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# USAID LAND LAW PROGRAM II TIMOR-LESTE

FINAL REPORT

APRIL 30, 2006

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**USAID Land Law Program II – Timor-Leste**

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# ACRONYMS AND ABBREVIATIONS

CNIC	National Research Center at UNTL (Centro Nacional de Investigação Científica)
CoM	Council of Ministers
DNTP	Directorate of Land and Property
GIS	Geographic Information System
GOTL	Government of Timor-Leste
LLP	Land Law Program
MOJ	Ministry of Justice
NGO	Nongovernmental Organization
PIE	Public Information and Education
UN	United Nations
UNTL	National University of East Timor (Universidade Nacional de Timor Leste, Universidade Nasional Timor Lorosa'e)

# EXECUTIVE SUMMARY

The USAID Land Law Program II for Timor-Leste (LLPII) started its field activities on September 1, 2004 and ended on March 31, 2006. As a continuation of support provided from USAID on land research, policy, and legislative development to the government of Timor-Leste (GOTL), LLP II produced additional draft bills, research reports, and capacity-building activities for DNTP and CNIC.

## LEGISLATION

On the legislative drafting front, LLP II worked with government and prepared the main land bill entitled *Juridical Regime of Immovable Property - Part III: Property and Transfer Systems, Land Registration, Pre-Existing Rights and Title Restitution*. This bill addresses the themes related to the new immovable property and land registration systems to be implemented in the future, the provisions for the resolution of land claims and title restitution of pre-existing freehold rights and the compliance with the Constitution by non-national claimants of land rights. Numerous work sessions with high-level government officials and a special committee designated for the review of the bill took place. Advocacy for the passage of the law was carried out to the fullest extent possible. The submission of the bill to the Council of Ministers is pending.

The law drafted previously by LLP II on *Leasing between Private Parties* was passed by Parliament. A draft *decree-law for the regulation of illegal constructions and informal settlements* was prepared and delivered to the Ministry of Justice. The first debate of the bill at the Council of Ministers took place in December 2005.

A *bill on Land Taxation and Expropriation* was also delivered to government in mid-March 2006 for the future debate of these matters and to be considered only after the main land bill is passed and the land registration system is fully functional. In addition, the *DNTP Organic Law* was drafted and accepted by the Ministry of Justice for consideration along with ministerial decrees on lease tender processes, contract preparation, and delegation of responsibilities by the Minister of Justice to DNTP.

## RESEARCH AND POLICY REPORTS

LLPII produced several research reports and comparative studies to further inform government and other stakeholders on land administration emerging issues and options.

The report *Non-Customary Primary Industry Land Survey* was prepared through field research activities implemented in all 13 districts of Timor-Leste. It provided valuable information on major land parcels owned mainly by the State, their current tenure status, and insights as how to approach future policy for their management. The *2005 Dili Rental and Valuation Report* was prepared jointly with an AUSaid expert to inform DNTP on rental values for implementation of the Law on Leasing of State Property passed under LLPI. Research activities and UNTL capacity-building included the preparation and delivery of three reports on *Land Taxation, Land Expropriation, and Special Economic Zones*. The comparative study *Land Administration in East Timor: Functions and Responsibilities – Lessons Learned from Albania, Mozambique, Rwanda, and Thailand* was also prepared and

distributed among government agencies for the analysis of options in setting up an adequate land administration system in the country. Finally, LLP II also prepared the initial assessment ***When The Ancestors Need Help: Renewable Natural Resources and Institutional Design in Contemporary East Timor***. The urgency to study, debate, and develop policy options for the interaction of customary natural resource practices with the formal State management systems is considered.

## **INSTITUTIONAL STRENGTHENING/CAPACITY-BUILDING**

On the institutional strengthening and capacity-building front, LLP II mobilized a team of several expatriate experts to Timor-Leste to provide support for MOJ and the Directorate of Land and Property (DNTP) on land administration and registration processes. These experts supported the development and implementation of a land registration system, leasing and rent control administrative processes, database development and management, legal drafting capacity-building, and preparation of further land regulations at the ministerial level. Several administrative manuals were produced for the implementation of promulgated laws and processes developed at DNTP.

Assistance was provided for the preparation of a national public information campaign on current land laws, procedures, rights, and duties in Portuguese and Tetum. LLP II worked with DNTP and developed materials such as brochures, posters, and press releases with English and Tetum versions of promulgated land laws, administrative lease processes, and other DNTP information. This material was finalized and delivered to the USAID small grants program for its reproduction.

LLP II also provided capacity-building opportunities for UNTL-CNIC by involving staff and students from the faculties of Economics and Agriculture, in addition to those from the faculty of Social and Political Sciences who cooperated with LLP I. CNIC participated actively in the field research activities that informed land policy development. An assessment for the establishment of a Land Tenure Resource Center at CNIC was delivered, and initial steps were made with the creation of a special database for that purpose and the delivery of electronic copies of all LLP reports, bills, and materials.

The Committee for the Control of Constructions (CCC) was created with support from LLP II and based on the bill drafted for that purpose. ARD specialists provided assistance for the establishment of the inter-ministerial body led by the Ministries of Urban Planning and Justice. The body is currently meeting regularly and awaits the promulgation of the law on the matter.

# 1. KEY TECHNICAL ACCOMPLISHMENTS

LLP II's most significant accomplishments include:

1. Active partnership between the ARD technical team, the Ministry of Justice/Directorate of Land and Property, and the National University of Timor Lorosa'e.
2. Ongoing series of workshops and PIE activities targeting debate and dissemination of LLP research findings, policy recommendations, and bills as well as for dissemination of information about DNTP's service delivery, processes, and promulgated laws. The development of posters and informative handouts took place to help DNTP district officers disseminate elements of existing land laws and processes on leasing, mediation, and building permits.
3. LLP's reports and recommendations, plus orientation from relevant government officials, informed the crafting of the following draft laws and regulations during LLP II:
  - Juridical Regime of Immovable Property - Part III: Property and Transfer Systems, Land Registration, Pre-Existing Rights and Title Restitution.
  - Juridical Regime of Immovable Property - Part III: Land Taxation and Expropriation
  - Decree-law for establishment of the committee responsible for the control of illegal constructions and informal settlements
  - Ministerial Decree: Organic Law of the National Directorate of Land and Property
  - Ministerial Decree for the Lease Adjudication Process
  - Ministerial Decree for the establishment of DNTP administrative fees
  - Ministerial Decree for the Standardization of State Property Leases
  - Ministerial Decree for State Property Allocation to other Government Agencies
  - Ministerial Decree for the Standardization of State Property Leases
4. The debate and promulgation of the following LLP I bills was achieved:
  - Leasing and Allocation of State Property of Private Domain (December 2004)
  - Leasing between Private Individuals (May 2005)
5. Research Reports delivered by LLP II include:
  - Non-Customary Primary Industrial Land Survey: Landholdings and Management Considerations
  - Land Administration in East Timor-Functions and Responsibilities: Lessons Learned from Albania, Mozambique, and Thailand
  - When the Ancestors Need Help: Renewable Natural Resources and Institutional Design in Contemporary East Timor
  - 2005 Dili Rental and Valuation Report
  - Land Valuation and Taxation Policy for Timor-Leste
  - Land Expropriation Policy Suitable for Timor-Leste : Economic Considerations
  - Considerations for Economic Zones and the Case of Timor-Leste



6. Administrative processes and manuals were prepared for DNTP on the following topics:
  - Technical proposal for the establishment of fees to be applied by DNTP for the delivery of administrative service to the public
  - Recommendations, Proposal and Capacity Assessment-Design of a National Land Registration and Titling Plan
  - Land Registration Manual
  - Manual for the processing of lease contracts on private property administered by the State as provided for by Land Law 01-2003
  - Methodology for the transfer of state property leases as provided for by Decree-Law 19/2004
  - Technical Proposal for the Lease Adjudication Process
7. A permanent follow-up of the Lease and Survey Pilot Projects implemented by LLP and DNTP has taken place. ARD specialists mentored local staff and supported the improvement of administrative processes implemented to facilitate new lease processes and rent payment control. As a result, income produced by DNTP through lease payments increased. Special leases signed at \$10 a month have produced an estimated \$10,000 real income per month, with a similar amount due and yet to be collected.
8. In preparation for the delivery by LLP II of Agricultural-Economics capacity-building activities to UNTL staff in 2005, a Training Needs Assessment of the UNTL Faculties of Economics and Agriculture was undertaken in December 2004. The recommendations included in the final report contributed to the development and delivery of the Agricultural-Economics Training program in April-July 2005.
9. Training Modules I and II on “Economic analysis of agricultural projects including Feasibility and Appraisal” were completed in the months of April, June, and July 2005. Training focused on the areas of agricultural feasibility assessment, economic cost-benefit analysis, land taxation, expropriation policy, and industrial zoning. Approximately 30 UNTL staff and students participated in Module I, and 22 in Module II.
10. Further capacity-building activities with UNTL faculty and students were delivered through a Field Research Skills training course for 12 UNTL staff, 21 UNTL students, and 2 DNTP personnel. Components included first aid training, introduction to research methods, research ethics, interview techniques, simulated interview exercises, and GPS training.
11. A Database Specialist provided constant support to project, DNTP, and CNIC staff. Training on basics of database design and use was provided. Several databases were prepared for the specific purposes of LLP research activities, data analysis, DNTP land information, and the establishment of an electronic library at the CNIC Land Tenure Resource Center. An LLP website was organized and transferred at the end of the project to CNIC.
12. As part of the legislative and capacity-building component, LLP developed three quadrilingual glossaries on Land, Economic, and Agriculture Terms and presented them to UNTL and government authorities as a contribution to more reliable translation of legal terminology used in GOTL bills and reports.

## 2.0 PERFORMANCE AND PROSPECTS

LLP II encountered few administrative, financial, and technical problems over the 20-month period. The budgets approved for the initial 14 months and the six-month extension period covered all required expenses adequately, obviating any need for realignments. Procurement was efficient and occurred as scheduled.

The projects hired all expatriate specialists and local staff as planned and produced program deliverables in a timely manner; deliverables required only minor adjustments.

Project equipment was transferred to DAI, CNIC, and DNTP in early November 2005. A second transfer of equipment to DAI, CNIC, and USAID East Timor took place at the end of the project in March 2006. Unfortunately, it was not possible to transfer equipment to DNTP because the Ministry of Justice insisted on last-minute requirements concerning the transfer process. Consequently, titles to equipment were transferred to USAID/East Timor for its future disposition.

At the end of LLP II, all expatriate and local staff ended their assignments. All contracts and accounts with suppliers were terminated and cleared.

With the aim of making LLP's documents, reports, and bills easily accessible, approximately 100 CDs for public use were burned and distributed among government agencies, educational institutions, international organizations, and local NGOs. All public reports and documents were provided, where possible, in English, Portuguese, Tetum, and Indonesian. Special copies were prepared for the MOJ and DNTP as they included additional internal administrative reports and manuals. A special copy was also delivered to USAID containing all LLP documents, including land bills pending debate and resolution within GOTL as well as all LLP II quarterly reports and the work plan.

The GOTL has confirmed its interest in receiving further support from USAID for the resolution of remaining issues. Mainly, GOTL has expressed its need for further debate of the main land bill once it is submitted to the Council of Ministers and Parliament. GOTL and DNTP have also mentioned the urgent need to continue with a large-scale development of the preliminary national property cadastre, intensive survey training, and the establishment of a technical land registry.

Consequently, USAID should seriously consider providing further support for the passage of the law when government is ready to submit it to Parliament to protect Agency investments in producing this bill. This is especially true because, although government officials have participated in the process and are aware of the main elements of the law, difficult questions may arise to which clear technical responses must be forthcoming if legislators and citizens are to understand the bill thoroughly.

Note, however, that ***the law in itself is not enough to ensure a proper land recording and registration system in the country.*** Development of the property cadastre is urgently required as it will provide the technical basis for application and enforcement of the land law. Major support is required for DNTP and MOJ if the law is to be passed and properly applied in a timely manner.

## 3.0 LESSONS LEARNED

Activities undertaken during the Land Law Programs (LLP I and LLP II) produced instructive lessons learned that highlight the very real benefits of such activities. Some of these lessons learned confirm long-held US Government positions in areas of democracy and governance; others amplify on those positions or, indeed, open up promising new pathways to consolidating peace and good governance in post-conflict states and to laying some of the indispensable foundations for transformational development.

**Policy Development and Public Participation:** One of LLP's early visions was to use rigorous social science research conducted in collaboration with a local university to inform drafting of public policies and laws. This worked extremely well in the following six ways:

1. Research activities themselves carried an important message to the general population, i.e., ***the government was (and remains) keenly interested in and committed to obtaining and using their input in drafting laws.*** The projects conducted a total of five statistically valid random sample surveys of the population, complemented by a large number of in-depth interviews of key informants, on-site investigations of critical problems, etc. Results of these applied research activities provided meaningful input to public policy and legislative drafting in post-conflict East Timor. In doing so, they planted, throughout the country, seeds of confidence in the legislative process.
2. The research reports themselves set a ***precedent for transparency by laying a solid, knowledge-based foundation for legislation and public policy in a number of sensitive areas.*** Furthermore, the reports widely disseminated information about citizen opinions on key themes and topics.
3. Public presentation of the reports, their distribution, and their discussion in roundtable events ***encouraged informed and respectful dialogue on key issues.*** As a result, public policy and associated legislative bills that might otherwise have remained behind closed doors interminably mired in controversy were aired openly and garnered broad public support that encouraged passage by elected representatives.
4. ***Key decision makers and civil servants in major GOTL ministries*** such as Justice, and Agriculture, Forestry and Fisheries ***came to view UNTL university researchers and graduates as important partners in gathering information and data about local realities and perceptions.*** That information allowed GOTL officials to produce draft laws secure in the knowledge that those bills were *well adapted to local circumstances*, and took account of *stakeholders' views*. This, in turn, *encourages citizen compliance* with these laws and implementing rules and regulations that enjoy broad popular acceptance. That outcome critically *simplifies the jobs and lives of elected and appointed government officials*. Under those circumstances, they can economize on monitoring and policing activities and devote more time and budgetary resources to solving the technical problems involved in any development activity. When citizens view government officials less as cops and more as useful partners in development, the potential for mutually productive relations between citizens and officials sharply increases.
5. ***LLP II demonstrated that UNTL faculty and student capacity to participate in conducting and eventually even designing applied research could be seriously enhanced over time.***

**Applied research makes a series of key contributions that strengthen possibilities for transformational development. It:**

- a. contributes to useful employment for trained personnel;
  - b. enhances citizen satisfaction with governance arrangements by informing the crafting of rules that people want and will support;
  - c. helps to manage and reduce government administrative burdens and so economizes on scarce public funds;
  - d. reduces causes for conflict and so builds peace; and
  - e. supports economic growth while reducing poverty.
6. **Those same applied research skills can be applied across the whole sweep of government policy making and legislative drafting**, in areas as diverse as health care, education, and water supply, in addition to tourism, biodiversity management, and economic development policies and options. Furthermore, those same skills offer the GOTL the option to engage in **informed fine-tuning of existing laws, rules, and regulations** once they have been promulgated and implemented, and citizens (and officials) have had enough experience with individual laws to provide knowledgeable critiques of their operation as well as suggestions about changes designed to improve their functioning. Anchoring the legislative process in an approach that systematically exploits the advantages and insights which applied research can provide offers the promise of promoting intelligent dialogue. It strongly enhances politicians' capacities to obtain and consolidate consensus among a range of stakeholders. **Indirectly, it helps establish the principle of officials' accountability to citizens:** once skillful applied research clarifies citizens' perceptions, it becomes increasingly difficult for leaders to impose legal solutions that advance their personal interests at citizens' expense. Instead, officials find they have strong incentives to inquire about and to seek to satisfy citizen expectations. Citizens who recognize when officials structure public policy and laws to meet citizen expectations and concerns will gradually learn that they have a powerful reciprocal incentive to provide input to processes designed to create, fine-tune, and consolidate institutional arrangements that create opportunities for all within a rule of law context.

**Restitution Research and Rule of Law:** The project's research into public opinion regarding land tenure in rural areas, especially regarding land parcels subject to claim by non-residents, revealed a surprising and encouraging appreciation for rule of law throughout the country. The research results indicated that Timorese by and large recognized and respected land ownership claims based on laws even when those laws were promulgated and applied by former regimes. Those same respondents by contrast roundly criticized land claims based on expropriation by force, demonstrating their clear grasp of the distinction between rule of law and rule of men (force). Their willingness to apply rule of law principles even-handedly to non-national claimants reveals a level of legal sophistication not often suspected in rural populations, and presumably reflects their strong desire to live consistently by those principles.

In consequence, the legal—and political—foundation now exists for the GOTL to develop and apply fair and equitable laws on restitution and compensation, with broad popular support. This process will neatly—and at comparatively low cost—finesse an issue that might have bedeviled East Timor's internal politics and as importantly, its *delicate and critical international economic relations* with Indonesia, the former colonial power and home country of many non-national land claimants.

**Mediation and Alternative Dispute Resolution (ADR):** The project's research on this topic and its resulting report revealed sophisticated and effective customary mediation and ADR systems in place throughout the country. *With the research in hand it was a fairly easy task to develop a law to recognize ADR*

arrangements, thereby **relieving the government and its judicial system of an insurmountable burden** at a time they are least prepared to address it, while **simultaneously meeting citizen preferences** for local-level disputes resolution. **This constitutes intelligent burden shedding.** When citizens want to engage in self-governance, and are prepared to accept the costs of running their own affairs, overall efficiency of the full range of governance activities increases.

East Timorese rural people again demonstrated in this regard a high level of rationality and cost sensitivity: survey responses revealed that they *strongly* prefer local moots to formal state courts as fora for resolving land tenure disputes *because* they know the former to be far cheaper than the latter. The costs of walking to the center of one's village to attend a moot pale by comparison with the costs of repeated trips to the nearest formal court in a regional center, compounded by the additional charges for room and board while away from home, and for legal representation—if available—in the formal courts. Furthermore, survey respondents made it clear that if the parties to a dispute were allowed jointly to select their mediators, they would have much greater confidence that the outcome would reflect local realities *and be sustainable* by comparison with a ruling handed down by judicial authorities in the formal court system (whom respondents apparently considered—probably accurately—much less well informed than local notables about local realities with which formal system urban-based judges and lawyers normally would have little contact).

**Conflict Mitigation Impact:** Three years ago the development community and the GOTL feared that disputes over land tenure and property rights would fuel continued conflicts, even continued violence. This outcome was avoided in large part through LLP II's very public and participatory activities which, by targeting land rights and related issues of serious public concern, convinced people that such issues could be resolved equitably in accord with rule of law principles. This has neutralized those issues as bases for continued conflict. Now there is a broad sense of cautious optimism and quiet anticipation that development and implementation of policies, laws, and regulations, informed by applied research, will generate institutional arrangements that enable the state to build on and complement existing local capacities and values. Those arrangements will reflect the hopes and allay the fears of most East Timorese, while *sharply reducing* state legal and administrative costs and removing key causes of political instability. **The pay-off of these outcomes is hard to “cost out” accurately, but it is certainly significant, particularly in a post-conflict state recovering from more than a quarter-century of guerrilla warfare and seeking to move to transformational development.**

# 4.0 OPTIONS FOR FUTURE USAID SUPPORT IN THE AREA OF LAND ADMINISTRATION

LLP II has consistently suggested that the GOTL should adopt an integrated approach to development of the country's cadastre and preliminary property registration database. Enforcement of new land laws governing the property system, land registration, and title restitution cannot occur without the cadastre to facilitate the identification of property (land parcels, buildings, productive infrastructure, natural resources such as forests and fisheries, etc.). It is estimated that establishing a complete nationwide cadastre and registry will probably take five years. Such an endeavor may require funding in the range of US\$10 million. Land identification and registration is the first step of the land titling process, which creates the indispensable legal foundation for economic growth and development in East Timor.

With an estimated 200,000 properties in all of East Timor and at an average cost of \$50/property, the total cost would come to US\$10 million. Budget scenarios for technical approaches based on procurements, technical assistance, training, and other direct costs are consistent with this estimate and allow for institutional capacity building and ongoing support to legal and regulatory reforms.

DNTP requires technical assistance for the training of local land surveyors. There will be a need to call for new staff to undergo training and take on such a responsibility. It is estimated that DNTP currently has five competent surveyors that are insufficient to develop a cadastre of the aforementioned 200,000 land parcels in the country. DNTP has suggested recruiting a minimum of 30 to 40 new trainees for this purpose, yet they do not have the capacity to train them. Technical assistance is therefore essential in this area.

DNTP also requires ongoing technical assistance and procurements to strengthen its ICT infrastructure at a pace that corresponds to the development and application of technology tools. As the cadastre and registry database grows in size and complexity, DNTP will need stronger servers and network infrastructure to maintain it. As they become more valuable to the DNTP, more users (even the public) will need controlled access to them. As administrative systems become more refined and engineered to optimize use of appropriate technology tools, the ICT infrastructure will require strengthening in equal measure.

# 5.0 SYNERGIES WITH OTHER DONOR-FUNDED PROGRAMS

The Land Law Program II has been implemented with strategic alliances with other donor-funded programs. Wherever possible and appropriate, LLP II cooperated with other organizations by sharing its reports, participating in meetings, and offering knowledge and expertise on issues related to land and other economic growth matters in East Timor. LLP II project personnel have held a number of technical meetings and briefings with experts from other USAID projects, the World Bank, UNDP, AUSaid, CIDA, JICA, and GTZ, among others.

Perhaps the most significant synergy achieved was that with AUSaid's three expatriate experts stationed at DNTP. Both projects collaborated in delivery of some technical reports and, most importantly, in supporting capacity-building activities within DNTP.

# APPENDIX A: FINAL TABLE OF DELIVERABLES/BENCHMARKS

DELIVERABLES / BENCHMARKS	DESCRIPTION	STATUS
Start-up activities	<ul style="list-style-type: none"> <li>Hire personnel</li> <li>LLP II Project Office leases</li> <li>Procurement of Equipment</li> <li>Drafting of 1) Land Rights, and 2) Foreign Owner Compliance laws (draft for discussion with MOJ)</li> </ul>	Delivered
LLPII Technical Work Plan	<ul style="list-style-type: none"> <li>Draft ARD Work Plan</li> </ul>	Delivered
MOUs with LPU and UNTL	<ul style="list-style-type: none"> <li>Draft MOUs</li> </ul>	Delivered
Dissemination of LLP I reports approved by MOJ	<ul style="list-style-type: none"> <li>Official dissemination by MOJ of LLP I Research Report on Land Rights &amp; Title Restitution</li> <li>Official dissemination by MOJ of LLP I Report on Foreign Owner Compliance</li> </ul>	Delivered
Needs Assessment of UNTL faculties of Economics and Agriculture	<ul style="list-style-type: none"> <li>Report with needs assessment by LLP specialist, Dr. Ganesh Shivakoti, contributed to the development of the Agricultural-Economics training program for UNTL scheduled for April-July 2005. Agricultural-Economics Training Program designed.</li> </ul>	Delivered
Field skills Training Sessions	<ul style="list-style-type: none"> <li>Field skills training course for 12 UNTL staff, 21 students, and 2 DNTP staff on first aid training, introduction to research methods, research ethics, interview techniques, GPS training</li> </ul>	Delivered
Integrated Research Development Workshops and Training Activities	<ul style="list-style-type: none"> <li>Course “Economic analysis of agricultural projects including Feasibility and Appraisal” for staff from UNTL faculties of Economics, Agriculture and Social Science with specific links to research objectives of LLP II.</li> </ul>	Module I delivered April 2005 Module II delivered June-July 2005
Quadrilingual Glossaries	<ul style="list-style-type: none"> <li>2<sup>nd</sup> Draft of Quadrilingual Glossary of Development &amp; Economic Terms</li> <li>2<sup>nd</sup> Draft of Quadrilingual Glossary of Agriculture Terms</li> <li>Updated version of LLP I Glossary of Land Tenure Terms</li> </ul>	Delivered



<b>DELIVERABLES / BENCHMARKS</b>	<b>DESCRIPTION</b>	<b>STATUS</b>
Land Administration Procedures: Assessment and Initial Report	<ul style="list-style-type: none"> <li>Administrative process for lease adjudications on State Property, procedural manuals for several administrative services at DNTP, design and testing of rent control process</li> </ul>	Delivered
Land Registration System: Assessment and Initial Report	<ul style="list-style-type: none"> <li>a) Recommendations, Proposal and Capacity Assessment-Design of a National Land Registration and Titling Plan</li> <li>b) Land Registration Manual (basis for further discussion)</li> </ul>	Final Document Delivered  Delivered
1 <sup>st</sup> Quarterly Report  <ul style="list-style-type: none"> <li>Progress Update</li> <li>Administration and Financial Report</li> </ul>	<ul style="list-style-type: none"> <li>Mentoring and advisory input to DNTP</li> <li>UNTL Capacity-building update</li> <li>Legislative drafting update</li> <li>Administration and Financial Report</li> </ul>	Delivered
Revision and delivery of draft bill on Land Rights and Foreign Ownership to MOJ  Final drafts of bills on Land Rights and Foreign Owner Compliance  (One bill addressing land rights, foreign owner compliance, title restitution and basis for land registration)	<ul style="list-style-type: none"> <li>Draft bills with incorporation of MOJ comments, feedback from Council of Ministers</li> <li>Delivery and presentation to the Prime Minister</li> </ul>	Delivered  Final technical draft of bill on Property System, Transfer of Property, Land Registration, Pre-Existing Land Rights and Title Restitution
Roundtable with government officials on Land Rights & Title Restitution and Foreign Owner  Public dissemination and discussion of bill on Property System, Transfer of Property, Land Registration, Pre-existing Land Rights and Title Restitution	<ul style="list-style-type: none"> <li>Presentation to Ministry of Justice and Council of Ministers</li> <li>Roundtable with government officials and major stakeholders for discussion of research reports and draft bills</li> <li>Roundtable held in Timor Hotel on April 29-30 with the support of the International NGO Avocats sans Frontieres</li> </ul>	Delivered
NEW DELIVERABLE:  Draft Decree Law on 'Control of Constructions and Informal Settlements'	<ul style="list-style-type: none"> <li>Special request by the Prime Minister for MOJ, DNTP, and LLP II to lead the drafting of an umbrella law for the control of illegal constructions and informal settlements in urban areas</li> </ul>	Delivered
Report on Rental Market in Dili	<ul style="list-style-type: none"> <li>2005 Dili Rental and Valuation Report (Research and analysis of Formal and Informal Rent Market in Dili)</li> </ul>	Delivered

<b>DELIVERABLES / BENCHMARKS</b>	<b>DESCRIPTION</b>	<b>STATUS</b>
Research Design for Land Use options, economic feasibility and agriculture options	<ul style="list-style-type: none"> <li>Detailed research design for a three-month activity, to be worked out in coordination with the faculties of Economics and Agriculture and DNTP.</li> </ul>	Completed
2 <sup>nd</sup> Quarterly Report  Progress Update  Administration and Financial Report	<ul style="list-style-type: none"> <li>Report on legislative drafting training</li> <li>Manual for proposed land registration system</li> <li>Land Administration Manuals on specific processes</li> <li>UNTL Capacity-building update</li> <li>Development of further land policies and laws</li> <li>Administration and Financial Report</li> <li>Update on development of three quadrilingual glossaries</li> </ul>	Delivered
Quadrilingual Glossaries	<ul style="list-style-type: none"> <li>3<sup>rd</sup> Draft of Quadrilingual Glossary of Development &amp; Economics Terms</li> <li>3<sup>rd</sup> Draft of Quadrilingual Glossary of Agriculture Terms</li> <li>Updated version of LLP I Glossary of Land Tenure Terms</li> </ul>	Delivered
Report on DNTP administrative services and fees	<ul style="list-style-type: none"> <li>Administrative and economic analysis for the proposal of DNTP administrative fees</li> </ul>	Delivered
3 <sup>rd</sup> Quarterly Report  Progress Update  Administration and Financial Report	<ul style="list-style-type: none"> <li>Report on training in legislative drafting</li> <li>Manual for proposed land registration system</li> <li>Land Administration Manuals on specific processes</li> <li>UNTL Capacity-building update</li> <li>Development of further land policies and laws</li> <li>Administration and Financial Report</li> <li>Update on development of three quadrilingual glossaries</li> </ul>	Delivered
Quadrilingual Glossaries	<ul style="list-style-type: none"> <li>Final version of Quadrilingual Glossary of Development &amp; Economics terms</li> <li>3<sup>rd</sup> and final version of Quadrilingual Glossary of Agriculture Terms</li> <li>Final version of Glossary of Land Tenure Terms</li> </ul>	September 2005  Completed

<b>DELIVERABLES / BENCHMARKS</b>	<b>DESCRIPTION</b>	<b>STATUS</b>
4 <sup>th</sup> Quarterly Report  Report on Deliverables  Administration and Financial Report	<ul style="list-style-type: none"> <li>• Final Research Report</li> <li>• Findings on Institutional Strengthening and Sustainability at UNTL, with reference to collaboration with other universities.</li> <li>• Capacity-building update</li> </ul>	Delivered
MOJ final edition of Bill on Property System, Transfer, Registration, Pre-existing Rights and Title Restitution with incorporation of comments from senior government officials	<ul style="list-style-type: none"> <li>• The main land bill has followed a long process with several reviews since its delivery in March 2005. This is the final phase of revisions before the bill is sent to the Council of Ministers for its adoption and submission to Parliament</li> </ul>	Delivered
Delivery of Report on Non-customary Primary Industrial Land (Previously called Land Use, Agricultural Use)	<ul style="list-style-type: none"> <li>• Findings, options, and recommendations for the adoption of land use policies</li> </ul>	Delivered
Roundtable on Non-customary Primary Industrial Land (Land Use)	<ul style="list-style-type: none"> <li>• Presentation of findings and recommendations to stakeholders</li> <li>• Delivery of Reports on Special Economic Zones, Land Taxation, and Land Expropriation (see below)</li> </ul>	Delivered
Report on Considerations for Special Economic Zones	<ul style="list-style-type: none"> <li>• Report to be prepared by Faculty members of Economics, and Social and Political Sciences with LLP II support and supervision</li> </ul>	Delivered
Research and Economic Considerations on Land Expropriation and Land Taxation	<ul style="list-style-type: none"> <li>• Research findings, policy options, and economic analysis for land expropriation and taxation in East Timor</li> </ul>	Delivered
Drafting of bills on land taxation and expropriation	<ul style="list-style-type: none"> <li>• LLP will deliver a draft bill on land taxation and expropriation for its future consideration by GOTL as its adoption will follow the promulgation of the main land law and the implementation of a cadastral system. Nonetheless, this will complete the legislative agenda on land-related matters that will facilitate future development of complementing laws and regulations</li> </ul>	First draft informally delivered to GOTL in January 2006  'Final draft' with incorporation of comments delivered in early March 2006
Comparative desk study on Land Administration Systems in several countries	<ul style="list-style-type: none"> <li>• Desk study report presenting options and recommendations for land administration/use</li> </ul>	Delivered
Preliminary Assessment of Local Administration of Community Lands related to renewable natural resources	<ul style="list-style-type: none"> <li>• Report entitled 'When the Ancestors Need Help: Renewable Natural Resources and Institutional Design in Contemporary East Timor'</li> </ul>	Delivered
Development of Land Tenure Resource Center at UNTL	<ul style="list-style-type: none"> <li>• Support for the organization of a general information center at UNTL campus for the conservation of reports produced by LLP and other organizations.</li> </ul>	Delivered

<b>DELIVERABLES / BENCHMARKS</b>	<b>DESCRIPTION</b>	<b>STATUS</b>
5 <sup>th</sup> Quarterly Report  Report on Deliverables  Administration and Financial Report		Delivered
Roundtable on Land Expropriation and Taxation	<ul style="list-style-type: none"> <li>• Presentation and discussion of report on Land Expropriation and Taxation for East Timor</li> </ul>	Held meetings with key government officials.
Glossary Workshop	<ul style="list-style-type: none"> <li>• Presentation of 3 LLP glossaries and roundtable discussion for improvement and future use</li> </ul>	ARD-DNTP-CNIC workshop in late February
Adoption of Bill on Property System, Land Transfer, Registration, Pre-existing Rights and Title Restitution by Council of Ministers and submission to Parliament		Pending government decision
Technical support provided for Parliament for the debate of the Bill on Property System....	Once the Council of Ministers has sent its official bill to Parliament, MOJ and DNTP will require LLP's technical support in advocating the bill and explaining the proposal to MPs for the promulgation of the law	Partially completed within government due to lack of submission to Parliament
6 <sup>th</sup> Quarterly Report  Report on Deliverables  Administration and Financial Report		Delivered
Dissemination of Final Report		After March 2006
Close Out Report	<ul style="list-style-type: none"> <li>• Final Summary Report (narrative and financial)</li> <li>• Policy Impact, Implications, and Recommendations for future USAID support to UNTL and DNTP</li> </ul>	Delivered.

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