborhood, allowed for better run off of waste water through the new ditches, and allows emergency vehicles access to areas where previously such vehicles could not get through. This makes the area safer and healthier for the children and other residents.



*Photo 4: Completed upgrading in Araban (October 2013)*

### **Zone 2 Araban**

The upgrading activities in Zone 2 of Araban informal settlement completed during this quarter. The municipal engineers and the community were fully involved in overseeing the quality of the works. The LARA engineers monitored progress throughout the upgrading.

### **Zone 1 and Zone 2 Campoona**

All upgrading of roads, side streets and ditches is finished. The residents appreciate that the area is healthier and the level of disease will decrease. The upgrading improvements have also improved security in the neighborhood by enabling easier access by public and transportation services.

## **2.1.2 Activity 2: Urban Planning**

### **Task 2.1.1: Identify Institutional Stakeholders and Implementing Agencies in the Target Municipality**

Completed in 2011

### **Task 1.1.9: Contribute to the Medium- to Long-Term Sustainability of Upgrading Investments Maintenance Plan**

The LARA Project has finished a Maintenance Plan for the upgrading works in Araban and Campoona. The Plan recommends routine site inspections, maintenance and repair of streets, sidewalks, drainage channels, and culverts, and cleaning of sludge from ditches. The engineering team in Jalalabad is reviewing the plan with municipality engineers for recommendations. The Maintenance Plan has been translated into Dari and Pashto and distributed to the residents of Araban and Campoona.

A joint meeting between LARA and GDMA took place with HE Lala Agha Kakar, Mayor of Jalalabad, and Eng. Hakim, Deputy Mayor of Jalalabad, to arrange for distribution of safayee tax books in the two

upgraded informal settlements of Araban and Campoona in accordance with a directive letter from the Deputy Minister of IDLG. The safayee tax books are being distributed to the residents of the 2,780 parcels identified during the cadastral survey and on record in OpenTitle at the Municipality. With the distribution of these tax books it is anticipated that Municipal revenues will increase.

**Task 2.1.2: Support Appropriate Coordinating Mechanisms among Institutional Stakeholders:**

This task is completed. The LARA project provided full support drafting and finalizing the National Upgrading Policy, which will be presented to the Cabinet of Ministers during the first few months of 2014.

**Task 2.1.3: Support the Physical Refurbishment of Selected Technical Offices**

This task was completed last quarter.

**Task 2.1.4: Create a Jalalabad Urban Profile**

This task was completed in March 2013.

**Task 2.1.5: Organize “Urban Planning Clinics” to Improve Land Use Planning Processes and Outputs**

Task completed.

**Task 2.1.6: Undertake Institutional Capacity Building for Urban Planning Activities**

Task completed.

**Task 2.1.8: Identify and Incorporate Informal Settlements into GIS-based City Maps and Plans**

Task completed.

**Task 2.1.9: Draft Joint Urban Planning Procedures**

Task completed.

**Task 2.1.10: Draft Urban Development Guidelines**

Task completed.

**2.1.3 Activity 3: Deeds Registration**

**Task 3.1.1: Assess Supreme Court and Provincial Makhzan Land Registration System and Recommend Streamlined Procedures**

Task completed.

**Task 3.1.2: Expand Implementation of Revised Registration Procedures**

Task completed with the installation of DRACS and conducting subsequent training in October 2013.

**Task 3.1.3: Develop Methodology for Validating Title in Municipalities including Customary Deeds**

Task completed.

**Task 3.1.4: Train Supreme Court and Provincial Court Staff on Deeds Registry Archive Conversion System (DRACS)**

The Capacity Building team organized five days of training for DRACS which took place from October 19 to October 23, 2013. Court makhzan personnel from Kabul, Nangarhar, Balkh, Herat, Paktia, Parwan,

Logar, Kunduz, Baghlan, Panjshir, and Laghman provinces and one IT specialist from Harakat attended the training. The training was conducted by an expert from Thomson Reuters and included training in all aspects of the GRM Registry Backfile module. Full training materials were distributed to each of the participants. The training consisted of theoretical and hands-on sessions so that the participants are prepared to use the DRACS software for the digitization of land title documents archived in the makhzans covered by the DFID LRPM 2 Project being implemented by Harakat. It was anticipated that the Harakat digitalization subcontractor would also attend the training. However, Harakat had not yet entered into a subcontract for digitalization in the provincial and Kabul makhzans at the time that the training was conducted. This was thoroughly discussed with Harakat and six of the trained participants have been sufficiently trained so as to be able to conduct the same training to their eventual subcontractor. Subsequent to this training session, Harakat entered into a subcontract for the digitalization work and the employees of the subcontractor were trained to digitize the archived land documents in the makhzans.

The LARA IT specialists also worked with the Supreme Court Makhzan to test the tool for importing Legacy Data incorporated in GRM Registry Backfile. This was completed and installed in coordination with Judge Bashir, Head of the Supreme Court Makhzan. Legacy data from LRMP and the USAID LTERA project can be properly imported into the DRACS system.

#### **2.1.4 Activity 4 Formalization of Land/Occupancy Rights Supported by Cadastral Mapping**

##### **Task 4.1.1: Finalize Land Rights Regularization Model Manual**

This task was completed and translated into Dari and shared with all stakeholders to serve as a resource for their future reference. The translated version of the Manual will be provided to USAID on a disk.

##### **Task 4.1.2: Conduct Public Information Awareness Campaign about the Mapping Process in Informal Settlements**

This task is completed

##### **Task 4.1.3: Undertake Mapping of Selected Informal Settlements Cadastral Survey**

Task completed.

##### **Task 4.1.5: Support Implementation of ALRMIS and Data Entry**

ALRMIS training for Arazi employees started on October 5, 2013 and continued through October 23, 2013. The training regarding the use of GRM Registry and data entry following Arazi workflows for each directorate was completed on Sunday, October 20, 2013 and training regarding the use of GRM Cadastre and its integration with GRM Registry ended on October 23, 2013. The 28 participants included one employee from each of the provinces of Kandahar, Herat, Kunduz, Nangarhar, Balkh, and Paktia. Arazi is now entering data in the ALRMIS system and has signed not only a license agreement with Thomson Reuters but has also entered into an agreement for Support and Maintenance, which will contribute to the sustainability of this land information registration system.

##### **Software Development Kit (SDK) Remote Training Session:**

The Software Development Kit (SDK) training for two Arazi IT specialists took place for five days ending on October 26, 2013. The training was conducted remotely with the trainer in Bolivia and the participants in the LARA main office in Kabul.

The IT specialists from Arazi, Sayed Zabihullah and Ahmad Farid Turyal Miguel, took part in the remote training, which covered:

- Use of the designer and API tools for GRM;

- Training on the GRM Designer for the purpose of developing reports within the system by each
- Training on the GRM Web Services; and
- Training on how to get/post data from a 3rd party client (using VS 2012) using GRM API.

The participants requested additional SDK training, which took place remotely during the last two weeks of November 2013. This training comprised six sessions and included one IT specialist from Harakat, who is involved in DRACS implementation. Comprehensive training materials supplemented the remote training and all of the training sessions have been recorded so that the trainees will be able to refer to the sessions in the future. As a result of the training, the software can be configured by Arazi staff themselves should forms and procedures change over time.

#### **Task 4.1.6: Provide Institutional and Technical Assistance to AGCHO and Others CDMS IT System (AGCHO)**

This task is completed last quarter

#### **Task 4.1.7: Conduct an Assessment of the Hesare-I-Shahi Industrial Park (HIP) in Jalalabad**

Task completed.

### **2.1.5 Activity 5: Community Participation**

#### **Task 5.1.1: Conduct an Arazi Training Needs Assessment for Land Dispute Mechanisms**

Task completed.

#### **Tasks 5.1.2: Provide dispute resolution training supporting the *Tasfia* process and public information awareness**

The CBDR unit has successfully conducted CBDR manual training at Arazi Kabul and provincial field office staff. At the end of the training, Mr. Peikar, the CEO of Arazi, noted LARA's efforts to strengthen the capacity of Arazi staff in solving disputes. The training was attended by 119 staff members from different departments of Arazi, including Kabul *Tasfia* teams, provincial Arazi directors and *Tasfia* managers. The main focus of this training was the CBDR Guidelines and *Tasfia* procedures. It also focused on different ways to solve disputes arising during the *Tasfia* process.

## **2.2 COMPONENT 2: LEGAL FRAMEWORK**

### **2.2.1 Activity 6: Legal Framework**

#### **Land Management Law**

After the proposed amendment to the Land Management Law was approved by the Ministry of Justice Legal Drafting Department ("Taqneen") in September, it has been passed for consideration to the Executive Committee of the Ministry of Justice. Upon approval by the Executive Committee, the draft will be further submitted to the Cabinet of Ministers.

The legal team handed over to Arazi the recently developed Procedures for land lease, transfer, exchange, and land clearance. With assistance from the projects, the procedures were printed in booklet form. The procedures include chapters concerning:

- Reduction of administrative steps and procedures;
- Clear directions to all Arazi sub-office and the line institutions about procedures;

- Timelines for completing administrative processes (particularly for leases);
- Anti-corruption measures;
- Gender neutrality; and
- Ready-made formats and forms for ease and for speeding up the process.

These procedures will be sent to 34 provinces, for the district Arazi offices. Furthermore, these Procedures will be officially sent to the line institutions, such as the Ministry of Agriculture, Irrigation and Livestock (MAIL), provincial offices of the Ministry of Finance, Courts, Governors' offices and others.

### **Task 6.1.1: Identify Amendments to the Laws Enabling Land Transactions and Efficient Land Registration**

Task completed.

### **Task 6.1.2: Focus on Land Law and Gender Rights**

Task completed.

## **2.2.2 Activity 7: Regulations**

### **Task 7.1.1: Organize Legal Clinics Aimed at Reviewing Urban Planning Legislation**

Task completed.

## **2.2.3 Activity 10: Gender**

The LARA project Gender Unit conducted the last series of gender training sessions for Arazi staff from October 5 to October 9, 2013. Ms. Nasima Rahmani, a LARA short-term consultant, led the training for 42 participants (out of which, 37 male and 5 female), in addition to the 33 staff members trained during the previous quarter. The topics covered history of approaches to gender fairness, definitions, women in development, gender in development, women's rights in Afghanistan, gender enrollment, gender budgeting, capturing gender data and gender-related quantitative and qualitative indicators.

The Gender Unit also finished a one-day training session to finalize a Strategic Plan for Arazi, as the Institution develops gender balance in its programs and activities. Ms. Nasima Rahmani led the training for 35 Arazi staff (23 female and 12 male).



*Gender Training in Arazi (October 2013)*

### **Task 10.3: Conduct Women's Advocacy Training and Support**

This task was completed in April 2013 when advocacy and representation training was offered to the WLRTF members.

### **Task 10.4: Provide Additional Support for Arazi on Gender Issues**

During this quarter, the LARA Gender Unit finished gender training for Arazi employees. The CEO of Arazi, Jawad Peikar, made introductory remarks noting the importance of gender balance for Arazi as an institution. The Gender unit also has finalized a gender strategy for Arazi which is incorporated in the

Arazi draft five-year Strategic Plan.

## **2.2.4 Legal Framework Component: Problems and Solutions**

There has been a delay in the Ministry of Justice's approval of the draft Land Management Law. The LARA Legal Unit continues to follow up regularly with the Ministry of Justice to ensure its passage to the next step of the approval process.

## **2.2.5 Legal Framework Component: Proposed Activities/Events Next Quarter**

The team is undertaking a final review of Project files and revising the materials that need to be distributed to counterparts before the end of the Project.

## **2.3 CAPACITY BUILDING COMPONENT**

### **2.3.1 Activity 8: Institutional and Private Sector Strengthening**

#### **Task 8.1: Review of Technical and Non-Technical Processes**

Task is completed.

### **2.3.2 Activity 9: IT System Needs for Counterparts**

#### **Task 9.1: Install land Support Land Administration IT Needs**

Task is completed.

### **2.3.3 Capacity Building Component: Proposed Activities/Events Next Quarter**

The team has been engaged in organizing the files for closeout purposes, and in identifying and preparing any materials that still need to be distributed to counterparts.

## **2.4 CROSS-CUTTING: COMMUNICATIONS**

The USAID LARA Project Communications Unit provided support across all three components of the project during the reporting period by documenting activities with photos (training, upgrading progress in Jalalabad, gender unit activities, refurbishment of Kabul Polytechnic University, AGCHO Training Center, Geodesy Faculty of Kabul University, book distributions and other activities), as well as updating the project website on a regular basis.

## **2.5 MONITORING AND EVALUATION**

The M&E unit with support from all technical components as well as the project home office team conducted a series of focus group discussions and key informant interviews with project beneficiaries in order to evaluate project performance around LARA project's key performance indicators and obtain feedback and "lessons learned" from community members. In the period November 18-21, the M&E team, Gender Specialist and Communications Specialist conducted four focus groups with project beneficiaries (two for men and two for women, in both Araban and Campoona, involving 46 people in total) and three key informant interviews with government officials in Jalalabad-the Jalalabad Deputy Mayor, the Municipality Engineering Team and the Department of Women's Affairs (DOWA).

Preliminary findings from the mini-surveys and focus group discussions show that 73.9% of respondents are satisfied with services related to streets and roads, and 50% of respondents are also satisfied with water services. In both Araban and Campoona settlements a general dissatisfaction with sanitation and shortage of bins was reported and more than 65% of respondents report that there have been no drainage

or water upgrades in their area in the past 22 months.

On November 24, the team facilitated an additional focus group discussion for 15 staff members of Arazi that have been exposed to various LARA project training throughout project life. In the period November 25-December 3, the team also conducted key informant interviews with key Government counterpart representatives, such as Arazi, GDMA, AGCHO and MOWA. Currently, the team is conducting a qualitative data analysis by indicator. The results will be reported in the Final Report and incorporated into the project's final performance evaluation.



*Jalalabad Water Supply Department Engineer is interviewed by the LARA M&E Specialist*

The M&E team documented all project activities and updated the project database including the PMP tracker, the training and workshop trackers and the Afghan Info tracker. USAID also requested the LARA M&E Unit to report separately to the TraiNet system regarding all training events, training participants, training budgets, and provinces benefitting from training. The team compiled the data so now all M&E-related project reporting is up to date.

The M & E team also prepared the Completion Report templates for each subcontractor to fulfill PMP requirements.

## 2.6 COLLABORATION WITH OTHER DONORS

During this reporting quarter the project team met with a World Bank Consultant tasked to provide support to Arazi on the Acquisition Law in order to coordinate program assistance to Arazi. The project team also attended the UN Habitat, Afghanistan Housing Authority, Land and Property Task Force meetings. LARA's work with Harakat also continued the Project's coordination between USAID and DFID's LRMP II Project and made a special briefing presentation to the subcontractor for LRMP II, (Hawk Vision) that will work on digitizing land documents in the court makhzans using the LARA supplied DRACS software.

The Project Gender Unit also attended meetings regarding women's inheritance issues with the UN and the Afghan Women's Network (AWN) to share information about LARA's gender work and explore collaboration opportunities.

## 2.7 SUMMARY OF LARA'S PROGRESS VIS-À-VIS STAKEHOLDERS DURING THE QUARTER

LARA's Stakeholders	Brief Activity Description	Follow-up steps
Arazi	<p><b>CBDR:</b> CBDR manual was finalized and training conducted.</p> <p><b>Gender:</b> The gender team provided gender training</p> <p><b>Legal team:</b> Drafting of LAL</p> <p><b>Capacity Building:</b> Training of SDK and systems</p>	<p><b>Legal team:</b> The LARA Legal Team provides ongoing support to Arazi to advocate for approval of the proposed LML before the Cabinet and Parliament</p>
Community Elders	<p><b>CBDR: provided support on disputes during upgrading and solved most of them</b></p>	
MUDA	<p><b>Component One:</b> The Team followed up on the policy approval processes and provided technical assistance as it needed.</p> <p><b>Gender:</b> Gender Director of MUDA is a member of the WLRTF</p> <p><b>Capacity building:</b> 16 MUDA staff trained in GIS 4 MUDA staff trained in Sustainable Urban Land Use Planning, (WBI online courses) Conducted a Needs Assessment covering five MUDA departments and its initial analysis report was submitted to MUDA. 6 DUDA Jalalabad staff trained in GIS</p>	

LARA's Stakeholders	Brief Activity Description	Follow-up steps
<b>AGCHO</b>	<p><b>Component One:</b> Training provided to the staff of AGCHO on use of GIS equipment Followed up to ensure proper use of technical equipment</p> <p><b>Legal team:</b> The team has drafted the AGCHO Law.</p> <p><b>Capacity building:</b> 50 AGCHO staff trained in GRM software 50 (3 female 47 male)  30 AGCHO staff trained in technical survey equipment 30 male 4 AGCHO staff trained in ALRMIS</p>	
<b>GDMA</b>	<p><b>Component One:</b> Ensured that Safyee notebooks are delivered by the Municipality of Jalalabad to property owners in the two informal settlements</p> <p><b>Capacity building:</b> 10 GDMA staff trained in the CDMS system</p>	
<b>Jalalabad Municipality</b>	<p><b>Component One:</b> The team met with the Mayor and his staff to discuss the key messages and graphics of the Safayee notebook. As a result of the training, two Municipality engineers are able to enter data in OpenTitle.</p>	
<b>Polytechnic</b>	Refurbishing of the Polytechnic University completed;	
<b>Jalalabad Water Supply</b>	Water supply project has been completed	
<b>Supreme court</b>	Component One : DRACS was installed and configured and training was provided to the Supreme Court staff	

# 3.0 FINANCIAL

### 3.1 LARA OPERATIONS AND FINANCE

Contract Number 306-C-00-11-00514-00-LARA Project							
Budget Line Items	Approved Budget for Base Period	Oct-13	Nov-13	Dec-13	Total Quarter 1	Total Invoiced To Date	% Budget Spent
Salaries & Wages	\$5,456,389.80	\$129,086.87	\$113,433.71	\$118,459.19	\$360,979.77	\$5,230,650.51	96%
Fringe Benefits	\$951,130.44	\$22,040.92	\$19,809.17	\$23,411.99	\$65,262.08	\$904,476.60	95%
Travel, Transportation & Per diem	\$661,793.31	\$7,447.02	\$5,383.16	\$7,954.60	\$20,784.78	\$576,360.30	87%
Procurement Equipment and supplies	\$560,355.99	\$53.49	\$65.82	\$0.00	\$119.31	\$505,975.08	90%
Communications	\$361,264.02	\$7,257.88	\$7,265.42	\$6,920.37	\$21,443.67	\$337,724.99	93%
Subcontracts/Consultants	\$12,784,656.40	\$647,674.35	\$744,699.81	\$279,221.06	\$1,671,595.22	\$11,475,535.12	90%
Allowances	\$1,496,807.74	\$31,538.58	\$26,376.26	\$32,456.70	\$90,371.54	\$1,418,352.85	95%
Direct Facilities Costs	\$350,026.78	\$154.36	\$272.87	\$378.79	\$806.02	\$337,829.61	97%
Other Direct Costs	\$6,873,665.61	\$144,136.43	\$125,900.20	\$164,522.17	\$434,558.80	\$6,004,171.47	87%
Security	\$4,791,077.20	\$145,293.60	\$146,654.28	\$141,955.01	\$433,902.89	\$4,422,989.75	92%
Grants Under Contract	\$110,191.35	\$0.00	\$0.00	\$0.00	\$0.00	\$110,191.35	100%
Indirect Costs	\$4,666,804.51	\$113,847.87	\$102,301.94	\$104,065.10	\$320,214.91	\$4,347,247.85	93%
Indirect Rate Adjustment	\$0.00	-\$169,311.89	\$0.00	\$0.00	-\$169,311.89	-\$169,311.89	0%
Sadat & Saifi Credit	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$19,573.70	0%
Total Estimated Costs	\$39,064,163.14	\$1,079,219.48	\$1,292,162.64	\$879,344.98	\$3,250,727.10	\$35,482,619.85	91%
Fixed Fee	\$2,735,836.75	\$87,398.44	\$90,452.46	\$61,555.89	\$239,406.79	\$2,496,963.59	91%
Total Estimated Costs + Fixed Fee	\$41,800,000	\$1,166,617.92	\$1,382,615.10	\$940,900.87	\$3,490,133.89	\$37,979,583.44	91%

# ANNEX A: PERFORMANCE MONITORING AND EVALUATION REPORT

TYPE CODE: M = MILESTONE SCORE, C = CUMULATIVE THROUGH LOP, A = SEMI-ANNUAL & ANNUAL TARGET, Y/N = YES/NO							
#	Performance Indicator	Type	Baseline April 2011	2013 Target	Current Period (Oct-Dec 2013)	Previous Period (Jul-Sep 2013)	Cumulative Total
<b>LARA Project Objective: Improve land tenure security of Afghans by strengthening and supporting GIRoA institutions dealing with land, and create Afghan capacity to successfully design, manage, and implement land reform</b>							
<b>Major Results and Outcomes</b>							
1	% of surveyed Afghan community members that report satisfaction with land tenure security in targeted informal settlement communities	A	6%	5% above baseline by 2012 and 15% above baseline by 2013	0%	0	TBD <sup>1</sup>
<b>IR 1: Management of Government-Owned Property Improved</b>							
<b>Major Results and Outcomes</b>							
1.0.1	Revenues to GIRoA from leases of government land [% increased]	A	235 million AFS	10% above baseline by 2013	N/A	N/A	TBD <sup>2</sup>
1.0.2	# of policy and procedural reforms improving tenure security for informal settlers, and enhancing revenue collection capabilities	A	0 (Poor existing policies and procedure for land revenue)	3 by 2012 and TBD by 2013	Upgrading policy of informal settlements	6 <sup>3</sup>	8
<b>Sub-IR 1.1: Institutional Capacity of MAIL/Arazi Enhanced</b>							
<b>Major Results and Outcomes</b>							

<sup>1</sup> While anecdotal evidence is positive in terms of improved feelings about land tenure security, the data collected as part of the performance evaluation process conducted in November 2013 are not conclusive enough to report a percentage of satisfied persons at this time. This indicator will be revisited during the no-cost extension phase of the project. Please see page 11 for a few qualitative statements collected during the focus group discussions conducted in November 2013.

<sup>2</sup> This indicator will be revisited during the no-cost extension phase of the project. The revenues from government leased land have decreased as a result of Arazi becoming an independent agency, which caused delays in signing over 500 lease contracts during 2013. It is expected that these lease contracts will be signed in 2014 and that the revenues to the GIRoA will increase as a result. LARA will continue to monitor this indicator.

<sup>3</sup> These policies are: Land lease, Land Transfer, three on Grabbed Land Restitution Procedure (Policy), Land Exchange and Land Clearance. The National Upgrading Policy will be presented to the Cabinet of Ministers in during the first quarter of 2014

TYPE CODE: M = MILESTONE SCORE, C = CUMULATIVE THROUGH LOP, A = SEMI-ANNUAL & ANNUAL TARGET, Y/N = YES/NO							
#	Performance Indicator	Type	Baseline April 2011	2013 Target	Current Period (Oct-Dec 2013)	Previous Period (Jul-Sep 2013)	Cumulative Total
1.1.1	Milestone index based on a competency framework for MAIL/Arazi to fulfill its mandate, based on negotiated phased performance standards (milestone index is to be determined, and number of milestones is to be assessed during the baseline survey)	M	N/A	5% by 2012 and 10% by 2013	0%	0%	0% <sup>4</sup>
1.1.2	Service delivery management and monitoring systems established and operational	Y/N	No	N/A by 2012 and Yes by 2013	Yes	Yes	Yes
<b>Sub-IR 1.2: Land Dispute Resolution Mechanisms between MAIL/Arazi and Private Individuals/Businesses Augmented</b>							
<b>Major Results and Outcomes</b>							
1.2.1	Government/private land dispute mechanism developed and refined	Y/N	N/A Government (Arazi) lacks specific procedures for land case management.	Yes by 2012 and 2013	N/A	Yes <sup>5</sup>	Yes

<sup>4</sup> The index has not been established at this time but will be reviewed during the no-cost extension phase of the Project. This is because, from the beginning of the LARA Project the institutional status of Arazi has been in a state of flux. This was reflected in the loss of key Arazi staff after the cessation of DFID funding and the transition of institutional leadership to Mr. Jawad Peikar. During the last 12 months, there have been significant institutional and role changes in the organization. This started with Arazi's removal from MAIL institutional structure and starting in June, 2013, its establishment as an Independent Land Authority. As part of this process, the Cadastral Department of AGCHO (along with that organization's responsibilities) was incorporated within Arazi. Institutional roles are still being clarified and staffing structures are still being determined by Arazi senior management. As a result, the new institutional capacity of Arazi is still to be determined. During a LARA No-Cost Extension phase, institutional strengthening of Arazi is a main priority. Therefore, this indicator will be revisited for the determination for appropriate standards for the newly created institution. In terms of Arazi's most recent competency perception by the population, however, it is noteworthy that Arazi has developed a measure of confidence: a recent survey by The Asia Foundation mentions Arazi as one of the top trustworthy institutions by the Afghan population, rated at a 71% confidence level (*"A Survey of the Afghan People"*, 2003, p.77)

<sup>5</sup> CBDR Guidelines were developed by LARA through a grant to The Liaison Office (TLO) and approved by USAID. They were already distributed to the community in Jalalabad and to public institutions.

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#	Performance Indicator	Type	Baseline April 2011	2013 Target	Current Period (Oct-Dec 2013)	Previous Period (Jul-Sep 2013)	Cumulative Total
1.2.2	# of training courses provided to government and private sector on use of land dispute mechanism	C	0	1 by 2011 and 3 by 2012 and 7 by 2013	4	6 <sup>6</sup>	10
1.2.3	% of private sector indicating satisfaction with the dispute mechanism	A	43% <sup>7</sup>	70% by 2012 and 80% by 2013	0 <sup>8</sup>	0	0
<b>IR 2: Municipal Land Management and Planning Capacity Strengthened</b>							
<b>Major Results and Outcomes</b>							
2.0.1	# of properties paying sanitation/property tax revenues at the municipal level for targeted communities increased	C	38% (=2057 properties) <sup>9</sup>	25% above baseline by 2013	4,532	N/A	83% (for the two target settlements, 4,532 properties are paying the tax) <sup>10</sup>
2.0.2 4.2.3 d (M)	# of properties registered/recorded with municipal registration offices	C	0	1,800 by 2013	2,780 <sup>11</sup>	N/A	2,885 <sup>12</sup>
<b>Sub-IR 2.1: Core Urban Planning and Management Skills of Key Municipal Property Stakeholders Strengthened</b>							
<b>Major Results and Outcomes</b>							

<sup>6</sup> This figure is a correction from the last Quarterly where it was mistakenly reported as "1"

<sup>7</sup> Source: SES, p. 44.

<sup>8</sup> The trainings on CBDR Guidelines have been completed during the previous Quarter, and the training on Tasfia took place during this reporting quarter for the public sector. We have not rated this indicator for the private sector as, per USAID's instructions, the project shifted focus from private to public sector training.

<sup>9</sup> Source: SES, p. 64. Note that this figure is based on a sample size of 13,960 across 25 informal settlements in Jalalabad.

<sup>10</sup> Information collected on November 20, 2013 by the M&E Specialist from the Jalalabad Municipal Property Registration records and municipality financial records on sanitation and property tax

<sup>11</sup> This is the number of properties surveyed by LARA, and the data entered into the Municipality database. GDMA printed Safayee Notebooks and distributed them together with the Jalalabad Municipality to property owners (the 2,780 parcels identified during the Cadastral Survey) in the two target informal settlements. This should, in turn, allow the municipality to provide services to these communities, thus increasing the confidence that the people have in their public institutions as well as increase municipal revenues.

<sup>12</sup> Source: Jalalabad Municipal Property Registration records and municipality financial records on sanitation and property tax, as of November 20, 2013

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#	Performance Indicator	Type	Baseline April 2011	2013 Target	Current Period (Oct-Dec 2013)	Previous Period (Jul-Sep 2013)	Cumulative Total
2.1.1	# of persons trained observed to be using skills gained through training	C	0	162 (154 M; 8 F) by 2011 and 412 by 2012 and 762 by 2013	350 <sup>13</sup>	431	781
2.1.2	# of persons trained in key technical land management skills	C	0	196 by 2011 and 250 by 2012 and 375 by 2013	0	M 503 and F 14	805 (776M&29F)
2.1.3	# of urban development guidelines approved	C	0	1 by 2012 and 1 by 2013	0 <sup>14</sup>	1	1
<b>Sub-IR 2.2: Urban Formalization and Upgrading Procedures for Informal Settlements Established and Implemented</b>							
<b>Major Results and Outcomes</b>							
2.2.1	# of community upgrade development plans approved	C	0	2 By 2012 3 By 2013	0 <sup>15</sup>	N/A	2
2.2.2	# of informal settlements upgraded	A	0	2 by 2013	2	0	2
2.2.3	Urban Steering Committee re-established and functioning	Y/N	Urban Steering Committee did not exist nor functional	Y by 2011, 2012 and 2013	Yes <sup>16</sup>	Yes	Yes

<sup>13</sup> The data was collected by direct observation of skills used both through workplace observation and through key informant interviews with supervisors at Arazi, MUDA, GDMA and the Jalalabad Municipality

<sup>14</sup> The Guidelines were prepared, presented to, and approved by the Technical Working Group, the Guidelines need to be submitted to and approved by the Cabinet of Ministers.

<sup>15</sup> CAPs developed for Araban West and East. The third CAP for Campoona could not be developed since Arazi has not issued the Tasfia

<sup>16</sup> Routine meetings are taking place and minutes recorded both for the Committee and the Technical Working Group (TWG); which is responsible to develop the urban upgrading policy. This shows the functionality of both the Committee and the TWG.

TYPE CODE: M = MILESTONE SCORE, C = CUMULATIVE THROUGH LOP, A = SEMI-ANNUAL & ANNUAL TARGET, Y/N = YES/NO							
#	Performance Indicator	Type	Baseline April 2011	2013 Target	Current Period (Oct-Dec 2013)	Previous Period (Jul-Sep 2013)	Cumulative Total
2.2.4 (F) 4.7.4 -5	Number of households who have obtained documented property rights as a result of USG assistance	C	0	1800 by 2013 (1746 M; 54 F)	2,780 <sup>17</sup> (2,723 M; 57 F <sup>18</sup> )	N/A	2,780
<b>Sub-IR 2.3: Private and Public Sector Management of Key Land Management Areas Enhanced</b>							
<b>Major Results and Outcomes</b>							
2.3.1	# of private sector firms and public institutions receiving institutional capacity building training (related to business functions) <sup>19</sup>	A	0	14 by 2011, 12 by 2012 and 14 by 2013	0	0	39 (26 government; 13 private sector)
2.3.2	# of private sector firms/public institutions receiving capacity training in land reform- related programs (technical) <sup>20</sup>	C	0	6 by 2011 and 6 by 2012 and 8 by 2013	0	3	21

<sup>17</sup> This number is based on data collected during the cadastral survey and officially included in the Municipal database. The Cadastral Survey Final Report indicates "1478 of the properties able to provide variety of evidence to support their ownership claims to the property. Based on the survey data about 190 of the property owners were able to provide Legal Deed (*Sharayee Qabala*), about 445 of the properties were able to provide Customary Deed (*Urfi Qabala*) and 843 of the properties were able to provide other documents Tarif/Bank Awiz. Furthermore, 210 properties claimed that they have documents but were not able to provide them during the survey...In addition, there were 1092 of the property owners who still had no ownership documents." New ownership documents, however, will not be issued under the LARA project. This is because the legal and administrative mechanisms were not available during the project period. Arazi plans to develop this capability in the future. It will also require additional coordination with the Supreme Court Makhzans. Nevertheless, as noted above, the occupation of the surveyed properties has been recorded by the Municipality and will form the basis of possible ownership documentation in the future. Furthermore, a key new provision of the draft LML developed with LARA support is the registration of customary deeds at Arazi noting that, with the lapse of time (after proper notice and no objections), the rights will be formalized and data submitted to the proper court makhzan as a formal title. The expected results are (1) 85% of rural and urban parcels will be registered at Arazi following a simple procedure; (2) Registration will be nationwide, but the procedure can be completed locally; (3) After five years title deeds will be issued by Arazi for those registered properties via specific verification processes; and (4) The title deeds will provide tenure security.

<sup>18</sup> Out of the 57 properties owned by women, 28 could not present any evidence to support ownership. 2 properties were able to provide a Legal Deed (*Sharayee Qabala*), 5 properties were able to provide the Customary Deed (*Urfi Qabala*), 3 properties were able to provide the Safayee Book and 19 properties could present "Sanad Khareed" (purchase documents without witnesses).

<sup>19</sup> Private sector capacity building activities were phased down in 2011 at the request of USAID

<sup>20</sup> Private sector capacity building activities were phased down in 2011 at the request of USAID

TYPE CODE: M = MILESTONE SCORE, C = CUMULATIVE THROUGH LOP, A = SEMI-ANNUAL & ANNUAL TARGET, Y/N = YES/NO							
#	Performance Indicator	Type	Baseline April 2011	2013 Target	Current Period (Oct-Dec 2013)	Previous Period (Jul-Sep 2013)	Cumulative Total
2.3.3	# of private sector/public sector employees trained in GIS and Land Records for formalization support activities	C	0	31 by 2011 and 40 by 2012 and 60 by 2013	0	120 114 M; 6 F	245 (237M;18F)
2.3.4	# of private sector firms bidding on donor- funded requests for application <sup>21</sup>	C	0	2 By 2012 and 3 by 2013	0	0	2
2.3.5	# of people employed by private sector partners as a result of project activities	C	0	49 by 2011, 15% above baseline 2012 and 20% above baseline 2013	0	2	56
2.3.6	# of people trained in organizational development disaggregated by gender	C	0	32 (M=28; F=4) by 2011 and 330 by 2012 and 350 by 2013	0	0	428 (387M;41F)
2.3.7 (F) 4.7.4 -6	Number of land governance actors receiving USG-funded training or upgraded facilities/equipment	A	0	180 (150M & 30F) by 2011 and 600 (560M & 40F) by 2012 and 700 (625M & 75F) by 2013	0	275 M;45 F	1,690 (1572 M; 118 F)
<b>Sub-IR 2.4: Essential Urban Planning Legislation and Regulations Identified, Revised, and Adopted</b>							
<b>Major Results and Outcomes</b>							
2.4.1	Land Management Law (LML) <sup>22</sup> improvements agreed and drafted by government (BizCLIR)	A	LML has multiple gaps (BizCLIR Report)	YES by 2011 and by 2012	Achieved	Achieved	Achieved
<b>IR 3:Legal and Procedural Environment for Afghan Land Issues, Especially for Women, Improved</b>							
<b>Major Results and Outcomes</b>							

<sup>21</sup> Capacity building activities focusing on proposal development skill building for the private sector were stopped in 2011 at the request of USAID

<sup>22</sup> The legislative drafting department of the Ministry of Justice (Taqneen) approved the Land Management Law draft in the week of September 12, 2013 and it is currently under review by the Executive Committee of the Ministry of Justice

TYPE CODE: M = MILESTONE SCORE, C = CUMULATIVE THROUGH LOP, A = SEMI-ANNUAL & ANNUAL TARGET, Y/N = YES/NO							
#	Performance Indicator	Type	Baseline April 2011	2013 Target	Current Period (Oct-Dec 2013)	Previous Period (Jul-Sep 2013)	Cumulative Total
3.0.1	% increase of surveyed Afghans that report satisfactory land service delivery by the <i>makhzan</i>	A	40% <sup>23</sup>	10% above baseline by 2012 and 30% above baseline by 2013	TBD <sup>24</sup>	-	TBD
3.0.2	% increase of surveyed Afghans that report satisfactory service delivery by municipality	A	22% <sup>25</sup>	10% above baseline by 2012 and 25% above baseline by 2013	47.8% <sup>26</sup>	0%	TBD <sup>27</sup>
3.0.3	% increase in women's inclusion in new deed registrations and leases/Occupancy Certificates	TBD	0%	15% above baseline by 2013	N/A	N/A	TBD
<b>Sub-IR 3.1: Land Registration and Record-Keeping Systems Streamlined</b>							
<b>Major Results and Outcomes</b>							

<sup>23</sup> This figure represents the baseline conducted in Jalalabad among 25 informal settlements. Note this percentage comprises respondents who indicated that they were "Very Satisfied" with the *makhzan*. It is important to note that only 18% of the people surveyed were even aware of the *makhzan* services (SES, pp. 74-75). Additional baselines will be conducted at the beginning of the Option Period when the DRACS process is about to start in the other target provinces (up to 11). DRACS will be implemented in coordination with the Harakat Land Records Modernization Project (LRMP). Hawk Vision, the contractor on that project, will be doing the digitization on the ground.

<sup>24</sup> A LARA performance evaluation basic study was conducted in November 2013 and participants in the four focus groups conducted in the settlements of Araban and Campoona were surveyed about their level of satisfaction with *makhzan* services. The results of the survey are not conclusive as they could not be correlated with the results of project interventions. Given the delays in installing DRACS in the *makhzans* (because of a delay with Harakat to select a subcontractor to undertake the records archiving work), there has not yet been time to implement the systems in the *makhzans* so that change could not be measured at the time. During the No-Cost Extension phase of the project, LARA will revisit this indicator and will work with the Supreme Court to collect the data pertaining to satisfaction with its services from users directly.

<sup>25</sup> The survey identified 4 categories as to the level of satisfaction expressed by the sample about municipal services: Very Satisfied: 6%; Quite Satisfied: 16%; Not Satisfied At All: 70%; No Answer: 8%. Combining those who responded "Very Satisfied" and "Quite Satisfied," 22% of residents surveyed between December 2011 and January 2012 expressed some degree of satisfaction. A follow-up study was conducted in November 2013.

<sup>26</sup> Based on a mini-survey conducted in Jalalabad in November 2013 (46 people in total from both Araban and Campoona settlements). 47.8% of respondents expressed satisfaction with municipal services. 73% of those surveyed were most satisfied with services to improve streets and roads.

<sup>27</sup> A comprehensive follow-up survey will be conducted during the final evaluation stage during the no-cost extension project phase, to verify municipal service satisfaction

TYPE CODE: M = MILESTONE SCORE, C = CUMULATIVE THROUGH LOP, A = SEMI-ANNUAL & ANNUAL TARGET, Y/N = YES/NO							
#	Performance Indicator	Type	Baseline April 2011	2013 Target	Current Period (Oct-Dec 2013)	Previous Period (Jul-Sep 2013)	Cumulative Total
3.1.1	Reduction in average time in days from submission of paperwork to issuance of registration/ certification documents related to private land and property rights <sup>28</sup>	A	250	15 working days by 2012	TBD <sup>29</sup>	-	TBD
3.1.2	Reduction in number of land transaction steps from the LRMD implemented to streamline operations <sup>30</sup>	A	9	9 by 2012 and 6 by 2013	9	0	9 <sup>31</sup>
<b>Sub-IR 3.2: Inheritance Laws Reviewed and Revised to Support Women's Access to Land</b>							
<b>Major Results and Outcomes</b>							
3.2.1	# of proposed improvements in laws and regulations affecting property rights of the urban and rural poor enacted with USG assistance	A	The existing property rights related laws, and its procedures have gaps	1 by 2012 and 3 by 2013	0	1 <sup>32</sup>	7
<b>Sub-IR 3.3: Awareness of Afghan Property Rights and Formal Transactions Processes Improved</b>							

<sup>28</sup> Measures are based on the USAID Biz-CLIR Property Assessment Report issued in September 2011 and the Registering Property Working Group (RPWG) Interim Report issued in April 2011.

<sup>29</sup> The LARA Project was not able to work with the formal Supreme Court process for the reduction of time for the registration of documents. However, the trial process undertaken in Campoona and Araban for the registration of data for "first registration" of claims on the Municipal database and the issuance of safayee tax booklets took approximately 15 days from the start of data collection until the delivery of the safayee books. Additionally, the LARA Project has provided and installed GRM Registry Backfile – Enterprise version in the Supreme Court makhzan and GRM Registry Backfile – Workgroup version in the Supreme Court makhzan and on servers to be delivered to each of the provincial makhzans under the DFID funded LRMP 2 being implemented by Harakat. The software was user tested by the Supreme Court in February 2013, and custom-configured in response to recommendations by the court. Under LRMP 2, Harakat expects to digitize 740,000 in the makhzans. The software as installed fully supports the design of LRMP 2.

<sup>30</sup> Measures are based on the World Bank's Doing Business Registering Property Indicator.

<sup>31</sup> The original contract called for the LARA project to assist the Appeals Court to develop a simplified procedure for deed registry. Plans were made to implement a Computerized Deeds Registry Transaction System (CDRTS). However, the option period reduced the activity with the courts to assistance with a Deeds Registry Archive Conversion System (DRACS), which would digitize existing documents rather than work with the court with work flows for current transactions. A Project Implementation Letter (PIL) between USAID and the Supreme Court was not issued until September 23, 2012, which made it difficult to work with the courts until that date. LARA did assist Arazi, which became its main counterpart after the Option Period restructuring of the project to reduce the number of steps for the registration of leases on government land in the Arazi lease registry from 59 steps to 9 steps.

<sup>32</sup> Law on Survey and Cadastre improved

TYPE CODE: M = MILESTONE SCORE, C = CUMULATIVE THROUGH LOP, A = SEMI-ANNUAL & ANNUAL TARGET, Y/N = YES/NO							
#	Performance Indicator	Type	Baseline April 2011	2013 Target	Current Period (Oct-Dec 2013)	Previous Period (Jul-Sep 2013)	Cumulative Total
<b>Major Results and Outcomes</b>							
3.3.1	# of public information campaigns/messages promoting women's rights to land	A	0	1 by 2012 and 3 by 2013	0	2	8
3.3.2	# of public information campaigns targeting Afghan property rights and procedures	C	0	1 by 2012 and 3 by 2013	0	0	3
3.3.3	% of public in targeted areas aware of public information messages related to land management improvements	A	0	20% by 2012 and 50% by 2013	N/A	64% <sup>33</sup>	64%
3.3.4	# student clubs established <sup>34</sup>	C	0	1 by 2012 and 3 by 2013	N/A	N/A	N/A

<sup>33</sup> Source: *Provision of Monitoring & Evaluation Services for LARA Public Information and Awareness Activities*, submitted on February 9th, 2013 by Eureka Research (subcontractor hired to conduct research on the overall women's land and inheritance rights campaign impact)

<sup>34</sup> An RFP was issued for this activity at the beginning of 2013, and bids were collected and have undergone a technical review. The project management team determined that none of the bids proposed a sound strategy within the budget available for the activity and within the timeframe envisaged. The funds were reallocated to capacity building activities for the Women's Land Rights Task Force.

M=MISSIONINDICATORF=FOREIGN ASSISTANCE STANDARD INDICATOR;TARGETS ARE ANNUAL							
Result Area	Indicator No.	Indicator	Planned Result Baseline Target		This Period	Progress Previous Period	Cumulative
	AE2	# of Afghan Personnel Employed	N/A	45(35M&10F) by 2011 and 20(15M&5F) by 2012	M 1	3 M	84 (67 M& 17F)
	AE4	# of American Personnel Employed	N/A	6(5M&1F)by2011	0	0	20 (13M&7F)
	AE5	# of Local Firms Under Subcontract	N/A	4 by 2011;15 by 2012 and 25 by 2013	1	8	35
	AE8	# of TCN Personnel Employed	N/A	7(6M&1F)by 2011	0	1	23 (16M&7F)
	AE9	\$ Value of Local Procurements (subcontracts, goods, services)	N/A	5,320,000 by 2011;14,939,407 by 2012 and 11,508,592 by 2013	1,291,271	2,444,066	17,928,963
	AE10	\$ Value of Non Local Procurements (subcontracts, goods, services)	N/A	1,680,000 by 2011;4,717,708 by 2012 and 3,634,292 by 2013	1,647,734	2,169,500	18,121,123
	AE11	\$ Value of Procurements (subcontracts, goods, services)	N/A	7,000,000 by 2011;19,657,115 by 2012 and 15,142,884 by 2013	2,939,005	4,613,566 <sup>35</sup>	36,050,086
	AE12	# of Afghan personnel employed providing security functions	N/A	49 (48M&1F) by 2011	0	0	50 (49M & 1F)
	AE13	# of American personnel employed providing security functions	N/A	0	0	0	0 Male
	AE14	# of TCN personnel employed providing security functions	N/A	2(2M)by2011	0	0	10 Male
		\$ Value of All Security Costs	N/A		435,264	445,566	3,944,434 (rounded) <sup>36</sup>
		\$Value of Local Salaries	N/A		296,154	301,008	597,162
		\$ Value of All Afghan Security Staff Salaries	N/A		139,346	152,580	3,951,876 (rounded) <sup>37</sup>

<sup>35</sup> This figure is a correction from last quarterly's reported figure of \$1,276,392 which did not include indirect costs. Cumulative amounts have been updated accordingly

<sup>36</sup> Includes security and logistics

<sup>37</sup> Includes security and logistics

# ANNEX B: ACTIVITIES REPORT

Gantt Number	Task and Sub-Tasks	% of work completed	Detail Progress
<b>2.1</b>	<b>COMPONENT 1: STRENGTHEN LAND TENURE SECURITY THROUGH FORMALIZATION AND UPGRADING OF INFORMAL SETTLEMENT</b>		
<b>2.1.1 Activity 1</b>	<b>Upgrade Informal Settlements</b>		
Task 1.1.1	Assist Stakeholders to Develop Criteria for Informal Settlements Upgrading	100%	
Task 1.1.2	Conduct a Workshop on Informal Settlements Upgrading and Formalization	100%	This workshop conducted in November 2011
Task 1.1.3	Select Informal Settlements	100%	This task is completed on 8 <sup>th</sup> February 2012
Task 1.1.4	Develop a Handbook to Guide Upgrading Work	100%	Completed and send to USAID and its translation in to Dari is also under progress
Task 1.1.5	Conduct Participatory Assessments of Planning and Physical Upgrading Issues in Selected Informal Settlements	100%	
Task 1.1.6	Develop Phased Community Action Plans of Priority Upgrading Projects and Formalization/Regularization Activities	100%	Developed for Araban settlement and shared with USAID
Task 1.1.7	Develop Community Outreach Strategy to Ensure the Smooth Implementation of the Upgrading Works	100%	Undertaken by community mobilizers
Task 1.1.8	Design, Plan, and Implement Physical Upgrading Works	100%	Design task is completed and Implementation is in progress
Task 1.1.9	Contribute to the Medium- to Long-Term Sustainability of Upgrading Investments	100%	Maintenance plan is developed and shared with the municipality, IT sustainability plan was developed with the counterpart
<b>2.1.2 Activity 2</b>	<b>Urban Planning</b>		
Task 2.1.1	Identify Institutional Stakeholders and	100%	
Task 2.1.2	Implementing Agencies in the Target Municipality Support Appropriate Coordinating Mechanisms among Institutional Stakeholders	100%	While developing policy all stakeholders were involved and in the lesson learned conference all stakeholder were invited
Task 2.1.3	Support the Physical Refurbishment of Selected Technical Offices	100%	Are work is completed.
Task 2.1.4	Create a Jalalabad Urban Profile	100%	Completed and submitted to USAID

Gantt Number	Task and Sub-Tasks	% of work completed	Detail Progress
Task 2.1.5	Organize "Urban Planning Clinics" to Improve Land Use Planning Processes and Outputs	100%	
Task 2.1.6	Undertake Institutional Capacity Building for Urban Planning Activities	100%	
Task 2.1.7	Conduct Participatory Mapping in Secondary Cities	0%	This activity is no longer a contract requirement, as agreed with USAID and confirmed in writing on June 4, 2013
Task 2.1.8	Identify and Incorporate Informal Settlements into GIS-based City Maps and Plans	100%	Qasimabad area map needs to be digitized
Task 2.1.9	Draft Joint Urban Planning Procedures	100%	
Task 2.1.10	Draft Urban Development Guidelines	100%	The report has been submitted to USAID, MUDA and GDMA.
<b>2.1.3 Activity 3</b>	<b>Deeds Registration</b>		
Task 3.1.1	Assess Supreme Courts and Provincial <i>Makhzan</i> Land Registration System and Recommend Streamlined Procedures	100%	
Task 3.1.2	Expand Implementation of Revised Registration Procedures	100%	Arazi with the help of LARA has included provisions in the draft proposed LML
Task 3.1.3	Develop Methodology for Validating Title in Municipalities including Customary Deeds	70%	
Task 3.1.4	Train Supreme Court and Provincial Court Staff on DRACS	100%	
Task 3.1.5	Develop Land Valuation Policy, Standards, and Procedures	100%	
<b>2.1.4 Activity 4</b>	<b>Formalization of Land/Occupancy Rights Supported by Cadastral Mapping</b>		
4.1.1	Finalize Land Rights Regularization Model Manual	100%	The manual is also translated into Dari
Task 4.1.2	Conduct Public Information Awareness Campaign about the Mapping Process in Informal Settlements	100%	
Task 4.1.3	Undertake Mapping of Selected Informal Settlements	100%	
Task 4.1.4	Support Implementation of CDMS and Data Entry Resulting from the Mapping Process	100%	
Task 4.1.5	Support Implementation of ALRMIS and Data Entry	100%	
Task 4.1.6	Provide Institutional and Technical Assistance to AGCHO and Others	100%	
Task 4.1.7	Conduct an Assessment of the Hesare-I- Shahi Industrial Park (HIP) in Jalalabad	100%	STTA Richard Scarth submitted the completion report; it was submitted to USAID in April
<b>2.1.5 Activity 5</b>	<b>Community Participation</b>		
Task 5.1.1	Conduct a Arazi Training Needs Assessment for Land Dispute Mechanisms	100%	

Gantt Number	Task and Sub-Tasks	% of work completed	Detail Progress
Task 5.1.2	Provide dispute resolution training supporting the <i>Tasfia</i> process and public information awareness	100%	
Task 5.1.3	Provide Training on CBDR Guidelines and On-call Dispute Resolution Services	100%	
Task 5.1.4	Develop Communications Products		
<b>2.2</b>	<b>COMPONENT 2: LEGAL FRAMEWORK</b>		
<b>2.2.1 Activity 6</b>	<b>Legal Framework</b>		
Task 6.1.1	Identify Amendments to the Laws Enabling Land Transactions and Efficient Land Registration	Land management Law %100. Law on AGCHO %100	Land Management Law (LML). It was resubmitted, as result of the recent change to Ministry of Justice for further approval process this quarter. It has been finalized with the legislative drafting department and currently it is with the Executive Committee members, comprised of MoJ and Line Ministries and Institutions. It will be shortly discussed with Committee and then sent to Cabinet. Law on AGCHO has been improved and officially submitted to AGCHO on 27 March for further review and inputs. However it will be revised and given a final review this quarter based on the recent change of merging Cadastre within Arazi and then submitted to MoJ for further approval process.
Task 6.1.2	Focus on Land Law and Gender Rights	%100	It has been ensured at the LML, and its respective procedures and land Law on Survey and Cadastre. As the marriage agreement has become valid document for land ownership. And women are considered in land clearance process and they can invest on leasing. The rest will be worked out next quarter.
<b>2.2.2 Activity 7</b>	<b>Regulations</b>	%100	1. AGCHO Regulation 1982 Official Gazette 517 2. Attachment No 1 1982 Official Gazette 525 3. Amendment of Attachment No1 2006 Official Gazette 911 4. Attachment No 2 (SDI) 2010 Official Gazette 1026. All of the above regulations have improved and incorporated into a comprehensive AGCHO law. They will be shortly submitted officially to Ministry of Justice for further approval process.
Task 7.1.1	Organize Legal Clinics Aimed at Reviewing Urban Planning Legislation	100%	

Gantt Number	Task and Sub-Tasks	% of work completed	Detail Progress
<b>2.2.3 Activity 10</b>	<b>Gender 22</b>		
Task 10.1	Provide STTA Support to Direct USAID- funded Women's Inheritance and Property Rights Conferences in Afghanistan	0%	This activity is no longer a contract requirement, as agreed with USAID and confirmed in writing on June 4, 2013
Task 10.2	Establish Student Clubs in Kabul and Jalalabad Schools and Universities	0%	The project technical team has reallocated project resources to WLRTF capacity building activities and to awareness increasing activities on women's inheritance and land rights
Task 10.3	Conduct Women's Advocacy Training and Support	100%	
Task 10.4	Provide Additional Support for Arazi on Gender Issues	100%	Gender strategy for Arazi was developed
<b>2.3</b>	<b>COMPONENT 3: CAPACITY BUILDING</b>		
<b>2.3.1 Activity 8</b>	<b>Institutional &amp; Private Sector Strengthening</b>		
Task 8.1	Review of Technical and Non-Technical Processes	100%	This task was completed by conducting the sustainable urban land use planning online course for MUDA Engineers.
	Technical training GIS courses	100%	This task was completed by conducting 3 iterations of GIS trainings in Kabul- Jalalabad- Kabul for 45 participants
	Land use and environmental planning	100%	This task is pending with component 1. Capacity Building team will provide its logistical support as requested.
	Land policy development including valuation	100%	Land Valuation STTA has prepared a Policies and Procedures Manual and conducted a Work Shop.
	Land law courses	100%	This task is completed by conducting 7 training iterations at regional levels where the trainings covered district level Arazi employees as well.
	Land record management	100%	2,100 parcels out of 2,800 have been recorded in Araban and Campoona.
	Training course in proposal development and contract management refined	0%	This activity has been cancelled.
	Ongoing training for LARA partners	100%	Completed
Task 8.2	Provide Assistance to USAID's On-Budget Support to Arazi	0%	This activity is no longer a contract requirement, as agreed with USAID and confirmed in writing on June 4, 2013
	Embed LARA support staff in Arazi	0%	This activity is no longer a contract requirement, as agreed with USAID and confirmed in writing on June 4, 2013
	Procurement training	100%	Completed
<b>2.3.2 ACTIVITY 9</b>	<b>IT System Needs for Counterparts</b>		

Gantt Number	Task and Sub-Tasks	% of work completed	Detail Progress
Task 9.1	Install and Support Land Administration IT Needs	100%	The team installed for <i>Makhzan</i> Kabul as well as 11 provinces.
Sub task	Supreme Court and Provincial Makhzan Deeds Registry Archive Conversion System (DRACS)	100%	Software delivered and the team is proceeding with the user assembly tests
	Undertake diagnostic	100%	
	Conduct makhzan customer needs assessment	100%	Current workflow is reviewed in the system
	Deliver IT equipment	100%	IT equipment delivered to AGCHO and Arazi.
	Install DRACS	100%	Installed in Kabul Makhzan as well as 11 provinces.
	Import Harakat LTERA legacy data	70%	Tools are ready and remaining test on Makhzan.
	Train makhzan staff on DRACS	100%	completed
	Procure and deliver IT equipment	100%	Equipment delivered, assembly & installation is underway.
	Install ALRMIS at Arazi	100%	
	Configure ALRMIS workflow, audit trails, and Dari language support	100%	
	Integrate ALRMIS with CDMS	100%	Finalized
	ALRMIS test configuration made necessary adjustments	100%	
	Provide technical training to Arazi staff	100%	Completed
	Procure and deliver CDMS IT equipment	100%	The equipment is purchased and has been delivered.
	Install CDMS at AGCHO Cadastral Survey Department		
	Configure CDMS workflow, audit trails, and Dari language support	100%	Up and running
	Integrate CDMS with ALRMIS	100%	Integration of special data is reviewed
	CDMS test configuration make necessary adjustments	100%	
	Provide technical training to CDMS staff	100%	The Open Title trainings are conducted for AGCHO staff and the CDMS Cadastre trainings are in the planning stage.

# ANNEX C: LARA “LESSONS LEARNED” CONFERENCE

# **LARA Final Conference Minutes**

## **10 December 2013**

### **1. Opening Remarks USAID – Chuck Drilling, USAID Director for the Office of Economic Growth & Infrastructure**

Chuck Drilling outlined the results of the LARA Project. He noted, in particular, the impact the project made in terms of awareness-raising of women's land and inheritance rights. He stressed the need for Afghans now to take the lead in Afghanistan's move towards land reform. His comments are detailed in Annex B, below.

### **2. LARA Accomplishments and Lessons Learned – Justin Holl, COP, LARA Project**

Justin Holl detailed the accomplishments of the LARA Project. He highlighted key results such as:

- Creation of a number of "How to" Manuals, in particular, the Formalization Manual which basically sets out the procedures for undertaking land rights formalization.
- The completion of cadastral survey by an Afghan Private-sector company in 2 informal settlements in Jalalabad that led to the collection of land rights claims now stored in an IT database in Jalalabad Municipality.
- Amendments to the Land Management Law (LML) that authorize private sector surveying work under the direction of the proper government agencies.
- Processes and systems (e.g. IT Systems) to increase transparency of process and reduce the risk of corruption in land transactions
- Project Activities that were sustainable

These are outlined in more detail in the presentation provided by Justin Holl in Annex B, below.

### **3. H.E. Dr. Hussan Bano Ghazanfar; - Minister of Women 's Affairs (MOWA)**

The Minister gave thanks to USAID and the LARA Project for its activities in establishing the Women's Land Rights Task Force and the associated public information awareness activities. In the case of the latter, the Minister noted that, despite the conference of equality for women under Afghan Law, many women struggle after the deaths of their fathers or husbands. Their poverty impedes their access to land rights. LARA radio dramas, billboards and other public awareness activities drew attention to the issue to both men and women. As a result, many women were able to exercise their rights. In the case of the Ministry of Women's Affairs, 55 cases have been registered and many have been decided. The LARA Project also conducted the first national conference on women's land and inheritance rights. The Minister also acknowledged that MOWA had been engaged by the LARA Project from the start. This resulted in a great number of people becoming aware of and convinced about land rights and inheritance rights of women.

### **4. Remarks by Mr. Jawad Peikar, Arazi CEO**

Mr. Peikar thanked USAID for the technical support provided by the LARA Project. He said that in his 2 years as the head of Arazi, and his experience of working with other international development projects since 2008, the LARA project was very successful. He stressed, however, that LARA had a very good start. He hoped that USAID would not end its support to

Afghanistan's land sector. Afghanistan needed more technical support to encourage the development of the formal land market.

In terms of LARA accomplishments, Mr. Peikar said that LARA promised support in dealing with inconsistent laws and delivered on that promise. He praised the quality of LARA legal staff to this end. LARA analyzed land laws and proposed a number of amendments to the Land Management Law. A key change that supported women's rights to land and inheritance was the proposal to accept Marriage Certificates as a basis for establishing a right of inheritance to land.

LARA also supported national consultations on proposed amendments to the Land Management Law. Mr. Peikar noted that ***“if the only achievement of the LARA Project was the amendments to the Land Management law, LARA would have been a successful Project.”***

Other key amendments to the LML noted by Mr. Peikar were:

- the reduction in the number of steps required to lease land From 52 to approximately 10.
- Simplified procedures for land leasing, land transfers and land clearances [identification of ownership entitlement].

Mr. Peikar indicated that it was Arazi's intention to apply the same processes for amendment of the LML to the proposed changes to the Land Acquisition Law.

In terms of LARA's capacity building activities, Mr. Peikar noted that, for some long-term Arazi staff, LARA had provided their first-ever training. He noted the training on GPS and GIS and IT systems software. In particular he noted the very successful training on gender and gender mainstreaming within Arazi. He complemented the LARA Training Team.

Mr. Peikar mentioned the IT Systems installed for the Afghan Land Records Management Information System (ALRMIS). Arazi plans to enter into further arrangements to expand this IT System directly with Thomson Reuters.

Mr. Peikar favorably mentioned the land valuation procedures developed with the LARA Project as well as the development of dispute resolution procedures. He said ***“there are so many achievements [of the LARA Project] over the last 3 years.”***

Mr. Peikar made a number of recommendations for USAID. These included:

- Amendments to the Land Acquisition Law are not yet finished and the changes need to be implemented. The process should be followed through to the end. Associated training of staff also needs to take place.
- The law relating to grazing (pastoral) lands also needs review
- The IT Systems still require further technical assistance.

In his finishing remarks, Mr. Peikar noted that the full results of land reform cannot be gained overnight. To USAID, he said that we need to continue to build on the achievements of the LARA Project. ***“The Project was unique in the history of Afghanistan. If there is a time for further support, this is the time for it.”***

## **5. Remarks Mr. Lala Agha Kakar, Jalalabad Municipality**

Mr. Lala Agha Kakar started by saying that LARA was one of the best projects he had worked with. He said that LARA's work in Araban and Campoona in Jalalabad had helped 2,780 families through rights recognition, supporting about 25,000 people. The Project resulted in 6m wide roads in the target areas where urban services can now be provided. Land documents have been recorded by the Municipality and the residents are now undisputed owners of the land,

enabling them to buy and sell land, as well as receive other benefits. Topographical and cartographical surveys have been completed by Jalalabad still needs further support. In particular, Jalalabad needs the following support:

- Implementation of the new Master Plan
- Establishment of solid waste dump
- Safe drinking water

To LARA, he asked that the Engineering Building have corrections to the remediation work that was undertaken by a local subcontractor. *[Minute-taker's Note: RFA #396 dealing with this issue has been with USAID for approval to complete the necessary works since 31 October 2013. At the time of writing the LARA Project is still awaiting this approval. Reminders were sent to the Contracting Officer on 18 November and 12 December 2013.]*

#### **6. Remarks by Dr. Farid Momandzi, Deputy Minister Independent Directorate for Local Governance (IDLG)**

While noting the successes of LARA, Dr. Farid believed that the Project should have been focused more to IDLG's interests. He also thought that, in the future, donor funding should be directed to GIROA Institutions themselves rather than through USAID contractors.

Dr Farid also raised questions about the quality of LARA subcontractor works in Jalalabad. His concerns were addressed later in the Question & Answer Phase of the Conference where a LARA subcontractor corrected Dr. Farid on a number of assertions made by him about the quality of works.

#### **7. LARA Project Component Achievement by Component Lead**

##### *a. Component 1*

Nasir Ranjber spoke about LARA accomplishments under Component 1. These are detailed in Annex C (Slides #4, 5 & 6)

##### *b. Component 2*

Arif Arifullah spoke about LARA accomplishments under Component 2. These are detailed in Annex C (Slide #8)

##### *c. Gender*

Manizha Shahi spoke about LARA accomplishments in terms of Gender. These are detailed in Annex C (Slide #7)

##### *d. Component 3 (Capacity Building)*

Abdul Qadir Rahimi spoke about LARA accomplishments under Component 3. These are detailed in Annex C (Slide #9).

##### *e. Community-Based Dispute Resolution*

Habibullah Hotak spoke about LARA CBDR accomplishments. These are detailed in Annex C (Slide #10).

## 8. Question and Answer Session (Group Discussion Session LARA Lesson Learned in the future of land reform in Afghanistan)

A number of questions and comments came from the floor of the plenary. These were mainly directed to Mr. Peikar of Arazi and included:

1. Q: In terms of the LML, what are the maximum limits of land ownership and the changes to the LML?

A (Mr. Peikar): None.

2. Q: How will changes to the LML permitting the Marriage Certificate to be used as evidence of a right to land be used for non-land inheritance.

A (Mr. Peikar): I don't know.

3. Q: In relation to work being done in unplanned areas (informal settlements), won't this open opportunities for land "grabbing"?

A (Mr. Peikar): Perhaps, but there needs to be a legal justification for all land rights claims.

4. Q: In some cases land ownership documents are produced where the boundaries are not clear; for example, "to south of (name of the mountain/hill)" and "to the north of such-and-such hill/valley river." But the land is not really that big. In these cases, the boundary is the beginning of the mountain/hill/ *not* the whole mountain or hill. Through the passage of time, however, the claimant has expanded the land claim and irrigated it etc. How will you deal with boundary demarcation of pasture/grazing lands where formal documents do not identify clear boundaries. A (Mr. Peikar): Arazi does not yet issue title deeds. But if such docs are referred to us/or our land clearance team, then they make decisions based on the available cadastal, taxation and water rights documents to identify the correct boundaries. Such ambiguities are solved in the new LML.

5. Q: In terms of IT systems how will you deal with their sustainability? Do you have sustainability plans?

A (Mr. Peikar): Yes, we have sustainability plans. But we need more USAID support. Arazi will enter into direct contracts with Thomson Reuters shortly to deal with some of these points. *[Minute-taker's Note: Arazi has signed Maintenance and Support Agreements with Thomson Reuters for on-going technical support to Arazi for the next 2 years. The LARA Project also produced an "Arazi IT Operations and Sustainability Plan" that has guidance for future Arazi IT strategies. These will help Arazi deal with any IT systems challenges into the future.]*

6. Q: What are the main challenges LARA faced?

A (Mr. Justin Holl, LARA COP): The key challenge is to understand the legislative process and the time that it takes. The process cannot be rushed. The achievements of the LARA Project in its time frame, however, have been very good.

7. Suggestion from the floor: we have previously had the USAID LTERA Project working on land issues. USAID should not start from zero in any follow-on from LARA but build on what LARA has achieved.
8. Additional Comments from the floor: participants backed-up complements to LARA concerning its work on women's land and inheritance rights.

**Additional Conference Attendee Interview results:**

During the conference, Monitoring and Evaluation Specialist within LARA undertook interviews with a sample of Conference Attendees. The results are detailed in Appendix D. In summary, however, the interviews indicated the following most of the respondents to the survey indicated a strong appreciation of the training sessions organized by LARA, in particular:

GIS training  
Basic IT Skills  
Urban Planning  
Land Rights Formalization Workshop

In the case of one participant, a woman, the GIS training provided her with the skills needed to get a better job. The training also enabled her to pass on her new skills to her students.

From a women's land and inheritance rights perspective, LARA's public information awareness campaigns were a successful approach to informing the community at large about women's property and inheritance rights. In addition, the establishment of the Women's Land Rights Task Force was considered to be a good initiative.



**APPENDIX A**

**USAID/LARA Project Lessons Learned  
Conference**

Tuesday 10 December 2013

**AGENDA**

<b>TIME</b>	<b>ACTIVITY</b>	<b>PRESENTER</b>
09:00 - 09:10	<b>Welcome Statement and Short Conference Introduction</b>	Moderator – Manizha Shahi
09:10 - 09:20	<b>Opening Remarks TBD</b>	TBD
09:20 - 09:50	<b>LARA Accomplishments and Lessons Learned, Conference of Land Reform in Afghanistan</b>	USAID’s LARA Project COP, Justin T. Holl Jr.
09:50 - 10:00	<b>Remarks by H.E. Dr. Hussan Bano Ghazanfar; Minister of Women ‘s Affairs</b>	H.E. Dr. Hussan Bano Ghazanfar
10:00 – 10:20	<i>Tea &amp; coffee break</i>	
10:20 – 10:30	<b>Remarks by Mr. Hamid Jalil Deputy Minister of Ministry of Urban Development</b>	H.E. Hamid Jalil, Deputy Minister MUDA
10:30 - 10:40	<b>Remarks by Mr. Jawad Peikar, Arazi CEO</b>	Mr. Jawad Peikar, CEO of Arazi
10:40 - 10:50	<b>Remarks Mr. Lala Agha Kakar, Jalalabad Municipal</b>	Mayor of Jalalabad Mr. Lal Agha Kakar
10:50 - 11:20	<b>LARA Project Component Achievement</b>	Each Component Lead
11:20 - 12:00	<b>(Group Discussion Session) LARA Lesson Learned in the future of land reform in Afghanistan</b>	TBD & Moderator
12:00 - 12:10	<b>Remarks by Dr. Farid Momandzi, Deputy Minister Independent Directorate for Local Governance (IDLG)</b>	Dr. Farid Mamundzai
12:10 - 12:20	<b>MoWA Final Remarks</b>	TBD
12:20- 12:30	<b>Conference wrap up</b>	Moderator
12:30 - 01:30pm	<i>Lunch</i>	

# **Appendix B**

## **Land Reform in Afghanistan (LARA) Project**

### **Lessons Learned Conference**

**Sunday, December 10, 2013, 0900 – 1200**

### **Kabul Star Hotel**

#### **Mr. Chuck Drilling, USAID OEGI Director's Remarks**

A'salaamu Alaikum – Good morning, Minister Ghazanfar, Deputy Minister Jalil, Deputy Minister Mamundzi, Mister Peikar, Mayor Kakar, distinguished guests.

Since 2011, the USAID Land Reform in Afghanistan project has successfully supported land reform in Afghanistan. It has helped pave the way for improved land tenure security, greater access for women to their land rights, reduced land-based conflict, and improved economic security for Afghan citizens.

This reform supports the USAID and Afghan government shared priorities of increasing transparency, fighting corruption, increasing revenues to the GIROA, creating jobs, and encouraging private sector investment

I thank and congratulate all of LARA's counterparts for their efforts and commitment to reform. This project would not have been possible without your support.

LARA worked with the Ministry of Urban Development Affairs, Independent Directorate of Local Government, Afghanistan Land Authority Arazi, and the Municipality of Jalalabad. Together they labored to create land rights formalization and upgrading Model for informal settlements, which can be replicated in other areas in Afghanistan.

Roughly 30 local companies provided cadastral mapping and training. These firms applied the sophisticated techniques and technologies modern land reform requires. For example, Geo Mapping, an Afghan private company, conducted a first-ever cadastral survey in Jalalabad, documenting land ownership of 2,800 properties. The information is now included in the municipal database, enabling the local government to collect property tax.

Another important component was building the capacity of the provincial Arazi employees, who attended training in basic management skills, IT, and land-management law. They already are using these newly gained skills to provide better land-related services to the community.

Raising awareness about women's land and inheritance rights is an integral part of land reform in Afghanistan. The Ministry of Women's Affairs and the USAID-established Women's Land Rights Task Force, now supported by Arazi, led a public awareness campaign on women's

property rights. As a result, more women are aware of their inheritance rights and are ready to claim them.

At least as significant, men are starting to recognize that women should not be deprived of their inheritance rights. To cite just one instance, following a public roundtable in the Aga Khail village in Kabul, one male participant, Haji Noorullah, decided to share the land he got from his late father with his sisters. Just five days after the round table, he signed letters granting family land to each of his sisters. Noorullah said he hopes his action will encourage other men to do the same.

LARA has made a good start. Now is the time to continue the effort. All of you here today are champions of the land-reform process. You are the ones who must ensure the momentum created will continue.

It is up to you, our Afghan counterparts in government institutions, civil society, and private sector, to continue the long and complex reform process. At the same time, we in the donor community must sustain our support for these efforts.

We are here today to learn about LARA and its counterparts' experiences, and to hear about the successes, impediments and difficulties in implementing land reform in Afghanistan.

Land reform is a process measured in decades. Through its Land Reform in Afghanistan Project, USAID has helped the Afghan government lay solid foundations in this process. Gains achieved by the project should stimulate further land reform, and help protect the rights of women and minority groups to legal entitlements including land access and inheritance.  
Tashakur.

# Appendix C

## LARA Components & Achievements Talking Points

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Justin T. Holl, Jr.

December 10, 2013

### Project Components

1. “Informal Settlements & Formalization”- Support MUDA, AGCHO, IDLG, and the Municipality of Jalalabad with informal settlements upgrading, formalization, cadastral mapping, laws for urban planning and land use regulation, and training in planning and enforcement.

Also, this project strengthens tenure security by supporting the Supreme Court and communities with rights formalization and informal dispute resolution.

2. “Legal Framework”- Provide assistance to MAIL/Arazi to identify, manage, lease, and obtain revenue from Afghan government lands and provide targeted technical assistance.

3. “Capacity Building”- Build capacity of public (AGCHO, MAIL/Arazi, IDLG, MUDA, Supreme Court) and private sector land service providers to improve and streamline land tenure processes to Afghan private and public sectors.

### Welcome

Good morning, Your Excellences and distinguished guests. On behalf of all the members of our project and on behalf of those with whom we have worked for three years, I welcome you all to this conference.

Land reform is challenging in all countries, and Afghanistan is certainly no exception. Perhaps it is even more challenging here, given the history of this country over the last decades.

### Complex Issues To Be Addressed By Land Reform

Legacy of large centralized apparatus in land management with changing priorities and policies as different governments have been in power over several decades

Land institutions have changed over these years, and in some cases procedures that should be changed have not

This has left Overlaps and significant gaps in land laws, regulations, and land administration over the years

Land confiscations and redistribution of land

People have left and some have returned, creating significant issues in how to allocate land, including making sure that the most vulnerable in society also have a right to land and housing

Land grabbing by force and by fraud

Uncontrolled rapid urban growth has left a vacuum for 30+ years in regional and city planning, resulting in unplanned settlements outside city boundaries

Land provides a means to raise revenue for the government in both rural and urban areas. But this cannot happen unless land records are complete and up to date, with consistent information across land administration agencies

Land markets in the private sector do improve economic development, but land markets need valid land tenure information and reliable documentation free of fraud and available to the private sector

Citizens should be involved in decision-making regard planning and land market development

### **Resources Developed**

The government of Afghanistan has recognized these issues and has been dealing with them and the LARA Project has provided assistance in land reform over the last three years.

Each of you received a folder upon registration, and I would like to point out that there is a list of resources that have been prepared by LARA in collaboration with our counterparts Arazi, IDLG/GDMA, MUDA, and the local administration in Jalalabad.

These documents are basically “How to Manuals” and include...[read from list]

### **How to plan**

### **Who should do what, how, and when in the process**

### **Scopes of Work**

### **Public Information Awareness campaigns and much more**

### **LARA in Context**

In its collaboration with the Government of Afghanistan certain fundamental principles have shaped the LARA project’s contributions:

Afghanization and Afghan led reform has been a staple principle, and this is why our counterparts have been such an integral part of our program

Strengthen institutional, policy, and legal reform to secure property rights for Afghan citizens;

Enable all citizens (women, minorities, and vulnerable populations) to exercise their rights through public information awareness (PIA) and community participation;

Strengthen land dispute resolution processes to reduce conflict and promote peace and stability;

Building upon past USAID land reform projects and those of other donors, the LARA Project has combined policy development, introduction of new and efficient technologies, and capacity building in its land reform program to:

increase the economic viability and

achieve the community acceptance fundamental for the sustainability of land reform in Afghanistan.

Acceptance of the program and assistance by Arazi as well as IDLG/GDMA, MUDA, the cadastral departments, and the local land administration institutions in Jalalabad is a noted success of the program.

### **LARA Generally**

This project was conceptualized in three components, but the LARA Project has never viewed the activities of each component as being stand alone or distinct. All of the activities are interrelated. You cannot do city planning without mapping, and technologies have been developing rapidly to prepare better tools for planning. Modern technologies have been introduced and used during this project.

And the project has provided assistance to the educational institutions with equipment and training so that the young people of Afghanistan can adapt and use the new technologies going forward. LARA identified detailed IT and equipment requirements for Kabul University, Kabul Polytechnic and AGCHO Training Institute to address surveying, mapping and technical training needs for their University and vocational-level students. The same has been undertaken for AGCHO Cadastral Department offices in Kabul and Jalalabad.

New procedures and technologies feed into two other principles that have been important for our counterparts. These are:

sustainability and

tools to help minimize corruption in land administration.

### **Anti-Corruption**

Land administration worldwide is recognized as creating opportunities for corruption.

Land administration in Afghanistan is certainly not unique in this regard.

The LARA Project introduced several mechanisms to reduce the possibilities for such misconduct.

It has worked with Arazi in drafting amendments to the Land Management Law that for the first time provide for civil and criminal penalties for improprieties in certain cases by government officials.

Currently land records are insecure and have been removed, forged, changed, or destroyed, even though access to the land records has been restricted to authorized personnel.

Software systems implemented in Arazi, the cadastral department, the municipality of Jalalabad, and the court *makhzans* contain strong anti-corruption built-in components that restrict tampering with registered documents and create a permanent audit trail of any actions affecting digitized documents. And the audit trails cannot be deleted or changed, once made. These software features eliminate the possibilities of changing or destroying land documents that have been entered into the systems.

The audit trail allows the monitoring of land transactions, identification of attempts to manipulate land records, and provides evidence for possible prosecution.

In addition, the LARA Project has promoted the concept of “one-stop-shop” in designated public areas, which contributes to the transparent and customer friendly interaction with land administration officials. Limiting contact with public land administration officials to designated public areas minimizes backroom contact where rent seeking often takes place.

Residents both in informal and formal settlements, rural and urban areas should have access to the services that they deserve, improving housing, living, and economic conditions. The community participation program that LARA has modelled in two informal settlements in Jalalabad insure that land reform activities are open and transparent, which itself is an anti-corruption device. The communities took an active part and were quite vocal about what they wanted and needed in their communities.

Participation and outreach programs of the project raised awareness about the mutual economic benefits of proper city planning and organized land records for both residents and local authorities.

In the City of Jalalabad mapping the city, introducing planning mechanisms with community participation, preparing a city profile, identifying individual areas for upgrading, and identifying the residents in these informal settlements, creates the framework for effective local land administration.

### **Cadastral Survey in Araban and Campoona**

These are important for the development of land markets, which are considered to be vital for economic development in Afghanistan

LARA mobilized an Afghan cadastral survey team to digitize the cadastral parcels in the informal settlements of Araban and Campoona in Jalalabad. Significantly, this model showed that there is Afghan capacity in the private sector, under the guidance of the cadastre department, to rapidly complete cadastral surveys of informal settlements. The allowance of the private sector to conduct cadastral surveys under the direction of cadastre departments of the land agency is part of the legislative reform advocated by Arazi and the LARA Project.

Land rights information was gathered for 2780 parcels and this was tied to a cadastral survey map of the two informal settlements with cadastral coordinates taken with GPS was entered in

software at the municipality that is designed to create land tenure records that are linked to cadastral parcels. Most systems do not have this capability.

This work was completed in less than two months and demonstrates a workable model for organizing land rights data and mapping that can be used in other municipalities to bring order to their land records. The Project included records provided by UNDP/ASGP collected in 2008 Nahia 2.

An important lesson from this is that the citizens who claim rights to land and particularly in informal settlements are striving for security of land tenure.

A resident of the informal settlement of Araban at a Focus Group held in Jalalabad on November 18, 2013:

*“No one can take our houses from us now since we have streets, municipality booklets, and our names are registered with the municipality office”.*

The information provided by the cadastral survey can be used by the municipality to increase government revenues through safaee tax. And tax books are being distributed to the residents of the parcels identified in the cadastral survey.

### **Sustainability**

The enhancement of informal settlements through the physical upgrading of streets and public facilities secures community participation and acceptance of land reform programs. This is essential for resident buy-in and sustainability. Community participation was a key priority of the project. The project has prepared road maintenance plans that will include routine site inspections, resources to be set aside in their Yearly Budget for regular maintenance and repair, to ensure the long term benefits from the upgrading and to serve as a template for similar projects in other communities.

The work accomplished with our counterparts and documented in detail as shown in the list of resources prepared by the project can serve as the foundation for municipal urban planning, following modern standards and procedures for surveying and documenting land rights, simplifying the lease of government land, and testing effective Community Based Dispute Resolution measures have all been a focus of the LARA program.

### **Final Remarks**

Land reform is always both politically and socially charged. The government counterparts of this project have shown fortitude and resolve to tackle activities that are controversial and can be dangerous.

We know that the development of sustainable land reform requires a sequenced approach. The first step is to organize what the government has already been doing, and LARA has provided assistance with this. But where should land reform in Afghanistan go from here?

There needs to be more attention paid by the government to provide the services that the private sector needs to engage in land transactions, which are the basis for creating land markets.

Land institutions are being developed for the first time or are being reconfigured with longstanding roles being redefined to fit current exigencies. Arazi and IDLG/GDMA are rather new and continue to undergo changes.

The land administration institutions in Afghanistan continue the historical purpose for land management, which has been to increase the revenues of government. Land inventories, land identification and settlement, land transfer and exchange between government agencies, leasing of government land, dispute resolution, and maintaining land records are all primarily directed toward this end.

It is safe to say that even with the development of new land agencies and the restructuring of others, without further donor assistance, legislative policy and principles will be founded upon prior local conceptions concerning land reform in Afghanistan without fully taking into account world best practices.

Worldwide experience can help, and for this donor support is necessary.

## **For Discussion Session**

### **Future of Land Reform**

#### **What is next for Land Reform in Afghanistan**

We know that Afghanistan is one of the most rapidly urbanizing countries in the world and that maybe 70% of urban residents live in informal settlements. What role can the private sector play in delivering services and providing land tenure security to informal settlements?

What can government do to better serve private land markets?

Is the land administration in Afghanistan over centralized? Should the land records be kept at the local level? If not, why not? If yes, why?

What do the owners of land need to engage in land transactions and is the government of Afghanistan delivering?

Is the government responsive to the needs of land owners? If yes, then why are there so many transactions that are unknown to the government. There is an active land market, but deeds for many transactions are not being issued. Should this concern the government? What can be done to ensure more complete land records?

In Afghanistan, most of the procedures for land transfer are completed or must be checked by government agencies. These are policing functions (building permits, planning compliance, land use restrictions) that are a disincentive to people making their land rights known. To have a successful comprehensive land information system, disincentives must be reduced. What suggestions are there for Afghanistan?

The concept of an Afghanistan Land Information System has been suggested. This would be one system where all land information would be kept and available to those that need the information, e.g. Arazi, Cadastre departments, MAIL, the Ministry of Finance, MUDA, the Courts, and the local municipalities. Would a single Afghan Land Information System be useful? Is it even possible?

Are the land records too secretive? Across government agencies, within government agencies? Most developed countries have a “unified system of land registration” supported by an appropriate land registration law. Has this been considered in Afghanistan? With what results? Why is there no such system in Afghanistan?

### **World Best Practices**

One organization maintains the land records for both urban and rural land.

The public generally has access to land information.

It is critical for land markets not to ignore the legal institutions and framework necessary to support the private sector. Perhaps the most important private sector necessity is the ability to independently determine ownership of a land parcel without relying on hearsay or indirect information. The current informal system of customary conveyances allows this to a degree, but doesn't provide protections from forgery or fraudulent claims that a well-conceived title registration system can afford.

Registration is primarily to protect the rights of land owners, and provide an independent facility for persons engage in land transactions to verify the name of the owner. But not just the owner. It extends to private leases, mortgages, private restrictions on land, and other encumbrances.

The system in Afghanistan does not contain the elements or legal basis that such a title system must include. The system must not only provide an easy and unassailable mechanism for the registration of land title, it must also provide a simple and convenient way for people to get the information from the system. The public must have access to the title registry to be able to engage in land and real estate transactions.

In Afghanistan because of the gaps that exist in land rights documentation, inconsistencies between formal and customary conveyances, statutory, *sharia*, and tribal dispositions, old conveyancing practices, land confiscations, vague or inaccurate land descriptions, loss or destruction of land records, and the variety of books and ledgers invariably termed “registers”, current land tenure representation is quite opaque.

World best practices call for a “Unified System of Land Registration” that is authorized by a land registration law. There is no “Land Registration Law” *per se* in Afghanistan that contains fundamental legal guarantees:

The laws that purport to embody “land registration” in Afghanistan are lacking important guarantees:

Mirror: That a single land register reflects the current status of title and only the current status

Curtain: current register is the sole source of title information and that no other source, particularly historical real estate records, need be consulted in determining ownership, and

Indemnity guarantees: often, though not always, that the government will reimburse persons suffering loss caused by reliance<sup>38</sup> upon the registry under legislatively defined conditions

Where these guarantees exist one can be fairly certain that rights that have been registered are protected from infringement.

World Best Practice is that these are provided for in well drafted land registration legislation, as are legal principles regarding priority of rights that provide protections as an incentive for registration of rights.

In Afghanistan the laws allow registration in property books, tax records, and indeed the court records are primarily to be used by the government for taxation and control purposes. To these disincentives for land registration one can mention complexity of procedures and high costs for registration.

Fees for registration should be low. Experience internationally has shown that governments that invest in first registration (by not charging fees or by charging very low nominal fees), more than recover their investment through subsequent revenues. Subsequent revenues might include increased fee collection on subsequent transactions, increased property tax collection, and economic growth through real estate finance, which also generates revenue to government.

### **Fee for Registration of Rights in Real Estate**

#### **Real Property Transfer Tax**

#### **Mortgage Registration Tax**

**Special assessments (waste pick up, street improvement, water supply etc.**

**Land records first and foremost support private land transactions.**

**Is there a need for a large cadastre that keeps track for 60 or 70 different attributes for the land?**

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<sup>38</sup> In most jurisdictions a person cannot recover for claims arising out of his own fraud, negligence, or intentional misfeasance, and the amount of any recovery is limited to the value of the right at the time of the error, omission, or misfeasance of the Registrar.

## Appendix D Final Conference Counterpart Survey

### LARA Final Conference Counterpart Questionnaire

**Counterpart Institution: Ministry of Urban Development & Planning (MUDA)**

**Name: Engineer Nadia Farooq Sherzay (Director of Policy and Planning)**

**Date: 10 December, 2013**

1. **Has the LARA Project been a benefit to your institution? If so, in what way? (MUDA – *training capacity building & Policy Development* )**

**Answer:** LARA had assisted MUDA always and has worked jointly with MUDA on two projects in Jalalabad province regarding refurbishing works such as DUDA Office & Nangarhar office Refurbishment which were useful for counterpart institutions.

MUDA wants to express gratitude regarding online program (**Urban Planning**) launched for engineers of this Ministry of Urban Development & Affairs (**MUDA**)

2. **What are key lessons learned from your perspective?**

**Answer:** The Online program (Sustainable Land Use planning) for engineers of Construction Department and participation of engineers in refurbishment work of Nangarhar Province and also attending the **Upgrading & Formalization Workshop** and trainings which were **Basic IT Skills, GIS Desktop I II & III & Accounting**) are the most useful and key activities of LARA (USAID) project which are currently using by them in their routine jobs. The Conference hold by LARA in Jalalabad is also the significant activity from my point of view.

### LARA Final Conference Counterpart Questionnaire

**Counterpart Institution: Kabul Provincial Council**

**Name: Gul Jan Bakhshi**

**Date: 10 December, 2013**

1. **Has the LARA Project been a benefit to your institution? If so, in what way? (e.g. Ministry of Women's Affairs – *Women's Land and Inheritance Rights Taskforce*)**

**Answer:** Yes, I have been introduced as a volunteer worker on behalf of Kabul Provincial Council to LARA (**USAID**) project. I have managed to conduct public awareness programs in schools, orphanages and Akakhail village of Qarabagh District in Nangarhar province. I have gained the reputation as an active helper of women access to land and inheritance right in Kabul.

2. **What are key lessons learned from your perspective?**

**Answer:**

- Implementation of Public awareness Campaign
- Billboards
- Radio Dramas

### LARA Final Conference Counterpart Questionnaire

**Counterpart Institution:** Nangarhar Provincial Department of (MOWA)

**Name:** Anisa Imrani

**Date:** 10 December, 2013

**1. Has the LARA Project been a benefit to your institution? If so, in what way? (e.g. Ministry of Women's Affairs – *Women's land and inheritance rights*)**

**Answer:** Yes, LARA was very helpful with Nangarhar Provincial Department of MOWA because of conducting public awareness programs. We have some achievement also regarding this issue in our province. Two women were able to access their inheritance right peacefully from their brothers; one of them is Wakil of 6th nahia (**Miss Torpikai**). Now the women understand that inheritance is their legal right.

Lara has been very useful for Municipality also this project has worked in Araban and Campoona Settlements. In Nahia Awal (1<sup>st</sup> nahia) has helped in refurbishment and construction of roads which facilitate access of 2770 families and has worked in capacity building of Municipality staff also. These trainings are **Open Title, GPS, Land Management Law Revised procedures, Land Mapping & Planning Use & Basic IT Skills**) which builds up their skills & abilities in our offices.

**2. What are key lessons learned from your perspective?**

**Answer:** LARA is a successful project in Afghanistan. Before the women didn't have information about their inheritance rights. Now they know that they have the rights to have access to their inheritance. The women who have problems with accessing these rights now refer their problem to Provincial Department of MOWA and ask for assistance from the task force members to have access to their rights.

Now the women of Nangarhar province know that they have the right to have inheritance. They know that this right is not given to them by men, but this right is given to them by the law. Now the women have the courage to ask their right of inheritance.

This program has good achievements: two of our sisters who were widowed and suffering from economic problems got their inheritance rights from their brothers.

Afghan society is a culturally male- dominated society so beside women there is the need to have this awareness for men too that the women have also legal right to access their inheritance.

**LARA Final Conference**  
**Counterpart Questionnaire**

**Counterpart Institution:** Engineering and Construction Institute of Geodesy

**Name:** Miss Sharifa Rahmani

**Date:** 10 December, 2013

**1. Has the LARA Project been a benefit to your institution? If so, in what way? (e.g. *training capacity building*)**

**Answer:** LARA (USAID) Project has conducted some training program and fortunately Construction institute of Geodesy received GIS-I II & III training courses from LARA. The participants of these training courses were six Professional teachers of this institute including myself have been trained in this useful program for 30 days. The most important parts of this training workshop are as follow:

1. Introduction of an outstanding and practical program which is very essential for our job.

2. After the 30 days training of GIS for me and other teachers, I have the ability to solve main problems through the GIS program of course with lots of facilities in preparing maps, process and calculations and measurements of lands.
3. Sharing our knowledge with other students, now our students are able to complete and applicable their projects by using GIS program.
4. Learning GIS I II & III system has increased recruitment of our student in jobs.

**2. What are key lessons learned from your perspective?**

**Answer:** My achievements after learning GIS system through LARA Project are as follows:

1. Besides teaching in Construction Institute of Geodesy (ICG), I have achieved the ability to find job in other Educational institutes too.
2. By using GIS software, I am capable to prepare an assortment of modern maps.
3. I can solve my students’ problems easily in a short time. As a professional teacher I must say that “GIS Desktop I II & III also reduces staff time, improved customer service, and more efficient scheduling. GIS is the go-to technology for making better decisions about location. Making correct decisions about location is critical to the success of an organization. GIS-based maps and visualizations greatly assist in understanding situations and in storytelling. They are a type of language that improves communication between different teams, departments, disciplines, professional fields, organizations, and the public. It also keeps full records and reporting tools.

GIS is becoming essential to understanding what is happening—and what will happen—in geographic space. Once we understand, we can prescribe action. This new approach to management—managing geographically—is transforming the way that organizations operate.

**LARA Final Conference**  
**Counterpart Questionnaire**

**Counterpart Institution:** Arazi

**Name:** Abdul Hameed Aria

**Date:** 10 December, 2013

**1-Has the LARA Project been a benefit to your institution? If so, in what way? (e.g. *training capacity building*)**

**Answer:** Yes, our organization received lots of benefit from Lara Project. Before of LARA project our organization were faced with lack of capacity. At the result of the trainings which were provided by LARA to Arazi staff, we have seen lots of positive changes in our reporting system and now we are providing good service to our people.

**2- What are key lessons learned from your perspective?**

**Answer:** The workshops which were conducted for CBDR training were not enough for Arazi staff. This training should be conducted again for all staff of the conflict resolution department.

**LARA Final Conference**  
**Counterpart Questionnaire**

**Counterpart Institution:** GDMA

**Name:** Malook Niazi

**Date:** 10 December, 2013

**1-Has the LARA Project been a benefit to your institution? If so, in what way? (e.g. *training capacity building*)**

**Answer:** LARA was so good project; we benefit more from this project such as upgrading in two informal settlements in JALALBAD, Make capacity building of GDMA staff and also DRACS softer which is provided by LARA.

**2- What are key lessons learned from your perspective?**

**Answer:** The area which are upgraded by LARA in Jalalabad, this area has government land which are usurpation by the residence of Araban and Compoona, during implementation of Master plan for Jalalabad city it will create problem for implementation of the plan.

**LARA Final Conference**  
**Counterpart Questionnaire**

**Counterpart Institution:** Arazi

**Name:** Abdul Rab Samadi

**Date:** 10 December, 2013

**1-Has the LARA Project been a benefit to your institution? If so, in what way? (e.g. *training capacity building*)**

**Answer:** LARA prepared system for Arazi; we received a lot of benefit from LARA Project such as: making Capacity of Arazi Staff, purchasing and installing of Software's, amendment in l Laws and regulation by LARA legal team. Overall LARA was a successful project.

**2- What are key lessons learned from your perspective?**

**Answer:** Basic IT and Basic Management training sessions which were conducted by LARA were very good. So, in the future, if USAID have plans to conduct trainings for Arazi staff they won't need to start from the basics. They need to plan more advanced training for Arazi staff.

**LARA Final Conference**  
**Counterpart Questionnaire**

**Counterpart Institution:** HEIK

**Name:** Abdul Shokoor Rohani

**Date:** 10 December, 2013

**1-Has the LARA Project been a benefit to your institution? If so, in what way? (e.g. *training capacity building*)**

**Answer:** Yes, LARA provided two trainings to our organization (HEIK) also we have conducted basic IT training for Arazi staff which was funded by LARA

**2- What are key lessons learned from your perspective?**

**Answer:** The women land right task force meeting was good initiative, for women rights.

## Appendix E

### LARA Final Conference Highlights



The Arazi Communications Manager talks with Arazi CEO, Jawd Peikar, during a break in proceedings



LARA DCOP Technical, Lida Nadery, provides an interview to an Afghan TV station about LARA's work on women's land and inheritance rights



Arazi CEO, Jawad Peikar, addresses the Conference



LARA Component I Manager, Eng. Ranjber, addresses the Conference about LARA accomplishments



The Conference was well represented by members of Afghan women's groups



LARA Component 3 Manager, Rahimi, addresses the Conference



LARA Lawyer, Hotak, addresses the Conference on community-based dispute resolution



LARA COP and Arazi CEO address questions from the floor



Conference audient comprised LARA Counterparts and LARA staff



LARA COP and Arazi CEO address questions from the floor



USAID's Chief of the Office of Economic Growth & Infrastructure, Chuck Drilling, provides the opening address of the Conference

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