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LAND REFORM IN AFGHANISTAN (LARA)

FINAL REPORT – November 2014

NOVEMBER 2, 2014

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Cover Photo: As part of USAID/LARA's Women's Land & Inheritance Rights Campaign: 50 billboards were constructed around Kabul raising awareness of women's land and inheritance rights.

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DISCLAIMER
The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

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ACRONYMS AND ABBREVIATIONS

ACSF	Afghan Civil Society Forum
AGCHO	Afghan Geodesy and Cartography Head Office
AIMS	Afghanistan Information Management Systems
ALCBO	Afghan Land and Capacity-Building Organization
ACCI	Afghanistan Chamber of Commerce and Industries
AIHRC	Afghanistan Independent Human Right Commission
ALCO	Afghan Land Consulting Organization
ALRMIS	Arazi Land Records Management Information System
AO	Assistance Objective
API	Application Programming Interface
APPF	Afghanistan Public Protection Force
Arazi	Afghanistan Land Authority
BAA	Business Area Analysis
BizCLIR	Business Climate Legal and Intuitional Reform
CAP	Community Action Plan
CBDR	Community-based Dispute Resolution
CDC	Community Development Councils
CDMS	Cadastral Data Management System
COP	Chief of Party
COR	Contracting Officer's Representative
CLIR	Commercial Law and Intuitional Reform
CRA	Cooperation for Reconstruction of Afghanistan
DCOP	Deputy Chief of Party
DCEO	Deputy Chief Executive Officer
DFID	United Kingdom's Department for International Development
DRACS	Deeds Registry Archive Conversion System
DUDA	Department of Urban Development Affairs
EOL	Expression of Interest
GIRoA	Government Islamic Republic of Afghanistan
GIS	Geographic Information System
GPS	Geographic Positioning System
GRM	Government Revenue Management
dTS	Development and Training Services, Inc.

Harakat	Afghan Investment Climate Facility Organization
IT	Information Technology
KURP	Kabul Urban Reconstruction Project
KCI	Kabul City Initiative
IDLG	Independent Directorate of Local Governance
ILS	International Land Systems
LAL	Land Acquisition Law
LALTF	Land Acquisition Law Task Force
LARA	Land Reform in Afghanistan
LLT	LARA PROJECT Launch Team
LML	Land Management Law
LRMP	Land Records Modernization Project
LTERA	Land Tenure and Economic Restructuring in Afghanistan
MAIL	Ministry of Agriculture, Irrigation, and Livestock
MCIT	Ministry of Communication and Information Technology
MOJ	Ministry of Justice
MOU	Memorandum of Understanding
MOWA	Ministry of Women's Affairs
MUDA	Ministry of Urban Development Affairs
NGA	National Geospatial Agency
NRC	Norwegian Refugee Council
PIA	Public Information Awareness
PIL	Partner Implementation Letters
PMP	Performance Management Plan
PSC	Private Security Contractors
RAMP-UP	Regional Afghan Municipalities Program for Urban Populations
SDK	Software Development Kit
SDO	Sanayee Development Organization
SGI	Spectre Group International
SMAP	Strategic Municipal Action Plan
SOP	Standard Operating Procedures
SOW	Scope of Work
SUPPORT	Services Under Program and Project Offices for Results Tracking
SWOT	A type of Analysis Consisting of Strengthen, Weakness, Opportunity and Time
TLO	The Liaison Office
UNDP/ASGP	United Nations Development Program's Afghanistan Subnational Governance Program
USG	United States Government
USAID	United States Agency for International Development
VoA	Voice of America
WBI	World Bank Institute
WLRTF	Women Land Rights Task Force

PREFACE

The United States Agency for International Development (USAID) Land Reform in Afghanistan (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, Development & Training Services, Inc., and Landesa (formerly the Rural Development Institute). The LARA Project's primary government partners are Arazi (formerly the Afghan Land Agency), the Ministry of Urban Development Affairs (MUDA), the Independent Directorate of Local Governance (IDLG), and the Afghan Geodesy and Cartography Head Office (AGCHO), as well as the Supreme Court and the Municipality of Jalalabad.

The project started in January 2011 and comprised two 18-month periods (a "Base Period" and an "Option Period"). The Option Period was exercised in June 2012 and two further "No-cost Extension Periods" were exercised in 2014: in January for six months, and July for three months.

The purpose of the LARA Project is to develop a robust, enduring, and Afghan-owned and-managed land market framework 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 is designed to contribute to USAID's AO 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 USAID 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:

1. Improve property rights delivery (land administration and formalization).
2. Enable all citizens (women, minorities, and vulnerable populations) to exercise their rights through public information awareness (PIA).
3. Strengthen land dispute resolution processes to reduce conflict and promote peace and stability.
4. Promote economic development through clear and enforceable property rights, PIA, land rights delivery, and land dispute resolution.
5. Strengthen institutional, policy, and legal reform to secure property rights for Afghan citizens.
6. Provide assistance in the crosscutting areas of gender, training, PIA, and private sector development.

These objectives are supported by the following three components that provide the overarching structure for programming activities and tasks in the work plan:

1. **Informal Settlements and Formalization**. Support MUDA, AGCHO, the 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, strengthen tenure security by supporting the Supreme Court and communities with rights formalization and informal dispute resolution.
2. **Legal Framework**. Provide limited assistance to 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 service providers to improve and streamline land tenure processes to Afghan private and public sectors.

1.0 BACKGROUND & OVERVIEW

1.1 INTRODUCTION

As noted in the preface, the Land Reform in Afghanistan (LARA) Project started in January 2011 and ended in November 2014. The purpose of the project is to develop a robust, enduring, and Afghan-owned and-managed land market framework that encourages investment and productivity growth, resolves/ mitigates land-based conflict, and builds confidence in government's legitimacy, thereby enhancing stability in Afghan society.

This Final Report follows a series of Weekly, Monthly, Quarterly, Annual and other Reports that have been developed over the term of the project. This Final Report aims to summarize key project activities, constraints, successes and impact in addition to providing recommendations based on Project experience. It is broken into the following sections:

Background & Overview: where key achievements and impact are summarized.

Project Activities: a brief narrative of project accomplishments by Component and Activities.

Success Stories: a sample of key success stories ("Snapshots") submitted to USAID over the course of the project.

Performance Monitoring Report: draws on the baseline data (and goals set over the course of the LARA Project) and compares them with the recorded results.

Financial Report: a summary of the status of the project accounts as at the January 2015 invoicing period.

Index of Project Reports: a list of the reports noted above in addition to a list of Consultant Reports prepared for the LARA Project over its term. Project reports have also been uploaded to the USAID Development Exchange Clearing House website here: http://www.usaid.gov/results-and-data/information-resources/development-experience-clearinghouse-dec

A separate Photo Supplement is also provided as a part of the Final Report 'package.' As the name suggests, the Supplement comprises a photographic experience of the LARA Project.

1.2 ANNUAL SUMMARIES

LARA Project activities are summarized below by year and Component, and detailed in Section 2.

1.2.1 YEAR 1

COMPONENT 1

- Completed a Socio-Economic Survey in Jalalabad informal settlements;
- In consultation with Government of Islamic Republic of Afghanistan (GIRoA) counterparts and key stakeholders, the planning and geographic information system (GIS) team completed a series of key

maps of Jalalabad, including a Land Use Map an Environmental Hazards Map, a *Who is Doing What Where Map* identifying donor and government investments in the city, and a Land Ownership Status Map that identifies the boundaries of informal settlements that could be the target of project activities;

- Conducted three Urban Planning Clinics conducted in Jalalabad with participants from the Ministry of Urban Development Affairs (MUDA), Arazi, USAID, Regional Afghan Municipalities Program for Urban Populations (RAMP-UP), and the Afghan Geodesy and Cartography Head Office (AGCHO), which resulted in the drafting of a series of thematic maps representing land use, project use, Community Development Council (CDC) boundaries, environmental hazards and gozar boundaries;
- Hosted a three-day Informal Settlements Upgrading and Formalization workshop (coordinated jointly with MUDA and Kabul Urban Reconstruction Project [KURP])with 140 leading stakeholders in land issues;
- Reached consensus with Jalalabad land governmental stakeholders on the criteria for determining priorities for settlement upgrading;
- With stakeholders, facilitated the selection of two informal settlements in Jalalabad for the implementation of settlement upgrading and rights formalization activities (Araban and Campoona);
- Established the Women's Inheritance and Land Rights Task Force with leading Afghan men and women representing national and local government and civil society which began strategizing how best to advocate for women's property rights;
- Conducted a Gender and Dispute Resolution Assessment in two informal settlements in Jalalabad, which identified key strategies for approaching gender issues in the context of project activities in the selected informal settlements in Jalalabad;
- Identified and mapped key water networks and road infrastructure in Jalalabad city, in parallel to the assessment of infrastructure servicing targeted informal settlements;
- Mapped 100% of land parcels within the Jalalabad city boundaries in an effort to establish the number of plots in formal and informal areas of Jalalabad;
- Installed the OpenTitle™ system in the Jalalabad Municipal Revenue and Properties Departments, in close coordination with United Nations Development Program’s Afghanistan Subnational Governance Program (UNDP/ASGP) whose property information database will be migrated in OpenTitle;
- Agreed with the Supreme Court to provide assistance to undertake the Deeds Registry Archive Conversion System (DRACS) to convert paper deeds into electronic format within a dedicated database;
- Initiated Jalalabad Urban Coordination Meetings, chaired by the Mayor and taking place on a weekly basis. LARA Project staff is providing support to its Secretariat;
- Identified all the detailed information technology (IT) and equipment requirements for Kabul University, Kabul Polytechnic, and AGCHO Training Institute to address their 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; and
- With a local subcontractor, conducted and completed a Socio-Economic & Housing Baseline Survey in Jalalabad involving over 400 household surveys.

COMPONENT 2

- Conducted a National Land Seminar where participants received training on Arazi land settlement, leasing and clearance procedures as well as gender and community-based dispute resolution (CBDR) approaches.;
- Partnered with Arazi to draft a comprehensive revision to the Land Management Law. Following completion of the draft LARA conducted a consultative workshop in Kabul for 160 land law stakeholders to discuss the proposed amendments;

- Completed institutional assessments of Arazi and AGCHO, MUDA, Independent Directorate of Local Governance/General Director of Municipal Affairs (IDLG/GDMA), and the Supreme Court insofar as their respective activities touch land administration;
- Completed in September 2011 the Business Climate Legal and Intuitional Reform (BizCLIR) Assessment of Real Estate identified land tenure constraints including unclear jurisdictional mandates, a weak legal framework, and legal plurality as contributing to land tenure insecurity, conflict, and political instability in Afghanistan; and
- Developed a Land Legislation Booklet that provides an overview of land related legislation in Afghanistan, both repealed and enforced, and whether they have direct or indirect relation in terms of land management.

COMPONENT 3

- In close cooperation with Arazi, developed a staff training strategy to be implemented during the next reporting period, including basic management skills as well as Arazi specific technical skills and participants will be drawn from around the country;
- Completed a private sector Needs Assessment and private sector training strategy completed in cooperation with key private sector land services providers—by the end of the reporting period two trainings were conducted, "Project Management" and "Procurement;" and
- Completed a Private Sector Assessment to identify needs in anticipation of subcontracting arrangements for project activities (Afghan Land Consulting Organization [ALCO], Sanayee Development Organization [SDO], The Liaison Office [TLO], Cooperation for Reconstruction of Afghanistan [CRA], Land Rights and Afghan Land and Capacity-Building Organization [ALCBO]).

1.2.2 YEAR 2

COMPONENT 1

- Developed a Land Rights Formalization and Settlement Upgrading Model for implementation in Afghanistan in the form of a *Model for Formalization of Land Rights & Community Upgrading in Informal Settlements*, which provides a detailed "How to" for the replication of land rights regularization and informal settlement upgrading processes across Afghanistan;
- Completed an *Informal Settlement Upgrading Handbook* to facilitate future planning and design of informal settlements upgrading activities;
- At the request of MUDA and the Jalalabad Municipality, developed an *Urban Profile* for Jalalabad Municipality;
- Developed *Urban Development Guidelines* to assist municipalities and GIRoA institutions to prioritize informal settlements for development and land rights regularization;
- With GIRoA counterparts, completed Land Use Mapping in Jalalabad that identified, among other land uses, informal settlements that could be the target of project activities—the maps have now been digitized and returned to GIRoA for planning purposes;
- Jointly with the MUDA's KURP, conducted an Upgrading and Formalization Workshop as a platform to discuss best practices for upgrading procedures in informal settlements;
- Presented a final draft of the *National Policy for the Upgrading of Informal Settlements* during the Technical Working Group at MUDA;
- With the help of Kabul University Interns, drafted the Community Action Plan (CAP) for Araban Informal settlement, Jalalabad;
- Completed renovations to the AGCHO Cadastre office in Kabul and Jalalabad;
- Installed Government Revenue Management (GRM) Registry Inventory and Backfile modules (with software interfaces in Dari) at Arazi—the inventory is the module for entering first land registration of government land in GRM Registry while Backfile is to capture existing records;
- Worked with local organizations to draft *Evaluation of Legislation Affecting Women's Access to Land and Recommendations for Improving Women's Access to Land Rights in Afghanistan*;

- In partnership with the Ministry of Women's Affairs (MOWA), hosted the first "National Conference on Women's Inheritance and Land Rights" in Afghanistan in May 2012;
- In December 2012, in collaboration with MOWA, launched a Public Information Awareness (PIA) Campaign on women's inheritance and property rights in Afghanistan; and
- Through a grant to TLO, produced a *Guide for Community-based Dispute Resolution* (CBDR), which were then distributed in the greater Nagharhar area.

COMPONENT 2

- Supported a two-day consultation workshop with 120 representatives involved in land management; came together to propose revisions and amendments to Afghanistan's Land Management Law (LML);
- Organized public consultation workshops (public participation in legislative development is unprecedented in Afghanistan) in seven provinces;
- Prepared comprehensive amendments to the LML and its Procedures (highlighting community participation in land clearance process and decentralization of leasing of government land); and
- Prepared a draft Law on Cadastre for AGCHO, focusing on modern fieldwork methodologies such as GIS and GPS), which was officially submitted to AGHCO in March 2013.

COMPONENT 3

- Completed a private sector assessment to identify needs in anticipation of subcontracting arrangements for project activities for local private sector counterparts, and in-house training on procurement and accounting to both public and private sector partners;
- Completed institutional assessments of local public sector partners insofar as their respective activities touch land administration;
- As part of its Capacity Building Unit, trained over 1,600 participants representing both the private and the public sector in both technical and basic IT and general management areas;
- Provided ongoing support to the Legal Framework Component (Component 2) in coordinating the regional *Land Management Law Procedures* training for the Ministry of Agriculture, Irrigation, and Livestock (MAIL)/Arazi provincial and district staff; and
- Coordinated and monitored the World Bank Institute (WBI) online training on Urban Planning undertaken for MUDA and GDMA staff.

1.2.3 YEAR 3

COMPONENT 1

- Completed all upgrading activities (including roads upgrading) in the informal settlements of Araban and Campoona areas in Jalalabad;
- Worked closely with the Municipality of Jalalabad to draft maintenance plans for the upgrading works in the informal settlements of Araban and Campoona to ensure long-term sustainability of the urban upgrading by the communities, and submitted these plans to GDMA and the municipality;
- Completed the refurbishment of government offices in both Nangarhar and Kabul, including the Jalalabad Municipal Engineering and Revenue departments, the Nangarhar Department of Urban Development Affairs (DUDA) office, the Nangarhar AGCHO office, the AGCHO Training Institute in Kabul, the Kabul Polytechnic University, and the Arazi Training Center in Kabul;
- Completed a cadastral survey for all 26 clusters in Araban and Campoona through a local subcontractor, Geo Planning (This survey included a public display meeting where residents of both informal settlements were invited to check their land parcel information provided during the cadastral survey process and identify any discrepancies. The cadastral survey identified 2,780 parcels, gathered the land tenure information for these parcels, and tied this data to a geographic cadastral map for the two informal settlements);

- Installed DRACS (GRM Registry Backfile) software on all of the servers procured by Harakat under the Land Records Modernization Project II (LRMP II) project and court members of the provincial makhzans were trained to use the software;
- Engaged Thomson Reuters information technology specialists to work with specialists from the directorates for land inventory, land leasing, Tasfia, and dispute resolution at Arazi, as well as specialists at the ACGHO Cadastre Department that was merged into Arazi, to customize GRM Registry and GRM Cadastre to provide the appropriate functionality for Arazi Land Records Management Information System (ALRMIS) and the CDMS. The software was installed at Arazi, and the Arazi staff was trained on its use;
- Based on a request from the USAID Economic Growth and Infrastructure Office, conducted an assessment of Hesar-e-Shahi Industrial Park in Jalalabad in February and March 2013, to gauge overall economic viability for the idea and put forth recommendations and options for bringing it into practice;
- Conducted five roundtable gender discussions and one gender awareness-raising session;
- Conducted a gender needs assessment survey in the MAIL/Arazi and identified gender knowledge gaps in the institution;
- The LARA Gender Unit undertook gender training to a total of 75 Arazi employees, and helped Arazi develop a draft Gender Strategy that has been included in the Arazi five-year Strategic Plan;
- Assessed the CBDR capabilities and the Tasfia process within Arazi ("Land Clearance [Tasfia) and Dispute Resolution Functions of Arazi") and developed an associated CBDR-related capacity building plan for Arazi and local communities;
- Developed a training manual for Arazi employees for CBDR guidelines and Tasfia procedures;
- The LARA CBDR team successfully delivered 10 training sessions on the CBDR manual and on-call dispute resolution; and
- Conducted a "LARA Lessons Learned Conference" at the Kabul Star hotel on December 2013.

COMPONENT 2

- Conducted seven public consultation workshops for proposed amendments to the LML conducted in Herat, Kandahar, Jalalabad, Paktia, Kunduz, Mazar, and Kabul;
- Completed the training on the LML and procedures with a final event in Kabul for surrounding districts, attended by 117 participants;
- Conducted regional technical training for Arazi provincial and capital center staff on the newly developed procedures under LML at the national level;
- Worked with the AGCHO Technical Committee to draft AGCHO and Cadastral Survey Laws (which was later consolidated into a new draft of the *Land Management Law*);
- Drafted a *Land Valuation Manual*, followed by a Workshop on Land Valuation at Arazi in July 2013 (The workshop covered land rights to be valued, the importance of collecting accurate data, the various purposes of land valuation, qualifying or disqualifying sales as indicators of market value, and lease precedes methods of valuation); and
- Worked with the Arazi Chief Executive Officer and Arazi department heads on the drafting of a new Land Acquisition Law (LAL).

COMPONENT 3

- Supported the training on technical and organizational development (including the WBI online course on "Sustainable Urban Land Use Planning," as well as a training of trainers on the LML in Kabul, LML procedures in six zones, Open Title (CDMS), GRM Cadastre, technical survey equipment, ALRMIS, DRACS, accounting, gender, CBDR, and on-call dispute resolution);
- Provided support to the Legal Framework Component for the regional land law procedures training session's throughout Afghanistan for the MAIL/Arazi staff; and
- Completed a three-week program of gender training for Arazi staff in October 2013.

1.2.4 NO-COST EXTENSION PERIODS (YEAR 4)

COMPONENT 1

- Reviewed status of the IT Sustainability Plan and worked with Arazi technical staff to implement it;
- Reviewed changes requested by Arazi for the ALRMIS system, developed new workflows and reports and forwarded these to the software owners for review and costing for Arazi to complete;
- Liaised with the IT service provider to the Supreme Court for the regional reinstallation of the DRACS software; and
- Worked with an Arazi cross-developmental committee to finalize an Arazi Gender Strategy.

COMPONENT 2

- Conducted five consultative workshops on the draft LAL in Mazar-e-Sharif, Herat, Kandahar, Jalalabad, and Kabul;
- Reviewed the progress of land law reform since an initial BizCLIR real estate assessment;
- Conducted a follow-up land valuation training workshop series with GIRoA staff and completed a revised Land Valuation Procedure Manual and Policy Advice for Arazi, along with teaching guidelines for Arazi trainers; and
- Conducted a final Arazi/LARA "Retreat" and reviewed progress of Arazi over the last five years.
- Supported the development and approval of an Arazi Gender Policy and Gender Action Plan dealing with workplace equity and service delivery standards.

COMPONENT 3

- Conducted five regional workshops for Arazi staff on the Arazi Five-Year Strategic Plan; and
- With a private sector partner (Geo Planning, a local survey company), conducted a practical field course for members of the Arazi Cadastre Directorate in the use of USAID LARA provided survey equipment.

1.3 SUMMARY OF PROJECT CONSTRAINTS

Implementation of project activities in Afghanistan, generally, is limited by various constraints. The most notable constraint shrouding all activities, however, was the deteriorating security environment exacerbated by the draw-down of international forces toward the end of 2014 as well as political uncertainty associated with the 2014 Presidential elections that lasted most of 2014. Nevertheless, the security and political environment in these 'post' conflict situations is always a challenge that needs to be met. In this context, there were a number of key constraints on project activities which, primarily (but not solely) toward the beginning of the contract, contributed to limiting project goals.

- Upon startup, at the recommendation of USAID, the focus of project activities changed from one of supporting an "Afghan Entity" undertaking land reform activities to one directly supporting the myriad public and private sector players in the land sector. This required a significant change-up in planning and resources assigned for the project.

- On June 6, 2011 USAID informed Tetra Tech ARD that the LARA budget would be reduced from US $69.2 million to US $41.8 (approximately a 40% cut) over 36 months and the project would comprise an 18-month base period and an 18-month option period. As a result of the budget reduction, LARA then worked closely with USAID/Afghanistan to revise and reduce project scope and activities and submit key project documents. The revised work plan, Performance Management Plan (PMP), and scope of work (SOW) were submitted to USAID reflecting changes as a result of budget cuts on August 31, 2011. The draft realigned budget was then submitted to USAID on October 5, 2011. The Work Plan was subsequently only approved by USAID in December 2011.

- Working with GIRoA partners posed a challenge during the first year of project operations because of an insistence from them to have signed agreements (USAID "Partner Implementation Letters" [PILs])

before there was full cooperation. While there were polite conversations with the partners, real cooperation had to wait until PILs were developed by USAID and signed (for example, the MUDA PIL was signed by the Minister on 23 November 2011, almost 10 months after project start).

- Hiring and retaining local staff proved challenging in an environment where many staff appeared to "project shop" for higher salaries; some changing employers within, say, six months, in an effort to maximize salary. While an informal "no poaching" rule applied with USAID and its projects, a number of LARA's staff eventually moved to USAID itself. Additionally, in the last 12 months of the project, a number of LARA staff were granted Special Immigration Visas and left Afghanistan for the USA. These changes often hindered technical and operational matters.

- Hiring and retaining key international staff also posed challenges. During the course of the Project, there were 4 COPs (some changes occurred because of management issues or, in the case of our Afghan COP, a Special Visa was granted requiring her to leave the post). The stresses associated with long-term expatriate stays in Afghanistan required careful management.

- During the No-Cost Extension Periods (2014), in particular, the LARA Project was also challenged by delays in the USAID anti-terrorism vetting process set out under Mission Orders 201.03-201.05. In the end, the research survey planned for reviewing project impact in Jalalabad could not start (and had to be cancelled) because there was no result from the vetting request. Another proposed subcontract to support ALRMIS updates was not pursued at all because of a preliminary indication from the Vetting Unit that the subcontractor, Thomson Reuters, a publicly traded company on a US national securities exchange, would require vetting.

- On the technical side:

  - Proposed legislative changes (e.g., the Land Management Law) were held up in the Ministry of Justice and made little progress as the presidential elections approached early in 2014. This is not a surprising development when one is dealing with a caretaker government but it is also a reflection of some level of political reluctance to take on effective land reform in Afghanistan.

  - Implementing project activities through Arazi proved difficult throughout the project. Despite concerted efforts, and a CEO who appeared to champion reform, Arazi still has limited institutional capacity to assume responsibility for active day-to-day management of staff and processes. Arazi continues to be a heavily centralized institution, often paralyzed by bureaucracy, with a lack of skilled staff and effective management. Noteworthy examples of problems were Arazi staff calls for changes to ALRMIS shortly after IT technicians had left the project despite having almost 2 years to raise any issues. In the case of the latter, additional months were spent by LARA IT specialists trying to elicit changes based on new (and often counter-productive) procedures. In this case, new workflows were developed but they were too late for LARA to provide direct support for implementation.

Despite these hurdles, the LARA Project went on to achieve the key outcomes sought above and have the impacts noted below. These are all detailed in Section 2 of this Final Report.

1.4 IMPACT

COMPONENT 1

There is strong anecdotal evidence relating to the positive impact that tasks under this component have had. This evidence records:

- Almost 3000 land claims officially recorded in Jalalabad informal settlements and tax books issued to the occupants by the municipality;

- Inspired communities that worked together for a common purpose;
- Encouraged cooperation between the Jalalabad Municipality and the communities that it serves;
- Improved streets and drainage leading to:
  - Improved access for community services (e.g., emergency services, taxis etc.),
  - Reduced traffic congestion,
  - Reduced dust and improved water run-off,
- Improved government office infrastructure through refurbishments enable GIRoA staff to work more productively in a cleaner, safer, and more environment; and
- Better qualified GIRoA staff through training activities including:
  - World Bank courses,
  - Participatory land use mapping exercises,
  - Cadastral mapping,
  - Community consultation,
  - Land-related conflict resolution, and
  - Use of IT systems for land administration (OpenTitle, in particular).

COMPONENT 2

The provision of the regional training of itself was a significant milestone for Arazi in terms of disseminating it practices and procedures to staff and the public. Further to this, regional public consultations (for the LML, in particular) represented a high point for dissemination of information to staff and the public—receiving broad-based feedback on legislative reform, and implementing legislative changes in response to feedback. This entire process was new to Afghanistan (particularly the land sector) and Arazi staff and public responded positively to the process.

The impact of the Women's Land & Inheritance Rights campaign (see Section 3, Success Stories, below) was important for Afghanistan and for the women that this campaign touched. There are numerous examples of women having claimed and received their inheritance rights as a direct result of this campaign. There is even an example of a male member of a household providing inheritance to his sisters as a result of this campaign. Such was the impact that it was recognized within Afghanistan and internationally through the international media (see section 2.3.3 below).

COMPONENT 3

More than 4,700 GIRoA and private sector staff were trained under various LARA Tasks (See Section 5 below for training summaries). In terms of private sector support for local organizations, private sector recipients of LARA accounting and procurement training (for example), such as TLO and ALCO, went on to win subcontracts from the LARA Project in open competition.

In terms of Basic IT and Basic Management Training, the LARA Project's post training survey results indicated that more than 70% of participants were applying the knowledge obtained from the trainings to fulfill their job duties and responsibilities.

2.0 PROJECT ACTIVITIES

2.1 INTRODUCTION

As noted above, the purpose of the LARA Project was to develop a robust, enduring, and Afghan-owned and-managed land market framework that encouraged investment and productivity growth, resolved/mitigated land-based conflict, and built confidence in government's legitimacy, thereby enhancing stability in Afghan society.

LARA's work to achieve these goals is set out below against the activities (and anticipated outputs) specified in the Contract.

From right to left. U.S. Ambassador, Karl W. Eikenberry, Dr. Omar Zakhilwal, the Minister of Finance, Mr. Mohammad Asif Rahimi, the Minister of Agriculture Along with the deputy of Minister of Urban Development in the LARA launching ceremony

2.2 COMPONENT 1: STRENGTHEN LAND TENURE SECURITY THROUGH FORMALIZATION AND UPGRADING OF INFORMAL SETTLEMENTS

2.2.1 ACTIVITY 1: UPGRADE INFORMAL SETTLEMENTS

OUTPUT 1.1: SELECTED MUNICIPALITY OF JALALABAD IS SUPPORTED TO UPGRADE TWO INFORMAL SETTLEMENTS AND MOVE TO FORMALIZATION

TASK 1.1.1: ASSIST STAKEHOLDERS TO DEVELOP CRITERIA FOR INFORMAL SETTLEMENTS UPGRADING AND MOVE TO FORMALIZATION

Toward the end of 2011, LARA worked closely with its counterparts both in Kabul and in Jalalabad. LARA collated information pertaining to each of the 25 informal settlements identified in Jalalabad by conducting informal consultations with mid-level staff of all concerned land authorities for the short listing of settlements for upgrading and formalization. Early in 2012, senior government officials unanimously selected the two informal settlements of Araban and Campoona as the areas where the LARA Project could start its activities (see Task 1.1.3 below). While this consultative process was effective for identifying initial pilot areas, it clarified the need to establish clearer criteria for site selection if the program were to be expanded. These crystalized later with the development of the *Urban Development Guidelines* (see Task 2.1.10, below)

TASK 1.1.2: CONDUCT A WORKSHOP ON INFORMAL SETTLEMENTS UPGRADING AND FORMALIZATION

The LARA Project established itself as an influential and credible leader in the controversial of urban upgrading and regularization by arranging a Workshop for the Upgrading and Formalization of Informal Settlements in the fall of 2011 for more than 140 participants along with the Kabul Urban Reconstruction Project (KURP) of the Ministry of Urban Development Affairs (MUDA). Participants included national and provincial officials, implementing agencies, NGOs, academics, donors, private sector companies involved in urban upgrading and land rights, laws, registration, surveying, services and dispute resolution. The Workshop provided opportunities to consider lessons and best practices from which was developed the Land Rights Formalization and Upgrading Manual. This became the basis of the formalization process applied in two informal settlements in Jalalabad by LARA (see below).

TASK 1.1.3: SELECT INFORMAL SETTLEMENTS

Consultations began in December 2011 to identify informal settlements for upgrading and formalization in the city of Jalalabad. At a meeting held February 6, 2012, The LARA Project briefed two representatives from GDMA, the Head of DUDA in Jalalabad, his deputy engineer, a senior representative of Arazi, the head of the municipal engineering department and two USAID officials about the work undertaken to collate all the background material on each of the 25 informal settlements identified in Jalalabad. Based on agreed upgrading and formalization selection criteria, the Deputy Mayor of Jalalabad suggested Araban and Campoona as the two sites where the LARA Project would undertake upgrading and formalization work. Araban is private land, while Campoona is a settlement developed on government land.

The LARA team narrowed its assessment of the Araban area in consultation with the community and produced a document titled: "*Urban Assessment of an Informal Settlement in Jalalabad: Araban*" shared in May 2012 with the local authorities and the CDCs. The document provided a brief introduction to the planning process, a general overview of the Araban area and a snapshot of the Gozars. It also analyzed the existing land use, some property information, existing road and street conditions, the water supply network and the electricity grid and summarized the results of participatory diagnostics outlining the problems affecting the area (waste, street surfacing, narrow lanes, etc.). The document concluded by localizing opportunities for physical upgrading and improvements. The land authority (Arazi) cleared the

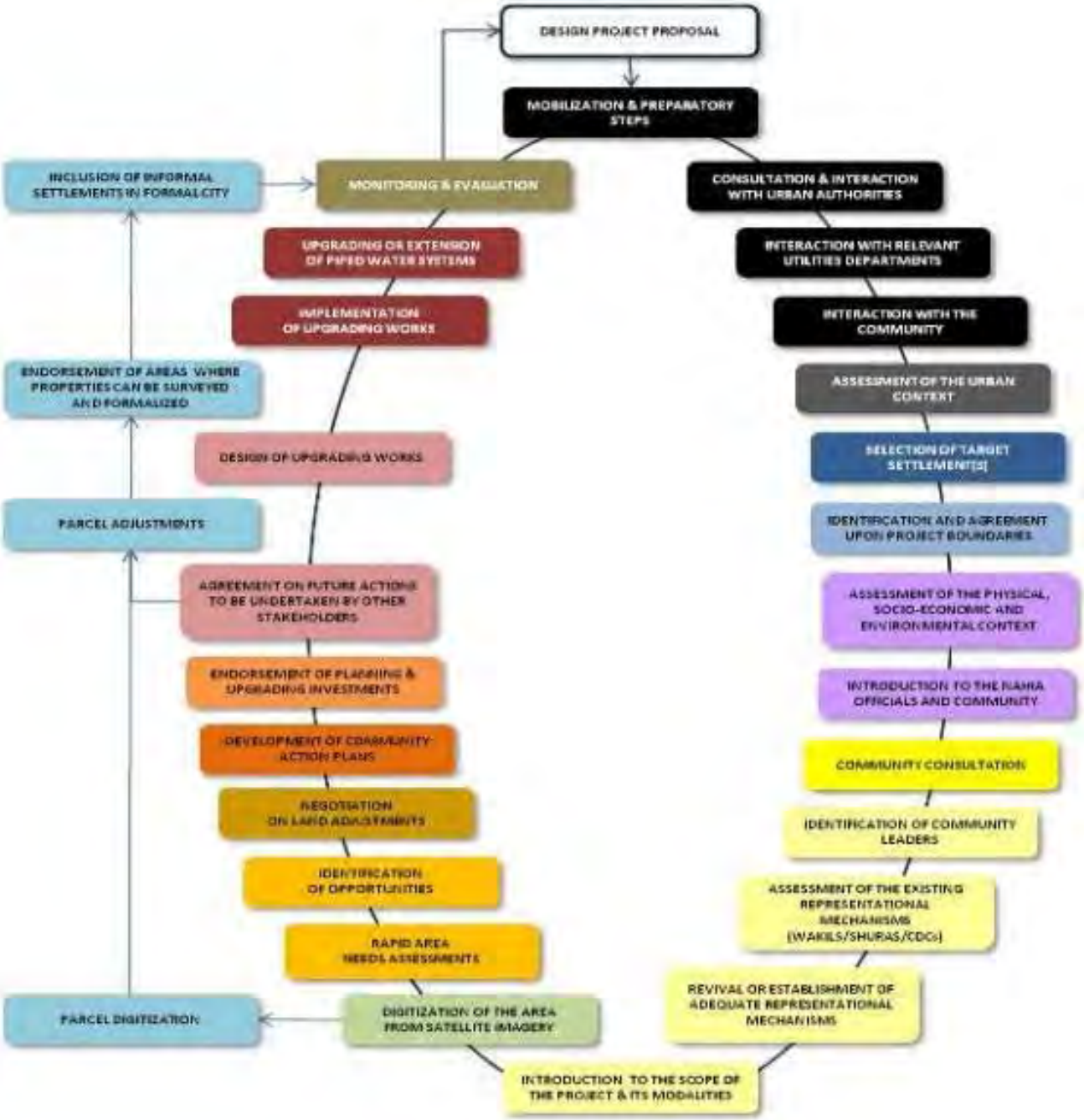
informal settlement of Araban for rehabilitation since the community sits on private lands. But Arazi appeared far more hesitant in granting a clearance to settlements on government land.

TASK 1.1.4: DEVELOP A HANDBOOK TO GUIDE UPGRADING WORK

Two successive public Requests for Proposals issued for the write up of the Handbook to Guide Physical Upgrading Work failed to identify a suitable Afghan subcontractor for this task. It was thus decided that it would be developed within LARA. A first draft was prepared in December of 2012 the objective of which was to facilitate the planning and design of physical upgrading interventions in a manner that took into account coordination with the local authorities and utilities departments, and engages the community in decision-making. The manual was finalized and presented to counterparts and stakeholders in March 2013. Critically, it sets out settlement selection criteria (see Task 1.1.1 above) and a series of step-by-step activities in an ideal upgrading process (see Figure 1 below).[1]

[1] These are also included in the *Urban Development Guidelines*.

FIGURE 1. RECOMMENDED STEP-BY-STEP ACTIVITIES FOR UPGRADING INFORMAL SETTLEMENTS



TASK 1.1.5: CONDUCT PARTICIPATORY ASSESSMENTS OF PLANNING AND PHYSICAL UPGRADING ISSUES IN SELECTED INFORMAL SETTLEMENTS

A Socio-Economic & Housing Baseline Survey was submitted to USAID in April 2012. More than 400 households living in the informal areas of the city were interviewed. Later, participatory action planning workshops were carried out in the informal settlement of Araban. The workshops included active input from community representatives (including women's groups through gender focal-group meetings), *wakils* and the Araban Community Development Councils (CDCs) with whom the LARA Project had developed a very close and constructive relationship. The team produced a document illustrating needs and suggesting opportunities for "quick results" in terms of identifying upgrading investments, i.e., those that would not require extensive negotiation with the community or need to confront any particular technical challenge.

One of LARA's Gender Specialists meets with a women's focal group in Araban, Jalalabad, as part of the community consultations on the upgrading process and locations selection

In March 2012 the project organized a three-day mission to Jalalabad to bring relevant stakeholders together for consultations on planning and upgrading priorities in Araban. The first workshop took place in the Jalalabad Municipal Hall and was attended by 17 participants, which included engineering staff from Jalalabad Municipality and District officials. The Deputy Mayor led discussions that revolved around the limited access to homes due to insufficient roadways in Araban. Narrow streets are a typical problem in informal, unplanned settlements and they impede the access of emergency vehicles and garbage trucks, as well as obstruct the use of private vehicles. Inadequate drainage, poor road surfaces, insufficient water and electricity coverage were also a problem in Araban, in particular. The LARA Project also organized a series of small planning workshops, meetings and personal visits to utilities departments in Jalalabad to minimize the effects of scarce and unreliable data that was available in the city of Jalalabad.

Representatives of Araban informal settlement, Jalalabad, and municipal engineers of Jalalabad undertake a study tour of areas rehabilitated by the World Bank KURP project in Kabul (September 2012)

Eight members of CDCs in Araban and eight engineers from MUDA, DUDA and Jalalabad municipality took part in a study tour in Kabul organized by the project in September 2012. The initiative was hosted by the Urban Upgrading Department of MUDA in collaboration with the Kabul Urban Rehabilitation Project (KURP) and UN-Habitat. The tour consisted of a workshop in MUDA to introduce objectives and critical highlights of the field activities, and of three visits to project sites in Kabul: Kart-e-Sakhi and Kart-e-Mamorin–KURP- and Qala-e-Zaman Khan- UN Habitat.

In preparations for upgrading activities, the LARA Communications Team worked closely with the LARA Urban Planning unit to broaden awareness among community residents of the benefits of working together to improve their community. The residents of Araban learned firsthand that if neighbors, whose buildings or outer walls encroached on areas required for widening roads, relocated the obstructions and allocated the land for road widening, there would be an increase in value to their property. Improved

vehicle access and regular refuse removal would be possible and emergency vehicles would mitigate danger from fire and possibly save lives.

To mitigate misunderstandings within the targeted communities, LARA's Jalalabad team recruited two community mobilizers (male and female) to provide information and reassurance to all affected members of the residential and business community regarding project progress. Outreach activities included community meetings, door-to-door house visits, and the dissemination of posters and leaflets to alert the population regarding the sequencing and scope of project activities; times when upgrading activities would disrupt traffic, and expectations for community assistance. Transparency helped avoid disputes in and with the community.

TASK 1.1.6: DEVELOP PHASED COMMUNITY ACTION PLANS OF PRIORITY UPGRADING PROJECTS AND FORMALIZATION/REGULARIZATION ACTIVITIES

Concurrently with the workshops and community assessments, planning discussions toward the development of a Community Action Plan (CAP)[2] relevant to Araban took place, with technical support from MUDA departments offering precise information on the required elements that constitute a *plan-e-tafsily* (detailed zoning plan) including delineation of physical infrastructure in the settlement, specific land use regulations for allocations for roads and amenities, identification of municipal services in the area, and connections between tertiary utility networks (water supply, sewerage, electricity) and city-wide utility grids. The CAPs put an accent on a series of "planning principles" that included efficiency, inclusiveness, transparency, consultative and participatory approach, sustainability, and documentation. The document stressed the need to take into account the existing street layout and the scale of private sector investments in housing to minimize the need for relocation which adversely affects people's livelihoods and entails lengthy negotiations concerning adequate new locations as compensation.

The CAP prioritized issues and offered recommendations for "quick result projects" that have a positive impact on the area, such as access and drainage upgrading, water supply connections, waste disposal, school improvements and development guidelines that protect the residential fabric. The opening of new road connections, the widening of streets, the expropriation of properties on public land, improvements to open spaces and the development of commercial areas along the main road were focal issues addressed by the CAP. As a part of the preparation process, the LARA Project worked with four engineers from the Jalalabad Municipal Construction Department to incorporate appropriate engineering standards to ensure the quality for road networks improvements. Road-widening was proposed in Gozare Golayee and Gozare Kochae in Araban. The Araban CAP was completed in late 2012 with significant collaboration with MUDA planning officials. For sustainability and replication, the plan was developed consistent with the requirements of a *plan-e-tafsily*, which are regularly prepared in Afghanistan for new developments on vacant land, but have generally not been applied to the improvement of existing built areas.

Building upon the type of participatory activities applied in Araban, late in 2012, the LARA Project conducted a series of community consultations with wakil-e-gozar, community elders, and male and female CDCs in the informal settlement of Campoona that had encroached, over time, on to government land. Because of the reluctance of the Jalalabad Municipality to endorse the *de facto* occupancy in Campoona (designated in the 1970s as an area for government exhibitions), the LARA Project arranged a visit by top MUDA and GDMA officials to converse with the Jalalabad Deputy Mayor and his staff regarding the particular issues raised by an informal settlement that emerged over time. During these discussions LARA made it a priority to advocate the recognition of *de facto* occupancy rights in Campoona - emphasizing the "model" that LARA developed for surveying and consultation activities that would provide the local authorities required base information for appropriate decision-making with

[2] For Community Action Plans in the context of informal settlement upgrading, see the *Informal Settlements Upgrading Handbook, 2013* (Section 2.13). This Handbook drew upon the experiences of LARA working with local government and communities in Araban.

Participatory planning session in Campoona informal settlement, Jalalabad (December 2012)

respect to upgrading and occupancy rights regularization in a community of this nature. This high-level meeting provided the opportunity for the central authorities to reassure the local authorities that they supported the regularization "model" proposed by LARA. The "model" may serve as a precedent for similar unresolved land claims between residential communities and government agencies (always differentiating between speculative and large-scale land grabbing from organic self-built informal developments).

Planning issues for the Campoona community included determining necessary land use changes, the tracing of the River Road, land expropriation, improving open spaces and the environmental problems caused by the dumping of garbage in the river. An action plan and guidelines for the commercial zone concentrated on road widening, improvement of ditches, and improved access to main roads.

LARA developed the CAPs jointly with MUDA planning officials in line with the requirements of a *Plan-e Tasfili*. As with Araban, the Campoona CAPs worked around existing street layouts as well as the other principles previously applied.

TASK 1.1.7: DEVELOP COMMUNITY OUTREACH STRATEGY TO ENSURE THE SMOOTH IMPLEMENTATION OF THE UPGRADING WORKS

In March 2012 a member of the Gender and Conflict Resolution team accompanied by the LARA Project senior construction engineer conducted an intensive consultation exercise with the Women's Shura, attended by six women, that is active in the Araban area. The poor conditions of the unpaved roads through Araban, it was agreed, created annoying and unsanitary conditions for the residents. Araban also lacked adequate space to hold shura meetings. Health hazards arose from dumping garbage in the streets and the accumulation of waste water in the proximity of the girls' school.

TASK 1.1.8: DESIGN, PLAN, AND IMPLEMENT PHYSICAL UPGRADING WORKS

The design, planning and implementation of physical upgrading began early in the project with meetings with community leaders and local authorities, and picked up pace with the preparation of a topographical survey for the informal settlement of Araban. The completed drawings from the topographical survey covering 66 hectares were submitted by a local subcontractor, Asia Geo Engineering & Ally Engineering Services, in September 2012. The LARA engineering team in consultation with DUDA planners from Nangarhar Province then prepared detailed design specifications for the upgrading of roads and streets in Araban. With a proposed design in hand, four community meetings in Araban attended by more than 150 residents (homeowners and tenants) focused resident attention on those streets where the width did not conform to the municipal standards. The LARA Project and Araban residents agreed to move some walls and buildings so that the roads could be appropriately widened. One woman did not have the financial resources to pay for moving an outer wall, so the other residents of Araban agreed to pay for the work. This shows the extent to which the LARA Project was able to inspire the residents to work together in order to complete an upgrading plan that was supported by the local government and consistent with planning standards.

Street upgrading in the informal settlement of Araban officially kicked-off on June 5, 2013, with an event attended by participants from the Provincial Governor's office, Jalalabad municipality, DUDA, Cadastre, Arazi, the Municipal Water Supply Department, ASGP/UNDP, the Directorate of Agriculture, and Araban community elders. The Provincial Deputy Governor, Mr. Mohammad Hanif Girdiwal, commented on the importance of the project in Jalalabad and thanked USAID and LARA for the assistance. Mr. Lalagha Kakar, Jalalabad Mayor, highlighted the excellent coordination that had taken place between the city management, the community, and the LARA Project.

The work in Araban started with grading and improvement of the ditches along the sides of the roads. The LARA technical team actively monitored the progress of the upgrading along with specialists from the Jalalabad Municipality and in collaboration with the wakil-e-gozars and Community Development Council heads.

Part of the Araban informal settlement upgrading involved improving the water supply network for the informal settlement. Pipes were laid and connections were made to the city water system. New ditches were dug for additional connections. The Araban Water Supply Project was completed in September of 2013. All excavated trenches for the pipes were paved over with asphalt.

Signed, sealed and delivered! A resident of Araban happily donates a portion of his land for the good of the community. Community gatherings led to agreements on street widening that included voluntary land donations by residents in order to widen the streets to allow vehicle access. Permitting access of waste collection trucks and emergency vehicles; fire, ambulance and police. Municipal and MUDA engineers said that street widening is the critical step toward a *de facto* recognition of the residents' occupancy rights and the legitimacy of the settlement.

The physical upgrading of Araban also included improvements to the sanitation and drainage systems of the Araban High School. In addition a solar power system, fans in the classrooms, and installation of a water pump, and 50 cubic meters of crushed gravel improved the condition of the school yard. The improvements to the school positively addressed the needs of approximately 2000 students attending the classes some of which have been taught in the school yard.

All of the upgrading in Araban was completed in September 2013 and the subcontractors supplied "as built" drawings for the records of the municipality. The community in Araban was satisfied with the results which included increased incomes (LARA's insistence that subcontractors employ local labor added to local incomes).

A topographical survey for the informal settlement of Campoona was requested by IDLG/GDMA and was completed by Asia Geo Engineering & Ally Engineering Services. In contrast to the planning for Araban, this topographical survey was completed contemporaneously with the upgrading in the community. Designs and drawings based upon the topographical survey were submitted to the municipality of

Jalalabad and IDLG/GDMA for review to ensure that minimum urban standards required by MUDA/DUDA and municipalities were taken into account in the upgrading of Campoona. The topographical survey for approximately 73.32 hectares in Campoona met these planning needs.

The entire upgrading process for Campoona was completed in September 2013. This included concrete paving of streets and ditches. The work in Campoona was continuously monitored by the municipal engineers and the community was fully involved along with LARA's engineers in overseeing the quality of all construction.

In addition to these upgrading activities, USAID, through the LARA Project donated four large tents to the schools of Araban and Campoona, as part of the physical upgrading works in these two settlements. Both schools were in urgent need for tents for heavy rains in winter and hot weather in summer made it nearly impossible for students to attend classes outdoors (because classrooms were not large enough to accommodate all students).

The results were good. As part of preparations for upgrading activities, LARA ensured that the voices of the entire community were heard. In this regard, the LARA Gender Unit made site visits to the Araban and Campoona to conduct women's focus group discussions. Many women in the community expressed satisfaction with road widening activities because it would give added security since police officers would be able to enter the area for nightly checks. As a result of road widening activities, it is also now much easier for cabs to enter the community. Before the streets were paved taxi drivers were often not able to enter the area because of potholes and mud. The availability of taxi services is especially crucial in cases of medical emergencies. Last, the paving of roads has removed the dust and mud, and the cleaning of the ditches has reduced pollution and waste areas. This has created a healthier environment for the residents.

One of the women indicated that her husband has been employed as a carpenter for upgrading works, which has increased the income to the family. Another was a poor woman who could not afford to remove walls around her dwelling that would have obstructed the widening of the road in front of her house. The community came together and paid for the removal. One resident whose shop was in the middle of a road agreed to remove her shop and rebuild it where it would not obstruct the road. She is proud that she was the first to make a concession for the betterment of the community.

A formal event marking the completion of all upgrading activities in Jalalabad took place in the Jalalabad municipal guesthouse on October 20, 2013. HE Abdul Baqi Popal, Director General of Municipal Affairs of IDLG, Mrs. Sherzai, Directorate Head of MUDA from Kabul, and HE Girdiwal, Governor of Nangarhar Province, together with HE Lalagha Kakar, the Mayor of Jalalabad, HE Eng Hakim, Deputy Mayor, Eng Shafiq Deputy Director DUDA, and Eng Shahabi Nangarhar Cadastre head, Eng participated in the closing ceremony. Community elders and CDC members from both settlements were also in attendance. The event adjourned with a ribbon cutting ceremony by Mr. Popal, and the Jalalabad Mayor. HE Popal stated that "The overall upgrading process went very well, with good participation by the acting Governor, Mayor, Head of Municipal Advisory Board, Wakil-e Gozar, MUDA, and IDLG". The delegation was impressed by the community commitment to move walls and other obstructions to make the upgrading more successful and respond to the needs of the settlement as a whole. The residents remarked that the area is healthier and the level of disease will decrease. They believe that the upgrading improvements have also added to the security and value of the area.

TASK 1.1.9: CONTRIBUTE TO THE MEDIUM- TO LONG-TERM SUSTAINABILITY OF UPGRADING INVESTMENT

The LARA Project provided the Jalalabad Municipality a *Road Maintenance Plan* that covered Araban and Campoona and that alerts the Municipality regarding schedules and costing of routine site inspections, maintenance and repair of streets, drainage channels and culverts, and cleaning of ditches. The Plan also suggests amounts per parcel to be placed in a trusted entity to allow for the regular maintenance of the upgrades. The maintenance plan was submitted to the residents the informal

settlements of Araban and Campoona, as well as to the engineers of the municipality of Jalalabad. This contributes to the long-term sustainability of USAID's investments in urban upgrading.

A joint meeting between LARA and GDMA took place in December 2013 with HE Lala agha Kakar, Mayor of Jalalabad and HE 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 IDLG. The Safayee Tax books were distributed to the residents of the 2780 parcels identified during the cadastral survey and on record in OpenTitle (land administration software) at the Municipality (see below). Payment of the Safayee Tax by land occupants was considered a fair exchange for the services provided and supported by the Municipality and LARA.

2.2.2 ACTIVITY 2: URBAN PLANNING

OUTPUT 2.1: TRAIN 375 MUNICIPAL AND MUDA OFFICIALS IN URBAN PLANNING AND PLAN ENFORCEMENT

Over the course of the LARA Project, a total of 243 MUDA and GDMA staff were trained in accordance with this Activity. This is short of the 375 anticipated at the start of the Option Period (the time when this Output was added). At the start of the Option Period, LARA expected to undertake additional Urban Planning/Participatory Mapping exercises in a number of Provinces then still to be determined by USAID. However, those exercises did not proceed in accordance with USAID agreement after the Provinces were not identified.[3] Nevertheless, the LARA Project had a strong collaborative relationship with MUDA which is expanded upon below.

TASK 2.1.1: IDENTIFY INSTITUTIONAL STAKEHOLDERS AND IMPLEMENTING AGENCIES IN THE TARGET MUNICIPALITY

The LARA Project in early in 2011 completed a 3 day fact finding mission to Jalalabad. The team met with the Governor and his Deputy and other key officials, plus non-governmental stakeholders such as CHF, RAMP-UP, and UN-HABITAT. The objective was to introduce the LARA Project and its planned activities and to discuss urban planning related issues in the province. As a follow up to this mission, the project organized two urban planning workshops in September 2011 that involved several institutional counterparts and the other implementing agencies active in Jalalabad. This included meetings with the Director of the General Directorate of Municipal Affairs (GDMA) to discuss upgrading and regularization of informal settlements in Jalalabad.

Two participatory mapping workshops, the fielding of LARA staff members in the Jalalabad Municipality, and the planning of a *Socio-Economic & Housing Baseline Survey* in informal settlements were a key part in identifying institutional stakeholders and planning collaboration.

The project planned and organized urban coordination meetings, chaired by the Mayor, where each agency regularly reported on achievements, problems and planned activities. These coordination meetings were also attended by representatives from UN-HABITAT, UNDP/ASGP, LARA and RAMP-UP.

TASK 2.1.2: SUPPORT APPROPRIATE COORDINATING MECHANISMS AMONG INSTITUTIONAL STAKEHOLDERS

In Kabul, the LARA Project team regularly took part in Technical Working Group (TWG) meetings organized by IDLG/GDMA starting in the fall of 2011. Held over two days on a monthly basis, the TWG meetings were conducted for implementing agencies working in the Provinces to present and discuss their activities in the areas of capacity development, service delivery, raising revenue, and cross cutting themes. These meetings provided an optimal platform for the LARA Project to present progress updates

[3] On 5 June 2013, USAID acknowledged that "the following (Option Period) Work Plan activities: Participatory mapping; On-budget support for Arazi; Support for Women's Conferences; and Land-grabbing conference, were 'off the table' in terms of LARA requirement. As a result, Tt will no longer pursue these activities."

and achievements and propose and discuss the adoption of a model for the formalization of rights in informal settlements. Software was also introduced at these meetings to allow the Jalalabad Municipality Revenue Department to keep cadastral and land tenure records. This forum, attended by all the USAID RAMP-UP teams, UN-HABITAT, LARA and UNDP proved to be a very effective coordination tool; making all implementing partners more accountable toward local authorities.

The LARA team arranged a meeting at the end of April 2012 in the Jalalabad DUDA office to discuss realistic standards for the urban upgrading of informal settlements. Participants recognized that conventional norms and standards used to regulate new city developments are largely irrelevant and inapplicable in older settlements and particularly in informal areas. All meetings were attended by two engineers from MUDA's Department for the Revision of the Master Plan of Jalalabad. This collaboration enforced the long-term investment of the LARA team in the technical capacity of the MUDA planning engineers (both were enrolled by LARA in the seven week online WBI program on "Sustainable Land Use Planning" and successfully passed the course).

On May 20, 2012, the LARA Project team supported the first MUDA Urban Development Steering Committee meeting. The meeting was chaired by H.E. the Minister of MUDA and was attended by MUDA Heads of Departments, a representative from the Kabul Municipality, the CEO of Arazi, UN-HABITAT, LARA Project staff and the USAID COR. LARA continued to provide support to the Steering Committee for Urban Development through the final meeting which was held in May 2013.

TASK 2.1.3: SUPPORT THE PHYSICAL REFURBISHMENT OF SELECTED TECHNICAL OFFICES

A functioning land market requires support from the relevant land administration institutions. These institutions require adequate technical spaces and equipment to properly provide land related services within their jurisdiction and to produce and store land records, conduct mapping and urban planning activities, and train future technical staff. LARA closely consulted with its counterparts to identify deficiencies in the physical infrastructure necessary to provide these services to the public and to craft specifications for mitigating the deficiencies. To accommodate the modern equipment and corresponding work flows, and improve the existing physical infrastructure, the course agreed was to make improvements to the municipal engineering and revenue departments, the Nangarhar DUDA office, the Jalalabad AGCHO facility, the Kabul AGCHO cadastre office, the AGCHO Training Institute in Kabul, Kabul Polytechnic, and the Arazi Training Center in Kabul.

Jalalabad Municipality Engineering and Revenue Department

Refurbishment of the engineering and revenue department buildings for Jalalabad Municipality were severely impaired for ordinary office activities. An assessment determined the need to upgrade electrical cabling, filing cabinets, fire protection systems, repairs to windows and doors, and to repair and paint walls in these offices. This would improve security and the safekeeping of records and provide desirable space for normal office work. This refurbishment was completed in the fall of 2013. However, it was determined upon completion that these improvements would be insufficient without waterproofing of the engineering building roof, appropriate curtains, and exterior security fences for both the engineering build windows and property registration office. These additional improvements were completed in December 2013.

DUDA Nangarhar office

The Nangarhar DUDA office required a new bathroom and associated plumbing, new windows, construction of partitions, installation of a new door, construction of a septic tank, exterior and interior painting, concrete paving of the entrance and parking space, addition of a 2000 liter water reservoir, supply and installation of a prefabricated guard shack, installation of a Local Area Network (LAN), and the addition of a new photovoltaic (solar power) system on the roof to provide power for the whole building. The improvements were all completed in the summer of 2013.

AGCHO Jalalabad Office

The upgrading of the provincial office of AGCHO in Jalalabad started in November 2012 and was completed by the end of February 2013. The improvements included repairs, interior and exterior wall painting, the construction of a security fence around the premises, upgrading of the electrical system and the installation of a new photovoltaic system on the roof as an auxiliary power source for the whole building.

AGCHO Cadastre Department in Kabul

AGCHO Jalalabad Office was renovated in November 2014

Physical refurbishment to the AGCHO Cadastral Department was necessary to remove the dire conditions in archive storage space and in order to enhance the office working space in Kabul. The AGCHO refurbishment work consisted of repairs to windows and doors, installation of a wall partitions (wood and masonry), tiling of bathrooms and kitchen, plumbing, electrical wiring, upgrading of LAN networks, replacing old plastering with new, painting interior and exteriors walls, roof insulation, and improvement of the parking area.

The renovation of AGCHO Cadastre in Kabul was completed and its opening ceremony took place in mid-December 2012 in the presence of Mr. Yari, the Director of AGCHO, Mr. Ghulam Eshan Sultani, the Head of the Cadastre Department, and his staff. Mr. Sultani praised the tangible assistance received from USAID.

AGCHO Training Institute

LARA improvements to the AGCHO Training Institute included classroom refurbishment, upgrading of the electrical systems, improvement of the kitchen facilities, a new septic tank, and a parking area were provided to the AGCHO Training Institute. The refurbishment was completed in the summer of 2013.

Kabul Polytechnic

Kabul Polytechnic refurbishment was completed during the summer of 2013 and included modernizing the computer room, painting of the classroom, installation of electrical works, renovation of the bathrooms and installation of wooden parquet floors. This provided an environment conducive to learning and complemented the provision of technical books by LARA. It is essential that the students be provided with facilities and learning tools to be able to use modern technology for land management systems and be able to apply their education to the land reform issues in Afghanistan.

Arazi Training Center

The Arazi Training Center refurbishment divided one large room at Arazi into smaller meeting rooms with proper separation walls and proper lighting and lighting fixtures. Also new, large conference tables, chairs and projector were provided to enhance meeting and training rooms. In addition, the better, more secure doors were added to the director's office. The work was completed in the summer of 2013.

TASK 2.1.4: CREATE A JALALABAD URBAN PROFILE

In July 2012, the LARA Project planning team attended the bi-weekly donor coordination meetings organized by the Kabul Mayor. The group met to review mapping techniques used to monitor the impact of floods in urban areas, specifically examining the solutions developed by iMMAP in partnership with

ANDMA (Afghanistan National Disaster Management Authority). The data collected in Kabul was helpful in formulating construction and upgrading plans for the urban informal settlements in Jalalabad.

Five nahia (district) maps developed by LARA were submitted to the Jalalabad municipal administration and were approved the administration by September 2012. The official maps bearing the municipal seal and signed by the Mayor / Deputy Mayor were then presented to IDLG/GDMA. The five maps offer the first official identification of nahia (urban districts) located within the city limits.

With assistance from the Jalalabad Municipality (Construction Department) and the Provincial Department of Urban Development, the LARA Project identified the new geographical coordinates of Jalalabad, in its transformation from city to a metropolitan region. In the investigation of the urban expansion of the "Greater Jalalabad" area, critical inputs came from international stakeholders and Nangarhar University. These multiple meetings allowed the LARA Project to outline critical aspects of the new metropolitan region, which is growing from an original municipal nucleus of five nahias to progressively include satellite residential subdivisions (shahraks), industrial areas, and rural settlements now enveloped in the urbanization processes.

Participants at the first Participatory Land Use Mapping exercise in Jalalabad responded enthusiastically to the challenge of mapping "Who is doing what, where?" in the city. The workshop, hosted by the Municipality, included 21 senior staff from Jalalabad Municipality, DUDA, MUDA, USAID, ISAF, RAMP-UP East and UN-HABITAT. Participants gathered around a series of plotted aerial imagery maps of Jalalabad to trace by hand the location of all known projects and activities

Based upon the studies and other available data from Jalalabad, the LARA Project was able to develop and *Urban Profile for the Jalalabad Municipality*. Up-to-date imagery provided the base to develop new maps that characterize the urbanization process at the fringe of the city core and across the metropolitan region. The direct survey of critical nodes in the metropolitan region provided wholly new data (for instance, on the impact of informal waste disposal arrangements). Structured interviews with relevant informants allowed the possibility to outline the role of local governance stakeholders, including the role of women leaders in a few peri-urban contexts. The review of documentation archived in provincial offices–e.g., at the Nangarhar Valley Development Authority–granted the opportunity to explore conflicting claims on land and water resources. The *Urban Profile* was presented to MUDA and GDMA outlining the growth dynamics within and around the city of Jalalabad. Indicating the different scales at which urban growth has occurred, the Profile can support the development of a coherent hierarchy of planning instruments. By exploring the footprint of Jalalabad, the city Profile pinpoints a few issues which demand immediate action and multi-agency coordination. The final presentation of the study took place on March 27, 2013 at MUDA and the final report was officially submitted to USAID on April 9, 2013.

TASK 2.1.5: ORGANIZE "URBAN PLANNING CLINICS" TO IMPROVE LAND USE PLANNING PROCESSES AND OUTPUTS

Two important urban planning workshops were conducted in Jalalabad in the summer of 2011 to launch LARA's urban planning activities and develop a working relationship with all stakeholders. The workshops, hosted by the Municipality, included 21 senior staff from Jalalabad Municipality, DUDA, MUDA, USAID, ISAF, RAMP-UP East and UN-HABITAT. Participants gathered around a series of plotted aerial imagery maps of Jalalabad (the largest measured 5m x 3m) to hand trace the

location of all known projects and activities. In parallel, with the workshops, the LARA Project governance and GIS specialists met all heads and deputy heads of districts (Nahias) to gather information relevant to their districts, determine the correct administrative boundary positions, and locate the informal settlements under their jurisdiction. They also interviewed each Head of District (Nahias) in Jalalabad to develop a set of facts and indicative statistics on each of the 21 informal settlements they had identified as part of their administrative districts. They determined that approximately 174,000 people were living in informal settlements within the administrative boundaries of the city, and that the percentages of properties paying *safayee* tax varied widely, ranging from a low of 3% to a high of 30%. The interviews also revealed wide variation in the level of access to facilities in the settlements, such as power and drinking water.

Participatory planning workshop in Campoona (December 2012)

The planning team conducted three planning clinics, the last one of which was held in November 2011 and focused on mapping environmental hazards affecting residential areas in Jalalabad. The tangible outputs of the planning clinics included drafting a series of thematic maps representing land uses, recent and ongoing projects, boundaries of CDCs, environmental hazards, and boundaries of gozars. These planning clinics helped to build an excellent level of trust and mutual exchange with municipal and ministerial staff.

TASK 2.1.6: UNDERTAKE INSTITUTIONAL CAPACITY BUILDING FOR URBAN PLANNING ACTIVITIES

Most of the capacity-building activities targeting MUDA, GDMA and Jalalabad Municipality relied on on-the-job training (see above-mentioned "Urban Planning Clinics") and the successful completion of seven planning officials from MUDA and GDMA enrolled in the online courses delivered by the World Bank Institute. These included the following courses: 1) Sustainable Land Use Planning (7 weeks), and 2) Street Addressing (5 weeks). USAID sponsored 11 planning professionals with the objective of enhancing technical capacity in city planning and management in Afghanistan, which has an acute shortage of planning professionals. The on-line course took place between February 6 and March 26, 2013.

TASK 2.1.7: CONDUCT PARTICIPATORY MAPPING IN SECONDARY CITIES

This Task was withdrawn with the consent of USAID. The necessary preliminary ground-work by USAID required to establish a project presence in secondary cities could not be put in place. Additionally, budget cuts limited the capacity of the project to branch out in this regard.

TASK 2.1.8: IDENTIFY AND INCORPORATE INFORMAL SETTLEMENTS INTO GIS-BASED CITY MAPS AND PLANS

By March 2012, LARA's GIS Specialist had digitized 100% of Jalalabad city (within its municipal boundaries), using 10 cm Buckeye aerial imagery received from the USG in October 2011. The digitization comprised approximately 16,300 parcels. The approval by the municipal government of all of the city maps of the Districts marked the first time in city's history that the six nahia had finite and consensual boundaries. This important achievement significantly simplifies the development of city planning.

The new maps identified land use, main facilities, road networks, and drainage systems. GIS-based Multi Cadastre software revealed a densely built urban environment just outside the official city limits. Meanwhile, the Project scanned and digitized the entire archives of the Municipal Construction

Department. The digital information was integrated into the city's high-resolution digital system set up by LARA. In the process, the project planners discovered the earliest land use plan produced for Araban, tracing it back forty years. This cartographic information was entered into the Community Action Plan developed for the informal settlement of Araban (see above), as an important exhibit in the development of a new planning regulation for the settlement. The newly acquired historic data, fully digitized in September 2012, could be used to integrate the informal settlement of Araban into the formal city plan. Two IT system / data entry operators scanned all the detailed area plans (*plan-e-tafsily*) in the Municipality of Jalalabad. In total 32 documents were digitized. The project team identified all of the property logbooks where the Municipality kept all the data it registered in reference to ownership and real estate transactions.

All informal settlements within Jalalabad municipal boundaries (17 areas) were mapped and digitized using ArcGIS software. Outputs were submitted to MUDA and Jalalabad Municipality. In mid-December 2012, two of the LARA Project Interns started to digitize parcels outside the Municipal boundaries. This provided a valuable base map for MUDA, MAIL, GDMA and Jalalabad Municipality. It also provided local authorities the ability to visualize the rapid growth of informal settlements so that it might take appropriate measures to protect the fertile land and water resources that constitute the main asset of the agricultural economy of the Nangarhar region.

TASK 2.1.9: DRAFT JOINT URBAN PLANNING PROCEDURES

Urban planning practice in Afghanistan continues to be largely influenced by the legacy of top-down master planning developed 30 to 40 years ago, despite the fact that most of the master plans prepared in the 1960's and 1970's failed to achieve their objectives. Since then, it has been widely recognized internationally that the master plan approach is ineffective; being too ambitious, too cumbersome to prepare, and largely unaffordable for many developing countries. In an attempt to address the present urban planning challenges in Afghanistan, several agencies have invested in the development of citizen driven Strategic Municipal Action Plans (SMAPs). However MUDA and IDLG/GDMA lacked the theoretical and technical skills required to adopt this new planning approach. In response to GDMA's technical team requested assistance to review MUDA's 2011 Strategic Planning Drafting Guidelines and MUDA's City Planning Department need for technical guidance, LARA developed a SOW for the recruitment of planning Interns from the Kabul University. The two Interns developed a step-by-step Urban Planning Manual for the use of Afghan professionals and technicians engaged in urban development activities. The interns used the work that the LARA Project carried on in Jalalabad as a case study to help local authorities draft and implement realistic city plans ensuring that the needs of the existing settlements are taken into consideration and to improve the technical skills of recent architectural and engineering graduates that are attracted to the urban planning profession.

TASK 2.1.10: DRAFT URBAN DEVELOPMENT GUIDELINES

LARA Project completed the "*Criteria for the Selection of Informal Settlements deemed Appropriate for Upgrading & Formalization in Jalalabad: Analytical Overview*" in February 2012. It offered summarized criteria for a more formal draft of Urban Development Guidelines. An Urban Development Guidelines Report was finalized and on March 25, 2013 "*Urban Development Guidelines for Informal Settlements: A Framework for the Scaling-Up of Physical Upgrading and Regularization Efforts*" was presented by the LARA Project at the offices of GDMA. The meeting was chaired by Abdul Baqi Popal, Director General of the General Directorate of Municipal Affairs, and attended by representatives by MUDA, GDMA officials and the LARA Project. The presentation introduced a "ladder" (see Figure 2) for categorizing informal settlements in the key areas of type of land, documentation of rights within an informal community, land use type, and spatial layout in relation to urban planning standards. Two contrasting case studies were offered to suggest the usefulness of the framework. Methods were suggested in each of these categories for ranking an informal settlement with reference to legal, procedural, economic, environmental, and social norms. These characteristics of an informal settlement can then be weighed

according to access to basic services, available livelihoods, natural and man-made hazards, and the availability of knowledgeable community representation. The framework is meant to assist Municipalities in prioritizing informal settlements for development and occupancy regularization. The framework was followed by indicative suggestions on how to embrace planning incongruences, relax zoning prescriptions, draft land use regulations and simplify procedures for the application of building permits.

The criteria for settlement selection set out in the *Guidelines*[4] included the following:

- **Prominent age of the settlement,** the older, the more justifiable–but the newest provides more planning adjustment opportunities;
- **Settlements with comparatively higher degree of compliance with applicable land-use regulations** which makes the planning approval process more expedite;
- **Settlements with a higher proportion of seemingly regular/planned clusters,** which require minimal relocation and would offer "quick win" progress–as opposed to very irregular settlements that apart from being more complex, would require the availability of a pool of alternative plots (up to 10-15%) and intensive negotiations with residents;
- **Proximity to trunk infrastructure** thus reducing urbanization costs–excluding in some particular cases settlements (especially IDP camps) developed over prime interstitial urban land in the city center;
- **Settlements with undeveloped connection to urban infrastructure networks and inadequate social services** making dwellers more deserving of assistance;
- **Settlements on flat uncomplicated areas,** it may be argued that this may encourage low-density unchecked urban sprawl, as opposed to compact settlements built upon slopes where upgrading might be more expensive but perhaps more sustainable);
- **Settlements safe from natural hazards and in locations where occupancy does not constitute an environmental threat,** reclaimed land on flood plains, landslides, garbage dumps etc.) that cannot be solved by the application of technology or appropriate investments–especially in those areas where regularization would raise the question about liability;
- **Settlement better-established and more integrated with the city,** lessens the costs of urbanization and automatically triggers incremental improvements to housing and the area, even if there will be less land readjustment opportunities, as opposed to a settlement "in the making";
- **Settlements whose upgrading would have a positive impact on growth and development of the whole city,** namely along the so-called "development corridors" identified by the City Plans;
- **Settlements whose upgrading preserves Afghanistan's historical and cultural heritage**;
- **Low-income urban settlements with limited access to livelihoods opportunities in the city,** excluding emergency camps, which often require relocation to a viable alternative site;
- **Settlements with well-established community organizations and social networks,** which will facilitate consultations and negotiations, in contrast to those situations where there is weak cohesion, implying more complications, potentially more disputes, and requires the intervention of several mobilizers, capacity-building and more time; and
- **Settlements where municipal governance dynamics support successful upgrading initiatives** in terms of management capacity and resources.

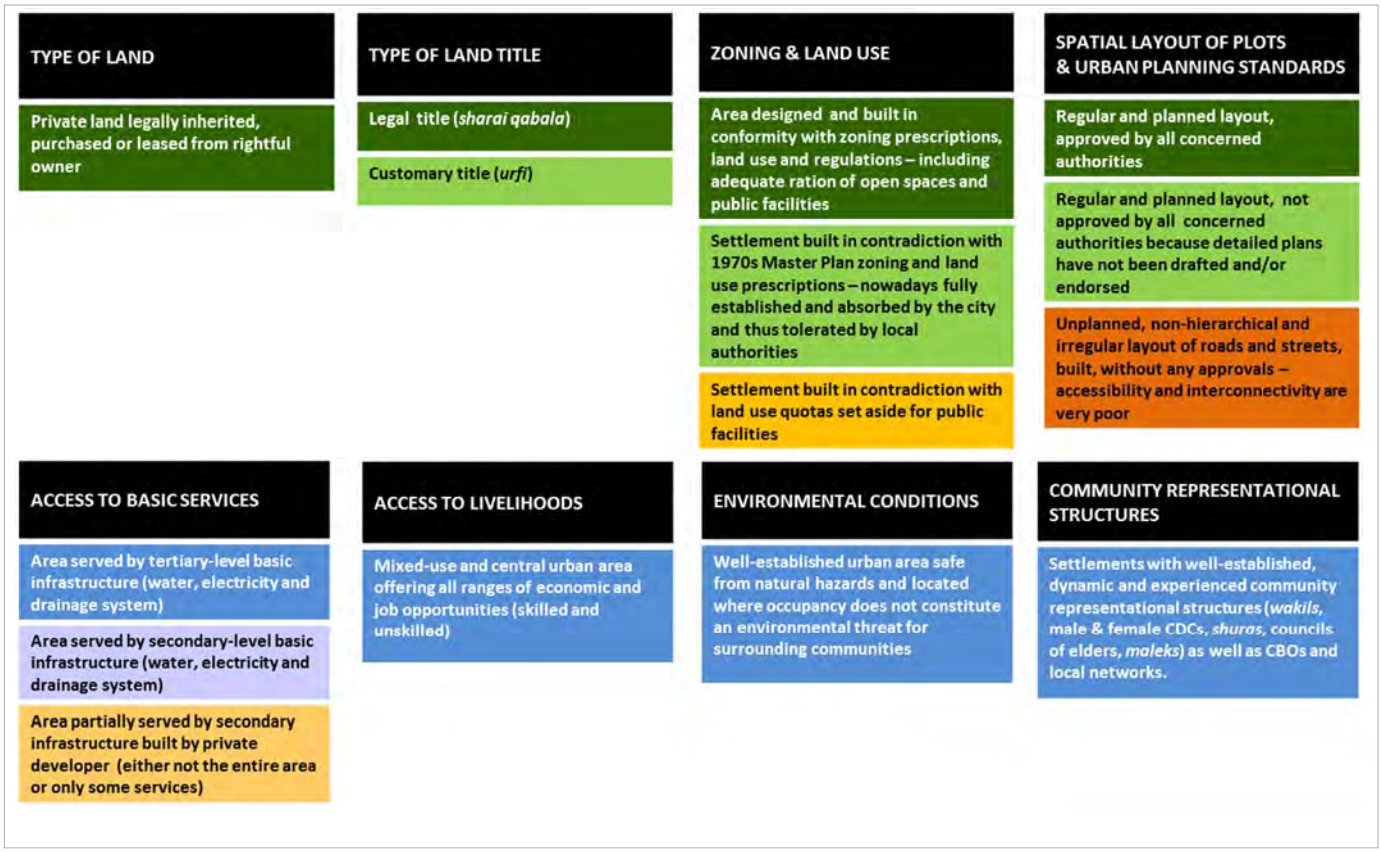
In the context of upgrading activities that support land rights regularization activities, further prioritization criteria can be added. These include:

- Settlements where recognition of occupancy rights is relatively simpler and more expedite, with a higher percentage of legal deeds or customary titles ("low-hanging fruit");
- Community support toward the regularization process; and

[4] These are also set out in the *Informal Settlements Upgrading Handbook* (March 2013)

- Settlement with reasonable physical access and a sufficient level of security to permit the peaceful and expeditious collection of data, as well as carrying out the registration of properties.

FIGURE 2. A VISUALIZATION OF THE USE OF THE CATEGORIZATION AND CRITERIA 'LADDERS' APPLIED TO THE INFORMAL SETTLEMENT OF ARABAN



Importantly, however, the *Guidelines* suggest that "(t)hese criteria may not be satisfied in their totality by informal settlements that are eligible for implementing upgrading and regularization schemes. The pertinent authorities will have to weigh the relevance and trade-off these criteria in the context of the local reality."

Figure 2 above shows a visualization of the use of the categorization and criteria 'ladders' applied to the case study of the well-established but informal settlement of Araban.

2.2.3 ACTIVITY 3: DEEDS REGISTRATION

OUTPUT 3.1: DELIVERY OF SYSTEMS NECESSARY TO PERMIT THE DIGITIZATION OF MAKHZAN PROPERTY RECORDS

TASK 3.1.1: ASSESS SUPREME COURTS AND PROVINCIAL MAKHZAN LAND REGISTRATION SYSTEM AND RECOMMEND STREAMLINED PROCEDURES

An evaluation of the Court's issuance of deeds and related activities was completed and reported as part of an Institutional Assessment in April 2012. The Supreme Court has jurisdiction with respect to legal document registration directorates in the provinces, and in Kabul. It also regulates the registration of deeds and other types of land related documents. Transfer of land rights and issuance of a deed in the courts is a lengthy, expensive process involving multiple government offices, causing significant disincentives for citizens to obtain formal deeds from the courts. People are, on the other hand, generally

satisfied with accepting customary deeds based upon community recognition as evidence of ownership rights in land. The LARA *Socio-Economic Housing & Baseline Survey* found that nearly one-fifth of households in Jalalabad own a Sharayee Qabala (legal deed) while a third have an Urfi Qabala (customary deed). Many holding the latter consider their customary document to be as trustworthy as a legal deed.

At the same time that the evaluation process was taking place, land registry consultants with the LARA Project organized several meetings in November and December 2011 with the Supreme Court in Kabul and also with the Appeals Court in Jalalabad to assess the issuance of deeds and the procedures involved. The purpose of this exercise was to understand the systems' potential for automation. The project also provided an overview of the GRM Registry system software that it proposed to configure and deploy for management of ongoing deeds registry transactions in the Courts. The software includes an archiving module for digitizing existing deeds in the court makhzans and migrating legacy data that had been entered in electronic systems during the USAID LTERA project and the previous Harakat (a local NGO funded by DFID) LRMP. The original contract called for the LARA Project to assist the Appeals Court to develop a simplified procedure for deeds registration. Plans were made to implement a Computerized Deeds Registry Transaction System (CDRTS). However, because of changed program priorities and budget limitations, the Option Period saw the reduction of activities with the courts to assistance with the development of a Deeds Registry Archive Conversion System (DRACS), which would digitize existing documents rather than work with the Court with work flows for current transactions. Note that a Project Implementation Letter 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.

The LARA Project Systems Analyst team started early in January 2012 to conduct a Business Area Analysis (BAA) regarding the existing procedures for registering paper-based land transactions. At the same time, Harakat, with DFID funding, began designs for a new project, LRMP II, to create electronic copies of deeds and other property records, and agreed to coordinate with the LARA Project. Harakat's plans called for upgrading (i.e., physical infrastructure) of the Appeals Court makhzans in 11 provinces and in Kabul as well as to scan and index deeds and other property records. LARA coordinated with Harakat to design and implement LRMP II.

The LARA Systems Analyst took part in a series of meetings with Harakat in March 2012 to define strategies to digitize existing property deeds in certain court makhzans and encourage the Harakat LRMP II project to deploy LARA Project IT solutions to scan, check and clean, and digitally archive more than 740,000 deed documents using GRM Registry software. The use of the GRM Registry Backfile module became part of the LRMP II project plan.

In the fall of 2012 Harakat LRMP II refurbished 11 provincial makhzans and the Supreme Court makhzan. Hardware equipment was also procured under that project pursuant to specifications provided by the LARA Project. Harakat then provided the LARA Systems Analyst with copies of documents that would be digitized as part of DRACS and software configuration began.

A Dari Alpha version of DRACS was released on February 7, 2013. This was completed after analyzing each one of the types of land documents that would be archived in the DRACS system. User acceptance testing (UAT) started with Harakat, members of the Supreme Court, and the LARA Project legal team from February 16 to 19, 2013.[5] Though LRMP II was had trouble contracting for digitalization in the

[5] Thereafter, the LARA Project met quite regularly with the LRMP II Project Officer, because Harakat was experiencing delays with completing a contract for digitizing deeds in the provinces and at the Supreme Court makhzan. At practically every meeting LARA was told that a contract for would soon be signed. On June 2, 2013 Arif Arifullah, LARA Legal Framework team leader, and the LARA Project Chief of Party met with Naseem Akbar, Harakat Chief Executive Officer, to voice concern that a contract between Harakat and a digitizing company was six months late according to the LRMP II Work Plan. The LARA Project explained that it would need to start training on the DRACS system in October 2013. The LARA Project was asked to give Harakat additional time to sort out contractual matters. Harakat was not able to enter into a contract for digitalization until December 2013.

Makhzans, the LARA Systems Analyst continued work through the Summer of 2013 on completing a configuration of DRACS. The final version of the software with a module for importing legacy data from USAID LTERA and LRMP, cleaning the data and archiving it in the DRACS system was installed by September 18, 2013.

In order to implement the Harakat LRMP II, pursuant to additional hardware specifications provided by the LARA Project, Harakat procured 11 servers for the provincial makhzans along with 15 desktops to be used for the digitalization of existing land documents at the court makhzans. The DRACS software was tested on these servers and the server at the Supreme Court makhzan in Kabul and LARA continued the configuration of the DRACS system by incorporating the work flows required by the software to import legacy data, scan archived documents, and enter data to digitize archived documents.

TASK 3.1.2: EXPAND IMPLEMENTATION OF REVISED REGISTRATION PROCEDURES

A Registering Property Working Group was formed on December 11, 2010 steered by Harakat. In the spring of 2011 a Report was issued by this Working Group stating that:

> The Supreme Court has developed a new Circular form in April 2011 and is yet to be distributed to the provincial courts to be used. The April 2011 circular form suggests 4 steps/procedures for property transfer from one legal or real person to another... This circular form has shortened the process and would be officially submitted to the provincial courts hopefully in May 2011.

As noted above, the LARA Project started working with the Supreme Court in late 2011 to complete a Business Area Analysis (BAA) to outline the workflow processes of the Supreme Court and the provincial makhzans in order to determine the configuration of DRACS and CDRTS software. While recommendations for streamlining of the procedures for Deeds issuance were developed as a basis for constructing the CDRTS, only DRACS was developed.

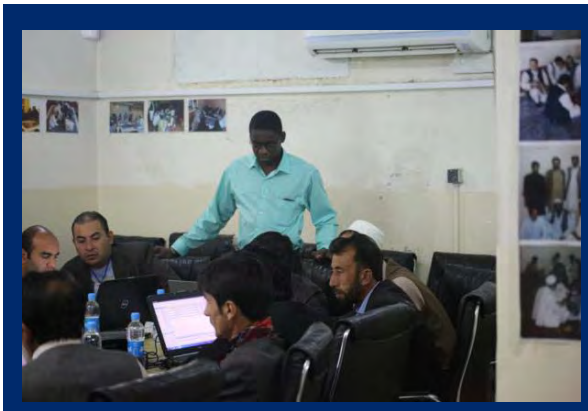
The LARA Project did, however, coordinate with the IFC/World Bank Investment Climate Advisory Service Afghanistan Doing Business Reform Project. That project is a joint World Bank/USAID funded project to work on improving the Doing Business indicators in Afghanistan. Starting in March 2013, procedures for property registration would be reviewed. LARA updated the project on its coordination with LRMP II and shared relevant information regarding property registration and in particular progress on DRACS.

TASK 3.1.3: DEVELOP METHODOLOGY FOR VALIDATING TITLE IN MUNICIPALITIES INCLUDING CUSTOMARY DEEDS

The LARA Project raised the issue of recognition of customary deeds at meeting with the Supreme Court as early as the fall of 2011. However, the Supreme Court stated that it needed a legal foundation to allow the registration of customary deeds. This matter was raised with Arazi and the LARA Project legal team assisted Arazi with including provisions for the registration of customary deeds in the proposed draft amendments to the LML. The draft LML provided that after a period of five years without controversy customary deeds registered with Arazi may serve as the basis for issuance of formal title. This is an important step in providing security of land tenure in informal urban settlements.

In September 2012 LARA conducted a presentation of the process to assist local authorities in the formalization of informal settlements. The presentation, arranged by USAID with GDMA, introduced a diagram that illustrates phases, procedures and individual steps for formalization. The central component of the process requires a cadastral survey of an informal settlement applying “best evidence” methods for identifying land tenure rights and recording this evidence in the municipal property book.

TASK 3.1.4: TRAIN SUPREME COURT AND PROVINCIAL COURT STAFF ON DRACS



Training session on DRACS in USAID's LARA office, Kabul

As part of the user acceptance training, staff of the Supreme Court were instructed in the use of GRM Registry Backfile. Feedback from the Court representatives resulted in an updated and customized version of the DRACS. Upon installation of a final configuration of GRM Registry Backfile on September 18, 2013, the LARA 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 LARA Subcontractor, 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 were prepared to use the DRACS software for the digitization of land title documents archived in the makhzans. It was anticipated that the Harakat digitalization subcontractor would also attend the training. However, as noted above, Harakat had not at that time entered into a subcontract for digitalization in the provincial and Kabul makhzans. But six of the participants were sufficiently trained so as to be able to conduct the same training. In essence the LARA Project incorporated "training of trainers" principles in the DRACS training.

Harakat entered into a subcontract for digitalization of Court records in December 2013 with a private Afghan company named Hawk Vision. The LARA Chief of Party gave a complete briefing to the CEO of Hawk Vision, as well as to its IT specialists. Introductions were also made so that Harakat and Hawke Vision could coordinate with Thomson Reuters regarding the use of DRACS. Hawk Vision expressed the opinion that its specialists would have no trouble using the software given the comprehensive user manuals that have been provided. However, as mentioned, the trainees in the makhzans had the skills to provide training, and Thomson Reuters were available to provide further assistance, if necessary.

Early in 2014, LARA became aware that Hawke Vision had been slow in providing the planned digitization support to the Makhzans. Despite continued attempts support to Hawke Vision by both LARA and Thomson Reuters, the organization had struggled to complete the digitization activity. Eventually, in August 2014, Thomson Reuters agreed with the Supreme Court to provide new DRACS licenses (the others apparently having been lost) so that the digitization activities could be completed.

TASK 3.1.5: DEVELOP LAND VALUATION POLICY, STANDARDS, AND PROCEDURES

With the support of LARA's short term valuation and taxation specialist, the LARA team invited the senior management of Arazi for a one day workshop that took place in September 2011. The workshop concerned land valuation processes in practice, using various approaches for land valuation including the sales comparison approach, mass appraisal techniques, and valuation using capitalization of income rates (gross rental income less labor, management, and capital expenses equals income residual to land). At that time Arazi was using a minimum lease valuation method effective for one year. But the management of Arazi expressed a committed interest in improving its land valuation methods. The short term Valuation and Taxation Specialist also met with private property dealers seeking relevant sales and rental data to assist in refining recommendations for land valuation in Afghanistan. Following this assignment, the consultant drafted a report on mass appraisal of land and property, and land lease in particular. The manual was delivered to Arazi, as a guide and model in for land and lease valuation. Staff turnover at

Arazi and the absence of appropriate valuation laws and regulations inhibited fully developing land valuation policy and procedures by the spring of 2012.

Certificate Presentations for the Arazi Staff attending the LARA Land Valuation Training at Arazi. Valuation of real estate is a core competency of Arazi

By the summer of 2013, however, the impediments to formulating policy and procedures for land valuation were no longer an obstacle. LARA mobilized a land valuation specialist who reviewed all previous work, the existing manuals at Arazi, and met consistently with the specialists at Arazi for a month. The Land Valuation Specialist developed a revised draft Land Valuation Policy and Procedures Manual based upon these reviews. A workshop on land valuation was presented at the Arazi headquarters in Kabul on July 31, 2013. The workshop covered land rights to be valued, the importance of collecting accurate data, the various purposes of land valuation, qualifying and disqualifying sales as indicators of market value, and lease valuation methods. The consultant also presented the draft Land Valuation Policy and Procedures Manual in English and in Dari to Arazi and a representative from GDMA.

The Land Valuation Consultant returned in September 2014 to revisit land valuation training, finalize the Manual and provide policy guidance in terms of the land valuation implications of the draft *Land Management Law* and the draft *Land Acquisition Law*. The final Land Valuation Manual and associated Training Guide provided the basis for real estate valuation that can be built upon as Afghanistan's real estate market matures. They also provide the basis of a sustainable approach to real estate valuation led by Arazi on behalf of the GIRoA.

2.2.4 ACTIVITY 4: FORMALIZATION OF LAND/OCCUPANCY RIGHTS SUPPORTED BY CADASTRAL MAPPING

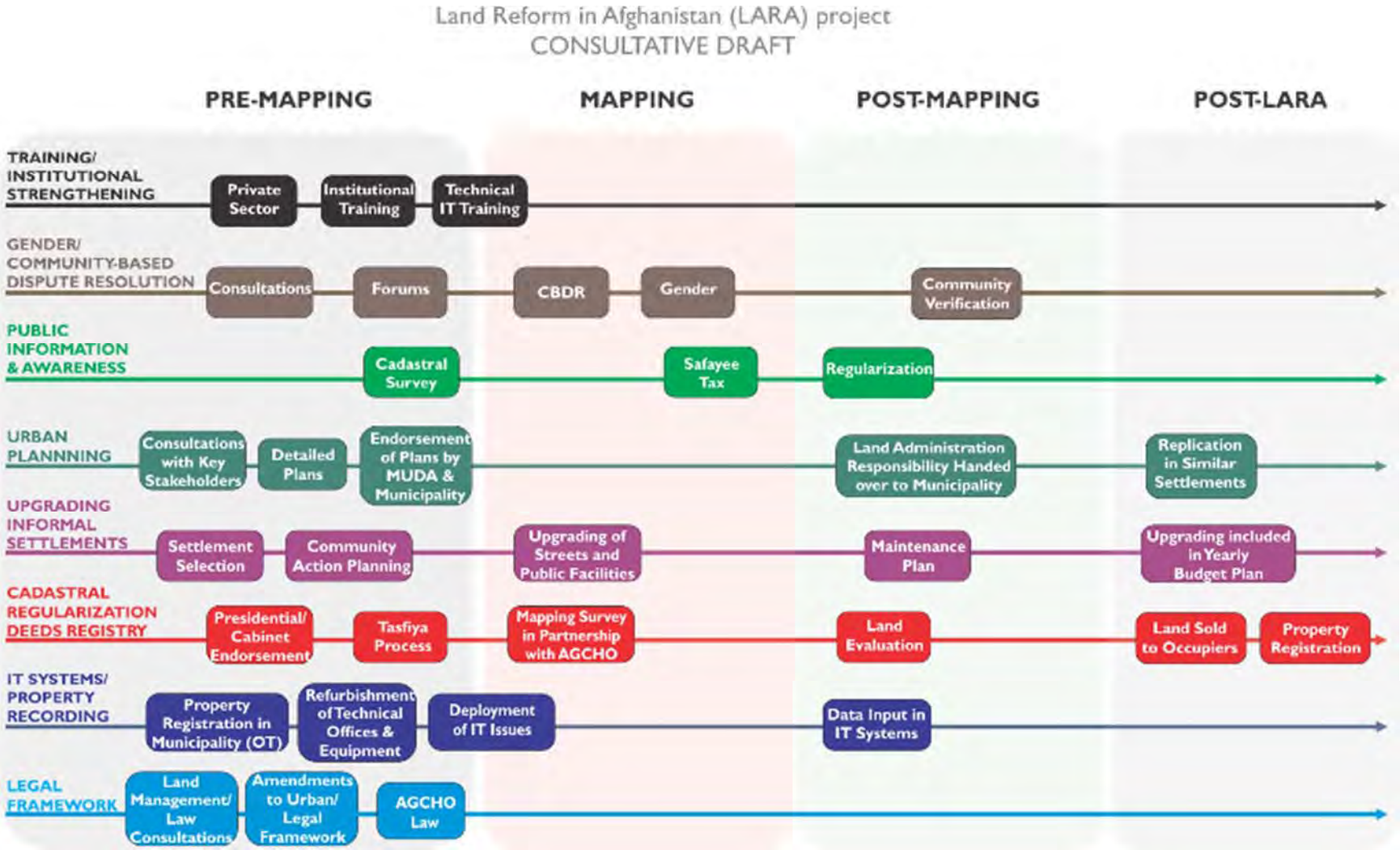
OUTPUT 4.1: 1,800 LAND RIGHTS FORMALIZED THROUGH CADASTRAL MAPPING FOR SELECTED AREAS

The LARA Project worked with the Jalalabad Municipality and private sector surveying company to record claims to rights in respect of 2,780 land parcels. The details of the development and execution of the process is set out below.

TASK 4.1.1: FINALIZE LAND RIGHTS REGULARIZATION MODEL MANUAL

The LARA Project developed a model for cadastral survey by which land occupation in informal and formal settlements in Afghanistan can be "formalized" bringing land tenure rights into a more organized municipal land administration system that can lead to regularization of the land rights. (The GIRoA provides a variety of ways in which ownership can be validated and these are set out in the *Land Management Law* of 2008.) The model was designed to provide a robust process that is capable of being adapted reasonably easily to changing circumstances, and to grow as the reach of formal land administration grows. The Manual, which was finalized and presented to stakeholders at MUDA on 23 April, 2013, contains sections on standards and procedures for cadastral mapping, the legal framework for regularization as well as recommendations for improvement, and strategies for the implementation of regularization. The framework for the model approach is illustrated in Figure 3 below.

FIGURE 3. RIGHTS FORMALIZATION & UPGRADING MODEL



TASK 4.1.2: CONDUCT PUBLIC INFORMATION AWARENESS CAMPAIGN ABOUT THE MAPPING PROCESS IN INFORMAL SETTLEMENTS

LARA conducted targeted public information awareness (PIA) campaigns in advance of the physical work in the two target areas in Jalalabad - Araban and Campoona. The PIA campaign was designed to ensure that mapping of the informal settlements would move smoothly with community meetings, distribution of flyers and posting posters in two local languages of Dari and Pashtu (see Figure 8 under Communications for the process brochure that was circulated to communities).

Community members are reading the brochures outlining the cadastral survey process in Jalalabad

In the first half of 2013, LARA's Component One Manager along with the Cadaster Specialist and Communication Specialist met with the Jalalabad Deputy Mayor to coordinate the public information awareness (PIA) campaign on the cadastral survey in Araban and Campoona areas. It was decided that a representative from the Municipality would accompany the cadastral survey teams in both settlements. Moreover, the project team also met with 50 CDC elders and other community members in the Araban settlement to give an overview of the process, starting dates, procedure, public assistance needed and the overall importance of the cadastral surveying activity. The team also distributed information posters and brochures to the participants, who would further disseminate the message in their communities.

Cadastral Survey undertaken by LARA's private sector partner

Public information awareness remained an ongoing priority of the cadastral survey activity, because residents had questions concerning survey work in their community. As a result, the private sector subcontractor (Geo Planning) and the LARA Project team continued to provide information to communities throughout the data collection process. For instance during the reporting period, more than 350 community members in the informal settlements of Araban and Campoona were informed about the cadastral surveying activities Including how Subcontractor, Geo Planning, enters data from the field in OpenTitle software, and then transfers the data to the OpenTitle database at the Jalalabad municipality.

TASK 4.1.3: UNDERTAKE MAPPING OF SELECTED INFORMAL SETTLEMENTS

There were two distinct mapping interventions conducted during the LARA Project. The first was ancillary to its urban planning activities and is described in Task 2.1.8 above. The second was the mapping of the informal settlements of Araban and Campoona as part of the cadastral survey/formalization activities.

While the LARA Project subcontracted with a private land surveying company, Geo Planning, to undertake survey activities, it was mindful of Afghan law in this regard to ensure a legal process. The laws of Afghanistan specify that cadastral surveys can only be completed by AGCHO cadaster. Therefore, it was necessary to obtain a Presidential Decree authorizing this LARA Project activity. President Karzai issued Presidential Decree No. 1063 dated 1392/2/6 (May 6, 2013) directing "a well-known company and surveyors from AGCHO" to survey the informal settlements of Araban and Campoona. The Decree was directed to the Cadaster Department in Nangarhar Province by the General Director of AGCHO. This allowed the private surveying company, under the direction of AGCHO and its provincial department to conduct the cadastral survey in Jalalabad.

On March 27, 2013 the subcontractor, Geo Planning, together with the LARA Project team conducted a workshop regarding AGCHO Surveying Procedures and prepared a Cadastral Survey Work Plan and established the approaches to complete the field survey data. The LARA Project cadastral survey created an inventory of land parcels in the informal settlements of Araban and Campoona.

The joint teams identified "property clusters" for undertaking the cadastral survey in a systematic fashion. Geo Planning mobilized to Campoona and established both technical and community support teams. The LARA Project settlement upgrading and formulization component manager, with the senior Cadastre Specialist, provided the Geo Planning with appropriate procedures to establish control points using modern technology so that each parcel in the communities could be identified, located using GPS equipment, to created digital portfolios tagged to each parcel.

Parcel maps of both informal settlements were displayed on digital orthophoto maps from 2007, but many parcels needed to be identified on the ground and included in the cadastral fabric, because of the urbanization that has taken place since that year. All identified parcels were digitized, numbered and prepared in (ESRI) Shape file format (.shp) to enable the data to be imported into GIS mapping software. The data was entered at the Municipality in its Dari language OpenTitle software. Municipal staff were trained to create folios for each parcel linking land tenure data regarding a parcel with the corresponding cadastral information (geo-referencing). Data that was gathered for parcels between 2008 and 2010 and contained in UNDP/ASGP property records forms. Two municipal employees assisted with quality control and quality assurance.

Residents of Campoona informal settlement verify the published data about their land parcels

All information gathered during the cadastral survey was posted prominently in the communities as part of the community verification exercise. A large format color map of the settlements along with a page for each of the parcels in a particular cluster were posted and a representative from Geo Planning was available to assist residents in finding their parcels with reference to obvious landmarks on the large format map. Geo Planning also helped residents find the appropriate land tenure data for each parcel. The posting of the information continued for 14 days so that community residents could

note any errors in the data and request corrections. At the end of the 14 day period it was assumed that the community has acquiesced to the correctness of data in the municipal database.

The cadastral survey for both informal settlements was completed in September 2013 having identified 2780 parcels and linked the cadastral coordinates of each parcel with current land tenure information. This data was recorded in an electronic property book at the municipality of Jalalabad. As noted earlier, Safayee Tax Books were issued and distributed for all the parcels identified during the survey.

Much of this land tenure data is new data never before recorded with any government institution in Afghanistan.

Of the 2780 parcels identified in the two informal settlements, 1478 of the occupants of the land parcels were able to provide variety of evidence to support their ownership claims to the property. Based on the survey data 190 of the property owners were able to provide Legal Deed (Sharayee Qabala), 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 had documents but were not able to provide them during the survey. But there were 1092 of the property owners who still had no ownership documents." The LARA Project also recorded the length of occupancy (many more than 40 years, some less than a year) with corroboration through testimonials of the neighbors for every parcel. All the data gathered was entered into OpenTitle software at the municipality and was tested for quality assurance.

Jalalabad Municipality staff working with OpenTitle data collected during the cadastral mapping process for Araban and Campoona

The rights formalization model applied by LARA demonstrated an approach for Municipalities in Afghanistan to rapidly advance land tenure formalization in informal settlements and provide a method for regularizing outdated or non-existent municipal land records. This is not only critical for organizing the local government records, but it is also extremely important for residents of informal settlements to make a public record of their rights. One person interviewed in the informal settlement of Araban stated "No one can take our houses from us now since we have streets, municipality (Safayee Tax) booklet, and our names are registered with the municipality office".

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. Proposed amendments to the LML will also likely strengthen land rights claims.

TASK 4.1.4: SUPPORT IMPLEMENTATION OF CDMS AND DATA ENTRY RESULTING FROM THE MAPPING PROCESS

Thomson Reuters Software Analysts and Training Coordinators worked alongside colleagues from RAMP-UP, UN-HABITAT and UNDP/ASGP and established formats and procedures for the setup of an IT system for the municipal property books. The data fields and categories of land of the manual forms that had been in use in Jalalabad and Kandahar were fully integrated in the OpenTitle™ template developed by Thomson Reuters. All parcels identified during the cadastral survey were entered into the municipal database and tested for quality control and quality assurance.

TASK 4.1.5: SUPPORT IMPLEMENTATION OF ALRMIS AND DATA ENTRY

Arazi administers government and public land by creating a land inventory, engaging in land clearance processes (*tasfia*), and introducing a leasing program to generate government revenues and improve private sector economic development. Working with Arazi the LARA Project engaged business analysts through its subcontractor, Thomson Reuters, to complete a business area analysis (BAA) mapping the steps each of the Directorates for inventory, lease, *tasfia*, and dispute resolution of Arazi in order to configure the Arazi Land Records Management Information System (ALRMIS). The purpose of ALRMIS is to provide a land administration IT platform that provides increased transparency and security of property records, reduces opportunities for administrative corruption, contributes to streamlining of procedures and processes, and enables increased government revenue collection and management from the land sector.

The LARA Project realized that establishing a proper ALRMIS system would require political support, an appropriate legal framework, cooperation between land administration institutions, and agreement on the technical specifics. The political support stabilized significantly with the appointment of Jawad Peikar as CEO in February 2012 and in the spring of 2012 the LARA Project started biweekly technical coordination meetings with Arazi. The meetings were generally attended by Arazi CEO Mr. Jawad Peikar, Operation Director, Communication Director, Land Dispute Resolution Director, the USAID COR, LARA Project COP, and the project's technical teams.

The Arazi CEO arranged for the LARA Project to make a presentation regarding ALRMIS to the Board of Directors of Arazi to garner political support for the ALRMIS concept. The Arazi Board chaired by the Minister of MAIL also has members from the Ministry of Finance, the Ministry of Interior, the Ministry of Justice, MUDA, AGCHO Cadastre, the IDLG and the Anti-corruption High Commission. The presentation emphasized that the ALRMIS system consisted of a registry component, GRM Registry, which is directly linked to a cadastre component, GRM Cadastre. GRM Registry consists of Data entry into customized fields defined by Arazi, transaction registration, transaction history, scanning and customized reports. It is integrated with cadastre information through GRM Cadastre which allows the creation of a cadastral tapestry and parcel management that can be used to view the spatial distribution of information stored in the registry. The presentation described the aspiration of an Afghan Land Information System where all land information would be consolidated in one database and information would be contributed to and accessed by all GIRoA institutions engaged in aspects of land management.

The LARA Business Systems Analysts worked with the Arazi technical specialists to review the books and other sources of information that ARAZI planned to use within ALRMIS to identify the fields that needed to be indexed for the custom configuration of GRM Registry to maintain the land inventory, land leases and enforcement, tasfia, and dispute resolution.

Certificate distribution following the ALRMIS training for Arazi staff, Kabul

A Dari version of GRM Registry was installed and activated on Arazi equipment configured and customized in Dari based upon feedback from Arazi specialists and heads of the Directorates. Arazi Land Inventory Directorate personnel worked with the LARA IT specialists on entering data into the system and were able to enter data for one property in about 10 minutes.

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 were completed at this time. 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 can now enter data in the ALRMIS system and 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) training was also provided for two Arazi IT specialists and took place for five days ending on October 26, 2013. This training permits Arazi staff to make their *own* revisions to software workflows and reports, important for the sustainability of ALRMIS. 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, 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 respective Afghanistan agency;
- 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.

Trainees from Arazi in the Software Development Kit (SDK) training

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 working on DRACS. 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 themselves as forms and procedures change over time.

The LARA Project also conducted a major procurement of modern hardware for ALRMIS to sustain the operation of the ALRMIS system.

It should be noted that the process of eliciting the necessary administrative Workflows and Reports from Arazi Directorates was time consuming and often difficult. Despite months of effort through meetings with staff and the Arazi CEO, as well as training sessions, participation from the Directorates was often weak. Nevertheless, the Workflows were finalized and installed. After the installation and training was completed, LARA provided follow-up training early in 2014. At that time, however, some Arazi staff mentioned that the Workflows required changes to accord with new Arazi procedures. The LARA Project worked feverishly during the No-Cost Extension Period to update the necessary Workflows and Reports. However, while these changes were documented before the end of the LARA Project, they could not be implemented by Thomson Reuters for timing and budgetary reasons. The level of complexity of reporting requested by Arazi was unnecessary, unwieldy and unsustainable. Instead, LARA proposed an alternative solution that would involve contracting Thomson Reuters to:

1. Develop and add the new features required for the new workflows (major features are: (i) a notification system; and (ii) Dynamic data entry fields for scanned documents); and
2. Conduct additional Software Design Kit (**SDK**) Training to Arazi IT team which would incorporate the new added features and their usage, and then Arazi IT team would develop the workflows and the reports themselves.

In any event, this would need to be separately funded by Arazi through its own contractual arrangement with Arazi. TTARD was facilitating negotiations between Arazi and Thomson Reuters until the end of the LARA Project (but they were not finalized by Project end).

TASK 4.1.6: PROVIDE INSTITUTIONAL AND TECHNICAL ASSISTANCE TO AGCHO AND OTHERS

The LARA Cadastral Specialists held regular meetings with the Director of the Cadastral Unit at AGCHO to discuss preliminary cadastral survey standards and procedures for AGCHO. The standards and procedures were tested during the cadastral survey activities in Araban and Campoona informal settlements under the direction of AGCHO cadastre and the Nangarhar Department of AGCHO.

Prior to the cadastral survey and mapping in the informal settlements, the project hosted a technical workshop on April 7, 2013 in the AGCHO Cadastre Department of Nangarhar. The aim of the workshop was to bring participants together and introduce the subcontractor, provide a briefing on relevant legislation and the survey procedure, and finalize the execution plan. Mr. Sultani, head of AGCHO, was in attendance, as well as representatives of the local government, AGCHO Nangarhar, Arazi, and DUDA. The whole activity was supported by a PIA campaign to raise awareness about the importance of this work to property owners, the municipality, and the community at large.

The GIS Specialists of Tomorrow. LARA presented a GIS research seminar attended by faculty of Geo-science students and staffs at the Kabul University in 2011

The LARA Project supplied a range of modern surveying equipment to the AGCHO Cadastral Office, along with an on-site surveying training through a short-term technical advisor. This state of the art surveying equipment for AGCHO was transferred to the cadaster department and training on the use of the equipment for staff from the AGCHO cadastral department both from Kabul and from the provinces was completed. The LARA Project also provided assistance to educational institutions with equipment and training so that the young people of Afghanistan can adapt and use the new technologies going forward for the surveying of parcels and preparing land inventories. 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 was undertaken for AGCHO Cadastral Department offices in Kabul and Jalalabad.

GRM Cadastre software has been installed and tested at the AGCHO cadastre department. The software not only allows the creation of parcels for a cadastral fabric, but also creates audit logs of all inputs, allows for productivity reports, can be coordinated with ALRMIS at Arazi and with the data accumulated by the court makhzans in Kabul and the provinces. It is a key objective of this project that data from AGCHO Cadaster, Arazi, the Municipality, and the Courts be exchanged so that land resources can be more efficiently managed and so that in the future the public can easily get the information it needs to support private transactions in land.

It is important to note that on May 27, 2013, the Cabinet approved the merger of AGCHO Cadastre into Arazi and promoted Arazi to the status of an “Independent Authority” and directed the Ministry of Finance, Ministry of Administrative Affairs, the Secretariat of Council of Ministers, and the Independent Agency of Geodesy and Cartography to take actions regarding budget transfer of the former AGCHO Cadastre Department to Arazi. H.E, the Minister of MAIL commented that the promotion of Arazi to an

Independent Authority with resulting merging of the AGCHO Cadastre Department was recognition of Arazi's technical achievements toward land reform. He has encouraged participants of LARA Project training events to make commitments and stand fast in building transparent technical expertise that will assist Arazi in the proper administration of land resources. In addition, he expressed his gratitude on several occasions to the USAID LARA Project for its assistance resulting in many significant achievements of Arazi including proposed amendments LML. Working toward implementation of ALRMIS and capacity building were also mentioned among the achievements. In practice, however, the AGCHO Cadastre merger has been slow and incomplete. The merger into Arazi at such a late time in the LARA Project's term (then scheduled to finish in January 2014) meant, however, that there could be no integration of ALRMIS and CDMS as such.

TASK 4.1.7: CONDUCT AN ASSESSMENT OF THE HESARE-I-SHAHI INDUSTRIAL PARK (HIP) IN JALALABAD.

In August 2012, USAID's Office Economic Growth and Infrastructure in Kabul began discussions with a Consultant for the preparation of an assessment of the feasibility of the development of an Industrial Park near Jalalabad. USAID then asked the LARA Project to take on this additional task, at short notice. While strictly unrelated to other LARA activities, it was accommodated by the Project without additional budget support.

As a result, in December 2012, Industrial Parks Specialist, Richard Scarth, joined the LARA Project as a short term consultant at the request of the USAID Economic Growth and Infrastructure Office to conduct an assessment of the existing HIP. The consultant began the necessary work to explore the relevant issues, clarify facts and overall economic viability, and identify practical issues to develop recommendations and options on how best to bring the 295 plot industrial park into operational use.

The report "*Hisar-E Shahi, Rodat, Jalalabad Assessment of the Industrial Park's Potential and Considerations to Take into Account to Assist in its Successful Implementation*" report was submitted to USAID on April 1. The consultant concluded:

> HIP is a viable investment for the Government and private sector that may, based on work completed to date, result, within 24 months, in the significant creation of jobs for Afghan citizens, facilitate locally produced items that are accessible to the domestic and export markets, and contribute considerable return to the national budget in the form of taxes and return on investment over the years to come.
>
> If only half the 541 pending HIP applicants are deemed able to deliver the required outputs, the certainty of HIP proceeding will attract significant additional interest, from as yet unidentified domestic and foreign investors, that together will collectively fill the Park several times over. HIP, and future industrial park developments, has the potential to be more sustainable than most public initiated development projects have, with hindsight, proven to be in Afghanistan–the private sector is ready to invest if the public sector will deliver the vision, the environment and the infrastructure.

This one-off assessment was left with USAID to determine a way forward as it chose. There was no further involvement of the LARA Project with this task.

2.2.5 ACTIVITY 5: COMMUNITY PARTICIPATION

OUTPUT 5.1: ASSIST ARAZI TO DEVELOP APPROPRIATE MODELS FOR RESOLUTION OF LAND DISPUTES BETWEEN MAIL AND PRIVATE INDIVIDUALS AND BUSINESSES

OUTPUT 5.2: PROVIDE SUPPORT FOR LAND DISPUTE RESOLUTION, FOCUSING ON COMMUNITY AND CUSTOMARY DISPUTE RESOLUTION PROCESSES AND INSTITUTIONS

OUTPUT 5.3: ENABLE THE PUBLIC TO UNDERSTAND AND EXERCISE THEIR RIGHTS TO LAND THROUGH PUBLIC INFORMATION AWARENESS CAMPAIGNS

TASK 5.1.1: CONDUCT A ARAZI TRAINING NEEDS ASSESSMENT FOR LAND DISPUTE MECHANISMS

The LARA Project engaged a short term consultant to work with Arazi to assess the CBDR capabilities within Arazi as well as review the tasfia process and make recommendations. Working with the Institutional Assessment that the LARA Project had completed in April 2012, and after conducting more than a dozen key informant interviews with representatives of Arazi, the consultant advanced suggestions applicable to Arazi in general and argued for actions more specifically relevant to the Tasfia and Dispute Resolution Directorates of Arazi. The consultant determined that Arazi is a fragile institution, particularly in regard to funding and has limited capacity to fulfill its current priorities. Furthermore, confusion prevailed regarding its reporting structures and a lack of communication and linkages between the central office in Kabul and the provinces. Nevertheless it is an aspirational and highly ambitious institution, with a cadre of motivated senior staff.

Neither the Tasfia Directorate nor the Dispute Resolution Directorate has a dispute resolution function in terms of mediation and arbitration. Their role instead is one of investigation and document analyses. There is duplication in the work of these two Directorates and the work is solely demand led. There is little knowledge about or information available on how the work of these directorates is carried out at sub-national level. Staff, however, were confident that the new Arazi procedures, developed by Arazi with assistance of the LARA Project, will greatly improve their work across the country.

The major recommendation was that the LARA Project's capacity building efforts focus on expanding knowledge of the new tasfia and land restitution procedures and the amendments to the *Land Management Law* to provincial and district level staff, and include non-government actors such as community and district elders, both male and female, in the training.

The report "*Land Clearance (Tasfia) and Dispute Resolution Functions of Arazi*" report was submitted to USAID on April 8, 2013.

Tasfia dispute resolution training for women in Nangarhar (June Quarter 2013).

TASK 5.1.2: PROVIDE DISPUTE RESOLUTION TRAINING SUPPORTING THE TASFIA PROCESS AND PUBLIC INFORMATION AWARENESS

Based on the analysis noted above under Task 5.1.1, the LARA Project developed a capacity building plan in terms of CBDR within Arazi and also in local communities. A LML manual and corresponding procedure was developed by the LARA capacity building team in close consultation of legal team of LARA Project and Arazi. This manual includes particular techniques regarding the dispute resolution.

The LARA CBDR specialist prepared a CBDR Training Manual for Arazi employees. The manual contains two major sections: the first presents CBDR guidelines, and the second addresses *tasfia* procedures. The LARA Project team met with

Arazi's CEO to brief him on the manual and prepare a plan for future assistance to train Arazi staff and community elders.

The CBDR team also visited Jalalabad at the end of July 2013 to identify disputes that had arisen during the upgrading of the Araban informal settlement. The team worked to provide mechanisms to resolve disputes using community-based dispute resolution techniques developed by the project. One controversy involved an encroachment on to a street. A widow could not afford to move the boundaries of her encroaching fence. The community then collectively intervened to help fund the fencing moving activity.

The CBDR unit also successfully conducted CBDR manual training at Arazi for Kabul and provincial field office staff. 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. The training was attended by 35 participants from different departments of Arazi, including Kabul Tasfia teams, provincial Arazi directors and Tasfia managers. 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.

A Jalalabad Provincial council member makes a presentation to a gathering for the distribution of the CBDR guidelines March Quarter, 2013.

TASK 5.1.3: PROVIDE TRAINING ON CBDR GUIDELINES AND ON-CALL DISPUTE RESOLUTION SERVICES

Between January and March 2012 the LARA Project commissioned an examination of existing land dispute resolution practices in Afghanistan and a report on Community Based Dispute Resolution. The report discussed the current scope of land dispute resolution both in formal and informal justice systems in Jalalabad City and greater Nangarhar areas. Preliminary analysis indicated that there is a great deal of confusion about, and mistrust of formal methods of land dispute resolution. This report served as a basis to develop rules and guidelines for resolving land disputes in Jalalabad City and greater Nangarhar areas. The CBDR team continued its consultations with other organizations and projects active in this field.

The LARA Project awarded a grant to The Liaison Office (TLO) to develop Rules and Guidelines for land dispute resolution in Jalalabad. Under the grant, TLO, after conducting fora to identify best customary practices, drafted practical guidelines for CBDR at the district and community level. All training materials were designed to be appropriate for audiences that are illiterate, using adult education techniques including community "town hall meetings" and visual/audio aids. The grantee trained and mentored District Commissioners and shura/jirga leaders in twelve rural districts in the greater Nangarhar area. This training series also included the residents of informal settlements. The "CBDR Guidelines" were produced in the language of the local communities using visual and audio methods to supplement and illustrate the written text (see Figure 7 under communications products below). They draw upon Afghan Law and consider practical issues such as best practices for resolving of land disputes, case investigation, negotiation and arbitration, decision-making, and implementation.

TLO organized a distribution ceremony for the CBDR Guidelines, which included 47 participants among whom were members of the Nangarhar Provincial Council, Nangarhar University, Nangarhar Court of Appeal, members of civil society organizations, community elders, and women's groups representatives) who had been involved in the forums collecting input for developing the Guidelines.

TASK 5.1.4: DEVELOP COMMUNICATIONS PRODUCTS

The LARA Communications Strategic Plan was completed in November 2011 and served as the basis for the development of communications approaches and products over the course of the LARA Project. Key products included:

- LARA Website (which featured descriptions of each of the project components and is a repository for reports, photo galleries, activities and other information for the general public, partner organizations, and stakeholders)
- Women's Land & Inheritance Rights Campaign that made international news (radio, television, billboards, central and regional discussion)
- CBDR Campaign
- Campaign for the mapping and land rights formalization of informal settlements in Jalalabad (Jalalabad informal settlements)

To assess the impact of communications approaches, the LARA Project also contracted with a local research company, Eureka Research, to conduct an evaluation of its public information and awareness raising efforts and measure the impact of the messages rolled out as part of the pilot project. The Final Report "*Provision of Monitoring & Evaluation Services for Public Information and Awareness Activities*" was completed on February 9, 2013. This Report provides guidance on targeting of future campaigns (e.g., most effective form of communications media and communications strategies) to ensure maximum impact is attained. The research was designed to inform the LARA Project and MOWA on the overall impact, point out campaign elements and products that had particular effect, and identify potential shortcomings in the outreach to the various target groups. Examples of key aspects of various LARA information products and impact are set out below.

FIGURE 4. THE USAID LARA WEBSITE BECAME LIVE IN SEPTEMBER 2012: HTTP://WWW.LARA-AF.COM/INDEX.HTM

FIGURE 5. PART OF USAID LARA'S WOMEN'S LAND & INHERITANCE RIGHTS CAMPAIGN: 50 BILLBOARDS WERE CONSTRUCTED AROUND KABUL

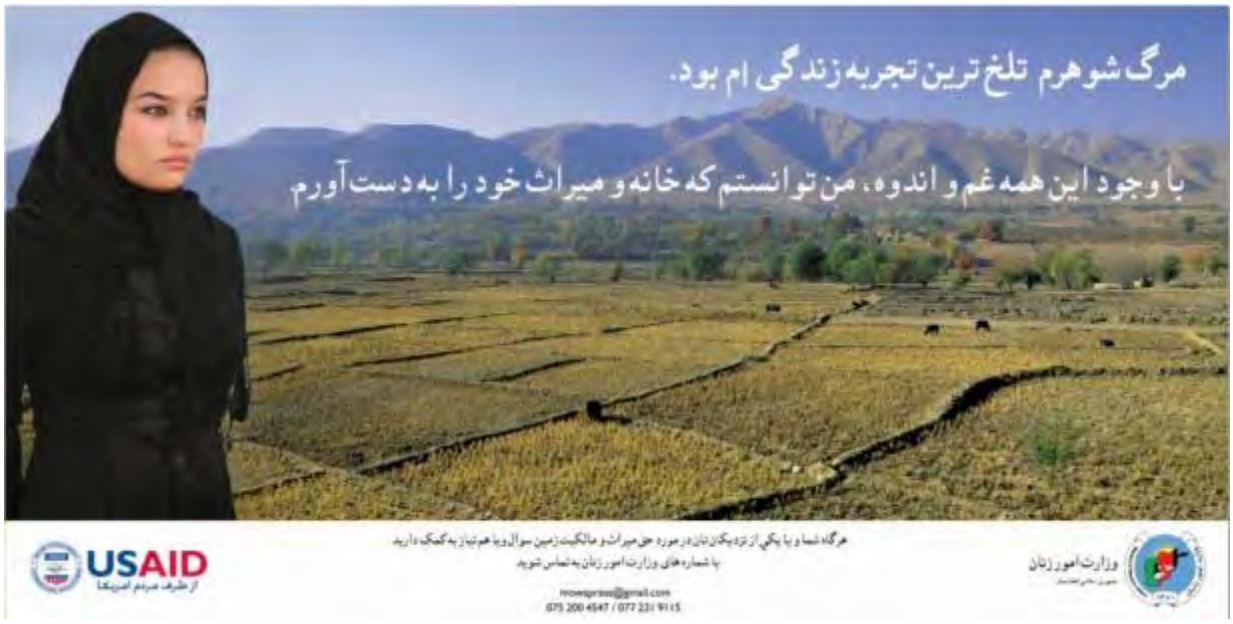


FIGURE 6. USAID LARA'S WOMEN'S LAND & INHERITANCE RIGHTS CAMPAIGN MAKES THE INTERNATIONAL MEDIA

FIGURE 7. THE LAND DISPUTE RESOLUTION BOOKLET

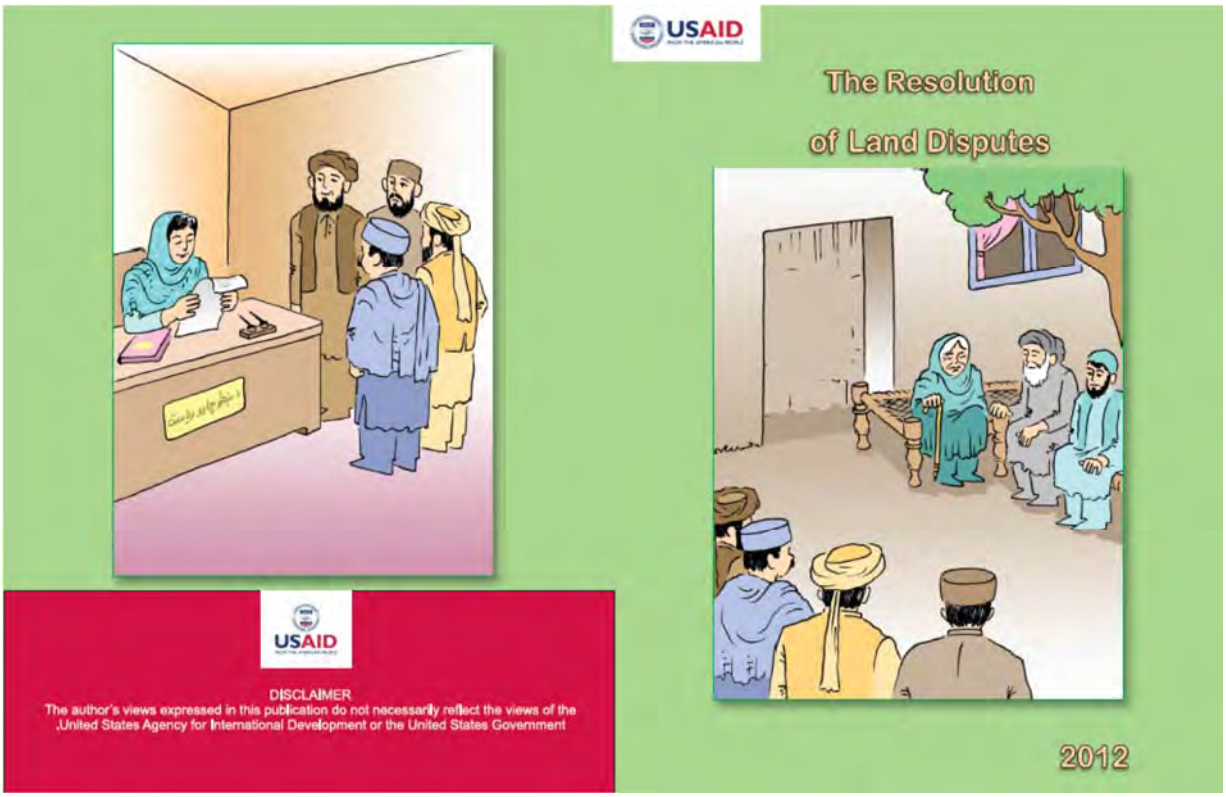
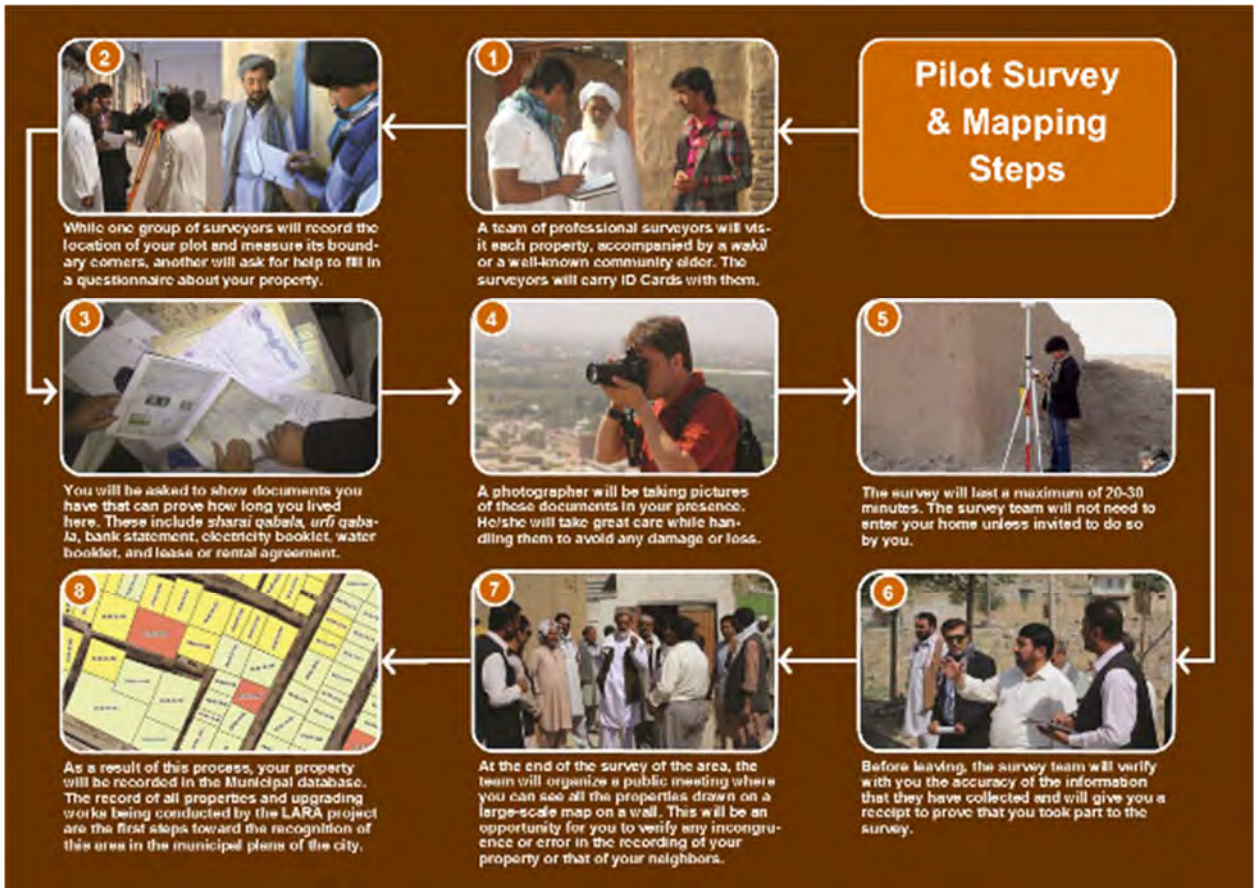


FIGURE 8. PUBLIC INFORMATION AWARENESS BROCHURE ON THE MAPPING/RIGHTS FORMALIZATION PROCESS



2.2.6 COMPONENT 1 IMPACT

There is strong anecdotal evidence of the positive impact that tasks under Component 1 have had. This evidence records:

- Inspired communities that worked together for a common purpose;
- Encouraged cooperation between the municipality and the communities the it serves;
- Improved streets and drainage leading to:
  - Improved access for community services (e.g., emergency services, taxis, etc.),
  - Reduced traffic congestion, and
  - Reduced dust and improved water run-off;
- Improved government office infrastructure through refurbishments enable GIRoA staff to work more productively in a cleaner, safer and more environment; and
- Better qualified GIRoA staff the training activities including:
  - World Bank courses,
  - Participatory land use mapping exercises,
  - Cadastral mapping,
  - Community consultation,
  - Land-related conflict resolution, and
  - Use of IT systems for land administration (OpenTitle, in particular).

Nevertheless, the project's inability to complete an impact survey (USAID vetting of the proposed contract could not be completed in a reasonable time before the end of the project) meant that the following impacts remain to be scientifically tested:

- Improved land tenure security within the communities,
- Higher levels of community satisfaction with the Jalalabad Municipal (and other institutions),
- Improved municipal revenues through the Safayee Tax process because of the cadastral/tax mapping process undertaken,
- Increased attendance at Araban School, and
- Decreased illness for improved drainage.

2.2.7 COMPONENT 1 KEY LESSONS & RECOMMENDATIONS

While important progress has been made in dealing with Afghan institutions in terms of urban upgrading and land rights formalization during the term of the LARA Project, there is still much to be done. LARA learned that:

- There is a thirst in informal settlements for upgrading and occupation formalization activities
- Upgrading activities funded by Donors may be useful in the short-term for pilot activities but are unlikely to be sustainable in the long term
- Land Administration IT Systems are useful tools but require a longer timeframe after installation (perhaps up to a year) to trial and embed, practically within Afghan institutions.
- There is a good level of private sector capacity especially in the land survey sector which could be developed with an expansion of land administration programming
- There is potential for the development of private-sector land valuation services that could be fostered as part of any expansion of land administration programming

Recommendations for indicative further activities include the following:

- Expand cadastral mapping/land rights formalization process across Jalalabad and other urban centers (encompassing both formal and informal settlements)

- Expand participatory land use mapping exercises to other municipalities. These are relatively simple exercises that encourage cross-institutional cooperation and a deeper understanding of "who is doing what where" that support more effective planning and implementation strategies.

- Consider public/private partnerships for infrastructure development in the context of formalization activities. Infrastructure development is expensive and often out of the financial reach of Municipal governments with a small tax base. Donor-funding of infrastructure upgrading is likely to be unsustainable and alternative, sustainable funding sources/methods need to be considered.

- In terms of ALRMIS and CDMS, there needs to be continued support in terms of training and the amendment of ALRMIS Workflows and Reports to accord with new Arazi procedures. At this stage, any work outside the scope of the Thomson Reuters Maintenance & Support Agreements will need to be funded by Arazi or another donor.

2.3 COMPONENT 2: LEGAL FRAMEWORK

2.3.1 ACTIVITY 6: LEGAL FRAMEWORK

OUTPUT 6.1: BIZCLIR REAL ESTATE REGISTRATION AND REAL PROPERTY LEGAL FRAMEWORK DIAGNOSTIC TO EVALUATE EXISTING AND PROPOSED LEGAL AND INSTITUTIONAL FRAMEWORK FOR REAL ESTATE; DRAFT CHANGES TO LAND-RELATED LEGISLATION (AS NEEDED FOLLOWING THE TWO DIAGNOSTICS), AND EXAMINE AND RECOMMEND CHANGES TO INHERITANCE LAWS TO SUPPORT WOMEN'S ACCESS TO LAND

The LARA Project conducted a CLIR/BizCLIR Property Assessment in September 2011 after hosting numerous interviews, meetings, and research to compile the legal procedures, legal framework, and the institutions pertinent land management in Afghanistan. The consultant reviewed the National Land Policy of Afghanistan, the Constitution of Afghanistan of 2004, the Land Management Law of 2008, as well as many other laws dealing with land and property in Afghanistan. The report identified land tenure constraints including unclear jurisdictional competencies, a weak legal framework, and legal plurality as contributing to land tenure insecurity in Afghanistan and provided recommendations for improving the general land law, land transfer and title, land use, zoning and master plans, land expropriation, survey and mapping, commercial and residential leasing, condominiums, mortgage, mineral and mining, land holding by foreigners and dispute resolution.

The major recommendations were:

- Revision of the land transfer and title system is probably the single most important land-law reform need in Afghanistan–for businesses and non-business activities alike. This is also, by far, the most confusing and complicated of the issues
- The informal system should be formalized, as quickly and as completely as practicable, since most actual land occupancy in the informal system is legitimate and proper, and should have legal protection.
- The laws should make one single government body responsible for all of the steps in transferring, registering and establishing title to land in the formal system.
- Enact a comprehensive planning law that allows for public hearings so local citizens have a say in the development of any proposed plans
- The Expropriation Law of Afghanistan should be replaced with a new Expropriation Law that provides concrete procedural safeguards such as advance notice of the taking, timetables for hearings at which the displaced person can be heard, formal procedure for protest and improved compensation proposals which include the resettlement of displaced persons.

Based on the BizCLIR Property Assessment, the consultant produced a legislative priority list relating to priorities in land-related legislation which was annexed to the report and singled out amendment of the Land Management Law of 2008 as the top priority. The report, however, correctly noted that legislative change is often a long process which may extend beyond the life of the project.

The Legal Consultant returned in June 2014 to review the status of legal reform in the real estate sector. He noted a number of changes/ proposed changes since 2011 which were consistent with his earlier recommendations; in particular, institutionally, there were 2 important changes dating from May 2013:

1. The establishment of ARAZI as an independent agency from having (previously) been a department within the MAIL; and
2. The merger of Cadastral Survey Department with ARAZI from having (previously) been seated in a department of AGCHO.

These changes were consistent with Arazi moving toward being considered the government body with primary overall responsibility for land management in Afghanistan. In terms of laws and regulations, there were five important changes being considered:

1. Preparation of a new and amended *Land Management Law*;
2. Issuance by ARAZI of important new procedures and forms for land leasing, land rights identification, land transfer, and land exchange;
3. Preparation of amended cadastral survey legal provisions;
4. Preparation of a new *Law on Land Grabbing*; and
5. Preparation of a new *Law on Land Acquisition*.

Despite these reforms and proposed reforms, Mr. Jersild noted, however, that there were still important additional reforms required in terms of land transfer laws. These are currently within the responsibility of the Supreme Court.

In terms of the legislative reform process, an outline of progress made under the LARA Project is set out below.

LAND MANAGEMENT LAW (LML)

The LARA Project legal team worked closely with Arazi and other counterparts to propose amendments to the LML, including the organization of a two-day workshop to allow public input into suggestions for the amendment of the LML held on October 25 and 26, 2011. By the time of the workshop the project along with Arazi had drafted suggested amendments that could be vetted with other stakeholders including civil society, NGOs, donors, the human rights commission, implementing partners and other relevant parties. Overall, there were 160 participants from the mentioned various organizations and recommendations were considered.

When enacted the LML, for the first time, would provide for civil and criminal penalties for improprieties in the land clearance process by government officials. The proposed amendments at that time also contained comprehensive provisions for dealing with “land grabbing,” to remedy inadequacies existing in the current law. The proposed amendments to the LML also provided for the registration with Arazi of customary deeds that would be eligible for formal rights registration if there was no objection after five years. Additionally, after the AGCHO cadastre department was merged into Arazi on May 27, 2013, further amendments were made to take this institutional reorganization into account and to allow Arazi, under its direction, to allow private surveyors to complete cadastral surveys. Moreover, further amendments provided that municipal land could be registered with Arazi as well as in the property books of the municipality. These are amendments that have had the support of the international community for a long time.

In addition to the proposed amendments to the LML, the LARA legal team supported Arazi with the development of procedures for land leasing, land rights identification (“land clearance”), land transfer and land exchange procedures with objective or introducing simplification and clarity in the procedures. For example, old procedures required any potential lessee of government land to come to Kabul to complete the leasing process. Under the new procedures a lease applicant could complete the process locally. Also, the steps for leasing government land were reduced from 59 to 9; reducing the time that it takes to lease government land. The procedures also provide strict timelines for each of the Arazi Directorates and Arazi field offices to undertake designated steps.

The proposed LML amendments were presented to the Arazi Board of Directors in December 2012, and were endorsed with minimal changes. The proposed amendments were then submitted to the Ministry of Justice for analysis by its Taqneen department (legislative drafting department). Thereafter, in the spring of 2012, the LARA Project provided technical and financial support for public consultation workshops regarding the proposed amendments to the LML which covered seven major cities, covering 34

Provinces. The purpose of these workshops was to collect opinions and recommendations from different localities and to avoid simply centralized perspectives from the national government. The launch for these workshops took place in Herat and was attended by the Minister of MAIL and the Provincial Governor who made very complimentary remarks about the USAID assistance through the LARA Project in terms of developing amendments to the LML.

Additional consultation events took place in Mazar-e-Sharif, Jalalabad, Kandahar, Kunduz, Khost and Kabul. Stakeholders from neighboring provinces were invited to the workshops to broaden the geographic area providing input. These consultation workshops set a precedent for Afghanistan in legislative development since, for the first time, public comment was solicited and considered in proposing legislative amendments. After the regional consultation workshops the, LARA legal team analyzed the collected comments and suggestions and, in consultation with Arazi, recommended modifications, where appropriate.

The LARA team worked with Arazi and the Ministry of Justice Taqneen through the spring and summer of 2013 to review and debate the proposed LML amendments article by article. However, due to the Cabinet Resolution dated May 27, 2013, which made Arazi an Independent Authority and merged the AGCHO Cadastre Department into it, further revisions were needed. Arazi, the Ministry of Justice, and the LARA legal team made appropriate amendments to take into account the institutional reorganization. In September 2013, the draft was finalized. The chapters regarding “grabbed” and illegally occupied private and state-owned properties were removed from the draft LML, for a Law on Grabbed Land was passed by the Lower House of Parliament on September 23, 2013 and sent to Upper House for consideration. That law contained much of what was provided for in the draft LML. However, the law passed by the Lower House was not as comprehensive as the proposed amendments to LML. For example, the law did not properly account for vacant land that was taken and then developed with improvements. In such cases, negotiated solutions might be appropriate with payment of money rather than destruction of the improvements. The law also provided for different penalties for persons who grabbed large tracts or very valuable land, whereas it may be more equitable to treat all those who confiscated land in a similar manner. And finally the law gave discretion to Courts to impose penalties, opening avenues for graft and corruption. Therefore, the LARA legal team proposed to the Ministry of Justice that the law be strengthened by the provisions that were part of the earlier draft LML. Despite these efforts, delays from holidays and the lead-up to the Presidential elections caused the passage of the LML to be further delayed. At the end of the LARA Project, the LML amendments were still awaiting consideration by Parliament.

AGCHO AND CADASTRAL SURVEY LAWS

The LARA legal team, as part of the support to legislative and regulatory reforms, took part in weekly meetings with AGCHO and advocated for modernization of the laws of Afghanistan governing the surveying of land parcels. A joint technical committee was established to review the current surveying laws and suggest changes where necessary. The LARA legal team reviewed all of the surveying legislation and identified articles to be incorporated in the revised AGCHO and Cadastral Survey Laws. The legal team began by drafting the primary terms and definitions of the cadastral law and a legislative drafting matrix was compiled to guide the work. The legal objectives for the law and the role of AGCHO were spelled out in detail. AGCHO’s overall authority was organized and expanded and its main activities, particularly with regard to supervision and field work, were set out.

In March 2013, the first drafts of the AGCHO and Cadastre Laws were officially submitted to AGCHO management. The drafts were the result months of work by the LARA Project legal team, with the collaboration of the joint technical committee at AGCHO. The LARA Project also engaged an Afghan expert in modern technical standards and procedures for surveying to assist with the drafts. A major accomplishment is that the draft allows for the private sector to engage in cadastral surveying under

AGCHO supervision. Moreover, the new laws set standards in accordance with the use of modern surveying equipment such as GPS units and guide the preparation of maps using GIS software.

As mentioned above, however, the AGCHO Cadastral Department was merged into Arazi, in May 2013 which necessitated revision of the laws to cover the institutional change. Many of the provisions then became part of a separate chapter of draft amendments to the LML.

LAND ACQUISITION LAW

The LARA legal team and Arazi started to work on the Land Acquisition Law and Procedures in May 2013. The LARA legal team engaged in regular meetings with the Arazi CEO, who took a special interest in this law. The initial structure of the law has was set to take into account expropriation of residential property, expropriation of agricultural land and crops, and expropriation of arid land. The history of expropriation laws in Afghanistan was studied beginning with the Usul Nama of 1329 (1950) through the Land Acquisition Law of 1388 (2009) as amended. There had been expropriation laws enacted in 1314, 1357, and 1366. A survey of international expropriation laws was also completed with the help of a World Bank consultant.

The drafting of individual articles of a proposed Land Acquisition Law began in 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. The two main issues in drafting laws for the exercise of *eminent domain*[6] are tightly drafted definitions of "public purpose" and land valuation for the sake of compensation. Proper compensation strategies for the government takings of private property pursuant to the law and resettlement procedures were a priority and will likely include a land exchange program. The Land Acquisition Law Task Force (LALTF) continued to refine the draft of the Land Acquisition Law during the NCE period with the support of the LARA Legal Specialist.

In September 2014, LARA Land Valuation Specialist, undertook a review of the Draft Land Acquisition Law (as well as the LML) and the implications for land valuation practices. He advocated for a number of changes that would streamline proposed valuation of land and remove opportunities for rent-seeking. These proposed changes were submitted to Arazi in October 2014 and are under consideration.

LAW ON LAND GRABBING

As noted above, in July of 2013 the Cabinet approved a policy on restitution of grabbed land prepared by Arazi entitled "Draft Proposal for Restitution of Illegally Occupied Government-Owned and Private Lands across the Country". The draft amendment to the Land Management Law contained provisions dealing with grabbed land. However, on September 23, 2013 a Law on Grabbed Land was passed by the Lower House of Parliament and sent to the Upper House for consideration. The LARA legal team proposed to the Ministry of Justice that the law be strengthened by provisions that were part of the draft Land Management Law (LML), but omitted from the version passed by the Lower House of Parliament. The Upper House of Parliament has not yet convened a session to consider the provisions of the Law on Land Grabbing.

LEGISLATION BOOKLET

The LARA legal team drafted a comprehensive booklet regarding land legislation intended to promote awareness of the current state of land reform for interested parties from both the public and private sectors. It represents a comprehensive guide to current land legislation and contains an historical overview intended to provide context to the current laws.

[6] The compulsory government acquisition of land for public for public purposes.

SQUATTER'S RIGHTS

Pursuant to a referral from the USAID Division Chief for Economic Governance, the LARA Project received a request from the Senior Intel Special Advisor, CJIATF-A ISAF HQs Kabul AF to advise whether or not a squatter can obtain title to land in Afghanistan that has been occupied by the squatter for a long time with no color of title. Citing Article 2280 of the Civil Code of Afghanistan, Official Gazette No. 353 (4 volumes) Published 15 Jadi 1355 (January 5, 1977) the LARA legal team explained that the relevant statute in Afghanistan operates as a statute of limitations against claiming title from anyone who has occupied land or other real estate for 15 years. This does not apply to state properties, which is usual for these types of statutes. In other words, the rightful owner of a parcel of land is barred from making claim against someone who has occupied a parcel for 15 years, unless the rightful owner is that State.

TASK 6.1.1: IDENTIFY AMENDMENTS TO THE LAWS ENABLING LAND TRANSACTIONS AND EFFICIENT LAND REGISTRATION

A key new provision of the proposed LML is the registration of customary deeds at Arazi with provisions that after five years, after proper notice and no objection, the rights expressed in the customary deeds will be entitled to formalization and Arazi will send an appropriate directive to the proper court makhzan to issue formal title. The expectation is that 85% of rural and urban parcels will be formalized with this simple procedure.

The draft proposals for amendment of the LML and the procedures developed with the help of the LARA Project contain more transparent and detailed provisions for land clearance (tasfia) which it is expected will speed up the land clearance and identification process. After the land clearance process the result must be registered in the principal book for the registration of private lands.

The proposed draft amendments to the LML also called for the registration of Municipal land at Arazi, which is a step toward establishing a unified system of land registration bearing in the mind the unifying concept of AfLIS. Currently, however, responsibility for the registration of formal deeds rests with the Supreme Court, which seems unlikely to support a change at this time.

TASK 6.1.2: FOCUS ON LAND LAW AND GENDER RIGHTS

A key task for the LARA Project was to assess current legislation affecting women's access to land and to assist in legal reforms aimed at increasing women's access to land in Afghanistan. All of the LARA Project legislative initiatives focused on drafting legislation that was gender neutral and would not discriminate against women.

In the third quarter of 2012, the LARA Project gender team arranged a meeting with the Afghanistan Independent Human Rights Commission (AHIRC) and the Women's Land Rights Task Force at AHIRC to review the Land Management Law draft from a gender perspective. Specific comments were that certain provisions of the proposed amendments of the LML should make reference to woman householders, women leaders, and women with disabilities.

Throughout the LARA Project all components endeavored to identify feasible legal and program interventions that broaden women's land, ownership, and inheritance rights, including legal reforms, advocacy, training, and empowerment. LARA worked closely with MOWA and the WLRTF to identify legal issues and gaps that would need to be considered in the legal reform process. The LARA gender team also conducted desk research reviewing the Afghan Civil Code, the Afghan Law on the Procedure for Obtaining Rights and various statutory decrees all of which have a bearing on land issues that would affect women.

2.3.2 ACTIVITY 7: REGULATIONS

OUTPUT 7.1: LEGISLATIVE DRAFTING: URBAN PLANNING, LAND USE REGULATION AND FORMALIZATION OF INFORMAL SETTLEMENTS

TASK 7.1.1: ORGANIZE LEGAL CLINICS AIMED AT REVIEWING URBAN PLANNING LEGISLATION

A small series of Legal Clinics aimed at reviewing urban planning legislation were undertaken between August and September 2012 with participation of more than 50 officials from MUDA, GDMA and the Presidential advisory entourage.

The first Clinic–attended by three MUDA senior officers and advisors- discussed decision-making options on urban planning and urban development: centralized, decentralized and hybrid options. Opinions converged on incremental change as opposed to drastic reforms. The urgency to track and retain institutional memory within MUDA was emphasized in discussions.

The second Legal Clinic included senior engineers, directors and department heads. Five GDMA officials attended. Among them was the General Director of GDMA who pointed to the fast-paced urbanization in the country to urge new laws and regulations for effective urban land management. The issue of duplication, gaps, and overlaps in regulatory authority emerged in this discussion, and the importance of clear mandates to MUDA, GDMA, the municipality of Kabul, and municipal governments across the country. Opinions converged on the necessity to identify by law different responsibilities for surveying, drafting, supervising, monitoring, approving and implementing land regulation among federal, provincial and municipal governments. MUDA's Director of Urban Development championed a bottom-up approach to planning and a larger municipal role; he advocated public-private partnerships in city planning and indicated that 30 municipalities–developed jointly by private and municipal institutions–had already been submitted. Consensus was reached on the need for a flexible legislative framework.

The final Legal Urban Clinic was held at MUDA. The head of the Department and five key advisors to the Minister took part in the session, and Dr. Yohannes Gebremedhin, the LARA Legal Urban Specialist, was introduced. The participants expressed the urgency to proceed with the drafting of a policy on urban upgrading. Dr. Gebremedhin, met with senior figures in the state administration and municipal government officials to discuss the reform of the legal framework for urban planning. They discussed defining the roles and responsibilities for MUDA, national agencies, and municipal administrations. They also explored establishing a 'national planning council' to oversee a country wide strategy for urban development with the provinces and municipalities designing lower-tier plans. Each division would have defined roles and responsibilities. The idea of streamlined administration centered on concrete case studies in other countries for comparison to Afghan challenges, the major gaps in Afghan legislation on urban planning, the absence of provisions for consultative and participatory approaches, duplications and overlaps of departments and insufficient delegation of powers to local governments.

The National Urban Upgrading Policy for Informal Settlements became the focus of the TWG when the LARA Project engaged Dr. Gebremedhin to support its drafting. Written and oral feedback and reviews from the working group members were incorporated in successive drafts of the document which was finalized in March 2013. The draft Policy set forth a clearly defined set of issues and policy statements that serve as general guidance to inform administrative and legislative measures that need to be taken by the GIRoA to officially recognize, upgrade, and, as appropriate, regularize informal settlements. The draft policy focused on integrated responses to problems of informal settlements, institutional responsibilities, regularizing tenure security, land use planning, community participation, adjudication of property rights, dispute resolution, and selection of settlements for Regularization Schemes. MUDA, with technical support from LARA finalized the policy in September 2013 but, at the time of writing, it had not yet been approved. On 17 October 2014, however, President Ghani was reported in local media as stating that such a policy was now a priority for Afghanistan.

The LARA Project also organized roundtable discussions on the possible follow-up of the proposed recommendations. To fully satisfy the objectives of this requirement the consultant acted at two levels: 1) in collaboration with the Senior Technical Adviser to the President, the consultant organized a roundtable discussion that was participated by senior urban planners and advisers from the Ministry of Urban Development Affairs (MUDA) and the Independent Board of Kabul New City Development, Dehsabz-Barikab City Development Authority (DCDA); and 2) Held discussions with the Director of Urban Planning at MUDA. The exchange of views regarding decision-making options on urban planning contributed to the drafting of two reports: a first "Recommendations Report" and a final "Guidance Report to Proposed Legal Amendments to the Urban Legal Framework". The reports were disseminated to counterparts in February 2013 and meetings were held at MUDA and IDLG to discuss the proposals.

The Director of Urban Planning at MUDA and the Head of the Directorate of National Building Codes and Regulations, praised the technical assistance provided by LARA in relation to the legal aspects of urban planning in Afghanistan. They stressed that as a consequence of the report on legal aspects of urban planning MUDA has addressed the issue of coordination with municipalities in relation to preparing and implementing development plans.

TASK 7.1.2: SUPPORT ARAZI THROUGH THE LAND ACQUISITION TASK FORCE IN THE DEVELOPMENT OF LAND ACQUISITION LAW

At the request of the Arazi CEO, the LARA Project agreed to coordinate as well as provide technical support for 4 regional Consultative Workshops regarding the draft Land Acquisition Law. Such Consultative Workshops were successfully pioneered with the draft Land Management Law, seeking recommendations and comments from regional legal specialists from the government and civil society. Four Land Acquisition Law (LAL) Consultative Workshops were successfully conducted as follows:

- Balkh with attendance from Jawzjan, Kunduz and Sare-e-Pul (May 11 and 12, 2014, attended by 44 participants)
- Herat including participants from Nimroz, Farah, Helmand and Kandahar (May 18 and 19, 2014, attended by 44 persons
- Nangarhar including participants from Laghman, Konar, Kapisa and Logar (May 25 and 26, 2014, attended by 48 persons)
- Kabul including participants from Paktia, Ghazni, Bamyan and Parwan (June 25 and 26, 2014, attended by 80 persons).

At these workshops the LARA senior Legal Specialist explained the current shortcomings of the current LAL and the need for changes. Among other things, the draft takes into account resettlement and rehabilitation of people affected by takings, designates Arazi as a responsible entity for implementation and enforcement of the law, provides for compensation for those affected by a taking, establishes an appraisal committee, and contains sanctions for those who act in violation of the law. The draft Law incorporates international best practices. Feedback from these workshops was used to make necessary changes to the LAL draft.

TASK 7.1.2: TRAINING TO ARAZI REGIONAL STAFF CONCERNING LAWS AND PROCEDURES

From March 15 to 19, 2014 the LARA Project, coordinating with Arazi trainers, conducted training sessions concerning law and procedures for Arazi regional officials. There were 9 attendees, three each, from Nangarhar, Kunduz, and Balkh provinces, representing the local Directorates of Land Lease and Enforcement, Directorate of Land Rights Identification "*Tasfia*" and Planning, and Directorate of Land Inventory and Survey. The curriculum was divided among administrative steps for the leasing of government land, including preparing lists of available government land and prioritizing the parcels to generate government revenues, preparing the necessary documents and conducting media announcements of the property available for lease, the bidding process, and finalization of the leasing procedure. In

relation to *tasfia*, emphasis was on the make-up and role of the Land Rights Identification Delegation, completing the proper forms and submission to the Land Rights Identification Delegation, preparing the Land Rights Identification Delegation opinion, and monthly and annual reporting. Training regarding the land inventory and survey concentrated on the measurement of land parcel boundaries, calculating parcel areas, preparing survey drawings, analyzing available documents, applying anti-corruption concepts, entering land rights and survey data in the appropriate records, and reporting. An additional training session was provided for another 9 Arazi staff from the regions of Herat, Kandahar and Paktia in April 2014 at the Arazi offices in Kabul.

Additionally, in the last months of the Project, Arazi and LARA staff partnered to conduct a series of regional workshops surrounding the Arazi 5-Year Strategic Plan developed in March 2014. These workshops took place in Herat, Balkh, Jalalabad and Kabul. They culminated in a "Retreat" for Arazi staff and supported by LARA on 19 October 2014 in Kabul. Among other things, the Arazi CEO and other Arazi Staff reviewed the successful cooperation between LARA and Arazi since 2011 and the path forward for Arazi in the coming years.

2.3.3 ACTIVITY 10: GENDER

Because of its key legal elements, Activity 10 is considered under Component 2 for the purposes of this Report although its activities, influence and impact span all LARA Project Components.

A Gender Assessment was completed in the fall of 2011 and the LARA Project prepared a Gender Action Plan highlighting the activities to be undertaken to address the issues identified in the assessment. The assessment analyzed the law and practices related to women's property rights and surveyed the knowledge and understanding of women's inheritance laws at the community level. The main finding of the survey indicated that the inheritance law and other women's land rights were rarely observed in the Municipality of Jalalabad and even less so in the outlying districts and rural areas from which many of the settlement residents originated. In addition government officials, responsible for the administration of the law, quite often did not have a good understanding of women's inheritance rights nor were they aware of their responsibilities to enforce the law.

To help guide LARA's activities in terms of women's land and inheritance rights, the LARA Project supported the establishment of a Women's Land Rights Task Force in the fall of 2011. The Women's Land Rights Task Force chairperson, Rona Tareen, spoke at an event at MUDA on March 13, 2013 in celebration of Women's International Day highlighting the importance of women's inheritance and land rights and the importance of WLRTF's work. Through the Project, the Task Force provided advice and guidance for LARA's work in terms of women's rights.

In this regard, in May 2012, the LARA Project hosted the first national Women's Inheritance and Land Rights Conference in Kabul to raise public awareness regarding women's inheritance, land and property rights. The conference was initiated by the Minister of Women's Affairs, Hussan Bano Ghazanfer, who thanked the USAID LARA Project for hosting the event. Minister Ghazanfer said promoting and protecting women's land, inheritance and property rights is a crucial step toward strengthening women's rights in Afghanistan. More than 35 media organizations also attended representing television, radio and print. These included Shamshad, Tolo, Radio Khalid, Salam Wandandar, and Arianna Television, as well as the BBC Pashto. At the conclusion of the conference, Lida Nadery, then Team Leader for the LARA Project's Gender Unit, conducted a phone interview with Voice of America's (VoA) Radio Ashna in Dari through the VoA Washington, DC studio regarding the conference. Rona Taren and Aziz Rafiee were also guests on the show. On May 10, 2012 Ms. Nadery also conducted a television interview with VoA's Ashna TV from VoA's Kabul studio.

Following on from the Conference, the Project organized two roundtable discussions on women's land and inheritance rights in the fall of 2012. The first roundtable included representatives from Ministry of

Women Affairs (MOWA), civil society, Kabul shura members and female judges from Jalalabad. Fawzia Amini, the Head of MOWA Legal Department, noted that the Ministry dealt with more than 150 cases of women who need assistance with inheritance rights.

On November 14, 2012, the LARA Project Gender team conducted the second successful roundtable on Women's Inheritance and Land Rights in Aka Khail Village of Qara-Bagh District of Kabul Province. Sixty-six participants (including five women) attended the session. The roundtable panelists were Judge Nafisa Kabuli from Kabul Appeal Court, Mrs. Khadija from Legal Department of Ministry of Women Affairs, and Aadil Akakhael member of Provincial Council, who talked about women's land and inheritance rights. They focused on existing challenges of women in enforcing their land rights and analyzed ways of addressing these challenges. Mr. Aadil Akakhael acknowledged that this is the first ever gathering to discuss women inheritance and land rights in Aka Khail Village.

Identifying the lack of public information about women's rights to land and inheritance, LARA, in cooperation with MOWA, launched a public information awareness campaign on December 15, 2012. The campaign included 50 giant billboards displayed across Kabul and radio dramas, television public service announcements broadcasted on stations nationwide for period of 30-days. The campaign apprised Afghans of women's inheritance and land rights and provided information on where to call at MOWA to receive further information and assistance. The communications department had a significant role in supporting the LARA gender unit in implementing the public information the campaign.

Following from this, in June 2013, a LARA Project grantee, The Women's Children Legal Research Foundation (WCLRF), recorded three radio dramas and public service announcements. The LARA Project had contributed to the content of these radio dramas and public service announcements.

In March 2013 the LARA Project gender team met with the Norwegian Refugee Council (NRC), as recommended by the Legal Department of the Ministry of Women's Affairs (MOWA), since NRC is one of the international organizations in Afghanistan supporting women with legal services. The project team and NRC identified opportunities for working together on women land and inheritance cases, which were referred to the NRC by MOWA as a result of the women's land and inheritance public information awareness campaign organized in partnership between USAID's LARA and MOWA. This cooperation led to referred cases being resolved with the support of the NRC.

In part as a result of the women's land and inheritance rights campaign in 2013, by May of that year, 55 cases were filed by women with the Ministry of Women's Affairs to enforce land rights.[7] The cases were sent to relevant governmental departments by the Ministry of Women's Affairs or the Departments of the Women's Affairs in the provinces, as follows:

- 39 cases referred to the Legal Department of Kabul Governor's Office,
- 5 cases referred to the Ministers Council administrator office,
- 2 cases referred to Department of Women Affairs Parwan,
- 1 case referred to Department of Women Affairs Panjsher,
- 2 cases refereed to Department of Women Affairs Wardak,
- 3 cases referred to Ministry of Justice (MOJ), and
- 3 cases referred to the Supreme Court.[8]

On August 22, 2013, the LARA Gender Unit conducted an inheritance training session for the Women's Land Rights Task Force (WLRTF) with participants from Jalalabad and Kabul. This training built the professional capacity of the participants with regard to women's inheritance rights by covering topics

[7] Subsequent attempts by LARA to update these numbers towards the end of the Project failed because MOWA staff had changed and a level of bureaucracy was added to requests for information that prevented its timely retrieval.

[8] Refer to the LARA Project Quarterly Report for the period ending 30 June 2013.

like: Sources of the inheritance rights, Women's Inheritance Rights under current national Laws, Impediments to inheritance, Heirs, Rights to patrimony, Inheritance apportionment, Relatives, Challenges and Solutions facing women's inheritance rights; Comparative international practices concerning women's inheritance rights; and organizations responsible for raising awareness about women's land and inheritance rights.

As part of activities associated with the land rights formalization process, in the first quarter of 2013, the first roundtable on women's inheritance and land rights was conducted for Campoona and Araban CDC members. The event was part of a complex PIA campaign on women's rights to own and inherit land, conducted by the LARA Project in partnership with MOWA. The panelists featured high level local officials such as Muhtarama Amin (Member of Nangarhar Provincial Council, Nelofar Aziz (Member of Nanagarhar Provincial Council), Mahtab Malikzai (Directorate of Women Affairs, Nangarhar Province) and Ms. Shamaila (Member of Jalalabad Court). The participants talked about existing challenges in enforcing women's land rights and analyzed ways of addressing these challenges.

The LARA Project gender team, in coordination with the Department of Women's Affairs (DOWA) in Nangarhar Province, conducted a roundtable on women's land and inheritance rights on May 9, 2013 in the DoWA office in Jalalabad. The panelists included senior regional government officials including representatives from the Jalalabad Court and DOWA. The Jalalabad Court representative (Ms. Zuhal Wahidi) gave an overview of women's land rights according to the Constitutional Law, the Civil Code and Elimination of Violence against Women Law, and focused on how to divide land between inheritors and what procedures should be followed. The Provincial Council representative (Nelofar Aziz) highlighted the importance of public information awareness throughout the society so that women and men are able to understand and enforce women's rights to inherit and own property. The participants agreed to involve religious and local leaders in increasing this awareness, as well as using media to educate people on the importance of enforcing women's rights to land and promoting male role models who have successfully granted family land to female relatives.

The direct impact of the LARA supported women's land and inheritance rights sessions. In 2013, Razia challenged her brother and won her inheritance

LARA's work in the area of Women's land and inheritance rights had demonstrable results. The LARA Gender Unit worked with MOWA to assist Mrs. Razia from Panjsher province, Rukha District of Bahrami Village, who attended a Women's Land Rights Task Force Awareness Session on May 20, 2013. Through that session and with assistance from Mrs. Gul Jan Bakhshe (a Task Force member) and through help from the Panjsher provincial council members and community elders she was able to receive a part of a garden and another parcel of land as her inheritance share even though her brother was reluctant to recognize her claim.

Delighted that her claim was successful, Razia stated:

> When I learned through the awareness session that as a human being I have a right to claim land and property through inheritance, and that the claim is supported by Afghan Law and Regulations, I was encouraged to press for my inheritance rights in Panjsher Province, where it is still not accepted culturally for women to claim inheritance land.

She is thankful to the LARA Project for making her aware of her rights and supporting her through the process of actually receiving her inheritance.

In another example of the impact of these PIA activities, Ms. Sima Makay Saadat, a school teacher in Kabul province, claimed a share of land in Kalakan district of Kabul from her brothers that she should have received 15 years ago based upon her inheritance rights. Over the 15 year period her brothers had appropriated all the income from the property for themselves and had not included Ms. Saadat.

Claiming her land inheritance land was not an easy step for her, since her brothers told her that their people will ridicule them for doing this. Nevertheless, Ms. Saadat called upon Gul Jan Bakhshe, who helped her present the issue to tribal elders. After more than a month of negotiation, her brothers finally agreed to pay her 300,000 Afs (about $US 5,200) as her share.

LARA's work with women's land and inheritance rights was also recognized in an article by McClatchy News Service, "In Afghanistan, women denied their inheritance now have a champion" (http://www.mcclatchydc.com/2013/06/04/192962/in-afghanistan-woman-denied-their.html#.UbLQK5VV8zL). The article notes that the program is "aimed at educating not just women but men, too, since those who don't know the law often simply assumes women aren't allowed to inherit."

TASK 10.1: PROVIDE STTA SUPPORT TO DIRECT USAID-FUNDED WOMEN'S INHERITANCE AND PROPERTY RIGHTS CONFERENCES IN AFGHANISTAN

This activity was added to the Scope of Work as part of the Option Period project extension but it did not proceed. On 5 June 2013, USAID noted that this activity was 'off the table.'[9]

TASK 10.2: ESTABLISH STUDENT CLUBS IN KABUL AND JALALABAD SCHOOLS AND UNIVERSITIES

The project competitive procurement process could not attract sufficiently qualified organizations to facilitate the process and propose a sound technical approach. As a result, the team focused its attention on other women's inheritance and land rights awareness activities as well as on building the capacity of the WLRTF.

TASK 10.3: CONDUCT WOMEN'S ADVOCACY TRAINING AND SUPPORT

Toward the end of 2011 LARA Project recruited interested members for a WLRTF to monitor the implementation of the Gender Work Plan and advise the project on women's land rights issues and the reform of women's inheritance and land laws.

The WLRTF consisted of people eminent in land law, human rights, peace and conflict resolution, governance and cultural and religious matters. The inaugural session on December 11, 2011 was attended by ten members drawn from the upper (Senate) and lower houses of parliament, the Nangarhar Provincial Council, the Department of Women Affairs of Nangarhar, the Afghanistan Independent Human Rights Commission and the Supreme Court of Afghanistan and the High Peace Council. The WLRTF served as the steering committee for the Advocacy Coalition which was charged with the design and implementation of advocacy programs to promote reforms in the inheritance and land laws pertinent to women and especially to ensure greater enforcement of the law. All members affirmed their commitment to serve on the task force and to provide ongoing support to the implementation of the LARA Project's women's inheritance and land rights awareness activities. The WLRTF met monthly alternating the site of the sessions between Kabul and Jalalabad. One of its first tasks was to provide comments and recommendations regarding the LARA Project Gender Action Plan to increase awareness and enforcement of women's inheritance and land rights.

[9] Email correspondence dated 5 June between the ACOR and Tt in response to a Tt email/Meeting Minute dated 4 June 2013., and earlier correspondence starting on 14 February 2014.

In the first quarter of 2012 the WLRTF held four meetings. It developed a three-month Action Plan providing for support and advocacy for women's land and property rights. The plan called for a nationwide awareness campaign, including roundtable discussions, billboards, brochures, posters, and public service announcements for radio and television. The WLRTF conducted land and inheritance rights awareness workshops for more than 120 people in Kabul and Jalalabad. The first workshop was held on May 1, 2012 at the Afghanistan Independent Human Rights Commission (AHIRC) office in Kabul. Dr. Suraya Sobhrang, Commissioner of AHIRC and a member of the Women's Inheritance and Land Rights Task Force, facilitated the workshop. The second awareness workshop was held at the Afghan Civil Society Forum in Kabul on May 17, 2012. Mr. Aziz Rafiee the Director of the Afghan Civil Society Forum (ACSF) and member of Women's Inheritance and Land Rights Task Force facilitated the workshop. The third awareness workshop was organized by the LARA Gender Unit and the Department of Women's Affairs (DoWA) and Ms. Anisa Imarani, the Director of DoWA and WLRTF member, facilitated the workshop.

The LARA Project gender unit also hosted a regional conference on Women's Inheritance and Land Rights at the Governor Hall in Jalalabad on July 5, 2012.

In the third quarter of 2012, the LARA grantee, Women's Children and Legal Research Foundation, conducted eleven Community Conversation Workshops in Kabul and Jalalabad. A total of 184 participants attended the events, including 60 women. The training objective was to engage men and women in a dialogue on why women's land and inheritance rights are important for Afghanistan. The training was based on a training manual developed by the LARA Project gender team.

In April 2013, the LARA Gender Unit organized an advocacy training session for WLRTF members for Jalalabad and Kabul, The training introduced advocacy as a concept and presented effective practical advocacy tools that could be employed when embarking upon campaigns aiming at influencing legislation pertaining to women's land and inheritance rights. The participants discussed several Afghan laws that the WLRTF could try and influence using advocacy practices, such as Media Law, Family Law, Violence against Women Law, and the draft Family Bill. The WLRTF members also brainstormed practical aspects of an advocacy campaign that would change people's perception and attitudes with respect to women's inheritance rights by targeting media, civil society, and law makers.

Responsibility for the WLTF shifted to Arazi in 2013 and, in June, the Task Force held its first meeting at Arazi, Kabul. This was the first WLRTF meeting in the Arazi office and a first step in transferring the task force secretariat from the LARA Project to Arazi; part of the sustainability strategy for the group as outlined in the approved Work Plan. In their keynote speeches, the Deputy Director of Arazi and LARA's Lida Nadery talked about the importance of the transition of the task force to Arazi as part of the sustainability plan. The main objective of the meeting was to review the draft of the charter for the task force. The charter will ensure that all of the task force members agree on one joint advocacy platform of diverse civil society organizations, including but not limited to media, umbrella organizations, and networks to advocate for women's land and inheritance rights.

During the NCE, the LARA Project organized one day round table on Women's Inheritance and Land Rights for Arazi that was held on March 9, 2014. The roundtable was attended by 118 participants (30 Female and 88 male) from Arazi, the Ministry of Women's Affairs, and civil society. Jawad Peikar, CEO of Arazi recognized the support that the LARA Project provided to the Women's Land Rights Task Force and its activities with Arazi and specifically singled out Lida Nadery, LARA DCOP/Technical, for her exceptional contributions to the promotion of women's rights in Afghanistan.

Mr. Peikar directed Arazi to be a pioneer in promoting women's rights and tasked each Arazi directorate with recruiting and training more women, including in the provinces and providing favorable terms to women for the lease of land for which he would get the approval of the President. Mr. Peikar committed Arazi to find funds to continue to support the Women's Land Rights Task Force.

On May 13, 2014 the LARA gender unit conducted a second Women's Land Rights Task Force (WLRTF) meeting at the Arazi main office. This meeting dealt with the transfer of the WLRTF to Arazi or other civil society organization to continue its advocacy activities after the completion of LARA Project NCE. Arazi CEO, Mr. Jawad Peikar, participated in the meeting stated that different capacity building programs need to be designed for the WLRTF members in order to enable them to advocate effectively for Afghan women's land rights. He added that WLRTF should include members from all large provinces of Afghanistan such as Kandahar, Herat, Mazar, Bamyan, Jalalabad and Kabul. He also stressed that the members of WLRTF should be 30% from the private sector, 30% from civil society, and 40% from the governmental organizations. Important criteria for selecting WLRTF members must be their specialization in lands rights and legal sectors.

Mr. Peikar also mentioned that the chair of the WLRTF should rotate among the civil society groups. Each organization would have the responsibility of hosting the meetings and advocacy programs of the WLRTF for 6 months. Mr. Aziz Rafi, CEO of ACSF, volunteered to take the first 6 months activities in ACSF after the close of the LARA Project. However, he mentioned that ACSF does not have budget for travel and accommodation of the WLRTF members coming from the provinces.

During the life of the LARA project, WLRTF served as an important mechanism for increasing awareness of gender issues within the land tenure sector. Importantly, however, since the WLRTF indicated that it would not register as an NGO (and, therefore, would not be able to receive direct funding) its sustainability as an organization in its own right fell into question. Its sustainability was also called into question by Arazi's inability to fund its activities. As a result, further assistance to the WLRTF was shifted directly to Arazi and its Gender Department, such as it was (it comprises to persons). As a result, LARA's gender specialist drafted a concept note and initial budget for the gender unit for Arazi for two years. The draft was shared with Mr. Peikar for review, comment and possible implementation, where it remains. Additionally, LARA worked with Arazi for the development and implementation of an institutional gender policy (refer to Task 10.4 below).

TASK 10.4: PROVIDE ADDITIONAL SUPPORT FOR ARAZI ON GENDER ISSUES

The gender capacity building process commenced with a rapid participatory analysis of Arazi and its projects, which was conducted by a short term consultant in the month of January 2013. The analysis found that there are only 12 female Arazi staff, 5 of which are cleaners and none are in senior management positions in the central office. At the provincial level the Gender Assessment of Arazi reports there are no women employed by Arazi at Provincial or District level (although one woman who worked for Kabul Province). LARA identified 4 primary reasons for correcting this imbalance in order to implement successful gender mainstreaming:

- The achievement of greater gender equity in numbers of women employed and in management positions is a gender-mainstreaming goal in itself;
- Sex segregation is the norm across Afghanistan. Consequently, having more women employed in government institutions makes GIRoA more accessible to its female citizens;
- While women are not necessarily more gender aware or gender sensitive than men, or more likely to represent women's interests, it is generally believed that having greater numbers of women working in an organization leads to less male bias in policy and decision making; and
- There appears to be support for recruiting greater numbers of women in Arazi at the senior level.

A report was prepared that outlines a series of activities designed to initiate a process of gender integration or mainstreaming in the organization and functions of Arazi. General conclusions were that:

- There is extremely limited conscious understanding or knowledge of gender and gender issues among Arazi staff, at all levels;
- Gender awareness and sensitivity is confused with women's welfare; and

- Gender mainstreaming is only important, because women work harder and are less likely to be corrupt, rather than raising opportunities which empower women.

The analysis resulted in realistic suggestions for how to support gender mainstreaming at Arazi. Thereafter, in April 2013, LARA's gender team, together with the project Technical Advisor/Manager, and Arazi focal scheduled gender training for the Arazi staff, in accordance with the Gender Mainstreaming Strategy for Arazi. In September 2013, the LARA gender unit provided gender training for the first group of Arazi employees. The training was conducted by a LARA short term Afghan consultant, Ms. Nasima Rahmani, and logged the participation of 33 attendees. The main parts of the training included the history of gender sensitivity, definitions, women in development, gender in development, women's rights in Afghanistan, gender equality, gender analyses, gender enrollment, gender programming, budgeting and gender budgeting, and other topics aimed to make Arazi a more gender-responsive institution. In October, the Gender unit finished the last series of gender training for 27 Arazi staff.

In 2014, during the No-cost Extension period, the LARA Project continued to work closely with Arazi to develop and adopt a defined Gender Strategy for Arazi. In June and July LARA's Gender Consultant and in-house Gender Specialist worked with Arazi to develop a Suite of key Gender Strategies for Arazi intended to guide its internal gender relations into the future (refer to comments below concerning Capacity Building under Component 3 for more details). This resulted in the approval of Arazi's Gender Policy and Action Plan focusing on workplace equity and service delivery, in October 2014.

2.3.4 COMPONENT 2 IMPACT

While the primary legislative amendments (Land Management Law etc.) are still awaiting MOJ and Parliamentary approval, amendments to the regulatory requirements dealing with Arazi practices were completed and regional staff trained. The provision of the regional training of itself is a significant milestone for Arazi in terms of disseminating it practices and procedures to staff and the public. Further to this regional public consultations (for the LML, in particular) represent a high point for:

- Dissemination of information to staff and the public,
- Receiving broad-based feedback on legislative reform, and
- Implementing legislative changes in response to feedback.

This entire process was new to Afghanistan (particularly the land sector) and Arazi staff and public responded positively to the process.

The impact of the Women's Land & Inheritance Rights campaign was important (refer also to the snapshots submitted to USAID by the LARA Project, see Section 3) for Afghanistan and for the women that this campaign touched. There are numerous examples of women having claimed and received their inheritance rights as a direct result of this campaign. There is even an example of a male member of a household providing inheritance to his sisters as a result of this campaign. Such was the impact that it was recognized within Afghanistan and internationally through the international media.

2.3.5 COMPONENT 2 KEY LESSONS & RECOMMENDATIONS

LARA Learned that:

- There is still a need for further legal, procedural and institutional reform in the land sector to address land rights registration, land leasing and land valuation bottlenecks (among other technical issues), institutional capacity and institutional reform (e.g. transparency and the consolidating / rationalizing of institutional involvement in the land sector)

- Public consultation activities concerning proposed legislation were eagerly received by both GIRoA institutions and the public and need to be continued
- There is a tremendous appetite within the population (especially - but not exclusively – in terms of women) for a greater understanding of women's land and inheritance rights
- There is a greater need for support to women in terms of the exercise of women's land and inheritance rights

Recommendations for indicative future activities include the following.

Following on from recommendations made in the updated BizCLIR (real estate) review conducted in June 2014, here were still important reforms required in terms of land transfer laws. These are currently within the responsibility of the Supreme Court and require change/simplification to assist the development of a more mature land market.

While the result of LARA's gender strategy was significant, it seems clear that its impact must be broadened. LARA has shown that targeted information campaigns addressing women's land and inheritance rights work. But they cannot stop here. For this impact to last, the campaign for women's land and inheritance rights must continue. USAID may consider in the context of the PROMOTE IQC incorporating further work in this area within an up-coming Task Order.

Further support is also required at an institutional level for Arazi to implement its Gender Policy & Action Plan.

2.4 COMPONENT 3: CAPACITY BUILDING

2.4.1 ACTIVITY 8: INSTITUTIONAL & PRIVATE SECTOR STRENGTHENING

OUTPUT 8.1: PROVIDE TECHNICAL ASSISTANCE TO GIROA INSTITUTIONAL PARTNERS ON MATTERS RELATING TO THEIR OPERATIONS. SUCH ASSISTANCE COULD INCLUDE ADVICE ON INSTITUTIONAL ORGANIZATION , SUPPORT IN DEVELOPING AND TESTING METHODOLOGIES FOR INVENTORYING, RECORDING, AND CLASSIFYING STATE-OWNED LAND; DEVELOPMENT OF VALUATION MODELS TO SUPPORT FEES FOR LEASING OF GOVERNMENT-OWNED LANDS; ASSISTANCE WITH THE DESIGN, DEVELOPMENT, AND IMPLEMENTATION OF A LAND RECORDS MANAGEMENT SYSTEM TO STORE, PROCESS, AND MANAGE LAND RECORDS

OUTPUT 8.2: TECHNICAL SUPPORT, TRAINING AND CAPACITY BUILDING FOR PUBLIC AND PRIVATE SECTOR PARTNERS–ORGANIZATION, FINANCIAL MANAGEMENT, PROCUREMENT, SUBCONTRACTING, AND REPORTING

OUTPUT 8.3: TECHNICAL SUPPORT, TRAINING, AND CAPACITY BUILDING IN LAND SERVICES FOR AFGHAN GOVERNMENT COUNTERPARTS AND PRIVATE SECTOR PARTNERS

LARA, either directly or indirectly, was responsible for the training of more than 4,700 Afghan personnel (see indicator 2.3.7, Section 5). These activities included technical and organizational development training sessions, workshops, roundtable discussions etc. across all participating LARA counterpart institutions. The Project's training activities are summarized in Section 6 below. Overall, the response from GIRoA staff and others (including private sector participants) was enthusiastic.

The extent of institutional and private sector strengthening under LARA has been largely set out earlier in this report under their respective Components and Tasks. They will not be duplicated here. Nevertheless, there are some important elements of this "Capacity Building" Component that are separately articulated here.

Private Sector Assessment Workshop in the June Quarter, 2011

The LARA Project was also initially conceived as providing support to a single "Afghan Entity." Upon start-up, however, USAID requested a change that necessitated private sector support across a number of private sector organizations and the idea of providing support to a single "Afghan Entity" was dropped. This situation was to change again when USAID instructed the Project to stop dedicated private sector support.

A Private Sector Assessment Workshop was held in the Quarter ending June 2011 to assess the capacity of LARA's potential partners (including organizations such as ALCO, SDO, TLO, CRA, Land Rights and ALCBO) in order to tailor training activities considered necessary to raise those organizations' administrative capacity to a minimum standard required to properly manage USAID funds flowing through the LARA Project.

The preliminary findings from the Workshop included strong need and interest in training in: financial management (including budgeting, forecasting, and control mechanisms); contracting (including negotiation, contract management, and the development of contract and grant templates); and new business development (including scoping, proposal writing, and cost proposal construction).

LARA also sponsored three of its core private sector partners to attend an event given by the American Chamber of Commerce in Afghanistan on project financing, in May 2011. Private organizations such as TLO and ALCO went on to win subcontracts from the LARA Project and produce results that were of a satisfactory standard to submit to USAID.

In order to provide advice on institutional organization to the GIRoA institutional partners, in 2011, the LARA Project conducted an institutional diagnostic by cross-interviewing administrative and management staff of each institution with which the LARA Project anticipated working according to its Work Plan and reviewing operating procedures to develop a sector-wide strategy and recommendations for capacity building interventions. The diagnostic and associated report was completed in April 2012. The diagnostic looked at institutions with reference to the LARA Project work plan and offered findings and recommendations to assist in formulate assistance and training for not only the administration of land resources, but in securing adequate and appropriate services for the citizens of Afghanistan. The capacity building activities of the LARA Project were in part informed by this diagnostic.

A starting point capacity building activities with key GIRoA partners was to gather together regional Arazi teams to understand the developing vision of the institution. In September 2011, LARA supported a National Land Seminar at the Ministry of Agriculture Irrigation and Livestock (MAIL) in Kabul. The seminar hosted 163 ARAZI's staff from all over Afghanistan. From the participants, 71 were from Kabul, while the other 92 were from 30 other Provinces. The 5 day-long Seminar covered land settlement procedures, land-related dispute resolution (CBDR) procedures, land clearance procedures, land transfer to public entities, land leasing procedure, land lease procedures and establishing rents and related gender issues.

In the last quarter of 2011, 19 staff of AGCHO were trained in GPS, including GPS Basic Training and Leica Total Station Training. The course was provided free of charge by ISAF, and was made possible for AGCHO Cadastral and MUDA staff through the LARA Project's coordination.

Starting in August 2011, LARA undertook a number of important urban planning capacity building activities designed, using participatory methodologies, to engage and draw upon local expertise while injecting new ideas into the traditional technical landscape. In Jalalabad, LARA supported three important urban planning clinics that concluded in November 2011. These included:

LARA's DCOP (Technical) presents Certificates to ARAZI staff at the ARAZI National Land Seminar (September 2011)

1. *Locating Project & Activities Workshop*. Hosted by Jalalabad Municipality and including 21 senior staff from Jalalabad Municipality, DUDA, MUDA, USAID, ISAF, RAMP-UP East and UN-HABITAT, participants reviewed a series of aerial maps of Jalalabad and traced by hand the location of all known local projects and activities.
2. *Existing Land Use Workshop*. Attended by 25 participants from agencies such as Jalalabad Municipality, DUDA, MUDA, Arazi, USAID, RAMP-UP and AGCHO, the workshop was hosted by the Provincial Urban Development Affairs Department (DUDA), had the objective of assisting the Jalalabad Municipality and Eastern Regional Urban Development Affairs Department to map the existing land uses in and around the city(uses include residential high density / low density / low income housing; commercial; bazaars; industrial, manufacturing; agricultural; educational; health etc.)
3. *Environmental Hazards Mapping Workshop*.

Environmental Hazards Mapping indicating which areas are most affected by recurrent and seasonal floods and other environmental hazards related to pollution of water and air

LARA's approach to on-the-job training in the field of urban planning has been widely appreciated. The LARA team has engaged a wide range of technical staff from MUDA and Jalalabad Municipality. It also successfully involved two young engineers from MUDA's City Planning Department (Kabul) that learned through practice how to conduct participatory consultations to gather information, as an alternative to the conventional 'letters of instruction' that MUDA sends to its municipal counterparts (and which are sometimes ignored by them).

LARA's National Informal Settlements Upgrading and Formalization workshop, in Kabul, November 2011. According to Eng. Pashtoon, former Minister of MUDA and Special Adviser to the President "This is one of the best workshops I have ever attended on urban upgrading in Afghanistan."

In November 2011, LARA's urban development team also hosted a three-day Informal Settlements Upgrading and Formalization Workshop with 140 leading stakeholders in land issues. The workshop was coordinated jointly with MUDA and KURP. It provided a platform to discuss best practices and harmonization of upgrading procedures and approaches in informal settlements, as well as the need to develop and finalize an Informal Settlements Upgrading Policy that would inform and guide future investments in the urban sector. Based on KURP's work in Kabul, LARA supported a Jalalabad Municipality study tour to Kabul in September 2012 in order for technicians and members of the community in Jalalabad to understand the potential of upgrading activities in their Municipality as part of the LARA Project.

In terms of capacity building for CBDR, LARA focused efforts on Arazi and local officials and elders in the Jalalabad area. From July 2013, LARA worked closely with local officials to disseminate the CBDR messages contained in the CBDR Manual. The LARA CBDR team completed a series of training sessions to introduce its CBDR Manual to tribal elders in Jalalabad city and introduce methods to coordinate and support Arazi. The training explored methods for involving community leaders in solving land related disputes during the Tasfia process conducted by Arazi. The trainings were held from July through August 2013. The training was welcomed by tribal elders, who received guidance regarding the settlement of disputes through the Jirgas and how to formalize decisions through the courts. They also received guidance on working with Arazi during Tasfia the process. The training was attended by 200 tribal elders and Arazi staff, 161 of whom were men and 39 women.

Participant in the procurement training received her graduation certificate

Drawing on an initial real estate valuation assessment undertaken in 2011, LARA conducted Land Valuation Training in 2013 and, again in 2014 (see comments in relation to Task 3.1.5, above). In 2013, LARA's real estate valuation specialist focused on conducting an initial workshop in order to develop a Draft Land Valuation Manual. In 2014, the consultant conducted a series of Workshops on Land Valuation Principles with GIRoA representatives. A total of ten attendees represented five departments within Arazi (Land Clearance, Land Lease, Land Transfer, Land Registration and

Archives, and Survey and Cadaster), the Municipality of Kabul, and the Ministry of Energy and Water. The workshops focused on essential best practices for land valuation. Several workshop topics were actively discussed that engaged attendees, including the importance of collecting accurate land data for valuation purposes; qualifying or disqualifying sales as indicators of market value; and how units of comparison are developed from qualified sales. The result was a revised Land Valuation Manual and teaching guidelines that can be used by Arazi staff, in particular, to provide their own training on the subject.

LARA's support was not, however, always of a "technical" nature. The Project received significant positive feedback in its regional support to government agencies in terms of Basic IT and Basic Management short courses. In the June Quarter of 2012, LARA Project managed and organized a number of the trainings to Arazi staff and Non-Arazi counterparts in Basic IT and Basic Management Skills in different provinces such as Herat, Balkh, Kabul, Nangarhar, Kandahar and Kunduz through the training providers, HEIK and Inteqal LLC. In total, 350 government employees from different institutions such as Arazi, GDMA, AGCHO, Municipality, Directorate of Urban Development Affaires (DUDA), High Court, Women Affairs, Arazi, and Commerce and Industries trained in the mentioned courses out of which 234 were drawn from Arazi. The courses were designed to provide a fundamental understanding of institutional expectations, improve the performance of governmental staff in their current job functions as well as provide an understanding of the skill required in terms of their increased responsibilities relating to the new land management system. The Basic Management Skills Training consisted of six modules including Organization Development, Report Writing, Effective Communication, Time Management, Counterpart Management, and Leadership & Team building management. The LARA Project's post training survey results indicated that 73% of participants were applying the knowledge obtained from the trainings to fulfill their job duties and responsibilities.

By the end of March 2013, the Capacity Building Component had successfully completed its basic in-house accounting training for 15 public and private sector partners' employees working in finance departments. As a result of the training, participants will be able to apply principles of accounting to upgrade the level of finance management accuracy in their day to day jobs. The pre- and post- training evaluation shows that the skills transfer was above 70% as a result of this training.

In the summer of 2012, as part of the institutional and technical assistance to AGCHO, the LARA capacity and technical teams worked with sub-contractor, AIMS, to conduct geographic information (GIS) training sessions for LARA's private sector partners. In addition, the staff of land-related government institutions were introduced to ArcGIS desktop software to provide a foundation for using modern GIS techniques. Following this GIS work with AGCHO, in September 2012, LARA supported GIS training for 15 MUDA participants. LARA provided 140 hours of ArcGIS desktop training with material prepared in three languages English, Dari and Pashto in Kabul. Based upon post-training evaluations the GIS training in Kabul proved quite effective. This GIS training was also extended to 15 participants in Jalalabad in October 2012.

As noted above, in the fall of 2012, LARA enrolled seven participants in two land-related technical training courses with the following details: Sustainable Urban Land Use Planning; and Street Addressing and Management of the Cities. This was a World Bank online course providing an opportunity to the GDMA participants to create or update a map of the city that can be used by different municipal departments, conduct a systematic survey that collects targeted information on the city, its services, businesses and population and set up a database on the built environment that at the time was unavailable. The objective of the course was to raise awareness of the importance of street addressing for city management, service delivery and maintenance, public assets management, land management, municipal resource mobilization, and business development.

A significant amount of LARA effort was spent on legislative amendments, in particular, to the Land Management Law and associated Regulations. This is perhaps the main legislative framework impacting LARA's primary GIRoA counterpart, Arazi, with which LARA Component 2 (Legal Framework) worked especially closely. LARA legal framework and capacity building teams completed a trainer's manual for Arazi technical training sessions to guide instructors in the Training of Trainers (ToT). The manual contains different methodologies to be implemented during actual training. The ToT training was conducted in Kabul in March 2013 with 30 trainees, 21 from Provinces and 9 from Kabul. The training was dedicated to land lease, land clearance, land transfer and land exchange procedures. The purpose of the ToT was to provide capacity to train in regional training sessions and to ensure the sustainability of skills and capacity of Arazi staff. This training was followed by training of Arazi staff at provincial and district levels in Herat, Balkh, Kunduz and Nangarhar regions. The manual clarifies the training methodology, time line/duration and topics to be taught in Land Management Law technical trainings. The training also contained a gender component directed at greater support for women investing in land leasing and mitigating land disputes. The training concluded with a program for Arazi staff in the central region/Kabul, which included participants from Parwan, Kapisa, Panjshir, Bamiyan, Daikundi, Logar, Wardak, Ghazni, Logar, Wardak, Nangarhar, Khost, Paktya, and Paktia provinces, as well as Arazi employees from Kabul district level employees.

Regional Arazi Staff attend the Arazi 5-Year Strategic Plan Workshop in Bamyan

Regional Land Management Law technical training was provided to the Arazi staff during April 2012 in Herat, Balkh, Kunduz and Nangahar (encompassing neighboring Provinces) and trained 270 people.

Following on from the work on legislative reform, Component 2 also worked closely with the World Bank and Arazi's legal team on developing and disseminated information about Arazi's Five-Year Strategic Plan with regional staff. In September and October 2014, successful Workshops were held in Balkh, Herat, Bamyan, Jalalabad and Kabul for Arazi staff. More than 90 people attended.

July 2014 Meeting of the Arazi Committee to review, amend and agree the draft Gender Policy

Aligned with this, the LARA Senior Technical Adviser/Manager also drafted a Core Competency Framework document for Arazi. Drawing from the 5-Year Strategic Plan, these 'core competencies' are supposed to be the fundamental characteristics of an organization that also embody professional skills and working-style attributes of its staff that outline expected levels of performance. These high-level characteristics, skills and attributes relate to what is valued by the institution as, in the case of Arazi, expressed through its *Operational Strategy*. At the time of writing, this framework document was still with the Arazi CEO for review.

As noted above, LARA had important success in the field of supporting women's land and inheritance rights. It provided this support, among other things, through it support to the Women's Land rights Task

Force that facilitated perhaps the most successful communications campaign (in terms of media coverages); namely, the Women's Land and Inheritance Rights campaign.

LARA also worked closely with Arazi and a Gender Policy Review Committee established by Arazi CEO, Jawad Peikar, to approve a series of Gender policies within Arazi. The result was a series of documents:

- Gender Policy,
- Workplace Diversity and Equal Employment Opportunity Policy,
- Workplace Harassment Policy,
- Parental Leave Policy, and
- Gender Strategy and Action Plan.

An Arazi Gender Department Terms of Reference was also developed in addition to proposed Gender Department staff job descriptions. As noted above, the Gender Policies were approved by Arazi in October 2014.

An AGCHO employee at a practical CDMS Training in September 2013

Another key element of the LARA Project was to work with the land administration institutions of the GIRoA to improve land administration systems. In June 2013, the LARA capacity building team provided assistance to the Business System Analyst in providing CDMS training in Kabul for 30 AGCHO staff, 12 from the AGCHO provincial departments and 18 from the main office.

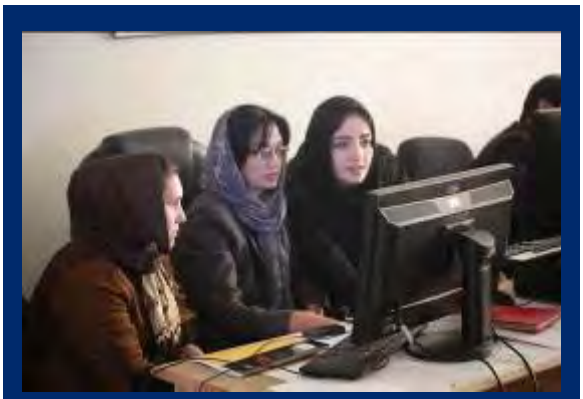
The training took place over four days with the objective of providing land administration practitioners a sufficient level of understanding to effectively use the OpenTitle IT system to record and document land and property rights in urban and rural, formal and informal settings and developed processes to create a land inventory and link land rights data to a cadastral fabric. Further CDMS software training continued through August 24 and September 2013. The course consisted of an introduction to the software, parcel creation and loading of digital boundary data to create cadastral maps, creating a plan for a single parcel, manipulating maps, consolidation of two parcels into one, and subdivision of a single parcel into two or more. Workflows using GRM Cadastre and administration tools were also covered. There were 25 participants, 3 of them women, and 10 from the provinces (5 from Badakhshan and Parwan). The remainder were from AGCHO and Arazi main offices. Mr. Omid, one of the participants, commented that the use of GRM Cadastre software not only helps transition to modern digitized systems, but also saves time, is more secure and simplifies the organization and administration of survey data.

AGCHO staff members receiving practical training on the surveying equipment (September 2013)

Allied with this land administration "office" training, the LARA Project procured modern surveying equipment for the AGCHO Cadastre Department and, in September 2013 provided practical training in the use of Topcon total station survey equipment, GPS, large scale scanners for digitizing existing paper maps, and

integrating this equipment to create cadastral base maps. The training included theory for the use of sophisticated and modern surveying equipment and was followed by a week of practical training in the use of TOPCON total stations. The participants expressed a great degree of satisfaction with both the theoretical and practical components of this training. Mr. Shekib opined that this technical training was one of the best trainings he has ever received. He also mentioned that through training he will able to transition from the manual system of surveying to digital systems. Of the 15 trainees, 8 were invited from Parwan, Faryab, Herat, Kunduz and Paktia provinces. At the request of Arazi (having had the AGCHO Cadastral Department physically merge with it by early 2014), LARA engaged a local (private sector) surveying company to provide additional survey training to Arazi staff. It should be noted that, despite the official AGCHO Cadastral Department merger with ARAZI, all equipment supplied by USAID LARA to AGCHO did not come over to Arazi because of an institutional dispute between AGCHO and Arazi Senior Management. At the end of the Project, this issue remained unresolved.

Participants at ALRMIS theory training at Arazi Training Center


Arazi staff undergo practical ALRMIS Training

ALRMIS software training took place in from 5-23 October 2013 at the Arazi Training Centre. The 28 participants, including one employee from each of the provinces of Kandahar, Herat, Kunduz, Nangarhar, Balkh, and Paktia learned the basic operations with GRM Registry and GRM Cadastre (which, together, comprise ALRMIS) in the first week of training. This was followed by specific training on Workflows for each Directorate. Additionally, there was Software

Development Kit (SDK) training for the Arazi IT specialist so that the software can be self-configured by Arazi as forms and procedures change over time.

OpenTitle training in the municipality of Jalalabad, started on September 7, 2013 and ended on September 12, 2013. The course was attended by 10 persons (four from Jalalabad municipality and six Nahia staff). The training included topics covering the indexing of parcels and persons, searching, imaging, mapping, generating reports and configuring the software.

2.4.3 ACTIVITY 9: IT SYSTEM NEEDS FOR COUNTERPARTS

OUTPUT 9.1: IT SYSTEMS IDENTIFIED, INSTALLED, AND OPERATIONAL IN SELECTED LAND ADMINISTRATION INSTITUTIONS

The information technology plans for DRACS, ALRMIS, and CDMS were developed and were included in ADS approval requests to USAID. Approval was granted by M/CIO/BCCS, USAID/Washington for all three programs and then approved by USAID.

In the spring of 2012, the LARA Project Systems Analysis team met with officials from Arazi to conduct a Business Area Analysis (BAA) and prepare System Requirements Specifications (SRS). The CEO of Arazi, Mr. Jawad Peikar, and acting Inventory Director, Mr. Aziz, were instrumental in the plan. The LARA Project systems analyst team then started mapping the land administration processes with strong

collaboration of Arazi staff. The Systems Analyst commenced its BAA of Arazi operations and activities pursuant to the plan. The Jawad Peikar, CEO of Arazi not only pledged full support for this activity, but made sure that the Directors of each directorate of Arazi would be open and forthcoming with the information that the team needed for the BAA.

The LARA Systems Analyst met with the Director of Kabul Makhzan of the Supreme Court to discuss the new IT System for computerization and management of title deeds in provincial and Kabul makhzans. As noted above, however, only DRACS was configured and installed.

The LARA Business Systems Analyst installed the first version of the first two modules of GRM Registry, namely Back-file and Land Inventory as part of the ALRMIS at Arazi in June 2013. In discussions with Arazi staff the software was configured throughout the summer of 2013 and the final version was installed in October 2013.

GRM Cadastre software was installed and tested at the AGCHO cadastre department in August 2013 and training was conducted in October 2013.

During the NCE, the LARA Project assisted specialists at Arazi with entering data into ALRMIS. In addition, the LARA IT specialist worked with Arazi to ensure that the IT equipment and its architecture were properly working. This required the procurement of additional support equipment, such as a new RT-20000 APC UPS to provide for continued service when electricity goes out at Arazi. The LARA Project continued to work with Arazi staff with data entry in the ALRMIS system and assisted Arazi in communicating with Thomson Reuters to ensure Arazi can exercise its rights under its Support and Maintenance Agreement. The Arazi staff had been in direct communication with technical support with Thomson Reuters, and Thomson Reuters was responding to Arazi requisites within the terms of the ALRMIS Support and Maintenance Agreement. The LARA Project also worked daily with members of the directorates of Arazi in the use of ALRMIS for parcel creation, indexing, workflows, and data entry.

As noted above, however, Arazi sought to change workflows and reports early in 2014. While these were developed and documented by LARA and Arazi staff and forwarded to Thomson Reuters (the software copyright owners), they could not be implemented before the end of the LARA Project.[10]

It is likely that, despite efforts to ensure the sustainability of IT systems (including the development of - and support for – the implementation of a Sustainability Plan, IT mentoring and additional training, and execution of Maintenance and Support Agreements with active support from Thomson Reuters), systems sustainability will continue to be a challenge into the future. This is largely due to:

- the short time period during the Project to consolidate training lessons
- lack of discipline within Arazi in terms of applying training and IT standards/Sustainability Planning activities
- limited leadership at the Arazi institutional level to support sustainable IT systems

As a result, more training to consolidate lessons is required to have a positive outcome in terms of IT Systems sustainability.

2.4.4 COMPONENT 3 IMPACT

Component 3 activities were largely supportive of the other Project Components but there was important impact in terms of its stand-alone tasks too.

[10] USAID Vetting issues with Thomson Reuters (a 51% Canadian-owned company) meant that the timely approval of a subcontract and its implementation became impossible.

- In terms of private sector support for local organizations, private sector recipients of LARA accounting and procurement training (for example), such as TLO and ALCO, went on to win subcontracts from the LARA Project in open competition.
- In terms of Basic IT and Basic Management Training, the LARA Project's post training survey results indicated that more than 70% of participants were applying the knowledge obtained from the trainings to fulfill their job duties and responsibilities.
- AGCHO Cadastral Department (now merged within Arazi) benefitted from important theoretical and hands-on training in survey equipment provided by both LARA and a local organization providing technical training in the local language. This provides the basic training necessary for cadastral survey activities to be continued, as necessary, by Arazi (although there is a strong argument for private sector participation in the future)
- Key technical staff within Arazi and other GIRoA agencies received important Land Valuation Basics Training which, combined with feedback from participants over the course of the LARA Project resulted in the finalization of a useful basic Land Valuation Manual which, along with local language training guides, provided the basic level of land valuation skills (commensurate with current capacity) to the small GIRoA staff that will enable them to:
    - Train additional staff as required; and
    - Have the basic understanding of valuation principles leading to the next level of training when capacity is sufficiently developed.

These are subtle yet important results.

2.4.5 COMPONENT 3 KEY LESSONS & RECOMMENDATIONS

LARA learned that:

- There is great potential for private sector participation in the land sector (e.g. land survey and land valuation) but business management practices and technical skills still require support.
- In terms of IT systems, additional hands-on training / technical support is required well after systems installation to ensure sustainable results

Recommendations for indicative future activities include the following.

- USAID withdrew support to private sector capacity building in terms of business operations, early in the term of the LARA Project. If USAID is to pursue an agenda of USAID FORWARD, it is recommended that private sector capacity building activities be revisited in order that Afghan organizations can be in a position to pursue direct USAID funding in the future.
- Further IT Systems training for Arazi is required to ensure the sustainability of IT systems.

3.0 SUCCESS STORIES

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SNAPSHOT

LARA Conduct Geographical Information System (GIS) Training Impact Assessment

USAID empowers Afghanistan by building the capacity of GIRoA's land-related Institutions in their mission to bring stability in the nation by land reform

The purpose of LARA is to develop a robust set of policies and laws to provide a framework for Afghanistan's land market; this framework will support in investment and productivity growth, mitigate land-dispute conflicts and built confidence in the government's legitimacy, thereby enhancing overall stability in Afghanistan society. The Geographical Information System (GIS) is one of the most crucial and needed skills for the technical staff of land administration/affairs institutions

In 2012, the USAID-funded Land Reform in Afghanistan (LARA) Project has successfully concluded a series of three, twenty-one day Geographical Information System (GIS) Training Courses in Kabul and Jalalabad. At the time, USAID's LARA Project offered GIS trainings to 45 technical staff members from LARA counterparts, 9 of whom were women. The participants were from MUDA, GDMA, Institute of Construction and Geodesy (ICG), Arazi, AGCHO, Jalalabad Municipality and DUDA.

In 2013, the Project conducted a follow-up assessment to the 2012 training to see how participants are using the skills acquired in their day-to-day jobs. The Institution of Construction and Geodesy integrated GIS into its curriculum. By doing this, ICG will continually educate more technicians who will become experts in this key land-related skill. Additionally, this training opportunity has provided women participants leverage in their jobs, as stated by one female engineer from MUDA: "with these newly gained skills, I can now work as a field engineer and get a salary increase".

Such technologically advanced training skills and capacity building contribute to job creation and revenue generation. As a result of this contract for example, numerous jobs were created in multiple layers by the subcontractor who hired staff to implement the training. Furthermore, the participants gained advanced knowledge and skills that advances their careers, opening their positions, consequently leading to revenue generation. Approximately $7,600 was transferred to the GIRoA treasury as a result of this single contract, which is an excellent indicator of revenue generation, one of the key objectives of USAID.

LARA Project's Monitoring and Evaluation team also assessed the long-term impact of this training regarding anti-corruption practices. A participant from GDMA related that GIS trainings enable this Institution to identify the number of residents within each district and compare those numbers to number votes in the ballot boxes. Thus, geographic information systems trainings will prevent voting discrepancies during the 2014 national presidential elections; hence USAID/ LARA Project also tackles anti-corruption with its land reform efforts.

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The USAID-funded Land Reform in Afghanistan (LARA) Project has successfully concluded a two-day Public Consultation Workshop on Land Management Law (LML) in Kabul. LARA's legal team in conjunction with the Afghanistan Land Authority (Arazi) fanned out across the country and visited every region in the nation. For more than a year, together they hosted numerous workshops, town hall meetings and other gatherings. They met with as many decision makers, municipal and provincial authorities and the general public as possible. That portion of the mission is complete, now comes the task of revamping the country's antiquated land laws.

The new Land Management Law will be one of the most important laws in the Afghan Constitution. It will answer many of the questions raised by people on their land rights. For example, it will protect citizens from having their property confiscated or seized by illegal means. The law will seek to clarify some misunderstandings and nullify legislation or bills or decrees that enabled previous governments to illegally confiscate property. This Law will also assist USAID's LARA Project to implement its formalization activities of informal settlements in Jalalabad and will be a useful asset to ARAZI, Ministry of Agriculture, Irrigation and Livestock in addition to the Ministry of Justice, the Afghan Government and to all Afghan people.

The job of drafting the new legislation is daunting. But with the hard work and dedication of the LARA teams and Arazi to seek the opinions and ideas from as many public stakeholders as possible, all parties are optimistic that their mission will be successful. Collectively the Ministries of Justice, Agriculture, Arazi, Taqneen, Parliamentary affairs among others will review the law article by article and provide recommendations. Once it is ratified by Parliament it will be signed into a law by a Presidential Decree.

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SUCCESS STORY

Woman receives her inheritance in Jalalabad

Photo credit: USAID's LARA Project

Ms. Mahtab Malikzai of the Dept. of Women's Affairs assisted Toorpekai, a participant of the Women's Land & Inheritance Rights Workshop to receive her portion of inheritance.

"It took Toorpekai 4 months to receive her inheritance. We had to call her brothers several times to give her the portion she was entitled to." Ms. Mahtab Malikzai.

For more information on the **USAID/LARA** project and its gender programs please contact:
Lida Nadery(*lida.nadery@lara-af.com*)

Toorpekai's father died many years ago, before the Soviet invasion. Her inheritance rights (which were ignored by her brothers) were unknown to her at the time. In any event, she was married and it was not customary for women to acquire property from the estate. But when Toorpekai's husband died in 1982, she struggled to raise her two sons and one daughter. She could not find a job because she was illiterate. She asked her husband's family for help but they would only help if she agreed to re-marry her husband's brother. When she refused she was expelled from the family home with her children. She then turned to her brothers who agreed to help her and her children only if she agreed to act as their servant. She felt that she had no alternative and agreed.

It would be many years, however, before her difficult circumstances changed. Early in 2013 she attended two Women's Land and Inheritance Rights Workshops funded by USAID's Land Reform in Afghanistan (LARA) Project. Only then did Toorpekai learn that she had the right to claim an inheritance from her father's estate. "After I attended the second workshop, I finally built up the courage to get my inheritance," Toorpekai said. With the support of the LARA Project, Ms. Mahtab Malikzai of the Department of Women's Affairs, and the Provincial Council of Jalalabad, she pursued her inheritance rights. But she had to fight for them. Her brothers claimed that she had no entitlement because they had given her food and board over the years; ignoring the work done in return. It took her almost 4 months but she was finally successful, receiving a small garden plot of land.

However, because the land was far from her home, Toorpekai sold it back to one of her brothers. She then decided to become a small business entrepreneur! She bought a minivan to be used as a taxi, and hired a driver to drive it. This earns her a steady income that allows her to pay for her day-to-day expenses and gives her extra for savings. With the remaining cash from her land sale, she paid off some debts and also granted her former landlord a loan in return for rent-free occupation of the home in which she is currently living (a common arrangement in Afghanistan). Toorpekai now lives happily in Behsud, Jalalabad, and feels thankful for the advice and support she received through USAID's LARA Project.

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SUCCESS STORY

Woman's Success with Land Inheritance

When her father died, Razia's brother took over all the family land despite laws guaranteeing her an inheritance. She was excluded from managing the family's gardens which were a source of food and income. Sadly, her story is a common one in the rich, fertile Panjsher Valley in Afghanistan where rural land for agricultural production is at a premium, and strong local customs discourage the recognition of women's inheritance and land rights.

Photo credit: USAID's LARA Project

LARA Project's Gender Specialist and Mrs. Gul Jan Bakhshe, Razia's mentor and a member of USAID-supported Women's Land Rights Task Force, discuss about the best ways to enforce women's rights to own and inherit land.

"When women participating in our awareness sessions are empowered, it gives me a great feeling. It proves how much we need to raise awareness about women's land and property rights", Ms. Gul states

"When I learned that, as a human being, I have a right to claim land by inheritance, I was encouraged to push for my inheritance rights." – Razia

Through a local school teacher, however, Razia heard about an information session on women's inheritance rights to be given with the support of USAID's Land Reform in Afghanistan (LARA) project, and she decided to attend. The session was a revelation. "When I learned through the awareness session that, as a human being, I have a right to claim land by inheritance, and that the claim is supported by Afghan law. I was encouraged to push for my inheritance rights," Razia said.

After the session, Razia successfully worked with the help of Mrs. Gul Jan Bakhshe, a member of the USAID LARA-supported Women's Land Rights Task Force, the Panjsher Provincial Council and Community Elders to receive a garden plot and a parcel of additional land as her inheritance share. There are those who still do not approve of her actions but, as Razia says, "The most difficult step to make was the decision [to seek my rights] and to believe in it." Now Razia is working the garden plot and has food for her family. She sells extra produce which provides additional income.

Razia's situation is like that of so many women in Afghanistan. Lack of information about the law, along with discriminatory customs, means that many women cannot make crucial contributions to their families' food security and economic well-being. Despite this, USAID's LARA project shows how targeted information campaigns and community support measures can make a critical impact for food security and economic improvement for poor Afghan women and their families.

For more information on the USAID/LARA project and its gender programs please contact:
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4.0 PERFORMANCE MONITORING REPORT

Indicator No.	Indicator	Baseline Value (April 2011)[11]	January 2013–March 2014[12]		Target NCE (August 2014)	Cumulative (LOP Actual)
			Target Option (December 2013)	Actual		
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						
1	% of surveyed Afghan community members that report satisfaction with land tenure security in targeted informal settlement communities	58.1%[13]	15% above baseline	TBD	20% above baseline	No Final Data[14]
IR 1: Management of Government-Owned Property Improved						
1.0.1	Revenues to GIRoA from leases of government land [% increased]	223.5 Million Afs[15]	10% above baseline	52.3 mill Afs	10% above baseline	443.6 mill Afs[16]

[11] The Socio-Economic and Housing Baseline Survey (SES) for Jalalabad was conducted by Peace Humanitarian Organization (PHO). It covered approximately 25 informal settlements within an 8-km radius of the city of Jalalabad. The survey findings are based on data collected in the field between December 15, 2011, and January 15, 2012, through quantitative survey research complemented by qualitative interviews.

[12] The result here is an aggregate of the annual total (January–December 2013) and the second quarter totals (January–March 2014)

[13] Source: SES, p.36. The raw data for Araban and Campoona (including "Araban 2") indicates that the average percentage of residents being "very satisfied" is 58.1% (revised due to a previous error mentioning 56%). For the entire sample group (25 informal settlements), this value was 73%

[14] This data could not be collected because the endline/impact evaluation was cancelled. LARA had selected Eureka Research to conduct the study but the USAID Vetting Unit could not process the vetting request within a reasonable time from the end of the Project to allow the study to start. The vetting request was first submitted to the Vetting Unit on 18 April 2014 but was withdrawn by LARA on 21 September 2014. No progress appeared to have been made.

[15] This is a reduction from the 235 mill Afs initially stated. The revision is based on Arazi data from October 2014.

[16] This number excludes the baseline revenues. The situation with revenues from government leases is hard to grasp in terms of project impact. In October 2014, at the Arazi Retreat hosted by LARA, Arazi's Land Lease Director indicated that the lease revenues for the previous years were as follows: (Islamic year 1389 (2010)) 223.5 mill Afs; 1390, 80.8 mill Afs; 1391, 194 mill Afs; 1392, 116.5 mill Afs; first half 2014, 52.3 mill Afs). It seems that there has been a reduction of revenues over the term of the project. The Director for Land Leasing later indicated to LARA staff that there are a number of reasons for this: (1) In 2010 the land related to the Canal Directorate was leased directly by Arazi but in 2013 the Canal Directorate leased land under its jurisdiction directly and, thereafter, these revenues were not counted by Arazi; (2) during 2013, the announced withdrawal of international

ndicator	Baseline Value (April 2011)[11]	January 2013–March 2014[12]		Target NCE (August 2014)	Cumulative (LOP Actual)
		Target Option (December 2013)	Actual		
ural reforms improving tenure ttlers, and enhancing abilities	0[17]	1	1	2[18]	11[19]
Sub-IR 1.1: Institutional Capacity of MAIL/Arazi Enhanced					
on a competency framework ts mandate, based on formance standards e determined, and number of essed during the baseline	N/A	10%	Targets still pending[20]	Targets still pending[21]	No Cumulative data
gement and monitoring nd operational	No[22]	Yes	Yes	Yes	Yes/Qualifie d[23]

ted to the Presidential election negatively impacted the leasing process. Furthermore, during 2013, that reporting period changed from the Islamic cal year – meaning that revenue for 2013 was based on a 9 month period rather than a 12 month period. This all seems to indicate that there is a large of the data, changes in calculation methodologies and political uncertainty. As a result, assessing the impact of LARA activities is too early to determine.

procedure for land revenue were in place.

rget will incorporate policy and/or legislative changes/drafts in respect of the proposed Land Acquisition Law and Valuation Policy.

al reforms include: land lease, land transfer, Grabbed Land Restitution Procedure, Land Exchange, Land Clearance, Upgrading Policy of informal n and Land Acquisition.

s of the Project, there were significant institutional and role changes within the organization. This started with Arazi's removal from MAIL institutional June 2013, its establishment as an Independent Land Authority. As part of this process, the Cadastral Department of AGCHO (along with that ities) was incorporated within Arazi. Institutional roles are still being clarified and staffing structures are still being determined by Arazi senior , Arazi's improved level of institutional capacity is yet to be determined. During the LARA NCE phase, institutional strengthening of Arazi was a priority. ecent competency perception by the population; however, it is noteworthy that Arazi has developed a measure of confidence: a recent survey by The s 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)

mpetency Framework submitted to Arazi in 2014, competencies were recommended based on the Arazi 5-Year Strategic Plan included (Institutional the Institutional Framework, Organizational Planning & Staffing, Managing Finances Sustainably, Delivering Service; (People-related Competencies) , Communicating, Planning; (Work-related Competencies) Organizing & Delivering Services, Analyzing & Interpreting, Decision-making, and Managing ese are yet to be formally adopted by Arazi.

ssional system for land management and monitoring system at the start of the LARA Project.

tem, but also the recently introduced CDMS as part of the physical merger of AGCHO Cadastral Department into Arazi. Both systems are currently been r training anticipated during the NCE. It should be noted that After the ALRMIS installation and training was completed (October 2013), LARA provided 2014. At that time, some Arazi staff mentioned that the Workflows required changes to accord with the new Arazi procedures. While these changes were

ndicator	Baseline Value (April 2011)[11]	January 2013–March 2014[12]		Target NCE (August 2014)	Cumulative (LOP Actual)
		Target Option (December 2013)	Actual		
Sub-IR 1.2: Land Dispute Resolution Mechanisms between MAIL/Arazi and Private Individuals/Businesses Augmented					
nd dispute mechanism	No[24]	Yes	Yes	--	Yes[25]
ovided to government and f land dispute mechanism	0	7	10	--	10
cating satisfaction with the	43%[26]	80%	85%	--	85%
IR 2: Municipal Land Management and Planning Capacity Strengthened					
sanitation/property tax pal level for targeted	38% (2,057)[27]	25% above baseline	83% (4,532)[28]	--	83% (4,532)
ed/recorded with municipal	0	1,800	2,780[29]	--	2,885[30]
2.1: Core Urban Planning and Management Skills of Key Municipal Property Stakeholders Strengthened					
served to be using skills	0	762	355	--	786
key technical land	0	375	714 (697M, 17F)	--	964 (932M & 32F)

lacked specific procedures for land case management.

veloped by LARA and approved by USAID in 2013 and have been distributed to community and public institutions.

his figure is based on a sample size of 13,960 across 25 informal settlements in Jalalabad.

cted on November 20, 2013, by the M&E Specialist from the Jalalabad Municipal Property Registration records and municipality financial records on .

erties surveyed by LARA, and the data entered into the municipality database. GDMA printed Safayee Notebooks and distributed them together with the roperty owners (the 2,780 parcels identified during the cadastral survey) in the two target informal settlements. This should, in turn, allow the municipality e communities, thus increasing the confidence that the people have in their public institutions as well as increase municipal revenues.

ndicator	Baseline Value (April 2011)[11]	January 2013–March 2014[12]		Target NCE (August 2014)	Cumulative (LOP Actual)
		Target Option (December 2013)	Actual		
t guidelines approved	0	1	1[31]	--	1
.2: Urban Formalization and Upgrading Procedures for Informal Settlements Established and Implemented					
e development plans	0	3[32]	0	--	2
nts upgraded	0	2	2	--	2
ittee reestablished	No	Yes	Yes[33]	--	Yes
who have obtained ights as a result of USG	0	1,800 (1,746M, 54F)	2,780[34] (2,723M, 57F)[35]	--	2,780 (2,723M, 57F)
Sub-IR 2.3: Private and Public Sector Management of Key Land Management Areas Enhanced					

d by the Technical Working Group (TWG) in 2014 for submission to the Cabinet of Ministers. They are awaiting approval. Urban Development Guidelines of the Land Rights Formalization Manual developed in 2013 to guide activities and land rights formalization and upgrading activities in two informal Araban and Campoona.

sues a land clearance certification (Tasfia) for Campoona, the most likely number of CAPs approved by MUDA and the Municipality of Jalalabad by the Since this did not happen by the end of 2012, a CAP for an additional area could not be developed before the end of operational activities for the project.

g place and minutes were recorded both for the committee and the TWG, which is responsible to develop the urban upgrading policy. This shows the mmittee and the TWG.

data collected during the cadastral survey and officially included in the municipal database. The cadastral survey final report indicates, "1,478 of the 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 *rayee Qabala*), about 445 of the properties were able to provide Customary Deed (*Urfi Qabala*), and 843 of the properties were able to provide other wiz). Furthermore, owners of 210 properties claimed that they have documents but were not able to provide them during the survey…In addition; roperty owners who still had no ownership documents." New ownership documents, however, will not be issued under the LARA project. This is ministrative mechanisms were not available during the project period. Arazi plans to develop this capability in the future. It will also require additional reme Court Makhzans. Nevertheless, as noted above, the occupation of the surveyed properties has been recorded by the municipality and will form ership documentation in the future. Furthermore, a key new provision of the draft LML developed with LARA support is the registration of customary , 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 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 ted locally; (3) after five years title deeds will be issued by Arazi for those registered properties via specific verification processes; and (4) the title security.

wned by women, 28 could not present any evidence to support ownership. Owners of 2 properties were able to provide a Legal Deed ere able to provide the Customary Deed (*Urfi Qabala*), three were able to provide the Safayee Book, and 19 could present "Sanad Khareed"

ndicator	Baseline Value (April 2011)[11]	January 2013–March 2014[12]		Target NCE (August 2014)	Cumulative (LOP Actual)
		Target Option (December 2013)	Actual		
s and public institutions apacity building training nctions)[36]	0	14	11 (6 public, 5 private)	1[37]	41 (28 public, 13 private sector)
s/public institutions receiving d reform-related programs	0	8	9	1[39]	26
lic sector employees trained rds for formalization support	0	60	130 (123M, 7F)	40	349 (320M, 29F)
s bidding on donor-funded [40]	0	3	0	--	2
by private sector partners as a es	0	20% above baseline	37	--	90
rganizational development er	0	350	82 (68M, 14F)	20	[41]748 (667M, 81F)
ance actors receiving USG- aded facilities/equipment	0	700 (625M, 75F)	846 (816M, 30F)	--	2883[42] (2,628M, 255F)
Sub-IR 2.4: Essential Urban Planning Legislation and Regulations Identified, Revised, and Adopted					

lding activities were phased down in 2011 at the request of USAID

Arazi (including the newly merged former AGCHO Cadastral Department).

lding activities were phased down in 2011 at the request of USAID.

Arazi (including the newly merged former AGCHO Cadastral Department).

s focusing on proposal development skill building for private sector were phased out in 2011 at the request of USAID.

ative number for this indicator was 470 (424 men and 46 women). For the NCE period 278 individuals (243 men and 35 women) were trained in both nal development training. The indicator relating to Technical Training (2.1.2) was not included as an indicator under the NCE Work Plan and, therefore,

ndicator	Baseline Value (April 2011)[11]	January 2013–March 2014[12]		Target NCE (August 2014)	Cumulative (LOP Actual)
		Target Option (December 2013)	Actual		
v (LML) improvements government (BizCLIR)	No[43]	Yes by 2012	Pending	LML awaiting Parliament	Pending[44]
:Legal and Procedural Environment for Afghan Land Issues, Especially for Women, Improved					
d Afghans that report e delivery by the Makhzan	40%[45]	30% above baseline	No Data[46]	--	No final data[47]
d Afghans that report ivery by municipality	22%[48]	25% above baseline	47.8%[49]	--	No final data[50]
inclusion in new deed s/Occupancy Certificates	0%	15% above baseline	NA[51]	--	No final data[52]
Sub-IR 3.1: Land Registration and Record-Keeping Systems Streamlined					

zCLIR Report).

LML were recommended under the BizCLIR Report from September 2011 and revised in July 2014. Also note that the LARA Valuation Specialist made nd valuation aspects of the LML in his report dated September 2014. At this stage, the new Land Management Law has been reviewed and approved by nin and is under consideration by the Executive Committee of the Ministry of Justice. From there it would be submitted to the Cabinet of Ministers and would be submitted to Parliament. Precise timing for submission to Parliament is uncertain because of political uncertainty arising from the results of the n.

baseline conducted in Jalalabad across 25 informal settlements. Note this percentage comprises respondents who indicated that they were "very n. It is important to note that only 18% of people surveyed were even aware of the makhzan services (SES, pp. 74-75).

luation basic study was conducted in November 2013 and participants in the four focus groups conducted in the settlements of Araban and Campoona 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 elays in installing DRACS in the makhzans (because of a delay with Harakat to select a subcontractor to undertake the records archiving work), there has ment the systems in the makhzans so that change could not be measured at the time. During the NCE phase of the project, LARA will revisit this indicator reme Court to collect the data pertaining to satisfaction with its services from users directly.

obtained because, as noted above, the endline survey could not be start for lack of vetting approval for the survey contractor.

fied four categories as to the level of satisfaction expressed by the sample about municipal services: very satisfied, 6%; almost satisfied, 16%; not swer, 8%. Combining those who responded "very satisfied" and "almost satisfied," 22% of those surveyed between December 2011 and January 2012 f satisfaction with municipal service delivery.

nducted in Jalalabad in November 2013 (46 people in total from both Araban and Campoona settlements). 47.8% of respondents expressed satisfaction % of those surveyed were most satisfied with services to improve streets and roads. A comprehensive follow-up survey was proposed to be conducted stage during the NCE project phase to verify municipal service satisfaction. As noted above, however, this endline/impact study was not started because uld not be received before 21 September 2014.

e obtained because, as noted above, the endline/impact survey was not started for the lack of USAID vetting approval for the survey contractor.

e obtained because, as noted above, the endline/impact survey was not started for the lack of USAID vetting approval for the survey contractor.

ndicator	Baseline Value (April 2011)[11]	January 2013–March 2014[12]		Target NCE (August 2014)	Cumulative (LOP Actual)
		Target Option (December 2013)	Actual		
me in days from submission ce of registration/certification rivate land and property	250	15 working days	NA[54]	--	No final data[55]
f land transaction steps from d to streamline operations[56]	59	6	9	--	9[57]
Sub-IR 3.2: Inheritance Laws Reviewed and Revised to Support Women's Access to Land					

e USAID Biz-CLIR Property Assessment Report issued in September 2011 and the Registering Property Working Group Interim Report issued in April

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 the registration of data for "first registration" of claims on the municipal database and the issuance of safayee tax booklets took approximately 15 days ction until the delivery of the safayee books. Additionally, the project has provided and installed GRM Registry Backfile – Enterprise version in the and GRM Registry Backfile – Workgroup version in the Supreme Court makhzan and on servers to be delivered to each of the provincial makhzans under being implemented by Harakat. The software was user tested by the Supreme Court in February 2013 and custom configured in response to ourt. Under LRMP 2, the software as installed fully supports the design of LRMP 2. Early in 2014, LARA became aware that Harakat's subcontractor, ow in providing the planned digitization support to the Makhzans. Despite continued attempts support to Hawke Vision by both LARA and Thomson had struggled to complete the digitization activity. Eventually, in August 2014, Thomson Reuters agreed with the Supreme Court to provide new DRACS ently having been lost) so that the digitization activities could be completed. Harakat expects to digitize 740,000 in the makhzans.

obtained because, as noted above, the endline survey could not be start for lack of vetting approval for the survey contractor.

e World Bank's Doing Business Registering Property Indicator.

for the LARA project to assist the Appeals Court to develop a simplified procedure for deed registry. Plans were made to implement a Computerized n System (CDRTS). However, the option period reduced the activity with the courts to assistance with a DRACS, which would digitize existing documents ourt with work flows for current transactions. A Project Implementation Letter (PIL) between USAID and the Supreme Court was not issued until September

ndicator	Baseline Value (April 2011)[11]	January 2013–March 2014[12]		Target NCE (August 2014)	Cumulative (LOP Actual)
		Target Option (December 2013)	Actual		
ments in laws and regulations s of the urban and rural poor stance	0[58]	3[59]	7[60]	2[61]	9
Sub-IR 3.3: Awareness of Afghan Property Rights and Formal Transactions Processes Improved					
campaigns/messages hts to land	0	3	3	--	8
campaigns targeting Afghan cedures	0	3	1	--	3
areas aware of public related to land management	0	50%	64%[62]	--	64%
shed	0	3	--	--	N/A[63]

s related laws and its procedures have gaps.

n laws and regulations *ready for approval* by December 2013 include: Supreme Court Procedures on Land Registration (presented through Harakat), CHO and Cadastre, and regulation on the operation of Central Department of Deeds and documents Registration of the Supreme Court. Proposed regulations enacted by December 2013 include Law on Land Registration, Law on Land Management, and Regulation on the Operation of Central Documents Registration of the Supreme Court.

laws – Land Management Law (first quarter, 2013) and the AGCHO Law, "Law on Survey and Cadastre was included into AGCHO Law" (second ulations – AGCHO Regulation (January–June 2013), Meta Data (an AGCHO document that covers the archive and documentation of the maps, d size of maps; January–June 2013), Supplementary #1 and Supplementary #2 (both containing improvements to the AGCHO regulation, both in Spatial Data Infrastructure (SDI) (January–June 2013).

rget will incorporate policy and/or legislative changes/drafts in respect of the proposed Land Acquisition Law and Valuation Policy as noted above.

itoring & Evaluation Services for LARA Public Information and Awareness Activities, submitted on February 9, 2013, by Eureka Research (subcontractor on the overall women's land and inheritance rights campaign impact).

s activity at the beginning of 2013, and bids were collected and have undergone a technical review. The project management team determined that none

ator	Target Option (December 2013)	Actual (January 2013– December 30, 2013)	Actual (January 2014– March 2014)	Actual (April-June-2014)	Actual (July-Sep, 2014)	LOP Total
l employed	20 (15M, 5F) by 2012	4M, 1 F	2 M, 1 F	1 M	1M 2F	91 (71M, 20 F)[64]
nel employed	0	1F	0	0	0	20 (13M, 7F)
subcontract	25	17	1	2	3	41
mployed	0	2	0			23 (16M, 7F)
rements services)	11,508,592	8,855,779	456,710	262,686.75	250,105.82	18,905,231.82
rocurements services)	3,634,292	6,024,222	731,503	476,330	400,851	19,850,534
nts (subcontracts,	15,142,884	14,880,001	1,188,213	739,016,75	650,956.82	38,755,765.82
l employed ctions	0	0	3 M	0	1	54 (53 M, 1F)
nel employed ctions	0	0	0	0	0	0
mployed providing	0	6	1 M	0	0	11 (10M, 0F)
costs		1,864,193	194,186	106,099	$107,248	$4,157,781[65](rounded)
es		1,270,245	191,063	84,623.00	63,900	4,839,877

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ne second quarter of 2012 was mistakenly reported (158). The fourth quarter of 2012 two male and two female was also less reported. The correct

Indicator No.	Indicator	Target Option (December 2013)	Actual (January 2013– December 30, 2013)	Actual (January 2014– March 2014)	Actual (April-June-2014)	Actual (July-Sep, 2014)	LOP Total
	$ value of all Afghan security staff salaries		547,372	40,374	4,480	$11,690	$3,968,046 (rounded)[66]

[66] Includes security and logistics

5.0 TRAINING SUMMARIES

LARA Training & Workshops Tracker (F

LARA Training & Workshops Tracker N

6.0 FINANCIALS

Contract Number 306-C-00-11-00514-00-LARA Project			
Budget Line Items	Approved Budget for Base Period	Total Invoiced To Date	% Budget Spent
Salaries & Wages	$5,807,560	$5,765,269	99%
Fringe Benefits	$1,026,812	$995,451	97%
Travel, Transportation & Perdiem	$700,418	$664,942	95%
Procurement Equipment and supplies	$511,303	$506,037	99%
Communications	$371,417	$369,707	100%
Subcontracts/Consultants	$12,076,460	$11,785,860	98%
Allowances	$1,713,185	$1,638,175	96%
Direct Facilities Costs	$363,803	$341,284	94%
Other Direct Costs	$6,660,159	$6,643,921	100%
Security	$5,038,151	$5,014,081	100%
Grants Under Contract	$110,191	$110,191	100%
Indirect Costs	$4,704,277	$4,628,746	98%
Total Estimated Costs	$39,064,162	$38,424,091	98%
Fixed Fee	$2,735,837	$2,735,837	100%
Total Estimated Costs + Fixed Fee	$41,800,000	$41,159,928	98%

Please note that the financials are inclusive of the October 2014 Invoice

7.0 INDEX OF PROJECT REPORTS

Annual Work Plan

- LARA Base Period Work Plan
- LARA Option Period Annual Work Plan
- LARA No Cost Extension Work Plan

PMP

- LARA PMP, February 2011-July 2012
- LARA PMP, April 2011-July 2012
- LARA PMP, September 2011-January 2014
- LARA PMP, August 2012-February 2014

Annual Reports

- Land Reform in Afghanistan (LARA) Annual Report, January 30, 2011–January 29, 2012
- Land Reform in Afghanistan (LARA) Annual Report, January 30, 2012–January 29, 2013
- Land Reform in Afghanistan (LARA) Annual and Quarterly Report, January 1, 2013–March 31, 2014

Planning Documents

- Land Reform in Afghanistan (LARA) Work Plan–Base Period (16 Months), April 2011–July 2012
- Land Reform in Afghanistan (LARA) Work Plan–(18 months), February 2011–July 2012
- Land Reform in Afghanistan (LARA) Grants Management Plan
- Land Reform in Afghanistan (LARA) Performance Monitoring Plan (18 Months), February 2011–July 2012

Quarterly Reports

- Land Reform in Afghanistan (LARA) Quarterly Report, January–March 2011
- Land Reform in Afghanistan (LARA) Quarterly Report (3rd Quarter), April– June 2011
- Land Reform in Afghanistan (LARA) Quarterly Report (4th Quarter), July-September 2011
- Land Reform in Afghanistan (The LARA Project) Quarterly Report (2nd Quarter), January–March 2012
- Land Reform in Afghanistan (The LARA Project) Quarterly Report (3rd Quarter FY 2012), April–June 2012
- Land Reform in Afghanistan (The LARA Project) Quarterly Report (4th Quarter FY 2012), July-September 2012
- Land Reform in Afghanistan (The LARA Project) Quarterly Report (1st Quarter FY 2013), October-December 2012
- Land Reform in Afghanistan (The LARA Project) Quarterly Report (2nd Quarter FY 2013), January–March 2013
- Land Reform in Afghanistan (The LARA Project) Quarterly Report (Third Quarter FY 2013), April–June 2013
- Land Reform in Afghanistan (The LARA Project) Quarterly Report (Third Quarter FY 2013), July–September 2013

- Land Reform in Afghanistan (The LARA Project) Quarterly Report (Frist Quarter FY 2014), October–December 2013
- Land Reform in Afghanistan (The LARA Project) Quarterly Report (Third Quarter FY 2013), July–September 2013
- Land Reform in Afghanistan (LARA) Annual and Quarterly Report, January 1, 2013–March 31, 2014
- Land Reform in Afghanistan (LARA) Annual and Quarterly Report, April 1, 2014–June 30, 2014

LARA Weekly Reports

- LARA Weekly Report, March 4 2011
- LARA Weekly Report March 18 2011
- LARA Weekly Report, March 24 2011
- LARA Weekly Report, March 31 2011
- LARA Weekly Report, April 07 2011
- LARA Weekly Report, April 14 2011
- LARA Weekly Report, April 21 2011
- LARA Weekly Report, April 28 2011
- LARA Weekly Report, May 05 2011
- LARA Weekly Report, May 13 2011
- LARA Weekly Report, May 27 2011
- LARA Weekly Report, June 03 2011
- LARA Weekly Report, June 09 2011
- LARA Weekly Report, June 19 2011
- LARA Weekly Report, June 26 2011
- LARA Weekly Report, July 3 2011
- LARA Weekly Report, 7 July-13 July 2011
- LARA Weekly Report, 14 July-20 July 2011
- LARA Weekly Report, 21 July-27 July 2011
- LARA Weekly Report, 28 July-3 August 2011
- LARA Weekly Report, 4August–10 August 2011
- LARA Weekly Report, 11 August–17 August 2011
- LARA Weekly Report, 18 August-24 August 2011
- LARA Weekly Report, 25 August-31 August 2011
- LARA Weekly Report, September 1-7 September 2011
- LARA Weekly Report, Sep 8-Sept 14 2011
- LARA Weekly Report, 21 September 2011
- LARA Weekly Report, 28 September 2011
- LARA Weekly Sep 29-Oct 05 2011
- LARA Weekly Report, 6 Oct-12 Oct 2011
- LARA Weekly Report, 13 Oct-19 Oct 2011
- LARA Weekly Report, 20 Oct-26 Oct 2011
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- LARA Weekly Report, 24-30 Nov 2011
- LARA Weekly Report, 1-7 Dec 2011
- LARA Weekly Report, 08-14 Dec 2011
- LARA Weekly Report, 15-21 Dec 2011
- LARA Weekly Report, 22-28 Dec 2011

- LARA Weekly Report, Jan 5 2011 –Jan 11 2012
- LARA Weekly Report, Jan 12-Jan 18 2012
- LARA Weekly Report, Jan 19–Jan 25 2012
- LARA Weekly Report, Feb 02 to Feb 08 2012
- LARA Weekly Report, Feb 09 to Feb 15 2012
- LARA Weekly Report, Feb 16 to Feb 22 2012
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- LARA Weekly Report, Mar 22-Mar 28 2012
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- LARA Weekly Report, April 19-April 25 2012
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- LARA Weekly Report, June 07-June 13
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- LARA Weekly Report, June 21-June 27
- LARA Weekly Report, July 5-July 11, 2012
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- LARA Weekly Report, July 26-Aug 01 2012
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- LARA Weekly Report, Oct 31-Nov 7, 2012
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- LARA Weekly Progress Report, Nov 22-Nov 28 2012
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- LARA Weekly Report, June 7-June 13 2013
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- LARA Weekly Report, March 08 2014
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- LARA Weekly Report, (Week ending 28 August)
- LARA Weekly Report, (Week Ending 4 September 2014)
- LARA Weekly Report, (Week Ending 11 September 2014)
- LARA Weekly Report, (Week Ending 18 September 2014)
- LARA Weekly Report, (Week Ending 2 October)

Short-Term Consultant Reports

- Ahmad October 2014
- Arancibia-January 2013
- De La Cerda-June 2014
- Eden-June 2011
- Gebremedhin-May 2013
- Goode-May 2011
- Grecu-November 2011
- Grecu-December 2013
- Grecu-May 2014
- Haynes-February 2013
- Jerslid-July 2014
- Kimball-June 2011
- McCann-June 2013
- McHugh-September 2011
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- McHugh-October 2013
- McHugh-October 2014
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- McPhee-December 2012
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- Sanderson-September 2014
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- Taylor-August 2011
- Taylor-October 2013
- Taylor-July 2014
- Thomson-October 2011
- Thomson-May 2012
- Thomson-August 2012

- Thomson-February 2013
- Thomson-August 2013
- Thomson-December 2013
- Thomson-July 2014
- Thomson-October 2014
- Valentina-September 2011

Closeout Plans

- LARA Project Closeout Plan-August 1, 2013
- LARA No Cost Extension Closeout Plan-June 30, 2014
- Valentina-September 2011

Other Report/Products

- **Surveys / Assessments**
    - Partner Institutional Assessment (April 2012)
    - Socio-economic & Housing Baseline (PHO, April 2012)
    - Public Information Awareness Review (Eureka Research, February 2013)
- **Community-Based Dispute Resolution**
    - CBDR Guidelines (2012)
    - Guidelines Dissemination Report
    - Land Disputes, Justice and Dispute Resolution in Jalalabad (April 2012)
    - Tasfia Report (Smith February 2013)
- **Gender**
    - Gender Assessment (April 2012)
    - Evaluation of Legislation affecting Women (June 2012)
    - Gender Mainstreaming Report (February 2013)
    - Desk Review of Women's Land rights in Afghanistan (ECW)
- **IT Systems**
    - ALRMIS BAA
    - ALRMIS SDD
    - CDMS BAA
    - CDMS SDD
    - DRACS BAA
    - DRACS SDD
    - LARA IT Completion Plan (August 2013)
    - SDK Training Manuals
    - GRM Registry and GRM Cadastre Training Manuals
    - ALRMIS & Open Title Training Manuals
    - Index & scanning Process & Procedures Manual
    - Strategic IT Plan
- **Training**
    - Training Assessment Report (May 2012)
- **Urban Planning**
    - Informal Settlement Upgrading Handbook
    - Urban Development Guidelines
    - Draft Urban Upgrading Policy
    - Legal Aspects of urban Planning (1)
    - Designing a Framework for Urban Planning in Afghanistan
    - Jalalabad City Profile
    - Hisar I Shahi Industrial Park Feasibility Report (February 2013)
    - Araban Urban Assessment

    - Road Maintenance Plans
- **Formalization & Upgrading**
    - Land Rights and Upgrading Formalization Manual
    - Cadastral Mapping Final Report for Araban and Campoona (Geo Planning, 2013)

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