



USAID | **TIMOR-LESTE**
FROM THE AMERICAN PEOPLE

YEAR 2, SECOND QUARTER REPORT 2008/2009

(1 January 2009 – 31 March 2009)

USAID STRENGTHENING PROPERTY RIGHTS IN
TIMOR-LESTE PROJECT (“ITA NIA RAI” – OUR LAND)



APRIL 2009

This publication was produced for review by the United States Agency for International Development. It was prepared by ARD, Inc.



Strengthening Property Rights in Timor-Leste

Hametin Direitu ba Propriedade iha Timor-Leste

**Strengthening Property Rights in Timor-Leste Project
USAID Contract No. EPP-I-03-06-00008-00**

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COVER PHOTOS: Front cover: Data Collectors in Liquica meet with a land claimant and take her details that will later be recorded in a database that will form the National Cadastre. All photos in document courtesy of ARD, Inc. Staff.

YEAR 2, SECOND QUARTER REPORT, 2008/2009

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10 April 2009
(For the Quarter Ending 31 March 2009)

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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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PREFACE

The USAID *Strengthening Property Rights in Timor-Leste Project* (“*Ita Nia Rai*” – “Our Land” – Project) is managed by ARD with implementation assistance from its partners, ACDI/VOCA, Belun (a Timorese NGO) and Land Equity International Pty Ltd. The Project continues USAID/Timor-Leste’s support to land reform and land rights strengthening begun in 2003 (but suspended briefly in 2006) as part of its assistance to the Government of Timor-Leste (**GoTL**). The Project grew out of USAID’s earlier Timor-Leste Land Reform activities and, in particular, from USAID’s *Conflict Vulnerability Assessment* (November 2006) undertaken in the shadow of the 2006 crisis in Timor-Leste which was prompted, in part, by underlying insecurity and instability associated with unresolved land tenure issues.

The Project is established under the ***Prosperity, Livelihoods and Conserving Ecosystems (PLACE) IQC*** (USAID IQC Contract Number: EPP-I-00-06-00008-00). It is a five-year, \$10 million project. The Task Order is entitled “*Strengthening Property Rights in Timor-Leste*” (USAID Contract No. EPP-I-03-06-00008-00). The current project is supervised by the USAID/Timor-Leste Mission in coordination with the USAID/EGAT/NRM/Land Tenure Specialist, Dr. G. Myers. The Project ends in September 2012.

The purpose of the Task Order is to develop laws, systems, institutions, and capacity to clarify and secure property rights for all Timorese. In doing so, the Project will pay special attention to women’s ownership rights, improving land administration systems, eliminating overlapping legal and judicial systems regarding land administration, reducing competing claims over property rights, and promoting transparency in land administration. It is expected that success with these activities will, in turn, have a positive effect on the objectives of improved investment and economic growth in addition to supporting social cohesion and political stability.

These objectives will be met through a series of activities comprised within five main components:

1. *Public Information Awareness*—supporting the implementation of project activities with timely, accurate, and effective public information and communication campaigns.
2. *Land Policy Laws and Implementing Regulations*—working with the GoTL to develop an appropriate land policy and implementing legislation to promote the overall project objectives.
3. *Support to a National Land Commission* —assisting the GoTL to establish and support a National Land Commission (or other body established by law) tasked with carrying out the property regularization process, establishing the cadastre, and/or dealing with land disputes.
4. *Land Administration (Cadastral, Registration and Land Titling System)*—working with the GoTL to develop a national land cadastre to clarify and record property location, boundaries, assets, and claims; and a national land and immovable property registration and titling system.
5. *Dispute Resolution, Mediation and Processes for Competing Claims to Land*—designing and implementing a dispute resolution process that will resolve most conflicting claims to land and property in Timor-Leste.

The Project is a nationwide process that proposes to capture both urban and rural land in the process. It works closely with the *Direccao Nacional de Terras, Propriedades e Servicos Cadastrais* (National Directorate of Land, Property and Cadastral Services)—formerly the *Direccao Nacional de Terras e Propriedades* within the Ministry of Justice.

ACRONYMS AND ABBREVIATIONS

| | |
|-----------|---|
| ACDI/VOCA | ACDI/VOCA (and ARD sub-contractor) |
| ADB | Asia Development Bank |
| ANU | Australian National University |
| ARD | ARD Inc |
| ASF | Advocates Sans Frontiers |
| AusAID | Australian Agency for International Development |
| COM | Council of Ministers |
| CRS | Catholic Relief Services |
| DNTPSC | <i>Direccao Nacional de Terras, Propriedades e Servicos Cadastrais</i> (formerly the Direccao Nacional de Terras e Propriedades – DNTP) |
| INR | Ita Nia Rai (“Our Land”) Project (otherwise known as SPRTL) |
| LCIS | Land Claims Information System |
| LEI | Land Equity International Pty Ltd (and ARD sub-contractor) |
| MOJ | Ministry of Justice |
| NGO | Non-Governmental Organization |
| NRC | Norwegian Refugee Council |
| PIA | Public Information Awareness |
| PSA | Public Service Announcement |
| SPRTL | USAID Strengthening Property Rights in Timor Leste Project |
| STTA | Short Term Technical Assistance |
| Task 1 | Project Task Public Information & Awareness |
| Task 2 | Land Policy, Laws, and Implementing Regulations |
| Task 3 | Support a National Land Commission |
| Task 4 | Land Administration & Information – Land Cadastral, Registration and Titling System |
| Task 5 | Dispute Resolution, Mediation and Reconciliation Mechanisms |
| UNMIT | United Nations Mission in Timor-Leste |

USAID United States Agency for International Development
World Bank International Bank for Reconstruction & Development

EXECUTIVE SUMMARY

GENERAL OVERVIEW

The second Quarter of Project Year 2 (**Y2 Q1**) saw the continuation and fine-tuning of land claims data collection processes in the pilot districts of Liquica and Manatuto. At the end of Q2, a total of 891 claims were collected (367 in Liquica and 524 in Manatuto). Of these, 46 land-related disputes were recorded (about 5%) and many of these were being dealt with between the disputing parties and without the assistance of external mediation service (this is especially the case with inheritance-related disputes that seem to comprise the bulk of disputes to date). Despite this, mediation services provided by the Project have had some success with previously intractable disputes being resolved with the assistance of the Project (refer to Task 5 results below in the main part of this report).

Having noted the progress in claims collection, it must be said that the rate of data collection is not as fast as we would have hoped. This can be put down to a number of issues including:

- Trialing and fine-tuning data collection processes meant that time was consumed reviewing processes and trying new ones (where appropriate) and training staff on new procedures;
- Newly trained staff being reluctant to push forward as quickly as possible because of inexperience;
- Some rural parcels (e.g. rice fields in Manatuto) are quite large and, therefore, the demarcation process is taking much longer than anticipated;
- Minor labor disputes that halted data collection activities occasionally.

To deal with these issues, the Project has undertaken a number of important actions:

- Developed improved and stream-lined the training processes for data collection and data processing;
- Identified project expansion areas outside the current pilot areas;
- Prepared new District offices (Baucau, Aileu, Maliana, Oecussi and Dili) for Project expansion throughout Year 2;
- Employed approximately 30 new staff for project expansion into new Project Offices in Aileu and Baucau.

Nevertheless, the Project's goal for Year 2 of collecting 10,000 claims during Year 2 must be revised downward for Year 2; closer to 4000-5000 at this time. Having said this, the Project is on Target to have 7 operational Field Offices by the end of Project Year 2.

From a public perceptions perspective, the Project has been achieving its aims. A project monitoring and evaluation survey of 66 households in the Pilot areas (see Annex 3) was conducted in February and March 2009. The results show that the Project appears to be successfully increasing public awareness both before and during the data collection process, and respondents also expressed satisfaction with the data collection process itself. A separate survey to understand the effectiveness of media penetration of Project messages (conducted by Belun at INR's request) found that 65% of those interviewed across the country (including areas in which the Project is not operating) had heard about the project through the national media. The results indicate that of these, a high percentage of people rated Ita Nia Rai media products "very good" or "good". The results of this survey are set out in the main body of this report, below.

From the perspective of the development of a broader legal framework for land in Timor Leste, significant progress has been made early in 2009 on top of the important promulgation of the *Regulation on the Cadastre* (No 229/2008) in 2008. While this *Regulation* provides the legal basis for the vast bulk of Project activities, the Minister of Justice moved quickly in January 2009 to create a Land Law Working Group (*Ministerial Dispatch No. 002/GM/MJI/2009*) to develop land policy options for consideration by the Council of Ministers (COM). (This Project advocated to the Minister for the creation of a Working Group, in Year 1.) The Policy Options developed by the Working Group were presented to the COM in February 2009. Additionally, for the purpose of informing and coordinating with Parliament, the Project made a presentation to Parliamentary Committee A about Project activities. Both presentations were received very well. Most recently, the Minister of Justice reconvened the Land Law Working Group to commence drafting an "official" draft *Land Law* for consideration by the COM. The Policy Options have been identified and the draft (based on these options) is to be completed by the end of April for presentation to the COM early in May. Further to the project's input in the development of government land policy.

Project staff have consulted the Prime Minister personally about the importance of land rights in the context of infrastructure planning, and the issue of property rights recently played a prominent role in discussions at the Timor-Leste Development Partners Meeting held from April 2nd to 4th 2009. It may be the case that, in Q3, the DNTPSC may be 'spun-off' from the Ministry of Justice and established as a stand-alone Secretary of State with expanded jurisdiction. This has been the suggestion from within the DNTPSC and remains to be seen.

All this continues to underscore this government's commitment to moving forward on the difficult issue of land rights formalization and institutional reform in Timor Leste.

OVERVIEW OF PROJECT BY TASK

Following is an overview of Project activities in accordance with the approved Work Plan.

Task1: Public Information Awareness

During Year 2, Q2, Task 1 continued to support communities with information on the data collection process in the pilot districts and began preparations for expanding into new data collection areas. In addition, Task 1 continued to develop new public information materials and, through BELUN, conducted focus-group testing of current outreach materials, and a national media survey in all Districts. In February, Task 1 hosted an international Training volunteer with support from ACIDI/VOCA's "VOCA Foundation". The Volunteer helped the Training Coordinator and other trainers to prepare for the training

of data collectors and field coordinators for the Aileu and Baucau offices. The training began on March 16th and is expected to finish on the 8th of May 2009.

Tasks 2 & 3: Land Policy, Laws and Regulations/Support for National Land Commission

The project has undertaken the following activities under this Task during Q2.

- Participated in the Land Law Working Group, established by Ministerial Decree, and produced official Policy Options paper;
- With Ministry of Justice, presented official policy options paper to the Council of Ministers;
- Presented INR project overview and policy proposals to National Parliament's Standing Committee 'A';
- Conducted a Gender Land Law Workshop (February 2009);
- Submitted recommendations to the draft RDTL *Civil Code* on strengthening women's rights to land and property to the Ministry of Justice (February 2009);
- Conducted gender training to Field Coordinators and Data Collectors for Baucau and Aileu (March 2009);
- Conducted a women-only Focus Group meeting in Liquica in a new collection area (March 2009);
- In coordination with Task 5, completed Conflict & Gender Assessments for new project areas in Baucau and Aileu (February/March 2009);
- Presented issue of "Customary Law: Land and Women's Rights" at the Sector Consultation Workshop on Customary Law/Local Justice hosted by the Ministry of Justice/UNDP-UNMIT.

Task 4: Land Administration

Task 4 has undertaken the following activities under this Task during Q2.

- Claims data collection has continued in the pilot test areas of Liquica and Manatuto and is now completed. Claims now total 891 (524 in Manauto and 367 in Liquica);
- Land Claims expansion has now started in the existing Districts (Liquica and Manatuto);
- The Technical Work Group (TWG) comprising INR and DNTPSC staff has been meeting regularly to review work progress;
- Systems and procedures developed for collection and recording of claims data were trialed during the pilot tests at Liquica and Manatuto and necessary changes made to systems and the Manual of Operating procedures;
- Technical standards were finalized and have been delivered to the TWG for consideration and formal adoption by DNTPSC;
- The technical content of training courses and material presented to field staff during Year 1 was reviewed and updated in preparation for training new staff in Year 2;
- Refresher training was provided to field staff in pilot areas;

- Six comprehensive Manuals of Procedures and Project Strategies have been completed to initial draft status;
- Planning of technical operations for project extension into the Districts of Baucau and Aileu has continued in coordination with DNTPSC/DTP;
- Field offices have been established at Aileu and Baucau to support claims data collection;
- Field Offices have been identified in Maliana and Oecussi;
- A Field Office Claims Database was installed and trialed as a component of the IT systems in the Field Offices at Liquica and Manatuto;
- The central LCIS has been established and is now operational; collecting claims data electronically from the Field Office Claims Database;
- A detailed Quality Management Strategy was designed to monitor and control the quality of field operations.

Task 5: Dispute Resolution, Mediation and Reconciliation

During Q2, Task 5 continued to work together with local NGO Belun to record land-related disputes and facilitate dispute resolution in the pilot districts. In addition, in February 2009, Task 5 finalized the methodology for and conducted the Conflict and Gender Assessments for Aileu and Baucau and has been preparing the mediation plans for those new areas. In addition to providing direct mediation activities when requested, Task 5 has also developed a model of outsourcing mediation services to local organizations where:

- Limited project resources do not permit the provision of effective mediation services;
- Local organizations can provide more effective mediation services.

ANTICIPATED Q2 ACTIVITIES

Future activities for Year 2, Q2 are likely to include the following.

Task 1 (Activities Anticipated for Q3)

- Continue to hold targeted meetings with local leaders, women's groups and civil society in the new data collection districts;
- Hold community meetings in new data collection areas in Aileu and Baucau in preparation for the start of data collection activities there;
- Roll-out public information materials to promote using mediation as a method of dispute resolution;
- Roll-out public service announcements to emphasize women's rights to participate equally in the data collection process;

- Support the field offices in Liquica and Manatuto to conduct public display in the pilot data collection zones;
- Finish the training for Aileu and Baucau, conduct a review and identify lessons learned for the next round of training;
- Organize and implement training for data collectors in Bobonaro (Maliana) and Oecussi, starting June 1st.
- Support the Public Consultation process for the draft *Land Law* once the draft is approved by the COM.

Tasks 2 & 3 (Activities Anticipated for Q3)

- Resume drafting of land law with the Land Law Technical Working Group;
- Liaise with relevant Ministers to support the progress of discussions on policy options;
- Finalize Impact Study Report estimating consequences of policy options;
- Produce Comparative Study on Cambodian Land Law and Titling Program and its relevance (or not) to the context of Timor Leste;
- Develop gender-related local radio messages to be played in all SPRTL data collection areas (April 2009);
- Conduct women-only Focus Group meetings in new data collection areas in Liquica, Manatuto, Baucau and Aileu (April/May 2009);
- In coordination with Task 5, complete Mediation Plans for Baucau and Aileu (April 2009);
- Conduct gender training to Field Coordinators and Data Collectors for Maliana and Oecussi (May/June 2009);
- Continue to distribute gender brochures and gender posters in existing and new data collection area;
- Continue to monitor and evaluate progress towards achieving gender objectives.

Task 4 (Activities Anticipated for Q3)

- Continue regular meetings of the Technical Work Group;
- Continue field operations to collect and record claims data in the Liquica and Manatuto extension areas, and start data collection in Aileu and Baucau;
- Implement Public Display of the claims data collected during the pilot tests to obtain community and claimant verification of the data collection process and of the collected claims before final entry into the LCIS;

- Continue to assess the processes followed in field operations in order to verify the systems and procedures used and to identify the need for changes or improvement;
- Present additional refresher training to the field office staff and Data Collectors as and when required to reinforce initial training and to present new training due to amended procedures;
- Assist with the planning and setting up of new Field Offices in the Districts/Towns of Maliana and Oecussi;
- Assist with initial planning for start-up of data collection in Dili;
- Arrange the recruitment of the 1 Field Office Manager and 4 Field Coordinators required for staffing the new Field Offices in Maliana and Oecussi;
- Recruitment 22 Data Collectors required for data collection field teams in Maliana and Oecussi;
- Present technical training to the field staff and data collectors needed for expansion of field operations to new Districts (for Aileu and Baucau, training already in progress and finishing 8 May and for Maliana and Oecussi, commencing 1 June and finishing 17 July);
- Work closely with the LEI STTA and other Task specialists to review and update technical systems and procedures as required (LEI STTA schedule is: P van Berkel 17 days in May; A. Wilson 30 days in July and Chris Lunnay 12 days in July);
- Continue the design, development implementation and systems documentation of the Land Claims Information System (LCIS) for processing and recording claims data in the system data bases;
- Implement the Quality Management Strategy.

Task 5 (Activities Anticipated for Q3)

- Finalize mediation plans for Aileu and Baucau;
- Conduct training with field coordinators on mediation plans for Aileu and Baucau;
- Continue to record disputes and organize dispute mediation in data collection areas;
- Distribute public information materials in support of mediation;
- Finalize a standard set of forms to log disputes in the field, refer disputes, and monitor dispute mediation;
- Conduct Conflict & Gender Assessments for Oecussi and Maliana;
- Draft mediation plans for Oecussi and Maliana.

1.0 YEAR 2, SECOND QUARTER PROJECT ACTIVITIES

A detailed report of Project activities for Year 2, Q2 is set out below in accordance with the respective Tasks.

1.1 TASK 1: PUBLIC INFORMATION AWARENESS (PIA)

1.1.1 Task Overview

During Year 2, Q2 Task 1 continued to support communities with information on the data collection process in the pilot districts and began preparations for expanding into new data collection areas. The particulars of these activities are set out below.

Public information and community outreach

During Q2, Task 1 has continued to produce public information in order to raise awareness of land claims collection activities. This has included:

- In January 2009, recruited a new Outreach Coordinator;
- Conducted community meetings in the two pilot districts and for new data collection areas beyond the pilot zones as required;
- Organized evening film screenings of project-related videos in the pilot districts and in new data collection zones;
- Distributed public information materials in the data collection zones;
- Produced a monthly newsletter, featuring photographs and interviews with stakeholders, which was distributed widely in Dili and in the pilot districts;

In addition the PIA working group has continued to meet once a month and has growing participation from government and NGOs.



Figure 1 Community Meeting in Liquica showing the project video. Many meets are now held at night to maximize community attendance.

Media

The project continued to have a presence in the national media and beyond. Highlights included:

- A project-produced 6 minute video in Tetun was played repeatedly on TVTL. This film featured actual footage of data collection, dispute mediation, and interviews with claimants;
- Created a YouTube channel and uploaded project-related videos to the channel (<http://www.youtube.com/user/ItaNiaRai>). This resource is designed primarily for Timorese Diaspora who may have an interest in the land claims process. The combined videos on the channel have been viewed over 1,000 times since January.

In addition to one project media release during this period, the project was featured in the national media several times independently, showing an increased awareness of land rights issues on the part of national journalists. Independent features included:

- 4 radio interviews / programs featuring land issues;
- One 30-minute television program about land issues in Timor-Leste featuring footage from a project-hosted public meeting;
- The Legal Specialist participated in a televised discussion panel on “Illegal Occupation” of property and houses.

In order to assess the effectiveness and penetration of the Project's media messages, Belun (on behalf of INR) conducted a national survey of public understanding of key Project messages. Belun conducted 200 interviews in all 13 districts, and found that a total of 65% of those interviewed had heard about the Project through the national media. The results indicate that, of these, a high percentage of people rated Ita Nia Rai media products "very good" or "good". The survey also indicated that the majority of people who had heard of the program, heard through television and the radio. Despite this, media access in the districts of Timor-Leste is still quite limited with just under half of all respondents indicating that they had access to national television or radio (49% and 47.5%, respectively), and 40% having access to newspapers (but very few on a daily basis).

In regard to the effectiveness of the INR's media messages, the study concluded that the media materials produced by the project were effective at transmitting core messages. Ninety-five percent (95%) of people were able to correctly identify the primary activity of Ita Nia Rai from a list of potential activities, and 90% were able to name the Ministry of Justice as the Ministry overseeing the program. In addition, 88.5% correctly answered that the *Constitution* provides the right to private property, and 72.5% correctly identified that the *Constitution* provides equal property rights to women and men.

Developing materials



In January 2009, Task 1 hosted two workshops for Task 5 and Belun staff to brainstorm messages and slogans for developing materials to promote mediation as a way of solving disputes. Since then Task 1 has designed stickers (see the draft to the left), a series of 3 posters, one newsletter, and a brochure to promote mediation, and is currently producing a 30-minute radio feature and a 5-minute video. The mediation materials will be rolled out to the public in April or May 2009.

Task 1 has also worked with the Gender Team (within Task 2) to develop local radio announcements to promote women's rights to participate equally in the data collection process.

Training

In early January, the Task 1 training Coordinator conducted a well-received Induction training for all staff who had been working for the project for less than one year, to increase their knowledge about the project's activities. Later that month, the Training Coordinator and one staff member from Task 5 conducted a 5-day "Train-the-Trainer" training for project, Belun and DNTPSC staff who are involved in training data collectors and field coordinators.



Figure 2 ACIDI/VOCA Volunteer, Ed Doherty, provides valuable management training to Project Staff

From 11-28 February 2009, Task 1 hosted a Training volunteer, Ed Doherty, with support from ACIDI/VOCA and the VOCA Foundation. During a 3-week assignment, Ed supported the national Training Coordinator, Duarte da Silva, in preparing the training for data collectors and field coordinators from Aileu and Baucau. Ed provided expert advice, coaching, methodology and donated materials to the upcoming training. In addition, Ed conducted a 3-day Leadership and Team Development training for a group of 12-15 national management level staff.

In February 2009, two additional Trainers were hired by the project to assist the Training Coordinator. On March 16, the training began for field coordinators and data collectors for Aileu and Baucau areas. This includes approximately 3 weeks of joint training, 10 days of data collector practicum (at the current field offices), and 2 weeks of field coordinator-only training.

1.1.2 Problems & Solutions

Overall Task 1 is meeting the needs of the project and other task areas and is gearing up to support the start of claims collection in new data collection areas. The only delay is in starting the Public Consultation process on the draft Land Law, which is awaiting completion and approval by the COM.

1.1.3 Events Schedule

Events scheduled for Q3 include:

- Women's focus group meetings to be held in Aileu and Baucau in mid-April 2009;
- Community meetings to begin in Aileu and Baucau in late April 2009;

- PIA working group to meet first Wednesday of each month;
- Training for Aileu and Baucau to finish on May 8th 2009;
- Training for Bobonaro and Oecussi to begin on June 1st 2009.

1.2 TASKS 2 & 3: LAND POLICY, LAWS, AND REGULATIONS/SUPPORT FOR NATIONAL LAND COMMISSION

1.2.1 Task Overview

Task 2 undertook the following activities during Q2:

- Participated as a member of the Land Law Technical Working Group, established by Ministerial Dispatch (*No. 002/GM/MJI/2009*), which was tasked to produce an official policy options paper.
- With the Land Law Technical Working Group, produced a Policy Options document outlining alternative solutions for regularizing land rights.
- In collaboration with the Directorate of Legislative Drafting of the Ministry of Justice, presented official policy options paper to the Council of Ministers.
- Presented INR project overview and policy proposals to National Parliament's Standing Committee 'A'.
- In collaboration with the Secretary of State for the Promotion of Equality (SEPI), conducted a Gender Land Law Workshop on 10 February 2009 in Dili. The objective of the workshop was to share with Working Group members the draft recommendations on strengthening women's rights to land and property within the draft RDTL Civil Code. The Working Group submitted these recommendations to the Ministry of Justice on 14 February 2009.
- Conducted gender training to Field Coordinators and Data Collectors for Baucau and Aileu (March 2009) to increase their gender-sensitive skills, particularly in encouraging both husbands and wives to make land claims together in the data collection process.
- Conducted a women-only focus group meeting in Liquica in a new collection area (March 2009). Female community members were specifically invited to raise awareness of their right to participate in the data collection process.
- Distributed gender brochures and gender posters in existing and new data collection areas
- In coordination with Task 5, completed Conflict & Gender Assessments for new project areas in Baucau and Aileu (February/March 2009). The assessment addresses some of the challenges women face in mediation processes and strategies to overcome these challenges. Results from the Conflict & Gender Assessments will be used to develop Mediation Plans for Baucau and Aileu.
- Presented issue of "Customary Law: Land and Women's Rights" at the Sector Consultation Workshop on Customary Law/Local Justice hosted by the Ministry of Justice/UNDP-UNMIT.

1.2.2 Problems & Solutions

The Project was unable to assist SEPI in conducting district-level public consultations (in Baucau, Liquica, and Suai) on the draft *Civil Code* with regard to increasing women's rights to land and property

in Timor-Leste. This is because the Parliament approved SEPI’s budget to conduct these workshops after the Ministry of Justice’s deadline for submitting recommendations to the draft Civil Code.

1.2.3 Events Schedule

Events scheduled for Q3 include:

- Working with the Land Law Working Group to draft an “official” draft Land Law by the end of April for submission to the COM by early May 2009.
- Conducting a Land Sector Donor Coordination Group meeting to discuss project progress and consider coordination issues and synergies between projects.
- Broadcasting **three** different gender-related local radio messages to be played in all SPRTL data collection areas as part of the SPRTL’s efforts to encourage equal opportunities for women and men to participate in the SPRTL data collection process (April 2009).
- Conducting women-only Focus Group meetings in new collection areas in Manatuto, Baucau and Aileu (April/May 2009). By specifically targeting women. The SPRTL aims to increase awareness among more women of the SPRTL data collection process in providing a more open environment for women to voice their opinions.
- In coordination with Task 5, completing Mediation Plans for Baucau and Aileu (April 2009). The Conflict and Gender Assessments will feed into the Mediation Plans, including providing recommendations on addressing gender-sensitivity in the mediation process.
- Conducting gender training to Field Coordinators and Data Collectors for Maliana and Oecussi (May/June 2009). Gender-sensitivity training is integrated through training materials across all project task activities as appropriate.
- Continuing to distribute gender brochures and gender posters in existing and new data collection areas.
- Continuing to monitor and evaluate progress towards achieving gender objectives.

1.3 TASK 4: LAND ADMINISTRATION

1.3.1 Task Overview

By the end of Q2 a total of 891 land claims has been collected by Project teams. The current situation is as follows.

| District | # Land Claims | Number Dispute | # Dispute Solved | Unsolved Dispute |
|--------------|---------------|----------------|------------------|------------------|
| Manatuto | 524 | 20 | 4 | 16 |
| Liquica | 367 | 26 | 1 | 25 |
| Total | 891 | 46 | 5 | 41 |

Having noted the progress in claims collection, it must be said that the rate of data collection is not as fast as the Project would have hoped. The reasons for this are set out below under “Problems & Solutions”.

Therefore, the Project's goal for Year 2 of collecting 10,000 claims must be revised down for year 2; closer to 4000-5000 at this time. Having said this, the Project is on Target to have 7 operational Field Offices during Project Year 2.

In relation to the specific activities set out under the approved Work Plan, the following progress has been made.

Activity 4.1 Develop Standards and Technical Requirements

The Technical Work Group (TWG) is meeting regularly to review work progress, coordinate Project work programs and to discuss a broad range of technical issues with the technical staff of DNTPSC. The Group is chaired by the Task 4 International Land Registration Specialist with its members including senior technical staff from DNTPSC and staff from all SPRTL Tasks. Additional representatives from other organizations may be invited to attend where there is a need to address specific topics related to technical operations.

Systems and procedures that were developed during Year 1 for collection and recording of claims data were trialed during the pilot tests at Liquica and Manatuto. These were closely monitored to assess their effectiveness. A review workshop was held in Dili in February and attended by all field staff in the pilot test areas as well as staff from DNTPSC, SPRTL Tasks and the NGO, Belun. The objective of the workshop was to assess the effectiveness of the procedures followed during testing and identify possible operational improvements or the need for changes. Some changes have already been implemented and a Pilot Review report is being prepared.

Three technical standards were prepared to specify standards to be followed in measuring and recording land and boundaries. The standards have been presented to the TWG recommending examination and formal adoption by DNTPSC on behalf of the GoTL.

Development and design of the technical IT system to support claims data processing and recording has continued. The Project IT Specialist and LEI STTA IT Systems and Database Analyst have completed and installed land claims and spatial claims databases in the Field Offices for digital recording of field collected claims data.

Activity 4.2 Systems Training

The technical content of training courses and the technical material presented to field staff during Year 1 has been reviewed in preparation for training new staff in Year 2. As a result of both the training review and the pilot review, the need for additional refresher training was identified. Refresher training has already been presented to existing field staff working in the pilot areas to reinforce previous training and to introduce new procedures implemented as a result of the reviews.

A training program is underway to train the field staff recruited in Q1 for field operations which is to commence in the Districts/Towns of Baucau and Aileu in mid May. A training of the trainer course was run to train the trainers that will present the training, including technical staff from DNTPSC who are assisting with the training of field staff.



Figure 3 New Trainees from Baucau and Aileu practice data collection techniques to be applied in Q3

Six comprehensive Manuals of Procedures and Project Strategies were completed to initial draft stage to document systems and processes followed in preparing for and executing data collection, processing and recording as well as to act as a guide to field operations. Some work is required for some to update changed procedures and for their finalization for publication. The systems and processes described in the manual will continue to be monitored to identify the need for update or change.

Activity 4.3 Pilot Testing

Collection of land claims data for the designated pilot test area has been completed in Liquica and is near completion for Manatuto. During Q2 field teams in the pilot areas visited 329 individual land parcels to collect land claims data. A total of 16 disputes (4.8 %) were encountered of which 2 were resolved by early intervention.



Figure 4 Pilot Area in Manatuto

Field operations in Liquica and Manatuto have recently been extended into communities adjacent to the pilot test areas. A PIA program has been commenced in the extended areas to inform the community about the program with several community meetings having been held.

Field Coordinators (6) were recruited by the Project to staff the field offices at Aileu and Baucau in preparation for field operations scheduled to commence in July. These staff are currently undergoing 4 weeks training.

The NGO BELUN with cooperation of the staff of Task 4 recruited 22 Data Collectors from the communities of Aileu and Baucau in preparation for Data Collection scheduled to commence in mid May. These staff are currently undergoing 3 weeks training.

Recruiting processes were reviewed in preparation for recruiting the 1 Field Office Manager, 4 Field Coordinators and 22 Data Collectors required for extending field operations to Maliana and Oecussi scheduled for mid July. The District DTP will take responsibility for management and coordination of data collection in Oecussi with support from the project including the assigning of one or two project Field Coordinators to guide initial operations.

Recruiting of an additional Data Specialist in the Project's Dili HQ is in progress; the Data Specialist will be responsible for processing and recording the land claims data collected by field teams, and in particular for processing and storage of GIS (spatial) data defining the parcel boundaries, as well as for preparing maps needed for field operations.

Activity 4.4 Claims Recording

Pilot testing has been completed and reviewed in coordination with Tasks 1 and 5. The Project Gender Specialists with Belun has undertaken a monitoring and evaluation exercise to assess the effectiveness of field procedures and in particular the effectiveness in addressing gender issues and the success in encouraging equal land rights for women. The report of their findings appears in Annex 3 below.

Development of the LCIS to validate and record the field collected land claims data in the Project Central HQ has continued with the installation of the LCIS databases in the Central Office in Dili. Final development and implementation as well as completion of documentation describing the system is planned for Q3 when the Project IT Specialist and LEI IT STTA return to Timor Leste.

Design of a detailed Quality Management Strategy has been prepared and is aimed at introducing procedures for monitoring and controlling the quality of field operations processes and for the data collected, and for ensuring data and processes are at a level that meets user needs. The plan will be implemented in Q3 and training in the quality procedures and the role of staff in maintaining quality will be included in future training programs.

Activity 4.5 Public Information awareness

Task 4 has participated in visits to present the project to local administration in the Districts of Aileu and Baucau and in Maliana and Oecussi. These visits were also aimed at collecting situational data to assist with planning field operations and in particular in selecting data collection areas.

Task 4 has assisted with the ongoing public Information awareness campaign for field operations in the extended data collection areas in Liquica and Manatuto. Community PIA programs will commence in for Aileu and Baucau in April and in Maliana and Oecussi early in Q3.

1.3.2 Problems & Solutions

As noted above, Land Claims collection has been slower than the Project had hoped.

- Trialing and fine-tuning data collection processes meant that time was consumed reviewing processes and trying new ones (where appropriate) and training staff on new procedures;
- Some rural parcels (e.g. rice fields in Manatuto) are quite large and, therefore, the demarcation process is taking much longer than anticipated;
- Newly trained staff being reluctant to push forward as quickly as possible because of inexperience;
- Minor labor disputes that halted data collection activities occasionally.

To deal with these issues, the Project has undertaken a number of important actions:

- Developed improved and stream-lined the training processes for data collection and data processing;
- Identified project expansion areas outside the current pilot areas;
- Prepared new District offices (Baucau, Aileu, Maliana, Oecussi and Dili) for Project expansion throughout Year 2; and

- Employed approximately 30 new staff for project expansion into new Project Offices in Aileu and Baucau.

While these changes will boost claims collection, they are unlikely (at this stage) to bring claims numbers up to those hoped at the beginning of the Project year; namely 10,000. A closer estimate on current numbers is 4,000 – 5,000. Claims collection rates will also be checked in Oecussi when DNTPSC management of the process starts.

1.3.2 Events Schedule

Events scheduled for Q3 include:

- District and community announcements of the first public displays in Liquica and Manatuto in late April.
- Recruitment and training of field office staff (Field Coordinators) and community data collectors for Maliana and Oecussi commencing beginning of June.
- Commencement of data collection in the selected collection areas in Baucau and Aileu in early May.
- Mobilization of field staff to Maliana and Oecussi field offices in July.

1.4 TASK 5: DISPUTE RESOLUTION, MEDIATION, AND RECONCILIATION

1.4.1 Task Overview

In general the second quarter of Year 2 (January – March 2009) has been a period of consolidation and strategic development for Task 5. Task 5 during this period suffered two losses to the team: the Task Manager, Ursula Almeida, resigned effective 28 February 2009, and one specialist, Gerson Martins, resigned effective 16 March 2009. Despite this, with support from the Task Leader for Task 1, Task 5's work is ongoing and progress is being made.

During the period January – March 2009, Task 5 and Belun's activities included:

Mediation Plans:

- Developed the format for Mediation Plans (with assistance from the Legal Specialist) and finalized mediation plans for Liquica and Manatuto;
- Drafted mediation plans for Aileu and Baucau (to be finalized by mid-April 2009);

Conflict and Gender Assessments

- Finalized the methodology for the Conflict and Gender Assessment;
- Conducted Conflict and Gender assessments for Aileu and Baucau towns;
- Compiled results of the C&G assessments to provide recommendations to the mediation plans;

Community Dispute Resolution

- Held community meetings to provide information to disputants on their options for dispute resolution;
- Recorded disputes in the pilot districts and supported the field offices to provide disputants with information and options;
- Organized one formal mediation in Liquica district in January, with the dispute successfully resolved;
- Developed a new mediation strategy for Manatuto in reaction to the DTP Mediator being removed from office.

Task 5 and Belun also provided inputs to the training of new data collectors and field coordinators.

1.4.2 Problems & Solutions

As mentioned above, during the second quarter of year 2, Task 5 lost two key team members, which certainly affected the pace of work. The Task manager position has been re-recruited and approved, with the candidate to start work in mid-April. The specialist position is being re-advertised and the project hopes to have a candidate start by May 2009.

Mediation in Manatuto district suffered delays during this period due to the loss of the DTP mediator, who was removed from his position. Mediation in Liquica also suffered delays because the DTP mediator was on leave for more than one month beginning in mid-January. Alternative mediators have been identified in Manatuto and the first mediation is scheduled for 2-3 April 2009. At present, the DTP mediator in Liquica has returned and mediation is currently being organized to take place in mid-April.

1.4.3 Events Schedule

Events scheduled for Q3 include:

- Mediation of several disputes in Manatuto in April 2009;

Box A: Task 5— More than Mediation: Reconciliation in Manatuto!

In Manatuto town, East of the capital, Dili, one family has found reconciliation through the Ita Nia Rai land dispute mediation process.

Nuno Moniz da Silva and Maria Julianna Soares are cousins. But a long-standing land dispute between them has meant that their relationship has been strained for decades. When the Ita Nia Rai project came to their area, the two cousins both put in a claim to a parcel of family land, each claiming that it was their right by inheritance.

Ita Nia Rai and local NGO partner Belun approached the two parties and offered to mediate the dispute if the cousins were ready to look for a solution. They agreed. Belun and Ita Nia Rai's Task 5 organized the mediation, inviting local community leaders and the head of Manatuto District Land Directorate (DTP) to participate as observers. The mediation was conducted by a Belun staff member and a local paralegal acting on behalf of a community partner organization (ECM).

After a long morning of discussion, at about 3pm the parties agreed that they would find a solution to this dispute and put the past behind them. Eventually the two cousins agreed to split the disputed area 50/50, and to make a separate, joint claim to the family house. As the solution was agreed, emotions ran high. The cousins apologized to each other for the long-standing animosity between them. As they signed the agreement, and tears flowed and they hugged each other for the first time in decades.

Present at the mediation as an observer was the Sub-District Administrator for Manatuto. At the close of the session, the Sub-District Administrator, who also has a land dispute with his neighbor, congratulated the Ita Nia Rai team on a job well done and told them: "you'll be hearing from me soon to mediate my dispute!"

- Following up with all eligible disputants in Liquica and Manatuto to encourage them to solve their disputes or undergo mediation before the start of Public Display;
- Provide training to Field Coordinators on the mediation plans for Aileu and Baucau Districts on 16 April;
- Conduct Conflict & Gender Assessments for Maliana and Oecussi during May 2009;
- Confirm the recruitment of the new Task Manager and hire a replacement Specialist.

2.0 ANNEXES

ANNEX 1: ACTIVITY SUMMARY

| USAID Strengthening Property Rights in Timor-Leste (“Ita Nia Rai”) Project YEAR 2, Q2 SUMMARY PERIOD: 1 January 2009 to 31 March 2009 | | | | |
|--|--|---|--|--|
| Work Plan Activity No. | NOTES from Last Quarter | Current Status | Work Plan Year Target/Indicators | NOTES/TO DO NEXT QUARTER |
| TASK No 1 | | | | |
| 1.1.1 Establish a PIA working group | <ul style="list-style-type: none"> Next meeting set for 10 December then reconvening in February 2009 | <ul style="list-style-type: none"> Working group meets regularly on the first Wednesday of each month. | <ul style="list-style-type: none"> At least 4 Working Group Meetings | <ul style="list-style-type: none"> 3 more working group sessions scheduled for Q3 |
| 1.1.2 External Communications Package Disseminated | <ul style="list-style-type: none"> Comms packages to be disseminated in Aileu, Baucau and Maliana in January 2009 | <ul style="list-style-type: none"> Media relations on-going with Media releases etc. During Q2, one 5 minute video featuring the claims collection process aired on national media and project staff featured in several radio and television interviews. | <ul style="list-style-type: none"> External Communications Packages (PR messages) disseminated as required | <ul style="list-style-type: none"> National media announcements to precede start of data collection in Aileu and Baucau Prepare a 20-minute radio program and a 5 minute video on Dispute Resolution and broadcast nationally. |
| 1.2.1 Finalize Media Packages & Disseminate | <ul style="list-style-type: none"> On-going in accordance with expansion of Project from January 2009 Belun to undertake media survey in all 13 districts in Jan-Feb 09 National media survey results by Mar 09 | <ul style="list-style-type: none"> National media survey results received and currently being analyzed. Community evaluation of PIA activities very positive. Outreach conducted in new data collection zones in Liquica and Manatuto | <ul style="list-style-type: none"> Communications Packages disseminated in all Project Data Collection Zones | <ul style="list-style-type: none"> Conduct community meetings in data collection zones in Aileu and Baucau |
| 1.2.2 Support to Public Consultation/ Socialization messages on Legal Rights Issues | <ul style="list-style-type: none"> Liaise with Committee A in January 2009 on coordination with Public Consultation Land Law socialization awaiting promulgation of the law TV interview with DNTPSC Director planned for January | <ul style="list-style-type: none"> Awaiting outcome of option selection by MOJ/COM to begin consultation | <ul style="list-style-type: none"> Public Consultation Plan (Transitional Land Law) implemented Law Socialization Plan (Transitional Land Law) implemented | <ul style="list-style-type: none"> Awaiting decision from COM |

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|---|---|--|---|--|
| 1.2.3 Support Field testing of Outreach Materials | <ul style="list-style-type: none"> From January, work with Belun to test outreach materials through focus group meetings in all 13 districts | <ul style="list-style-type: none"> Result 97% approved of materials. No changes needed. | <ul style="list-style-type: none"> Outreach materials disseminated in all Project Data Collection Zones and 13 districts for review | <ul style="list-style-type: none"> Re-print large posters and re-order DVD's. |
| 1.4 Training & Lessons Learned | <ul style="list-style-type: none"> Systems Review Workshop to be coordinated with Task 4 for the purposes of producing a “Pilot Assessment Report” (Task 4) Next phase of training to begin February 2009. First orientation training to take place Jan 08 | <ul style="list-style-type: none"> Training materials review completed Training Volunteer Ed Doherty conducted a mission from 10-28 February 2009. Training for Aileu and Baucau began 16th April. | <ul style="list-style-type: none"> Consolidated training schedule for FC's + DC's Workshop Delivered Pilot Assessment Report Published Orientation training delivered for new staff | <ul style="list-style-type: none"> Training for Aileu and Baucau to end on 8 May. Training for Maliana and Oecussi to begin on 1 June. |
| TASK Nos 2 & 3 | | | | |
| Activity 2.1: Update Project Work Plan | <ul style="list-style-type: none"> No further action to September 2009 | <ul style="list-style-type: none"> Year 2 Work Plan updated for Task 2 | <ul style="list-style-type: none"> Review & Update of Strategy and Work Plan completed and finalized | NA |
| Workshops on General Land Law and Legal Drafting | <ul style="list-style-type: none"> Check status of MOJ training approval with Laura Duarte in the MOJ | <ul style="list-style-type: none"> Task 2 to organize workshop on Land Policy & Law with IOM | <ul style="list-style-type: none"> Workshops of the following topics planned during this period in conjunction with the MOJ: Background to Land Policy & Land Law | <ul style="list-style-type: none"> Propose workshop with MOJ members of the Land Law Technical Working group |

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|--|--|--|---|--|
| Policy and Legal Thematic Workshops | NA | <ul style="list-style-type: none"> Cancelled by USAID. Subject to budget allocation | <ul style="list-style-type: none"> Regulation on the Cadastre | <ul style="list-style-type: none"> Subject to budget allocation for this |
| Refine Workshop Materials for Local Project Staff Training | <ul style="list-style-type: none"> By February 2009, final written components for “Ethics” and “Property Rights” modules to be completed. | <ul style="list-style-type: none"> Two training sessions on property rights provided to Data Collectors | <ul style="list-style-type: none"> 5 Groups of Trainings for Local Staff | <ul style="list-style-type: none"> |
| Draft Legislation Sequencing | <ul style="list-style-type: none"> Follow-up with the MOJ’s Land Registry adviser on progress of legislative sequencing | <ul style="list-style-type: none"> First part of legislative sequencing submitted to the Minister of Justice | <ul style="list-style-type: none"> Draft Policy Document on Sequence of Legislative drafting for the Year | <ul style="list-style-type: none"> Work with Land Law Technical Working Group on second part of legislative sequencing |
| Legal drafting | <ul style="list-style-type: none"> Depending on the outcome of the Report, either write the legal draft of comment on/contribute to the one developed by the Advisers | <ul style="list-style-type: none"> Land Law Technical Working Group (TWG) established by Ministerial Decree. TWG produced official policy options paper and submitted to Council of Ministers for comments. | <ul style="list-style-type: none"> Legislation Drafting: Compulsory Acquisition Registration Valuation/Compensation Customary Land Tenure Land Disputes | <ul style="list-style-type: none"> Pending comments from CoM, TWG will resume working on land law draft developed by INR to produce official draft Land Law |
| Support for Legislative Passage | <ul style="list-style-type: none"> Committee A Presentation after 27 January 2009 | <ul style="list-style-type: none"> Task 2/MoJ presented official policy options paper to the Council of Ministers Task 2 presented INR project and policy proposal to Standing Committee A of | <ul style="list-style-type: none"> Lobbying of Ministries and Council of Ministers Presentations as required | <ul style="list-style-type: none"> Task 2 to liaise with relevant ministers and support the progress of political discussions on policy options |

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| Work Plan Activity No. | NOTES from Last Quarter | Current Status | Work Plan Year Target/Indicators | NOTES/TO DO NEXT QUARTER |
|--|--|--|---|--|
| Civil Society Consultation & Post Land Law Socialization | <ul style="list-style-type: none"> Materials to be developed once legislation is finalized | the National Parliament <ul style="list-style-type: none"> Pending legislation | <ul style="list-style-type: none"> Finalized Consultation Plan Implementation in accordance with Task 1 Activity Technical Presentations to Committee A and Parliament (as required) | <ul style="list-style-type: none"> Materials to be developed once legislation is finalized |
| 2.5 Gender Planning & Implementation | <ul style="list-style-type: none"> Develop recommendations to the draft RDTL Civil Code for the Ministry of Justice, Council of Ministers, and Parliament Conduct gender trainings in the initial three districts the project plans to expand data collection in 2009 Distribute gender brochures and gender posters Coordinate with Task 5 on upcoming Conflict & Gender Assessment for new Project areas in Baucau, Maliana, and Aileu Assist SEPI in | <ul style="list-style-type: none"> Conducted a Gender Land Law Workshop (February 2009) Developed recommendations to the draft RDTL Civil Code on strengthening women's rights to land and property for the Ministry of Justice (February 2009) Conducted gender training to Field Coordinators and Data Collectors for Baucau and Aileu (March 2009) Conducted a women's only focus group meeting in Liquica in a new collection area (March 2009) Contributed to the development of the Ita Nia | <ul style="list-style-type: none"> Bi-monthly support to Gender & Land Working Group (from 2009, this applies outside Dili) | <ul style="list-style-type: none"> Develop three gender-related local radio messages to be played in all SPRTL data collection areas (April 2009) Conduct women-only focus group meetings in new collection areas in Manatuto, Baucau and Aileu (April/May 2009) In coordination with Task 5, complete Mediation Plans for Baucau and Aileu (April 2009) Conduct gender training to Field Coordinators and Data Collectors for Maliana and Oecussi (May/June 2009) Continue to distribute gender brochures and gender posters in existing and new data |

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|--|---|---|--|---|
| | <ul style="list-style-type: none"> conducting district-level public consultations (in Baucau, Liquica, and Suai) on the Civil Code with regard to increasing women's rights to land and property in Timor-Leste. Newsletter on Gender Issues to be developed (March 2009) Monitoring field data (on-going) | <ul style="list-style-type: none"> Newsletter highlighting gender issues (March 2009) Distributed gender brochures and gender posters in existing and new data collection areas In coordination with Task 5, completed Conflict & Gender Assessments for new project areas in Baucau and Aileu (February/March 2009) | | <ul style="list-style-type: none"> collection area Continue to monitor and evaluate progress towards achieving gender objective |
| Activity 3.1: Establishment of SSG | <ul style="list-style-type: none"> Discuss with Minister of Economy & Development in 3rd week of January 2009 | <ul style="list-style-type: none"> Not yet established | <ul style="list-style-type: none"> Establish SSG under the Ministry of Economy & Development (because it may be more enthusiastic guide to land-related activities) | <ul style="list-style-type: none"> Discuss with Minister of Economy & Development in 2nd week of December |
| Activity 3.2 Donor/Project Coordination | <ul style="list-style-type: none"> Call meeting for January 2009 | <ul style="list-style-type: none"> No donor meeting in December | <ul style="list-style-type: none"> Quarterly Meetings with Land Sector Donors | <ul style="list-style-type: none"> Call meeting for April 2009 |
| Activity 3.3: NILC Support and Operation | NA | | <ul style="list-style-type: none"> Suspended pending determination by GOTL | |
| Activity 3.4 Mechanisms to Inform Implementation | NA | <ul style="list-style-type: none"> MAY HAVE BEEN CUT BY BUDGET REALIGNMENT | <ul style="list-style-type: none"> Customary Land Valuation/compensation mechanisms Natural resources | <ul style="list-style-type: none"> MAY HAVE BEEN CUT BY BUDGET REALIGNMENT |

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|---|--|--|--|--|
| TASK No: 4 | | | | |
| 4.1.1 Technical Work Group (TWG) | <ul style="list-style-type: none"> Christmas break for the TWG between Dec 10 and Jan 19 (last meeting 9 Dec, next meeting 20 Jan 2009) 9 Dec meeting to set agenda for January/February 2009 | <ul style="list-style-type: none"> TWG approved by the Director of the DNTPSC, established and meeting regularly. | <ul style="list-style-type: none"> Established and weekly meetings during Year 2 | <ul style="list-style-type: none"> Due to commitment of SPRTL and DNTPSC to the Project training program, TWG has not met in March but will recommence meeting every 2 weeks in April/May |
| 4.1.2 Developing systems & procedures | <ul style="list-style-type: none"> Field Manual to be completed and published before the end of January 2009 | <ul style="list-style-type: none"> | <ul style="list-style-type: none"> Updated Field Manuals | <ul style="list-style-type: none"> Field Operations Manual completed and to be published by the end of March 2009 Other technical manuals nearly complete but require updating by the LEI STTA in July |
| 4.1.3 Technical standards | <ul style="list-style-type: none"> LEI's Allan Wilson to review in January 2009 | <ul style="list-style-type: none"> Technical standards established and adopted by DNTPSC. | <ul style="list-style-type: none"> Updated Field Manuals | <ul style="list-style-type: none"> Completed and presented to TWG for formal adoption by DNTPSC and GoTL |
| 4.1.4 Technical hardware design | <ul style="list-style-type: none"> Ilyas Mohammed and Pat van Berkel (LEI) to finalize during January 2009 assignments | <ul style="list-style-type: none"> Field Office database finalized and installed | <ul style="list-style-type: none"> Field Office database developed and procedures established Equipment procured | <ul style="list-style-type: none"> Field Office databases installed and operating successfully; to be reviewed by International IT staff in May |
| 4.2.1 Technical Training for Field Operations | <ul style="list-style-type: none"> Refreshment course before the end of January 2009 (all Districts) Hiring process for new Districts (Aileu & Baucau) to be initiated in Week 1, January 2009 | <ul style="list-style-type: none"> Training completed for Field Coordinators and Data Collectors in Liquica & Manatuto and commenced for field staff in Maliana and Baucau. | <ul style="list-style-type: none"> 21 Field Coordinators Trained 63 Community Data Collectors Trained | <ul style="list-style-type: none"> Refreshment training provided to field staff in Liquica and Manatuto, further refresher training to be presented as and when required Hiring process for new Districts (Maliana & Oecussi) has been commenced with staff training starting on 1 |

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|--|--|---|--|--|
| | <ul style="list-style-type: none"> New Training to start in February 2009 | | | <ul style="list-style-type: none"> June 2009 New Training for Aileu and Baucau field staff commenced 16 March 2009 finishes 8 May Final revisions to be completed for Technical Manuals after LEI assignments in July 2009; publication to follow |
| 4.2.2 Procedures Manuals | <ul style="list-style-type: none"> Revision to be completed viz. Technical Specifications after LEI assignments in January 2009 | <ul style="list-style-type: none"> Manuals currently revised on basis of Task feedback; further review and refinement required | <ul style="list-style-type: none"> Training Manuals Updated | |
| 4.3.1 System review of Field Operations | <ul style="list-style-type: none"> Systems review workshop (February 2009) Formal System review with the publication of a "Pilot Assessment Report" (with recommendations) by February 2009 (coordinate with T1) | <ul style="list-style-type: none"> Systems trialed in pilot areas and assessed in pilot review workshop; monitoring of procedures will continue throughout the project | <ul style="list-style-type: none"> Systems Review and update | <ul style="list-style-type: none"> Systems review workshop completed and changes designed and implemented Formal System review to be completed with the publication of a "Pilot Assessment Report" (with recommendations) by April 2009 (coordinate with T1) |
| 4.3.2 Design & Establish Field Offices | <ul style="list-style-type: none"> Expansion activities to be supported by Gregory and Carrie Conway in Jan/Feb 2009 | <ul style="list-style-type: none"> New project Districts identified for May start (Aileu & Baucau) , and in Maliana & Oecussi for mid July start | <ul style="list-style-type: none"> 7 Field Offices established | <ul style="list-style-type: none"> Expansion activities to be supported by Gregory in June/July 2009 |
| 4.3.3 Field Operations, Data Collection & Claims Recording | <ul style="list-style-type: none"> Move towards having 3-person teams operational asap (consider incentives to increase claims collection) Provide weekly updates on claims progress from the Field | <ul style="list-style-type: none"> Data Collection being undertaken in 2 pilot areas. Currently approximately 891 claims collected after five months. On the basis 5 claims per 3-person team per day, monthly totals should increase to 1575 total claims per district per month. This is not being achieved at present due to difficulty of collecting claims for land | <ul style="list-style-type: none"> 10,000 claims collected | <ul style="list-style-type: none"> Data collection activities of field teams to be examined to identify ways to improve productivity Provide weekly updates on claims progress from the central office database Daily checks by phone on targets, bottlenecks and problems to be undertaken by Task 4 staff |

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|---|--|---|--|---|
| 4.3.4 National Roll-out | <ul style="list-style-type: none"> Ongoing | <ul style="list-style-type: none"> under agricultural use, and requires investigation Preparations made for Project expansion (Districts selected) | <ul style="list-style-type: none"> Land claims collection from 7 Field Offices | <ul style="list-style-type: none"> Ongoing (currently scheduled for Aileu & Baucau in mid May, Maliana & Oecussi in August and Dili in October 2009) |
| 4.4.1 Developing the CLIS | <ul style="list-style-type: none"> Ilyas Mohammed working with Pat van Berkel by January 2009 | <ul style="list-style-type: none"> SQL Database undergoing review and development by visiting consultants | <ul style="list-style-type: none"> CLIS established | <ul style="list-style-type: none"> Ilyas Mohammed (May to July) and working with Pat van Berkel during May 2009 |
| 4.4.2 Quality Assurance | <ul style="list-style-type: none"> QA Plan to be developed by LEI consultants, January 2009 | <ul style="list-style-type: none"> QA Plan near completion - awaiting further input by International IT consultants for May 2009 | <ul style="list-style-type: none"> QA Plan developed & implemented | <ul style="list-style-type: none"> QA Plan to be finalized by LEI consultants, July 2009 |
| 4.5 PIA | <ul style="list-style-type: none"> PIA activities to start in January 2009 | <ul style="list-style-type: none"> Task 1 PIA in progress in expansion areas in Liquica and Manatuto and PIA program scheduled start-up in Aileu, Baucau, Maliana & Oecussi | <ul style="list-style-type: none"> PIA activities to cover 7 District Offices | <ul style="list-style-type: none"> PIA activities ongoing to support start-up in Aileu & Baucau and Maliana & Oecussi |
| TASK No 5 | | | | |
| 5.1.1 Test & Refine Processes for Dispute Identification & Resolution | <ul style="list-style-type: none"> Process in Field Manual by January 2009 | <ul style="list-style-type: none"> Currently testing process in Liquica & Manatuto | <ul style="list-style-type: none"> Refined process updated in the Field Manual | <ul style="list-style-type: none"> Testing process in Liquica and Manatuto. Developing process for Baucau and Aileu. |
| 5.1.2 Develop Process of Referral to DNTPSC | <ul style="list-style-type: none"> Process in Field Manual by January 2009 | <ul style="list-style-type: none"> Referral letter template drafted. Dispute monitoring and reporting format developed. Process varies from district to district depending on Mediator availability etc. | <ul style="list-style-type: none"> Refined process updated in the Field Manual | <ul style="list-style-type: none"> Implement reporting requirements between FO and DTP, FO and CO. Finalize general process diagram and update to the field manual. |
| Activity 5.2: Disputes during Claims Recording | <ul style="list-style-type: none"> Task 5 to provide a monthly summary of disputes (but for | <ul style="list-style-type: none"> Two mediations organized for April 2nd (Belun mediating) in Manatuto and April 6th (DTP | <ul style="list-style-type: none"> On-going support to Belun for this process | <ul style="list-style-type: none"> Continue to provide mediation when applicable. |

**USAID Strengthening Property Rights in Timor-Leste (“Ita Nia Rai”) Project
YEAR 2, Q2 SUMMARY
PERIOD: 1 January 2009 to 31 March 2009**

| Work Plan Activity No. | NOTES from Last Quarter | Current Status | Work Plan Year Target/Indicators | NOTES/TO DO NEXT QUARTER |
|---|--|---|---|--|
| | <p>December, T5 to produce a list for the past quarter)</p> <ul style="list-style-type: none"> Mediation Plans for each District to be prepared by the beginning of February 2009 | <p>mediating) in Liquica.</p> | | |
| 5.3.1 Community PIA on Mediation & Legal Resources List | <ul style="list-style-type: none"> Finalize list of service-providers Distribute lists during PIA campaigns | <ul style="list-style-type: none"> PIA materials promoting mediation drafted and to be published in April. Finalizing “Mediator Agreement” form for all participating mediators (except DTP) to sign. | <ul style="list-style-type: none"> 5 new districts in which PIA will take place | <ul style="list-style-type: none"> Finalize mediator lists with all mediators to sign an agreement Update Liquica and Manatuto plans to reflect changes. Hold a public meeting with all disputants in Liquica and Manatuto to explain the process and promote mediation where applicable. |
| 5.3.2 Training in Land Dispute Mediation Techniques | <ul style="list-style-type: none"> 2nd Mediation Workshop planned for March 2009 | <ul style="list-style-type: none"> Mediation workshop postponed until a draft Mediation Manual is ready for consultation. | <ul style="list-style-type: none"> 4 Mediation Workshops | <ul style="list-style-type: none"> Consult with partners and stakeholders on mediation procedures (Dili district DTP, GTZ, Asia Foundation) Draft Mediation manual |
| 5.3.3 Regional Community Mediation Workshops | <ul style="list-style-type: none"> February Workshop still to be planned. | <ul style="list-style-type: none"> Given limited pool of community mediators in Liquica and Manatuto, small meetings will be preferred. | <ul style="list-style-type: none"> 3 Regional Workshops | <ul style="list-style-type: none"> Workshop for Baucau and Aileu mediators to be held in April / May 2009. |

ANNEX 2: YEAR 2, PERFORMANCE MONITORING REPORT

| PERFORMANCE MONITORING REPORT YEAR 2, Q1 | | | | | | |
|--|---|--|-----------|--------------------------------|--------------------------------|----------------------------------|
| No | Expected Result | Performance Indicator | Y2 Target | Y1 Total | Running Y2 Total | Running Project Total |
| 1 | Capacity of Timorese in PIA, land policy, land law, claims registration, conflict mediation and land dispute resolution strengthened (Government, Project & CSOs) | Number of PIA Trainings | 10 | Number (N)=4 | 4 | 8 |
| | | Number of Participants Trained | NTS | Men (M)=47 Women (F)=5 | M=36 F=19 | M=83 F=24 |
| | | % rating the course as good to excellent | 75% | M=96% (45/47) F=100%(5/5) | M=94%(29/31) F=100% (18/18) | M=95% (74/78) F=100%(23/23) |
| 2 | Capacity of Timorese in PIA, land policy, land law, claims registration, conflict mediation and land dispute resolution strengthened (Government, Project & CSOs) | Number of Land Law/Policy Trainings | 6 | N=2 ¹ | | 2 |
| | | Number of Participants Trained | NTS | M=21 F=16 | | M=21 F=16 |
| | | % rating the course as good to excellent | 75% | M=80% (17/21) F=100%(16/16) | | M=80% (17/21) F=100%(16/16) |
| 3 | Capacity of Timorese in PIA, land policy, land law, claims registration, conflict mediation and land dispute resolution strengthened (Government, Project & CSOs) | Number of Claims Recording Trainings | 4 | N=2 ² | 1 ³ | 3 |
| | | Number of Participants Trained | NTS | M=10 F=8 | M=16 F=4 | M=26 F=12 |
| | | % rating the course as good to excellent | 75% | M=100% (10/10) F=100% (8/8) | M=100% (6/6) F=100% (2/2) | M=100% (16/16) F=100% (10/10) |
| 4 | Capacity of Timorese in PIA, land policy, land law, claims registration, conflict mediation and land dispute resolution | Number of Dispute Mediation Trainings | 9 | N=4 | 1 | 5 |
| | | Number of Participants Trained | NTS | M=52 F=13 | M=27 F=6 | M=79 F=19 |

¹ Proposed Trainings in concert with the MOJ were delayed by the MOJ a number of times and thus placing the proposed training outside Year 1.

² A further 2 Trainings were being undertaken (Liquica and Manatuto Data Collectors) at the time of compiling this Report.

³ Of the 20 participants in the Q1 Workshop, only 10 submitted forms that rated the course. Of those, 6 were men and all rated the course "good" to "excellent". The 2 women who answered both rated the course "good" to "excellent"; and two others (who did not identify their gender) also rated the course "good" to "excellent". Therefore, the rating across all groups who answered was 100%.

| PERFORMANCE MONITORING REPORT YEAR 2, Q1 | | | | | | |
|--|--|---|-----------|----------------------------------|--|------------------------------------|
| No | Expected Result | Performance Indicator | Y2 Target | Y1 Total | Running Y2 Total | Running Project Total |
| | strengthened (Government, Project & CSOs) | % rating the course as good to excellent | 75% | M=92% (48/52) F=100% (13/13) | M=75% ⁴ (6/8) F=100% (2/2) | M=90% (54/60) F=100% (15/15) |
| | Capacity of Timorese in PIA, land policy, land law, claims registration, conflict mediation and land dispute resolution strengthened (Government, Project & CSOs) | Number of Dedicated Gender Trainings | 6 | N=5 | 2 | N=7 |
| 5 | | Number of Participants Trained | NTS | M=58 F=53 | M=27 F=20 | M=85 F=73 |
| | | % rating the course as good to excellent | 75% | M=100% (58/58) F=100% (53/53) | M=100%(18/18) F=100%(16/16) | M=100% (76/76) F=100% (69/69) |
| | TOTAL CAPACITY OF TIMORESE IN PIA, LAND POLICY, LAND LAW, CLAIMS REGISTRATION, CONFLICT MEDIATION AND LAND DISPUTE RESOLUTION STRENGTHENED (GOVERNMENT, PROJECT & CSOS) | TOTAL TRAININGS | NTS | N=17 | N=8 | N=25 |
| | | TOTAL NO. PARTICIPANTS TRAINED | NTS | M=188 F=95 | M=106 F=49 | M=294 F=144 |
| | | TOTAL % RATING THE COURSE AS GOOD TO EXCELLENT | 75% | M=96% (178/188) F=100%(95/95) | M=94%(59/63) F=100% (38/38) | M=94% (237/251) F=100%(133/133) |
| | | URBAN: % change in knowledge as a result of PIA/Media Training | 0% | NA | | |
| 6 | Public Knowledge of Property Rights Provided for in Policy and Law Improved Through Mass Media ⁵ | RURAL: % change in knowledge as a result of PIA/Media Training | 0% | NA | | |

⁴ No one at this workshop nominated a gender on the evaluation form, hence, the data was not gender disaggregated. Ten persons responded to this question and, for the purposes reporting, the proportion of males and females responding was applied according to the proportion of males and females attending (rounded); that is, 8 males and 2 females (being 80% of males and 20% of females). The overall percentages rating "good" to "excellent" were 80%. For data purposes, these were applied 75% to males (6 from 8) and 100% for females (2 of 2). The overall rating totals 80% (8 out of 10) in accordance with the ratings from the 10 forms submitted.

⁵ Mass Media activities did not start during Year 1 (They started in the first month of Year 2). The baseline will be determined with the results of the World Bank's Livelihood Survey results (that are currently being processed by the World Bank and are expected in 2008).

| PERFORMANCE MONITORING REPORT YEAR 2, Q1 | | | | | | |
|--|--|--|-----------|-----------------------------------|---------------------------------|----------------------------------|
| No | Expected Result | Performance Indicator | Y2 Target | Y1 Total | Running Y2 Total | Running Project Total |
| 7 | Public Knowledge of Land Rights Improved by Participants in Annual Forums | Number of Forums | 1 | N=0 ⁶ | | |
| | | Number of Attendees | NTS | NA | | |
| | | % respondents reporting improvement in land rights knowledge | 75% | NA | | |
| 8 | Public Knowledge of Land Rights Improved by Participants in Workshops/Seminars | Number of Workshops | NTS | N=0 | | |
| | | Number of Attendees | NTS | NA | | |
| | | % respondents reporting improvement in land rights knowledge | 75% | NA | | |
| 9 | Public Knowledge of Land Rights Improved by Participants in Focal Group Discussions | Number of Focal Group discussions | 10 | N=2 ⁷ | 2 | 4 |
| | | Number of Attendees | NTS | M=1 F=30 | M=7 F=64 | M=7 F=74 |
| | | % respondents reporting improvement in land rights knowledge | 75% | M=NA F=100% (10/10) | M=100% (5/5) F=98% (51/52) | M=100%(5/5) F=98% (61/62) |
| 10 | Public Knowledge of Land Rights Improved by Participants in Community Forums | Number of Community Forums | 40 | N=7 | 20 | 27 |
| | | Number of Attendees | NTS | M=140 F=47 | M=582 F=298 | M=486 F=250 |
| | | % respondents reporting improvement in land rights knowledge | 75% | M=100% (104/104) F=100%(44/44) | M=96%(127/132) F=96% (75/78) | M=98%(231/236) F=98%(119/122) |
| | TOTAL PUBLIC KNOWLEDGE OF LAND RIGHTS IMPROVED THROUGH ANNUAL FORUMS, | TOTAL NO. FORUMS ETC | NTS | N=8 | N=23 | N=31 |
| | | TOTAL NO. ATTENDEES | NTS | M=140 F=57 | M=589 F=362 | M=729 F=419 |

⁶ No annual forum took place in Year 1.

⁷One Gender Focal Group was left off the Year 1 totals in the Annual Report for Year 1. It has been included in Item 9.

| PERFORMANCE MONITORING REPORT YEAR 2, Q1 | | | | | | |
|--|--|--|------------|--|---|--|
| No | Expected Result | Performance Indicator | Y2 Target | Y1 Total | Running Y2 Total | Running Project Total |
| | WORKSHOPS, FOCAL GROUPS, COMMUNITY FORUMS | TOTAL % RESPONDENTS REPORTING IMPROVEMENT IN LAND RIGHTS KNOWLEDGE | 75% | M=100%(104/104) F=100%(54/54) | M=96%(132/137) F=97%(1260/130) | M=98%(236/241) F=98%(180/184) |
| 11 | Increased Tenure Security ⁸ | Urban: Growth in transactions of claims registered. Cumulative Rural: Growth in transactions of claims registered. Cumulative | NTS | 0 | | |
| 12 | Coordination of National Legal and Administrative Framework Improved | Interim Stakeholder Advisory Panel Established by MOU National Land Commission Legally Established | 1 | 0 ⁹ | | |
| 13 | Key Laws and Regulations Passed | Judicial Regime for Real Estate Part III Law promulgated by Council of Ministers or Parliament as appropriate Regulations drafted and adopted Cadastral and Survey Law promulgated | 1 | 0 ¹¹ | 1¹² | 1 |

⁸ Since data collection under the *Ministerial Regulation on the Cadastre* did not begin in Y1, transactional information has not yet been collected.

⁹ The new Minister of Justice (Lucia Lobato) resisted the idea of establishing a Stakeholder Advisory Panel. Instead, Task 4 is in the process of formalizing an ARD/DNTPSC Working Group to support project activities.

¹⁰ The new Minister of Justice also resisted the idea of establishing a National Land Commission although there have been suggestions within government that the establishment of a similar institution is still a possibility.

¹¹ Draft *Technical Framework for a Transitional Land Law* currently with the Council of Ministers for consideration (submitted July 2008).

¹² Draft *Transitional Land Law* prepared and submitted to the Director of the DNTPSC in December 2009.

¹³ *Dispatch No. 002/GM/M/II/2009* establishing the Land Law Working Group.

¹⁴ This legislation was developed in the form of a Regulation. Refer to footnote 15.

| PERFORMANCE MONITORING REPORT YEAR 2, Q1 | | | | | | |
|--|---------------------------------|--|----------------------|-----------------|------------------|-----------------------|
| No | Expected Result | Performance Indicator | Y2 Target | Y1 Total | Running Y2 Total | Running Project Total |
| | | by Council of Ministers or Parliament as appropriate | | | | |
| | | Regulations drafted and adopted | Multiple and ongoing | 1 ¹⁵ | | |
| | | Rights Registration Law promulgated by Council of Ministers or Parliament as appropriate | 1 | 0 ¹⁶ | | |
| | | Regulations drafted and adopted | Multiple and Ongoing | 0 | | |
| | | Valuation Law promulgated by Council of Ministers or Parliament as appropriate | 1 | 0 ¹⁷ | | |
| | Key Laws and Regulations Passed | Regulations drafted and adopted | Multiple and Ongoing | 0 | | |
| | | Compulsory Land Acquisition Law promulgated by Council of Ministers or Parliament as appropriate | 1 | 0 ¹⁸ | | |
| | | Regulations drafted and adopted | Multiple and Ongoing | 0 | | |
| | | Land Tax Law promulgated by Council of Ministers or Parliament as appropriate | 1 | 0 ¹⁹ | | |
| | | | | | | |

¹⁵ Ministerial Regulation on the Cadastre No. 229/2008.

¹⁶ The development of this legislation is pending the promulgation of the *Transitional Land Law* (refer to footnote 11, above). Also note (as mentioned above) that the foreign Advisers within the MOJ have indicated that this legislation will be developed separately and outside this Project.

¹⁷ The development of this legislation is pending the promulgation of the *Transitional Land Law* (refer to footnote 11, above)

¹⁸ The development of this legislation is pending the promulgation of the *Transitional Land Law* (refer to footnote 11, above)

¹⁹ The development of this legislation is pending the promulgation of the *Transitional Land Law* (refer to footnote 11, above). This is likely to be legislation that is developed towards the end of the Project given its potential as a disincentive to rights registration.

| PERFORMANCE MONITORING REPORT YEAR 2, Q1 | | | | | | |
|--|-----------------------------------|---|----------------------|-------------------------|------------------|-------------------------|
| No | Expected Result | Performance Indicator | Y2 Target | Y1 Total | Running Y2 Total | Running Project Total |
| | | Regulations drafted and adopted | Multiple and Ongoing | 0 | | |
| | | Registration of Customary Land Tenure and Property Rights (Ministerial Decree Law) promulgated by Council of Ministers or Parliament as appropriate | 1 | 0 ²⁰ | | |
| | | Regulations drafted and adopted | Multiple and Ongoing | | | |
| | | Land Dispute Reconciliation and Management Regulation promulgated by Council of Ministers or Parliament as appropriate | 1 | 0 ²¹ | | |
| | | Regulations drafted and adopted | Multiple and Ongoing | | | |
| 14 | Number of Objects/Claims Recorded | In Name of Man Only | NTS | N=0 | 119 | 247 |
| | | In Name of Woman Only | NTS | N=0 | 154 | 247 |
| | | In Name of Husband and Wife | NTS | N=0 | 49 | 96 |
| | | In Name of Family Members or Other Group | NTS | N=0 | 24 | 301 |
| | | TOTAL | 10,000 | N=0²² | 346 | 891²³ |

²⁰ The development of this legislation is pending the promulgation of the *Transitional Land Law* (refer to footnote 11, above). Recent research undertaken by the Australian National University by Daniel Fitzpatrick et al questions the registration of traditional communities. This is not a priority at this time although the situation will be monitored. It is likely that a better approach will be to review comparative studies (e.g. like the one conducted by AusAID: *Making Land Work* (2008)) that looks at ways in which communities can participate in the benefits if development and investment without necessarily having to relinquish customary land tenure rights.

²¹ This legislation was not developed in Year 1. The need for this legislation (and coordination with the MOJ legislative drafters) is currently being assessed.

²² Claims collection did not start in Year 1. Instead, it is anticipated to start in Month 1 of Year 2.

²³ For technical reasons, the individual figures attributed to Liquica have been estimated because the actual breakdown could not be ascertained at the time of writing. Actual numbers will appear in the Q3 Report. The total of 891 total claims, however, is correct.

| PERFORMANCE MONITORING REPORT YEAR 2, Q1 | | | | | | |
|--|--|--|------------|-------------------|------------------|-----------------------|
| No | Expected Result | Performance Indicator | Y2 Target | Y1 Total | Running Y2 Total | Running Project Total |
| 15 | Number of Objects Titled ²⁴ | In Name of Man Only | NTS | N=0 | 0 | 0 |
| | | In Name of Woman Only | NTS | N=0 | 0 | 0 |
| | | In Name of Husband and Wife | NTS | N=0 | 0 | 0 |
| | | In Name of Family Members or Other Group | NTS | N=0 | 0 | 0 |
| | TOTAL, Cumulative | NTS | N=0 | 0 | 0 | 0 |
| 16 | Number of Communities Demarcated and Claims Recorded ²⁵ | Number of Communities, Cumulative | 9 | N=0 ²⁶ | | |
| 17 | Land Disputes Decreased Increasing Economic Incentives to Invest ²⁷ | Number of Land Disputes Lodged During Claims Recording Process | NTS | NA | 46 | 46 |
| | | Number of Land Disputes Successfully Resolved | 90% | NA | 5 | 5 |
| 18 | Land and NRM Related Conflict Decreased Increasing Incentives for Business ²⁸ | Number of Conflict Flashpoints Logged | NTS | NA | | |
| | | Number of Claims Successfully Mediated | 90% | NA | | |

²⁴ A titling process is still under development. First titles will be issued by the DNTPSC. The institution responsible for maintenance of those titles is likely to be Registry and Notaries institution (and not the DNTPSC) at this time. This is despite submission from this Project to the contrary. And despite an agreement with the MOJ's agreement with USAID for this Project to develop the necessary legislation, a (foreign) Legal Adviser to the MOJ undertook to have other foreign advisers come in to the country to review this process. In any event, this Project does not consider a Registration Law a priority before the promulgation of a *Transitional Land Law*.

²⁵ Claims collection did not start in Year 1. Collection of claims from communities, however, is still being considered for its appropriateness (refer to footnote 20, above).

²⁶ Aldeias (preliminary data collection activities were commenced in 1 Suco in Liquica (comprising 4 Aldeias) and 4 Sucos in Manatuto (comprising a total of 8 Aldeias) in Year 1.

²⁷ Land and NRM-related disputes data will be collected along with land claims data starting in month 1 of Y2.

²⁸ Refer to footnote 27, above.

ANNEX 3: PUBLIC PERCEPTIONS: PROJECT MONITORING & EVALUATION REPORT – DATA COLLECTION PROCESS

Ita Nia Rai Monitoring & Evaluation of the Data Collection Process Summary and Recommendations

Methodology

A team consisting of three Ita Nia Rai and four Belun staff conducted a total of 66 monitoring and evaluation surveys of the Ita Nia Rai data collection process over a period of four days in March 2009. In Liquica, the staff conducted 39 surveys with a relatively equal balance of male (19 surveys) versus female (20 surveys) respondents. In Manatuto, the staff conducted 27 surveys, with a slightly less equal balance of male (10 surveys) versus female (17 surveys) respondents. The team only interviewed persons that had made a declaration as a land claimant in the Ita Nia Rai data collection process.

The Team conducted these surveys door-to-door. In Manatuto, the team faced some challenges as during the daytime, the majority of potential respondents were harvesting in their fields and were not at home. While the respondents were randomly selected, the Team did try to conduct surveys spread across the different collection zone areas where Ita Nia Rai field coordinators/data collectors had completed surveying the land.²⁹

Below, is a summary of the results³⁰:

- Liquica: Approximately **64% of respondents** (33% males and 31% females) stated their civil status as married. Approximately **18% of respondents** (10% males and 8% females) stated their civil status as single. And **18% of respondents** (5% males and 13% females) stated their civil status as widowed. No respondents stated their civil status as divorced. (Q2)
- Manatuto: Approximately **59% of respondents** (26% males and 33% females) stated their civil status as married. Approximately **15% of respondents** (4% males and 11% females) stated their civil status as single. And **26% of respondents** (7% males and 19% females) stated their civil status as widowed. No respondents stated their civil status as divorced. (Q2)
- Liquica: Approximately **61% of respondents** (28% males and 33% females) made land claims as individuals. Approximately **31% of respondents** (13% males and 18% females) made land claims together with their husbands/wives. The other respondents either declared themselves as “Group: Other” or as Legal Representatives. (Q3)
- Manatuto: Approximately **62% of respondents** (15% males and 47% females) made land claims as individuals. Approximately **34% of respondents** (15% female and 19% male) made land claims together with their husbands/wives. The other respondents either declared themselves as a “Group: Other” or as Legal Representatives. (Q3)

²⁹ The fact that sub-district Manatuto is traditionally considered matrilineal whereas Liquica is traditionally considered patrilineal may have had an impact on the results of the current survey, but further surveys are needed to substantiate such impacts.

³⁰ Given the timing of this survey, the public display process had not yet been carried out. Therefore, the survey does not have data on the public display component of the data collection process.

Public Awareness

- **96% of respondents** in Liquica and **97% of respondents** in Manatuto responded that they had received information about the Ita Nia Rai program before the Ita Nia Ria team came to survey their land. While *meetings, television and radio* ranked as the most common means people received information, *brochures and newspapers* ranked as the least common means people received information. However, men did seem to be more inclined than women to receive information from brochures and newspapers, possibly given higher levels of literacy. Receiving information from *posters* and *a friend/colleague/family member* ranked somewhere in between. (Q4)

| | Liquica | | Manatuto | |
|---------|------------------------------------|------------------------------------|---|---|
| Ranking | Women | Men | Women | Men |
| 1st | Meeting | Friend/Colleague/ Family member | Meeting | TV, Radio, Meeting |
| 2nd | Radio | TV, Radio, Meeting | TV | Poster |
| 3rd | TV, Friend/Colleague/Family member | Poster, Brochure | Radio | Newspaper, Friend/Colleague/ Family member, Brochure |
| 4th | Poster | Newspaper | Newspaper, Friend/Colleague/ Family member, Poster | |
| 5th | Brochure | | Brochure | |
| 6th | Newspaper | | | |

- **72% of respondents** (36% of males and 36% of females) from Liquica, and **74% of respondents** (26% males and 48% of females) from Manatuto said that they attended an Ita Nia Rai community meeting before making a land claim. Those that did not attend stated that they

either had not heard of the meeting, had to be at work at the time of the meeting, or stated some other reason (Q6)

- **94% of respondents** in Liquica and **96% of respondents** in Manatuto responded that they had clearly understood the information they received of the Ita Nia Rai data collection process. There was no significant difference in responses between male versus female respondents.(Q7)
- **94% of respondents** in Liquica and **100% of respondents** in Manatuto responded that the information they received on the Ita Nia Rai project helped them make a land claim easier. There was no significant difference in responses between male versus female respondents. (Q8)

Land Administration Process

- When asked whether respondents spoke with family members, including their wives/husbands, about making a land claim before the Ita Nia Rai team came to survey their land, **86% of respondents** (41% males and 45% females) in Liquica said yes, whereas **96% of respondents** (37% males and 59% females) in Manatuto said yes. 3% of those surveyed in Liquica did not give a response and 4% of those surveyed in Manatuto did not give a response. (Q9)
- When asked whether respondents received notices regarding the scheduled time that the Ita Nia Rai team would be surveying their land before the team came to survey their land, **79% of respondents** (33% males and 46% females) in Liquica said yes, whereas **100% of respondents** (37% males and 63% females) in Manatuto said yes. 3% of those surveyed in Liquica did not give a response. (Q10)
- When asked whether the Ita Nia Rai team came to survey their land according to the scheduled time on the notices they received, **74% of respondents** (36% males and 38% females) in Liquica said yes, whereas **96% of respondents** (33% males and 63% females) in Manatuto said yes. (Q11)
- When asked whether the time that the Ita Nia Rai team came to survey their land was good, **90% of respondents** (44% males and 46% females) in Liquica said yes, whereas **89% of respondents** (33% males and 56% females) in Manatuto said yes. (Q12)
- **89% of respondents** (41% males and 48% females) in Liquica and **96% of respondents** (33% males and 63% females) in Manatuto stated that they felt that the Ita Nia Rai team explained the data collection process to them clearly. (Q13)
- **94% of respondents** (46% males and 48% females) in Liquica and **92% of respondents** (33% males and 59% females) in Manatuto stated that they had participated in the data collection process. (Q14)
 - In Liquica, **85% of female respondents** and **89% of male respondents**, and in Manatuto, **82% of female respondents** and **90% of male respondents** stated that they were present during the data collection process.
 - In Liquica, **55% of female respondents** and **84% of male respondents**, and in Manatuto **82% of female respondents** and **90% of male respondents** stated that they had given information about their land during the data collection process.
 - In Liquica, **80% of female respondents** and **95% of male respondents**, and in Manatuto, **94% of female respondents** and **90% of male respondents** stated that they had marked their boundaries during the data collection process.
 - In Liquica, **90% of female respondents** and **89% of male respondents**, and in Manatuto, **94% of female respondents** and **90% of male respondents** stated that they had signed/given their fingerprints to make a land claim.
 - In Liquica, **80% of female respondents** and **89% of male respondents**, and in Manatuto, **76% of female respondents** and **90% of male respondents** stated that they had received an Ita Nia Rai receipt/number.

- **95% of respondents** (44% males and 51% females) in Liquica and **100% of respondents** (37% males and 63% females) in Manatuto stated that they were happy/satisfied with the data collection process. (Q15)
- **95% of respondents** (44% males and 51% females) in Liquica and **100% of respondents** (37% males and 63% females) in Manatuto stated that they were happy/satisfied with the Ita Nia Rai team. (Q16)
- **90% of respondents** (44 % males and 46% females) in Liquica and **92% of respondents** (30% males and 62% females) in Manatuto stated that they spoke with their neighbors about making a land claim before the Ita Nia Rai team came to survey their land. (Q17)
- **84% of respondents** (41% males and 43% females) in Liquica and **96% of respondents** (37% males and 59% females) in Manatuto stated that their neighbors participated to determine the correct position of their boundaries. (Q18)
- **23% of respondents** (8% of males and 15% of females) in Liquica stated that they had problems/some difficulties in making a land claim. No data was available for Manatuto. (Q19)
 - 10% of female respondents in Liquica stated that they could not find documents that justified their land claim.
 - 5% of female respondents and 5% of male respondents in Liquica stated that their neighbor did not agree with their boundary.
 - 20% of female respondents and 11% of male respondents in Liquica stated some other reason for having difficulty in making a land claim.
- **89% of respondents** (44% males and 45% females) in Liquica and **96% of respondents** (37% males and 59% females) in Manatuto stated that no one approached them for a payment (money or something) to take part in the data collection process. [Note: 8% of those surveyed in Liquica and 4% of those surveyed in Manatuto did not give an answer.] (Q20)
- **67% of respondents** (51% of respondents in Liquica and 16% of respondents in Manatuto) stated that they would *go to the DTPSC/Ita Nia Rai office* if they need to give new/updated information about their land. **16% of respondents** (11% of respondents in Liquica and 5% of respondents in Manatuto) stated that they *did not know where to go* to give new/updated information about their land. And **16% of respondents** in Manatuto stated that they would *go to their xefe de suco* to give new/updated information about their land. There was no significant difference in responses between men and women, although slightly more men than women were likely to correctly know to go to the DTPSC/Ita Nia Rai office to give new/updated information about their land (Q22)

Conflict and Mediation Dispute Resolution

- 20% of respondents (5 % males and 15% females) in Liquica and 4% of female respondents in Manatuto stated that they had a dispute about their land during the data collection process. (Q23)
- The various reasons given for having a land dispute during the data collection process were: boundaries, parcels, inheritance, and other reasons in no particular ranking order. (Q24)
- 13% of respondents (5% males and 8% females) in Liquica and 4% of female respondents in Manatuto stated that their disputes were successfully resolved either by themselves, at the community level, or with assistance from the Ita Nia Rai team. No respondents stated that they had received assistance from the DTPSC. [Note: 82% of those surveyed in Liquica and 96% of those surveyed in Manatuto did not give an answer probably because they did not have a dispute.] (Q25)
- 8% of respondents (3% males and 5% females) in Liquica and 4% of female respondents in Manatuto felt satisfied with the land dispute resolution process. [Note: 87% of those surveyed in Liquica and 96% of those surveyed in Manatuto did not give an answer probably because they did not have a dispute.] (Q26)

- 13% of respondents (5% males and 8% females) in Liquica and 4% of female respondents in Manatuto felt satisfied participating in the land dispute resolution process. [Note: 84% of those surveyed in Liquica and 96% of those surveyed in Manatuto did not give an answer probably because they did not have a land dispute.] (Q27)

Recommendations

Overall, the Ita Nia Rai project appears to be successfully increasing public awareness both before and during the data collection process, and respondents seemed to be satisfied with the data collection process itself. The number of respondents with a dispute was too low to make any real concrete conclusions about the project's dispute resolution process. The few respondents with disputes stated that they had either resolved their disputes themselves before the Ita Nia Rai team came to survey their land, or that they were satisfied with the assistance they received from the Ita Nia Rai team to resolve their disputes.

However, given the data from the survey, there are some areas where the Ita Nia Rai project should try to improve:

- In Liquica and Manatuto, the Ita Nia Rai project should strongly continue to encourage husbands and wives to make joint claims together as currently, the number of married couples is much higher than the number of claims being recorded as "Group: Wife and Husband." (Q2) and Q(3)
- The Ita Nia Rai project should think of ways to increase attendance levels at Ita Nia Rai public community meetings.³¹ (Q6)
- In Liquica, Ita Nia Rai field coordinators should try to improve on ensuring that all potential land claimants receive notices regarding the scheduled time that the Ita Nia Rai team will come to survey their land. A few land claimants stated that Ita Nia Rai data collectors suddenly appeared to survey their land. (Q10)
- In Liquica, Ita Nia Rai data collectors should try to improve (to the extent possible given the challenges in surveying parcels of land) on arriving according to the scheduled time on the notices handed out to potential land claimants indicating when the team will come to survey their land. (Q11)
- In Liquica, the Ita Nia Rai field coordinators/data collectors should try to encourage more female land claimants to participate in giving data/information about their land. (Q14)
- In general, if respondents have trouble finding documents to justify their land claims, the field coordinators and data collectors should explain that such documentation is helpful supporting evidence, but not necessary if they want to make a land claim. (Q19)
- In Liquica and Manatuto, the Ita Nia Rai field coordinators/data collectors should follow up with some respondents who did not receive receipts (identifying their parcel number in the cadastral database). (Q14)
- The Ita Nia Rai project should try to improve on raising land claimants' awareness that they should go to the DTPSC/Ita Nia Rai office in the future if they have to give new/updated information about their land. (Q22)

Qualitative information from the surveys also indicate that:

- The Ita Nia Rai project should reinforce the message to potential land claimants that they do not have to wait for a Land Law to try to mediate their disputes now.

³¹ Currently, to try to increase attendance levels/public outreach, the project is conducting public community meetings in the evenings (as well as in the daytime) and going door-to-door to inform community members of these meetings beforehand.

- The Ita Nia Rai data collectors should survey the land when the land claimant(s) is/are at home, so that the land claimant(s) can participate in the data collection process, and not just at the end in signing/giving their fingerprint on the land claim form.

Annex A

| |
|-------------------------------------|
| Name of data collector: _____ |
| Date of survey: _____ |
| Location (District and Zone): _____ |

Ita Nia Rai Monitoring and Evaluation Data Collection Process

Name of land claimant (optional): _____

“Ita Nia Rai” Receipt Number (must fill in): _____

1. Sex (circle one, must fill in): Male Female

2. What is your civil status?

- _____ Single
_____ Married
_____ Divorced
_____ Widowed

3. How did you claim your land?

- _____ Individual
_____ Group: husband/wife
_____ Group: Other _____
_____ Legal Entity Representative

Public Awareness

4. Did you receive information about the Ita Nia Rai project before the team came to survey your land?

- _____ Yes
_____ No

5. If yes, how did you hear about the Ita Nia Rai project?

- Television
 Radio
 In the newspaper
 From a friend, colleague or family member
 At a community meeting
 Saw the poster
 Read a brochure, or booklet
 Other _____

6. Did you attend a community meeting before you made your claim?

- _____ Yes
_____ No

If no, why not?

- Did not hear about it

- I was working/wrong time of day
 Other _____

7. Did you feel that the information on the Data Collection process you received was clear and enough/sufficient?

_____ Yes
_____ No

8. Did the information you received help you to make your claim more easily?

_____ Yes
_____ No

Land Administration Claims Process

9. Did you speak with your family, including your spouse, about declaring your land before the Ita Nia Rai team came to survey your land?

_____ Yes
_____ No

If no, why not?

10. Did you receive a notice before the Ita Nia Rai team came to survey your land?

_____ Yes
_____ No

11. Did data collectors come to your land at the scheduled time/date in accordance to the notice you received?

_____ Ye
_____ No

If no, what explanation did the data collectors give for not coming at the scheduled time/date in accordance to the notice you received?

12. Did you feel that the time when the Ita Nia Rai data collectors came to survey your land was suitable/convenient?

_____ Yes
_____ No

If no, when would have been more convenient?

13. Did you feel that the Ita Nia Rai data collectors explained the purpose of their visit to you clearly?

_____ Yes
_____ No

If no, why not? _____

14. Did you participate in the data collection process?

- Received a notice that the Ita Nia Rai data collection team will come
- Present when the Ita Nia Rai team came to survey the land
- Gave data on the land
- Marked the boundary
- Signed/Gave fingerprint to make a declaration
- Received a Ita Nia Rai number/receipt
- Other _____

15. Were you satisfied with the data collection process?

_____ Yes

_____ No

If no, why not? _____

16. Were you satisfied with the Ita Nia Rai team?

_____ Yes

_____ No

If no, why not? _____

If yes, why? _____

17. Did you speak with your neighbor before the Ita Nia Rai team came to survey your land?

_____ Yes

_____ No

If no, why not? _____

18. Did your neighbour participate in determining the position of your boundaries together?

_____ Yes

_____ No

If no, how were boundaries decided? _____

19. Did you have problems establishing the ownership of your land?

Couldn't find documents to justify my claim

Neighbors didn't agree with the boundaries

Others _____

If yes, how were they overcome? _____

20. Were you asked for any fees or payment to have your claim collected?

_____ Yes

_____ No

If yes, from who? _____

21. What can the Ita Nia Rai team do to improve the data collection process?

22. If you need to update information regarding your land, what do you do?

Go to the DTPSC/Ita Nia Rai office

I don't know

Other _____

Conflict Resolution and Dispute Mediation

23. Did you have a dispute regarding your land during the data collection process?

_____ Yes

_____ No

If no, skip to Question 29. If yes, continue.

24. What was the dispute over?

A boundary

Parcel

Inheritance

Other _____

25. Was the dispute successfully resolved?

_____ Yes

_____ No

If yes, how was it resolved?

Resolved by yourself before the Ita Nia Rai data collectors came

Resolved with assistance at the local community level

Resolved with assistance from Ita Nia Rai data collectors

Resolved with assistance of DTPSC

Other _____

26. Were you satisfied with the land dispute resolution process?

_____ Yes

_____ No

27. Were you satisfied participating in the land dispute resolution process?

_____ Yes

_____ No

If no, why not?

28. If you received assistance from the Ita Nia Rai data collectors to mediate your dispute, how did they provide assistance?

29. Any other comments:

ANNEX 4: PUBLICATIONS AND REPORTS (UPDATE)

| EXISTING PROJECT REPORTS | |
|---|-----------------|
| Task/Title | Author |
| Task 1 | |
| Communications Strategy | Breanna Ridsdel |
| Training Manual | |
| Task 2 | |
| Gender Assessment and Strategic Plan Report | Margie Huang |
| Comprehensive Legal Strategy Plan | Task 2/3 |
| Technical Framework for a <i>Transitional Land Law</i> for East Timor | Ibere Lopes |
| Task 4 | |
| Manual of Procedures Spatial Claims Database SPRTL Datum and Projection Standard SPRTL File and Folder Naming Standard SPRTL Length and Area Standard Manual of Procedures - Land Claims Parcel Identification | Allan Wilson |
| Alternative Survey Techniques Training Strategy Procedures for Boundary agreement Procedures for Completing Parcel Identification Forms Procedures for Defining Data Collection areas Procedures for Measuring Boundaries with GPS Procedures for Measuring Boundaries with Ortho-photo Maps Procedures for Organizing Data Collection Teams Learning Guides for Technical Training | Daniel Carter |
| Design of Field Office Claim system | Pat van Berkel |
| Data Input Procedures Land Claim Information System Documentation Updates to the Land Claims Database | Kevin Rainsford |
| Monitoring Report on SPRTL Project | Chris Lunnay |
| Procedures for Preparing Field Maps Procedures for Filling in Claims Data Forms Steps in the Data Collection Process | Sara Ribeiro |
| Briefing Paper on Task 4 Claims Recording Manual of Procedures – Field Operations Report on DNTPSC/SPRTL Coordination | Grant Cullen |
| General Reports | |
| Year 1 Work Plan | |
| Year 1 Quarterly Reports for Q1, Q2 & Q3, First Annual Report | |
| Year 2 Work Plan | |



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