



USAID
FROM THE AMERICAN PEOPLE



LAND REFORM PROJECT

**ANNUAL REPORT
FEBRUARY 2011 – JANUARY 2012**

February 3, 2012

This publication was produced for review by the United States Agency for International Development. It was prepared by Chemonics International Inc. with contributions from Manatron, Inc.

LAND REFORM PROJECT

**ANNUAL REPORT
FEBRUARY 2011 – JANUARY 2012**

**Indefinite Quantity Contract No. EPP-I-00-06-00013-00
Task Order No. EPP-I-06-06-00013-00**

This publication is made possible by the support of the American people through the United States Agency for International Development. The author's views expressed in this publication do not necessarily reflect the views of USAID or the United States Government.

CONTENTS

Highlights of the Second Project Year	1
Component 1: Legislative Drafting and Land Policy	2
Component 2: Land Rights Awareness and Protection	8
Activities for the Next Bimonthly Reporting Period	16
Annual Reporting Elements	17
Snapshot: Becoming More than Just a Farm Member	18
Annexes	
Annex A: Consolidated Table of Indicators for the Period February 1, 2010, to January 15, 2012	19
Annex B: Summaries of Selected Court Cases from Year 2	27

Cover Photo: The head of the Abdurasul dehkan farm expresses his concerns regarding problems in the current Law on Dehkan Farms at a public-private dialogue held in Shahritus to inform the project's legislative reform efforts.

HIGHLIGHTS OF THE SECOND PROJECT YEAR

- Developed amendments to the Land Code as part of the Land Code Working Group and submitted final draft to the Government of Tajikistan (GoT)
- Completed draft to amend the Law on Dehkan Farms, supporting the efforts of the Dehkan Farm Working Group and receiving input through a public-private dialogue with farmers, legal aid center (LAC) lawyers, and local government authorities
- Assisted the Cooperatives Working Group to complete a draft Law on Cooperatives for submission to the GoT
- Awarded 10 grants to local organizations through a competitive process to serve as the project's LACs during Year 2, providing training and legal services to farmers and rural citizens
- Carried out a comprehensive survey with the World Bank to gather data on farmers' knowledge of their land use rights, the status of freedom to farm, and information seeking behaviors
- Conducted 12 public-private dialogues to bring a variety of stakeholders, including dehkan farmers and dehkan farm heads, into the reform process
- Trained more than 15,000 dehkan farmers and 2,445 local government officials on land use issues in their local communities
- Published 24 editions of the project newspaper with a circulation of 97,500 copies; nationally broadcasted 64 radio programs and 48 television shows
- Co-facilitated a half-day workshop on gender and land reform together with the World Bank and Helvetas/Swiss Development Corporation (SDC)

COMPONENT 1

Legislative Drafting and Land Policy

Approach to Legislative Drafting and Land Policy Activities

In order to achieve USAID’s legislative objectives, the project takes a policy-oriented approach toward land reform and the creation of land markets. The goal of drafting legislation in support of land reform and land market creation is dependent on the GoT’s acceptance of certain policy principles. For example, a key policy principle is that land reform and the creation of a land market is possible only if the GoT supports the marketability of land rights.

In order to advocate for the adoption of key policy principles required to introduce a land use market, the project works with counterparts, including representatives from the Ministries of Justice, Agriculture, the State Committee on Land and Geodesy (Land Committee), and the President’s Administration, and collaborates with donors and other implementers, such as Helvetas/SDC, UNFAO, and the OSCE. The project grounds its positions and recommendations for legislative initiatives based on general GoT policy documents, particularly Resolution #406 (see box). As the policy targets of the government are very broad in Resolution #406, the project first works to develop a consensus among the stakeholders on key policy issues and then works to establish legislative foundations for those policy initiatives.

The key document informing land reform is Resolution #406 of the government of Tajikistan. This resolution broadly directs the relevant ministries to improve legal acts related to land use rights, to further agricultural reform, and draft the necessary corresponding legal acts.

The project strives to engage a variety of stakeholders when addressing policy and legislative issues. For example, the working group gathered input from stakeholders through public-private dialogues regarding the marketability of land use rights. The working group then used this information to inform its policy approach in order to create an environment for a market in land use rights in the Land Code by introducing, among other amendments, the ability to alienate land use rights, which in turn informs the project’s efforts in other general policy areas, such as access to credit through mortgages.

This inclusive, policy-oriented approach allows the project to build a better understanding among the government counterparts and other stakeholders by clarifying terminology, concepts, and policy issues. This helps the group to work together more effectively and to provide a blueprint for how to implement GoT’s policy decisions as laid out in Resolution #406 through drafting legislation. The project will continue to use this approach as it works with stakeholders to develop the Law on Mortgages, the Law on Registration, and implementing regulations as necessary.

Activity 1.1.1: National Strategies

The project’s legislative team supported the OSCE with organizing and conducting an international conference entitled “Cooperatives in Central Asia as Actors of the Private Sector – Opportunities and Perspectives.” The conference initiated the GoT’s efforts to start comprehensive legislative reforms which govern cooperative activities. The conference brought together a wide variety of stakeholders, including lawyers from two of the project’s LACs, to discuss the lessons learned from the Kyrgyz experience in reforming agricultural

and credit cooperatives, the current status of cooperatives in Tajikistan, and the deficiencies in the current legislative framework governing cooperatives in Tajikistan relative to international best practices and standards.

Land reform initiatives gained momentum within the GoT during late summer 2011. The joint GoT – Development Coordination Council (DCC) created a sub-technical working group in August 2011 to coordinate reforms in the agriculture, water, and land sectors. The sub-technical working group includes two representative from relevant GoT ministries and agencies and technical representatives from the donors and implementers working in these sectors. The technical sub-working group based its work on agreements resulting from the December 2010 Development Forum and the April 2011 Agrarian Reform Conference, which identified the following priority areas: (1) support for registration and cadastre; (2) follow-up on additional legal issues subsequent to the formal approval of newly amended Land Code by the Parliament in order to develop implementing regulations and harmonize other legislative frameworks; (3) review and revise the Mortgage and Dehkan Farm Laws; and (4) support the development of land valuation and land market concept/strategy.

To capitalize on this new found momentum within the GoT, the project assisted the Land Committee to develop an action plan setting forth the key reforms for completion by the end of 2011. Although the Land Committee’s final action plan was modest in scope relative to the project’s recommendations, it served as the basis for the project’s efforts to help the GoT accomplish its goals of land reform and assistance in the creation of a market in land use rights. As part of this effort, the project regularly informs and works with relevant partners, including the Asian Development Bank, World Bank, GIZ, Helvetas/SDC, and the OSCE.

A key prerequisite to all land reforms and the formation of land markets in Tajikistan is a Land Code that permits the transferability of land use rights. The work on amendments to the Land Code stalled in 2010 following submission of recommended amendments by the project to the working group under the Presidential Administration. The project successfully reconvened the working group to consider and draft amendments that would allow for the marketability of land use rights. The working group, consisting of representatives from the Ministry of Justice, Land Committee, President’s Administration, Helvetas/SDC, TAFF and UNFAO, met repeatedly in November 2011 and successfully agreed upon a package of amendments to submit to Parliament. The working group formulated the recommended amendments to achieve the policy goals of the GoT for the establishment of marketable land use rights and, in particular, to provide for the alienability of those rights, that is the ability to transfer, lease or mortgage rights associated with land.

Amending the Land Code to allow alienation of land user rights is a pre-requisite for effecting complementary amendments to the Law on Dehkan Farms and Law on Mortgages. In November, the Senior Lawyer and the Legislative and Land Policy Advisor participated in a meeting with USAID, UNFAO, Deputy Prime Minister Alimardon, and representatives from the relevant ministries and Land Committee to discuss all outstanding issues regarding the Land Code and Law on Dehkan Farms, including constitutional issues (see box). By the conclusion of the meeting, the working group resolved all issues regarding the proposed

A recurrent objection to previous attempts to amend the Land Code was that the Constitution provided that all land was owned by the State and could not be transferred. The project worked with the Ministry of Justice to overcome this objection as the proposed amendments did not provide for transfer of land ownership, but rather rights associated with the land.

amendments to the Land Code. Mr. Alimardon then directed all ministries to complete their work by the end of the year.

The Land Committee formally submitted the amendments to the Land Code to the President's Administration prior to the end of December and the amendments are expected to advance to Parliament during the first quarter of 2012.

Building on the project's previous work on the Law on Dehkan Farms, the project spearheaded a small sub-working group established by the technical working group to focus on clarifying the GoT's policy for reforming the law and preparing a draft Law on Dehkan Farms in October. The draft addressed key issues that impact farmer's use and transferability of their rights to land. To inform donors and the technical working group of the clarifications, the project's Legislative and Land Policy Advisor prepared a concept note, drawing on policy principles outlined in GoT Resolution #658 – Concept of Agrarian Reform in Tajikistan, which directs the GoT to carry out reforms that ensure dehkan farms have status as legal entities; provide dehkan farm shareholders with the free transfer of rights, including the right to withdraw; and emphasize that local government officials are not authorized to interfere with dehkan farm operations. Following numerous meetings, the dehkan farm sub-working group members agreed to these principles.

With regard to work on land valuation, the project met with ADB representatives from the Mainstreaming Land Acquisition and Resettlement Safeguards to discuss the project's previous work in valuation methodology and to identify areas of cooperation with the Land Committee on valuation issues and activities to support the Land Committee.

Given the potential connections between reforms and cooperatives-related legislation, the project participated in a roundtable discussing the draft law on credit unions in Tajikistan, sponsored by the Association of Microfinance Organizations of Tajikistan with support from the Finance and Economics Committee in the upper house of Parliament.

At the end of November, the project supported USAID, the World Bank, Helvetas/SDC, and UN Women, to organize a conference on Gender Issues in Land Reform in Tajikistan. The half-day conference, held on November 23, was attended by a total of over 30 government officials and representatives from donors and NGOs. The keynote speaker, Eric Abbott, reported on the initial findings regarding gender inclusion from the project's Knowledge, Attitudes, and Practices (KAP) study with the World Bank. The conference featured other presentations from project-supported LACs (see box) and a report on gender issues by UN Women and the World Bank. This half-day conference served as a precursor to a two-day workshop and meeting, which is tentatively planned for spring 2012.

LAC Zanoni Dehot presented its accomplishments at the USAID-World Bank-Helvetas/SDC Gender and Land Reform Workshop in November. LAC Zanoni Dehot has helped 30 women create their own dehkan farms and more than 500 women obtain their land share certificates in the Qubodiyon, Qumsangir, J. Rumi and Jilikul districts.

During December, the project successfully reconvened the New Financial Mechanisms working group led by the National Bank of Tajikistan, which was charged with addressing financial issues affecting the agricultural sector, including the transition to a funding mechanism based on the private sector, assuring access to credit through mortgages, establishing a market in securities, streamlining the Law on Leasing, and facilitating international financial institutions to provide additional funding to the agricultural sector

through micro-financing. At the first meeting, the project's legislative team presented a summary of the work on the Land Code and Law on Dehkan Farms. The New Financial Mechanisms working group agreed to start work on draft amendments to the Law on Mortgage in early 2012.

Activity 1.1.2: Working Group Secretariat

Throughout Year 2, the project continued to serve as the secretariat for the working groups dealing with amendments to the Land Code and the Law on Dehkan Farms. In addition to basic administrative support, such as hosting meetings at the project office, distributing materials in hard copy to local counterparts that lack regular access to email, summarizing feedback on legislative and policy issues from the group's members, the project's Legislative and Land Policy Advisor and Senior Lawyer drafted concept notes and technical memoranda to support and expedite legislative reform efforts.

Near the end of the reporting period, the Legislative and Land Policy Advisor completed a concept note that broadly addresses actions necessary to incrementally develop a market in land use rights contemplated by GoT Resolution #406, which will serve as a platform for continuing the reform effort in the third year of the project.

Activity 1.1.3: Legal Drafting

The project reconvened the Land Reform working group to finalize a comprehensive set of proposed amendments that were presented to the GoT prior to the end of the year as directed by Deputy Prime Minister Alimardon. Taking into consideration the limited time period imposed by the GoT and the urgency of moving forward with legislation that would promote a market in land rights, the project's Senior Lawyer prepared a detailed matrix of the changes proposed, which included comments from the various ministries and donors, and recommended final changes together with a legal red-lined version of the amended law. The working group met on two consecutive days in November and completed a review of all 95 comments made by various GoT ministries and agencies and reached consensus on how to resolve each issue. The working group submitted a draft version of the amendments to the respective ministries for a second round of review and approval, noting that (1) the key amendment to the Land Code provides for the alienation of land use rights; and (2) the amendments will not require any changes to the Civil Code, which is the governing legislation from which all subsidiary legislation is derived and therefore much more difficult to amend. The Ministry of Justice, the final ministry to review the proposed amendments, had previously objected to permitting the right to transfer, holding that the Constitution restricted land ownership solely to the GoT. However, following a full discussion of the issue, the Ministry of Justice agreed that the alienation of land use rights would not affect the ultimate ownership of land by the government and would promote marketability as conceived in GoT Resolution #406. The Ministry of Justice signed off on the amendments on December 21.

During a meeting of the technical working group, a new sub-working group was formed at the direction of the Deputy Minister of Agriculture. This sub-working group was charged with drafting amendments to the Law on Dehkan Farms. The project's Senior Lawyer and the Legislative and Land Policy Advisor led the working group, which includes representatives from the Ministry of Agriculture, Dehkan Farmers Association and Helvetas/SDC. The Senior Lawyer prepared a matrix of the issues, comments, and agreed upon amendments, similar to the one created for the Land Code working group. In light of the extensive changes

that were agreed upon in November, the project prepared a new draft Law on Dehkan Farms (see box) rather than simply amending the existing law, and submitted the new draft legislation for final review to the Ministry of Agriculture.

The new law streamlines and clarifies the formation process and legal status of dehkan farms, forbidding hindrance by the local authorities and allowing for the formation of dehkan farms as legal entities, as provided in the Civil Code, or as individual private farms. The existing Law on Dehkan Farms identified three legal classifications of farms: 1) individual; 2) joint; and 3) family. Since the Civil Code is the controlling law regarding the creation of legal entities, the designations of family and joint farms were removed in the draft Law on Dehkan Farms as these forms are not covered in the Civil Code and had caused considerable confusion when attempts to structure these types as legal entities failed. By removing these designations, individuals under the draft Law on Dehkan Farms have the option of either establishing a legal entity pursuant to the Civil Code or remaining as individual owners of land use rights, considerably simplifying the procedure. Additionally, members of dehkan farms are permitted to withdraw and receive compensation or a land parcel based on the value of their share as determined by the GoT for which procedural regulations will be developed by the project and working group.

Dehkan farm reform embodies the concept of freedom-to-farm and allows farms to take the form of an individual entrepreneur or any legal entity that can be formed under the Civil Code, which thereby reduces changes to the Civil Code. Additionally the draft law permits the right to freely withdraw from a dehkan farm and receive compensation or a parcel.

Following the OSCE cooperatives international conference discussed above, the GoT formed a formal Cooperatives Working Group (CWG) which has the responsibility of drafting a new law on cooperatives. The OSCE and the Ministry of Justice lead the CWG. In addition to the USAID Land Reform Project, the CWG also includes representatives from the following organizations: Ministries of Agriculture, Finance, Economic Development and Trade, the National Bank, the Presidential Administration, UNFAO, and GIZ. The project provided the CWG with a draft Law on Dehkan Farms to coordinate the work on cooperatives and dehkan farm legislation. The project's Land Policy Coordinator participated in two OSCE-organized retreats for the CWG during October and November, through which he helped complete the majority of drafting and resolved outstanding issues concerning the new legislation.

With the completion and submission of the draft amendments to the Land Code, the project took the initiative to reconvene the working group for New Financial Mechanisms in order to begin discussions on amendments to the Law on Mortgage. This working group, under the leadership of the National Bank, had been dormant for many months. An initial meeting took place on December 15 at the National Bank offices and focused on a review of the group's work performed in 2009 and 2010. The project's Senior Lawyer summarized the final amendments to the Land Code and the new Law on Dehkan Farms. The working group agreed to hold the next meeting in late January to begin initial drafting efforts on amendments to the Law on Mortgage.

Activity 1.2.1: Public-Private Dialogues

To bring more stakeholders into the land reform process, the project organized a public-private dialogue on proposed amendments to the Land Code in February in Zafarobod with representatives from dehkan farms, local government authorities, water users, dehkan farmer associations, and the project's LACs. The project gathered detailed information on a wide

variety of concerns, including the initial allocation of land use rights, potential certificating issues, and the establishment of appropriate valuation procedures.

To inform the project's initial efforts on reforming the Law on Dehkan Farms, the project conducted public-private dialogues in Konibodom and Kulob in the spring. Following the initial work on the draft law, the project held another dialogue in Khujand with participants from the project's LACs, dehkan farms in Spitamen and B. Gafurov *rayons* (districts), dehkan farm associations, and local government authorities. Participants discussed the problems they experience under current legislation and offered a number of concrete suggestions on clarifying the legal rights and obligations of dehkan farm shareholders, procedures for withdrawing and resultant allocation of land shares, and the registration of dehkan farm property.

After additional work, the Legal Aid Director and Senior Lawyer conducted a follow up event in Sughd with lawyers from the project's LACs. This event was designed to further vet internal proposals to reform the Law on Dehkan Farms. The LAC lawyers were able to provide useful input because they regularly deal with legal problems surrounding dehkan farms. The event generated more useful ideas, including potential methods on addressing the issues associated with absent shareholders (i.e., shareholders working as labor migrants abroad).

COMPONENT 2

Land Rights Awareness and Protection

Approach to Land Rights Awareness and Protection Activities

Activities in this component build on the successful LAC-*tashabbuskor* (rural land activists working at the village level) model and work closely together to protect farmers' land-related rights, raise awareness among farmers, and promote freedom to farm principles. Project lawyers provide guidance and advice to LAC lawyers to help ensure that farmers' rights are protected, even in the court system as necessary. LAC lawyers also draw on their experience in the field to identify gaps in policy and legislation, which the project uses to inform policy and legislative reform activities discussed above.

The project's Training and Information Coordinator helps LACs develop tailored sessions for farmers to meet local needs, drawing from information that *tashabbuskors* gather during focus groups in their local communities. Additionally, the project's Legal Aid Director, with support from the Senior Lawyer, assists the LACs to carry out trainings for government officials, prosecutors, advocates, and judges.

To publicize land reform activities, promote freedom to farm principles, and raise awareness about land rights issues, the Public Outreach Manager produces the nationally-broadcasted "Your Rights to Land" television and radio programs and publishes the monthly project newspaper, "Rizqrason."

This integrated approach enables the project to provide farmers with legal services and rights awareness trainings in targeted geographic areas while reaching farmers nationwide through broadcast media.

Activity 2.1.1: Legal Aid and Defending Land Users' Rights

The project continued to help resolve land use related legal problems, defend farmers' land use rights, and provide legal advice to farmers through a network of 10 local NGOs that serve as LACs. In order to ensure productive partnerships with the most suitable organizations, the project conducted a competitive tender for LAC grants in May 2011. Nine of the ten organizations held USAID LAC grants during the project's first year of activity.

	LAC Year 2 Grantee	Target Geographic Area
Sughd	Markazi Dastgirii Huquqi Shahrvand	Istaravshan, Shahrison, Zafarobod, Ghonchi
	Bonuvoni Hunarmand	Spitamen, J. Rasulov
	Saodat	Mastcho, B. Gafurov
	Centr Zashiti I Sotrudnichestva	Isfara, Konibodom
	Agrobusiness Consulting	Asht
Khatlon	Ilhom	Kulob, Hamadoni, Farkhor
	Bakht	Temurmaliq, Vose, Danagra
	Zanoni Dehot	Qabodiyon, Qumsangir, J. Rumi, Jilikul
	Bonuvoni Fardo	Shahrtus, N. Khrisrav,
RRS	Arbitrazh	Shahrinav, Vahdat, Rudaki

Each LAC supports at least six *tashabbuskors* located in different *jamoats* (municipalities) within its geographic target region. Through the second year of the project, *tashabbuskors*

have held 910 focus groups at farms in their local areas to identify specific topics for farmer trainings (see Activity 2.1.2 below) and roundtables. Tashabbuskors, with support from their associated LAC and project staff as necessary, then conducted 1,351 roundtables, during which they brought together all relevant stakeholders to resolve farmers’ specific problems.

LAC lawyers provide individual legal consultations to farmers following training events and roundtables to help them better understand their rights and defend their interests. To date, LACs have provided over 7,653 field consultations. Additionally, LAC lawyers receive clients at LAC offices, typically located in rayon capital cities, where they can assist in the preparation of contracts and other legal documents in addition to providing oral legal advice. In the first two years of the project, LAC lawyers have provided nearly 11,180 office consultations. As an important element of LAC office consultations, the project has assisted in facilitating 279 land-use related transactions, consisting of 265 lease agreements and an additional 14 exchange agreements.

Legal Aid for Farmers to Date	
Field consultations:	7,653
Office consultations:	11,180
Land transactions:	279
Roundtables:	1,351
Successful mediations:	67 of 70
Court cases won:	43 of 45
<i>Dollar value of the 12 court decisions involving monetary settlement:</i>	<i>\$108,000</i>

When consultation alone is insufficient to help farmers resolve their land use related problems, the project provides mediation services through its network of LACs and *tashabbuskors*. LAC lawyers typically serve as third party mediators and help the two sides of a dispute find points of agreement and resolve issues without initiating legal action in the courts. By the end of the second year of the project, LACs had successfully mediated 67 out of 70 cases to the satisfaction of their client, with an additional 3 in progress.

In circumstances where LACs could not use training, round tables, or mediation to resolve farmers’ problems, LACs sought to defend farmers’ interests in court. During Year 2, the project implemented new guidelines, which require explicit approval from the project for LACs before representing clients in court. These procedures ensure that LACs only accept cases that are in full agreement with the project’s goals, in which they represent the interest of relatively disadvantaged dehkan farms and farmers against more powerful and influential interests.

To date, LACs have successfully defended farmers’ land-related rights in 43 out of 45 court cases, with an additional 11 cases on appeal or in process. LACs have assisted their clients to receive the equivalent of over TJS 500,000 (approximately \$108,000) as a result of successful court decisions that involved direct monetary settlement, which involved 12 cases, or about a quarter of all cases. For a summary of selected cases tried during the project’s second year, please see Annex B.

Activity 2.1.2: Farmer Training

The project utilizes the LAC-*tashabbuskor* network to carry out its farmer training activities. Following award of the LAC grants for Year 2, the project provided LAC staff and *tashabbuskors* with an intensive start up workshop to strengthen skills necessary to provide both high-quality training and accurate information to farmers. As part of the start up workshop, the project piloted a new approach to training by requiring each LAC to prepare a formal training module on an assigned topic prior to the workshop. Following peer review by

LACs, the project's Training and Information Coordinator finalized the modules and distributed them to all LACs for use during their trainings. To provide LACs with additional support, the project collaborated with the most capable LAC trainers to develop, pilot, and refine an additional seven training modules in August. The project's Training and Information Coordinator then helped the LAC trainers to use the modules effectively and apply more interactive training techniques during their sessions.

Typical Farmer Training Topics

- Basic land use rights
- Land-related authorities of local officials
- Dehkan farm reorganization
- Rights of dehkan farm members
- Obligations of dehkan farm heads
- Execution of contracts
- How to lease land plots
- Employment relations within dehkan farms

The project's Training and Information Specialist and Senior Lawyer led two training of trainer sessions in Khatlon and one in Sughd for LAC trainers, lawyers, and *tashabbuskors* on the basic principles of a land use market in anticipation of adoption of the proposed amendments to the Land Code. The goal of the training-of-trainer sessions was to help LACs prepare farmers for the anticipated changes.

Tashabbuskors assisted the LACs' trainers by holding focus groups at farms located in their respective *jamoats* in order to identify specific topics for trainings as well as specific problems through roundtables as noted above. As of the end of Year 2, *tashabbuskors* had facilitated focus groups with 11,650 farmers from all *jamoats* throughout the project's 26 target *rayons*. Using information drawn from the focus groups, LAC trainers then conducted 902 trainings for a total of 15,305 farmers, the vast majority of which were held directly in their fields.

An integral part of farmer training includes the distribution of educational information, which is discussed below in Activity 2.2.3.

Activity 2.1.3: Freedom to Farm Monitoring

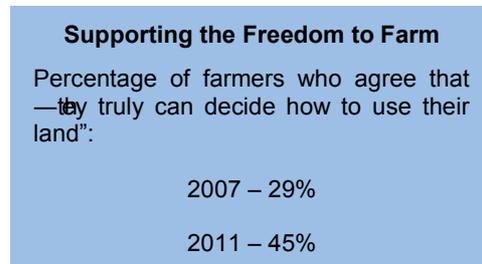
Early in Year 2, the project conducted focus group discussions in cooperation with the IFC in Khatlon to examine the status of freedom to farm in the Shahritus and Qubodiyon *rayons*. The discussions revealed that influential individuals continue to pressure farmers to deliver cotton to certain processors and local government officials still attempt to implement informal crop and yield plans in some areas. To follow up on these issues, in April the project, together with the IFC, arranged a roundtable for famers, farm heads, local government officials, and other stakeholders to discuss freedom to farm violations.

The project, in close cooperation with the World Bank, carried out the extensive KAP survey, which covers a range of freedom to farm and land use-related issues, during the project's second year. In early 2011, the project executed a subcontract with a local survey firm, helped facilitate a two-day training session for survey interviewers so they better understand land rights-related terminology, various land use rules, regulations, and procedures, and then participated in field testing of the instrument.

The project provided an international consultant during May 2011, who supervised the local survey firm through the first phase of data collection, which consisted of nine *rayons*. The World Bank funded the consultant's assignment during the second phase of data collection in August 2011. After the subcontractor and consultant prepared the full dataset for analysis by

identifying and correcting various coding errors, the consultant prepared preliminary draft reports on social tax issues, farmers’ rights awareness, and gender issues. The Chief of Party then assisted the international consultant to revise the full draft report. The consultant will complete the final report, which will include a separate break-out report for target USAID *rayons*, in early 2012. The project is planning a number of outreach events to disseminate the information to relevant parties, including government counterparts.

The Strategic Activities Fund Manager facilitated an assessment of the status of freedom to farm, carried out by the project’s LACs and *tashabbuskors* in October 2011. While the LACs estimate that overall approximately 70 percent of farmers independently manage their operations without significant interference, anecdotal evidence suggests that local government officials and investors continue to use informal means to influence farmers’ decisions. LAC Ilhom reported that local government officials Farkhor and Kulob informally prohibit the export of raw cotton fiber to other districts for processing. Likewise, LAC Zanoni Dehot informed the project that local government officials in Qumsangir purportedly coordinate with investors to fix artificially low prices for cotton. While reported violations were more frequent in Khatlon, LACs noted problems in Sughd as well. In Asht, local government officials reportedly impose cropping decisions on dehkan farms. Most LACs also indicated that in many areas farmers are required to make contributions for local and national celebrations.



Activity 2.1.4: LAC Development and Sustainability

In addition to the intensive start-up training for Year 2 LAC grantees discussed above, the project provided LACs with targeted capacity building trainings during the year. In June, the project’s lawyers researched and presented to the LACs the legal basis that provides NGOs with the means to charge fees for rendering services for providing legal advice. Following review and comment from the LACs’ lawyers, the project revised the guidance and then engaged a local tax and administrative law expert to review the materials and conduct specialized trainings for LAC staff in Dushanbe and Khujand. This expert presented LAC coordinators and accountants with the legal and administrative policies and procedures they are obligated to follow in order to charge fees for the provision of licensed legal services in full compliance with all Tajik legislative requirements. Despite the trainings, most LACs remain hesitant to fully implement fee-for-service regimes due in large part due to perceived tax liability risks.

In November, the project conducted a one-day workshop for LAC directors on strategic planning. The workshop focused on helping the LACs to better define their overall missions, identify specific priority areas, and consider realistic means for achieving their goals in the mid- to long-term, particularly with regards to developing their expertise and diversifying their donor and potential client bases.

The project held regular coordination meetings in Khujand (for LACs in Sughd), in Qurgonteppe (for LACs in Khatlon), and in Regions of Republican Subordination to share best practices and find solutions to problems that different organizations face. Additionally, during the coordination meetings project staff provided further guidance, training, and advice to LACs. These meetings included separate break-out sessions so that LAC lawyers, trainers,

and coordinators have the opportunity to discuss specific technical issues with each other and with the project's specialists. For example, LAC Zanoni Dehot assisted LAC Bonuvoni Fardo with a case involving the inappropriate allocation of a land share and LAC Markazi Dastgirii Huquqii helped LAC Bonuvoni Hunarmand with a completed contract dispute.

To help LACs improve their capacity to deliver trainings, the project initiated a new activity in Year 2 designed to provide LACs with concrete, actionable recommendations following both announced and unannounced monitoring visits. The project's Training and Information Coordinator and Monitoring and Evaluation Specialist attended at least two events held by each LAC, during which they evaluated the session on pre-established criteria. Following the event, they provided an oral debrief for the relevant LAC staff member and later followed up with a formal written review that includes specific suggestions for improvement.

The project provided all LACs with sturdy outdoor signs branded in accordance with USAID guidelines, which not only advertise LACs services, but also strengthen the credibility of the organizations through grantee relations with USAID. To further enhance LACs reputation, the project's media activities, discussed below, regularly publicized LACs' successes in the project newspaper and on the project's television and radio programs.

Activity 2.1.5: Dehkan Farm Reorganization and Reform

The project and its LACs continued to support the creation of individual and family dehkan farms. By the end of Year 2, the project's LACs assisted 183 farms in implementing farm reorganization procedures, benefiting a total of 1,218 farmers, of which 59 percent were female.

LAC Tsentr Zashiti i Sotrudnichestva informed the project of specific problems regarding government interference in farm reorganization in Isfara. The project, with assistance from the LAC, conducted a roundtable on the issue. The event involved participants from local government authorities, including the land committee, dehkan farm heads, and dehkan farmers to discuss the legal procedures with a focus on the appropriate distribution of farm property.

Initial data from the KAP survey suggested decreasing demand for farm reorganization, because the number of individual and family dehkan farms significantly outnumber other organizational forms in many of the more progressive areas of the country.

Activity 2.1.6: LAC Donor Coordination

During Year 2 the project continued its close cooperation with the SDC-funded NetLAC project implemented by Helvetas on the basis of the memorandum of understanding executed during the project's first year. The Chief of Party was appointed to the NetLAC Steering Committee to provide input and guidance to Helvetas' overall project strategy and implementation. Additionally, the Chief of Party served on the NetLAC Development Committee, which awarded 24 SDC-funded grants to NGOs to carry out land rights awareness raising activities.

The NetLAC Development Committee awarded grants to five organizations that were also serving as USAID LACs. The project and Helvetas presented NGOs that hold both USAID and SDC grants with formal memoranda of understanding to confirm personnel, activities,

and geographic areas funded under each grant in order to maximize the coverage of farmer training activities and to eliminate any possible overlap. Close coordination with NetLAC served to maximize the use of donor resources and provide benefits to farmers that otherwise would not have had access to the training and outreach activities. The project regularly shared financial and performance monitoring information with Helvetas to ensure proper financial and administrative management of the respective grants.

To inform and coordinate with the wider donor and implementer community, the project's Chief of Party regularly and actively participates in the monthly Rule of Law group, which includes representatives from the U.S. government (INL), OSCE, GIZ, UNWOMEN, OIM, SDC, World Bank, SDC, DfID, ADB, UNDP as well as others.

Activity 2.2.1: Local Government Training

The project conducts seminars for local government officials on topics identified through focus groups, which tashabbuskors arrange in their local communities as mentioned above. LACs provide seminars on the jamoat level, while the project's Training and Information Coordinator and respective LAC Regional Coordinator lead the seminars on the rayon level.

The Chief of Party and Senior Lawyer met with First Deputy Head of Khatlon Oblast, A. Qodiri, to present the project's goals and activities as they relate to training local government officials in Khatlon and the role of LACs in settling disputes through roundtables and mediation. The First Deputy warmly welcomed cooperation and issued an official memorandum authorizing local government authorities to attend project events and to cooperate with the project's LACs. The project provided copies of the memorandum to all LACs in Khatlon for use in their activities with local government officials.

During the LAC startup workshop, the project equipped LACs with additional guidance for training local government officials on the scope of their authority with regard to land use issues and private farming operations.

The project provided more than 2,400 government officials with training on local land use related issues by conducting a total of 159 seminars through LACs' coverage areas since the beginning of the project. As necessary, the project supports LACs to conduct seminars when there are particularly difficult issues and also helps to arrange for Uzbek-language seminars in areas where Uzbek is the predominate language.

Activity 2.2.2: Training of Judges, Advocates, and Prosecutors

The project continued its training program for judges, advocates, and prosecutors during Year 2. The project held a high-level training for 27 judges from the Sughd Economic Court and 13 judges from the Khatlon Economic Court on recent changes to legal acts governing land relations. Additionally, the project used the training events to inform judges about the project and its approach in helping LACs to resolve farmers' disputes and defend their interests in the legal system.

The project's Legal Aid Director and Senior Lawyer conducted trainings for advocates and prosecutors in Khatlon in June and in Sughd in July, during which a total of 34 participants learned the basics about the legalities of dehqan farm activities and land use rights and obligations.

The project initiated a new activity in Year 2 when the Legal Aid Director led a specialized training for a total of 31 young advocates and prosecutors in Khatlon and Sughd respectively on court practices related specifically to land use issues.

Activity 2.2.3: Development of education materials

At the start of Year 2, the project canvassed LACs and *tashabbuskors* to identify their most urgent needs in terms of printed information. Based on the findings, the project revised and reprinted brochures on contracts, on the creation and reorganization of dehkan farms, and on dehkan farm management principles (see box).

The project then developed and published new brochures on bankruptcy of individual enterprises; rules regarding withdrawal of members from a dehkan farm, including land allocation procedures; the creation of production cooperatives; and labor relations within dehkan farms.

In order to maximize coverage and best use resources, the project worked with NetLAC to develop a joint 30-page brochure in Tajik on basic legal issues for farmers. The project provided technical input, peer review, and translated the brochure into Uzbek while NetLAC covered all design, layout, and printing costs. NetLAC initially provided the project with 2,000 copies to distribute via five project LACs that do not hold SDC grants. Due to the large demand for the brochure, the project and NetLAC made minor revisions and reprinted the brochure in November. NetLAC provided the project with an additional 5,000 copies at no direct cost to distribute through the same five LACs.

Brochures Published in Year 2

Revisions

- Contracts in Dehkan Farms
- Reorganization of agricultural enterprises and creation of a Dehkan Farm
- Management of a Dehkan Farm
- Comments on RT Law on Dehkan Farm
- Labor relations in Dehkan Farm

New Publications

- Bankruptcy for Individual Entrepreneurs
- Creation of Cooperatives
- Order for Allocation and Withdrawal of Land
- Consolidated Land Law Legislation

Activity 2.2.4: Media Outreach

Print. The project continued publishing the project newspaper *Rizqrason* monthly throughout the second year of project activities, printing and distributing a total of 97,500 copies since the beginning of the project. Articles include a wide variety of subjects, such as the following: procedures to assign land shares to dehkan farm members, rational land use, agricultural-related taxes, farmers’ rights to social benefits, freedom to farm principles, the benefits of individual and family dehkan farms, as well as various success stories highlighting LACs’ activities.

Summary of Media Outreach

“Your Rights to Land” TV and Radio Series

- Targets rural citizens, local government officials and farmers.
- 20-minute radio broadcast nation-wide weekly and 10 minute TV broadcast biweekly; also disseminated on DVD to LACs

Rizqrason Newspaper

- Targets literate rural citizens, ranging from farmers to government officials
- Circulates to 5,000 readers monthly

Broadcast. To continue the project’s media outreach work in Year 2, the project conducted a competitive tender for television production and broadcasting services of the project’s “Your Rights to Land” program. The subcontract was awarded to TV Jahonnamo, whose broadcast

coverage includes 82 percent of the territory of Tajikistan, including nearly all of the arable land where the project's target beneficiaries reside, for broadcasts on Tuesday evenings with repeats three to four times per week in various timeslots at no cost to the project.

The project produced and aired a total of 48 television shows during the project's first two years, which covered a wide variety of topics, such as the creation of farmer associations, benefits of creating an individual or family dehkan farm, recent changes in the price of water supply service for agricultural lands, land tax rates for 2011, benefits of receiving land use right certificates, and issues surrounding social tax of dehkan farmers. The project alternates between focusing on issues in Khatlon and in Sughd each month.

The project also continued the related "Your Rights to Land" radio program, which is produced to complement the television program and broadcasted nation-wide on Radio Tajikistan. To date, the project has produced and aired a total of 64 radio programs covering the range of issues dealt with in the television program.

ACTIVITIES FOR THE NEXT BIMONTHLY REPORTING PERIOD

Legislative Drafting and Land Policy Development

- Continue to support the technical working group by developing overall work plans, assisting with policy development and providing technical legal drafting
- Monitor the adoption of the proposed amendments of the Land Code and Law on Dehkan Farms by the Parliament
- Draft key amendments to the Law on Mortgage and present to the working group on New Financial Mechanisms
- Draft a detailed paper for the technical working group and the GoT regarding the actions and steps necessary to support the development and operation of a land market
- Continue to support the technical working group with recommendations to improve the Law on Registration
- Draft regulations necessary to implement Land Code amendments

Land Rights Awareness and Protection

- Training in Qurgonteppe for Tashabbuskors in Khatlon in early February based on results of monitoring visits conducted in late 2011
- Coordination meeting for all LACs in Khatlon in mid-February
- KAP outreach and dissemination events with the World Bank in late February
- Joint round table event on land-related taxes with the IFC in Shahritus in late February
- Round table event in Isfara on the social rights of dehkan farmers in early March

ANNUAL REPORTING ELEMENTS

Performance against Planned Accomplishments and Indicators

A detailed update on project performance against planned accomplishments and indicators is presented in Annex A.

Variance from the Performance Monitoring Plan (PMP)

The number of fee paying clients as a percentage of total clients was listed in the PMP as a measure of the sustainability of the LACs. This indicator is a carryover from previous land reform projects. During the first year, the project suggested that this is not an appropriate indicator of sustainability, given that the accuracy of available data is difficult to verify, not all LACs have the proper licenses to charge fees for the provision of legal services, and the range of activities that LACs might charge for is vague and indeterminate. The project has proposed revisions to the sustainability indicator and is working to identify a well-defined and more reliable quantitative measure in close cooperation with USAID.

At the end of the reporting period, the international consultant responsible for analyzing data from the KAP study was in the process of exploring why the percentage of citizens whose knowledge of land reform and its impact on their rights had slightly declined. His initial analysis suggests that some of the knowledge questions contained in the survey were not properly translated into Tajik, which may have negatively impacted the results. The project expects to receive the consultant's final report in the first quarter of project Year 3.

Overview of Publicity Events and Media Coverage

The following media covered project events during the course of Year 2.

Newspapers

- Jumhuriyat
- Asia Plus
- Tojikiston
- Subhi Khatlon
- Varorud
- Hakikati Shahrinav
- Shuhrati Asht
- Hakikati Sughd
- Sughdskaya Pravda
- Rizkofarin
- Nilyfar
- Qubodiyon regional newspaper

Television

- TVT
- TV Khaton Oblast
- Sughd Oblast TV



USAID
FROM THE AMERICAN PEOPLE

SNAPSHOT

Becoming More than Just a Farm Member

USAID-supported legal aid centers help farmers establish their own farms



Photo: Chiemonics / Fozil Abdurashitov

Lawyer and Trainer Muharram Rasulova from USAID legal aid center NGO Saodat conducts a training for Abdurakhmon Sarkor Dehkan Farmers on how to create individual dehkan farms.

“The members of the farm didn’t know about their rights and obligations, especially how to create an independent dehkan farm. We walked them through the process step by step and provided the farmers with help and examples of all the documents necessary to create individual farms”

— Muharram Rasulova

USAID-supported legal aid centers support farmers to exercise greater independence over their land and revenues.

Telling Our Story

U.S. Agency for International Development
Washington, DC 20523-1000
<http://stories.usaid.gov>

For years, the 28 members of the Abdurakhom Sarkor dehkan farm in the Gafurov district of Sughd province worked long days to grow cotton. Despite their hard work, farm members received meager in-kind payments, usually cotton stalks at the end of the season, and only erratic cash salary payments that never exceeded \$250 per year. Most members had to minimize expenses and take menial jobs to provide the basic needs for their families — food, shelter, clothing, and school supplies for their children.

Privately, many members wished they could take control of their economic futures by creating their own farms. Unfortunately, the members lacked adequate knowledge of their land use rights, which allowed the farm director to divvy up revenues as he liked and also prevent the members, particularly those not related to him, from exercising their right to withdraw from the farm to form independent farms.

Dadojon Khobilov, one of the USAID Land Reform Project’s tashabbuskors (rural land activists), learned about the farmers’ plight during a focus group he facilitated in the Gafurov district. Dadojon then arranged for the USAID Land Reform Project legal aid center NGO Saodat to conduct training for the farmers on the steps necessary to establish an individual dehkan farm.

Immediately following the training in October 2011, NGO Saodat lawyer Muharram Rasulova assisted eight members of Abdurakhom Sarkor farm, none of whom were related to the farm director, to prepare and execute applications to create individual dehkan farms. Less than two months later all eight members were tilling land on their own individual dehkan farms.

Those eight members now enjoy full freedom of choice over what to grow on their land, how to manage their crops, and when and how to disburse their revenues. One of the new individual dehkan farmers exclaimed, “Now nobody can tell me what to grow on my land, and now I work for exclusively for myself, and will decide what to do with the income I earn!”

During the first two years of activity, the USAID Land Reform Project has helped more than 1,200 farmers, including 718 women, to take control over their economic lives by helping them to establish their own independent and family dehkan farms.

ANNEX A

Consolidated Table of Indicators for the Period February 1, 2010, to January 15, 2012

Project Goal: Support effective implementation of land reform in the agriculture sector						
Expected results:						
<ul style="list-style-type: none"> Improved freedom to farm in terms of crop type and acreage allocation decisions. Increased number of pledged, sold/bought, conveyed and leased land use rights. 						
Indicator	Definition	Disaggregation	Data Collection	Baseline	Targets	Results
1. Number of rural land transactions facilitated by project-supported legal aid centers (LACs).	This is a count of land transactions, whether involving a purchase/sale, lease, or exchange, facilitated by project LACs. Inheritance is not included as it occurs independent of the land market.	<ul style="list-style-type: none"> By type of transaction: sale and purchase, land lease, exchange of land By district By gender 	<p>Responsibility: Legal Advisors, SAF Manager, M&E Specialist, using information provided by project LACs</p> <p>Timeline: semi-annually</p>	73 occurred during USAID Land Reform and Market Development II	<p>Year 1: 50 transactions</p> <p>Year 2: 150 transactions (cumulative with Year 1)</p> <p>Year 3: 300 transactions (cumulative with Years 1 and 2)</p>	<p>Total: 279</p> <p>(265 rent and 14 exchange transactions)</p>
2. Percentage of farmers who indicate that they exercise freedom of choice in crop type and acreage allocations for their arable land.	This is the percentage of farmers who exercise their freedom to farm, in accordance with project land reform messages, as determined by periodic project and other donor-supported freedom to farm surveys.	<ul style="list-style-type: none"> By gender By oblast By district By type of farm: agricultural enterprises, company, collective dehkan farm, extended family dehkan farm, individual dehkan farm By crop(s) planted 	<p>Responsibility: SAF Manager, M&E Specialist and legal aid centers, in cooperation with donor farm surveys</p> <p>Timeline: annually</p>	52% based on winter 2009 WB survey, will revise if necessary following planned survey	<p>Year 1: 55 percent indicate they exercise freedom to farm</p> <p>Year 2: 60 percent indicate they exercise freedom to farm</p> <p>Year 3: 65 percent indicate they exercise freedom to farm</p>	According to Helvetas Survey Report —Assessment of legal issues of farmers in Tajikistan and knowledge of their rights” (2011) 78,4% of members of DFs and 85,8% of heads of DFs decide themselves what crops should be cultivated

Project Intermediate Result 1: Legislative drafting and land policy supported

Expected results:

- Improved and proper implementation of new and/or amended land-related laws.
- Increased public participation in the land reform process.

Key Result Area 1.1: Laws policies and implementing procedures to strengthen property rights improved

Indicator	Definition	Disaggregation	Data Collection	Baseline	Targets	Results
3. Number of laws, decrees, and regulations on land policy drafted and presented with Land Reform Project assistance, as well as development of procedures and forms, as necessary.	This is a count of laws, amendments, decrees and regulations drafted, assisted with, and presented to the GoT or the Majlisi Oli and the count of formal procedures and forms developed by the Land Reform Project on issues related to land policy as requested by the Working Group.	<ul style="list-style-type: none"> • Laws • Decrees • Amendments • Regulations • Procedures • Forms • Other 	<p>Responsibility: Senior Land Lawyer, Policy Assistant</p> <p>Timeline: bimonthly</p>	N/A	<p>To respond to comments by GoT and donors:</p> <ol style="list-style-type: none"> 1. Draft amendments to the Land Code accordingly (Month 3) <p>To draft and present:</p> <ol style="list-style-type: none"> 1. Law on Market Valuation of Land (Months 6-7) 2. Amendments to the Law on Land Valuation, if necessary (Months 6-7) 3. Law on Rent/Lease (Months 5-6) 4. Amendments to the Law on Mortgage (in cooperation with the WG on New Financial Mechanisms) (Month 3) 5. Amendments to the Civil Code, (Months 2-6) 6. Amendments to the Law on Land Management (Months 4-8) 7. Amendments to the legal framework related to Dehkan Farms and farmers <p>To provide support and comment on:</p> <ol style="list-style-type: none"> 1. Law on the State Registration of Immovable Property and Rights to It, (Months 1-6) 	<p>The proposed amendments to the Land Code have been delivered to the President's Administration for approval and submission to Parliament.</p> <p>Law —On appraisal activity" (RT Law Edition #428 dated 6.10.2008) needs no amendment.</p> <p>Methodology on Land Use Right Valuation drafted and presented to WG. There has been no response and follow-up steps will be taken.</p> <p>Working Group on New Financial Mechanisms will take up the required amendments to the Law on Mortgages.</p> <p>Reviewed the Law on State Registration of Immovable Property and Rights to It and concluded that the law is presently sufficient for its intended purpose</p> <p>A draft new Law on Dehkan Farms has been prepared and is under final review by the Working Group and Ministry of Agriculture. Public/private dialogues regarding the draft new Law on Dehkan Farms were conducted in both Khatlon and Sughd regions.</p> <p>A new Law on Cooperatives has been completed by the sub-working group and is under review by the Ministry of Justice.</p>

Key Result Area 1.2: Local demand for land reform strengthened						
Indicator	Definition	Disaggregation	Data Collection	Baseline	Targets	Results
4. Number of public private dialogues on land policy.	This is a count of meetings, roundtables, fora, and other venues, where civil sector actors (i.e. legal advocacy representatives, farmers, and others) interact with government officials regarding specific, demand-driven provisions of land policy and legislation.	<ul style="list-style-type: none"> By policy issue (e.g. Law on Mortgage, implementing regulations on conveyance of land use rights, etc.) By participating government entity By geographic origin of civil sector actors 	Responsibility: Senior Land Lawyer, Training and Information Specialist Timeline: quarterly	Four public-private dialogs occurred during Land Reform and Market Development II	Year 1: 4 dialogues Year 2: 12 dialogues (cumulative with Year 1) Year 3: 18 dialogues (cumulative with Years 1 and 2)	Total: 12 dialogues (Three in Shahritus, one in Qurghonteppa, one in Isfara, one in Zafarobod, two in Kulob, one in Konibodom, two in Khujand and one in Qubodiyon)
5. Number of comments from local groups and farmers regarding draft land legislation and regulations, or suggestions for needed changes to the legal framework	This is a count of the number of comments or suggestions from local LACs, associations, both public and private, farmers, advocates and private individuals.	<ul style="list-style-type: none"> By organization making comments/suggestions By policy issue (e.g. Law on Mortgage, implementing regulations on conveyance of land use rights, etc.) By geographic origin of civil sector actors 	Responsibility: Senior Land Lawyer, Policy Assistant Timeline: quarterly	N/A	Year 1: 4 comments or suggestions Year 2: 10 comments or suggestions (cumulative with Year 1) Year 3: 18 comments or suggestions (cumulative with Years 1 and 2)	Total: 56 comments (17 comments/suggestions to Land Code, 19 to the Law on Dehkan Farms; 11 to the Tax Code and nine to other related laws)

Project Intermediate Result 2: Land rights awareness and protection increased

Expected results:

- Increased awareness of land users of their land-related rights and obligations and their increased capacity to realize those rights both through in-court and out-of-court procedures.
- Improved capacity of LACs to contribute to the sustainable provision of legal services and training for farmers and rural citizens.

Key Result Area 2.1: Property rights secured and defended

Indicator	Definition	Disaggregation	Data Collection	Baseline	Targets	Results
6. Percentage of disputes resolved to the satisfaction of project clients.	The denominator is a count of LAC case files opened with LAC support. The numerator is a count of LAC case files closed with a favorable outcome for the client ¹ .	<ul style="list-style-type: none"> • By court case, mediation, or agreement of parties, formal complaint • If court case, by type of court • By farm and number of farmers • By LAC • By gender • By district • By type of dispute: lease, sale/purchase, mortgage, debt resolution, farm creation/reorganization, Resolution 111/312, inheritance, water use, access to finance, tax, other 	<p>Responsibility: Legal Advisors, SAF Manager, M&E Specialist, and legal aid centers</p> <p>Timeline: semi-annually</p>	82 percent of cases resolved in favor of project clients during Land Reform and Market Development Project II	Life of Project: 85 percent of cases resolved in to the satisfaction of project clients.	<p>Total: 96% resolved to the satisfaction of project clients (110 of 115)</p> <p>67 out-of-court disputes were resolved in favor of LAC clients: 48 in Khatlon and 19 in Sughd; 3 were not (1 in Khatlon and 2 in Sughd)</p> <p>8 court cases completed in Khatlon in favor of LAC clients (and 2 not) and 35 court cases in Sughd (all in favor of LAC clients)</p>

¹ Negotiated settlements will be considered successful because the client must agree to the settlement. As necessary, favorable outcomes will be based on clients' indication in an exit questionnaire that they are satisfied with the LAC's treatment of their claim.

Proposed Indicator	Definition	Disaggregation	Data Collection	Baseline	Targets	Results
<p>7. Number of fee paying clients as a percentage of total number of clients that utilized LAC court representation services.</p> <p>Note at the time of report submission, the project was working to refine this indicator in close cooperation with USAID.</p>	<p>This is a count of which LAC clients provide payment, in cash or in-kind, for court representation services calculated as a percentage. Paying clients form the numerator. Paying and pro bono clients that received this legal service form the denominator. These numbers will be tallied only for the project-supported legal aid centers employing lawyers that are properly licensed to charge fees for services in agreement with Tajik legislation.</p>	<ul style="list-style-type: none"> • By type of service • By LAC • By type of client • By gender 	<p>Responsibility: SAF Manager, M&E Specialist and legal aid centers</p> <p>Timeline: bimonthly</p>	<p>During LRMDP II: Court representation services – 13%</p>	<p>Year 1: N/A (proposed revision during Year 2 grant activities)</p> <p>Year 2: Court Representation – at least 40 percent</p> <p>Year 3: Court Representation – at least 50 percent</p>	<p>Total: 61% of court cases are paid</p> <p>Khatlon: 100% (all) court cases are paid (completely or partially, in-kind or by cash);</p> <p>Sughd: 51% of court cases are paid (completely or partially, in-kind or by cash);</p>

Key Result Area 2.2: Knowledge of land use rights improved												
Indicator	Definition	Disaggregation	Data Collection	Baseline	Targets	Results						
8. Percentage of citizens whose knowledge of land reform and its impact on their rights have improved.	This is the percentage of the population that has knowledge of land reform messages and the impact of land reform on their rights based on a survey conducted by the project supplemented by data from other donor survey instruments as possible.	<ul style="list-style-type: none"> • By gender, as possible • By oblast • By district • By primary and secondary sources of information: TV, Radio, Newspaper, Project Distribution Material, Seminar/Meeting, Other 	<p>Responsibility: Public Outreach Manager and M&E Specialist; survey disseminated via LACs</p> <p>Timeline: annually</p>	60% correct answers on basic knowledge test (based on 2008 KAP study), will revise if necessary based on anticipated study	<p>Year 1: 8 percent increase over baseline.</p> <p>Year 2: 12 percent increase over baseline.</p> <p>Year 3: 15 percent increase over baseline.</p>	<p>According to last KAP Study (2011) respondents answered an average of 6.4 of the 12 questions correctly (53%)</p> <p>Knowledge test by Male/Female</p> <table> <tr> <td>Males</td> <td>6.54</td> </tr> <tr> <td>Females</td> <td>6.27</td> </tr> <tr> <td>OVERALL</td> <td>6.4</td> </tr> </table> <p>At the end of the reporting period, the KAP consultant is preparing an analysis of these results to inform the project's training and outreach efforts.</p>	Males	6.54	Females	6.27	OVERALL	6.4
Males	6.54											
Females	6.27											
OVERALL	6.4											

Indicator	Definition	Disaggregation	Data Collection	Baseline	Targets	Results
9. Number of beneficiaries receiving direct and indirect assistance.	This is a count of all occurrences of individuals directly assisted by project-supported legal aid centers and <i>tashabbuskors</i> , and all citizens indirectly assisted by receiving project-financed printed materials and all training program participants.	<ul style="list-style-type: none"> • By gender • By type of assistance: consultation, farm creation/reorganization, advocacy, mediation, arbitration, court case, training, materials distributed, newspapers distributed, other • Oblast and district 	Responsibility: Legal Advisors, SAF Manager, M&E Specialist, and legal aid centers Timeline: bimonthly	37,000 citizens received assistance during Land Reform and Market Development Project II	Year 1: 35,000 beneficiaries Year 2: 75,000 beneficiaries (cumulative with Year 1) Year 3: 110,000 beneficiaries (cumulative with Year 1 and Year 2).	Total: 126,070 Consultations: 18,833; Trainings, round tables, focus group discussions: 50,627; Farm Creation/reorganization: 1,218; Mediation/ arbitration/ court cases: 6,347; Newspaper: number of printed copies 97,500 (approx. 50% were distributed to participants covered by other activities, so are be excluded) 48,750 to new beneficiaries; Brochures and other printing materials distributed: Total: 10,600 (distributed to participants covered by other activities, won't be counted); Participants of PP dialogues – 295;

Indicator	Definition	Disaggregation	Data Collection	Baseline	Targets	Results
10. Quantity and coverage of television and radio broadcasts and number of communications from viewers and listener, supplemented by data from project and other donor surveys	<p>This is a count of all of the television and radio broadcasts and the corresponding coverage area of the respective broadcasts and a count of communications (calls, letters, emails, etc.) received from viewers and listeners.</p> <p>Additionally surveys and focus groups will be utilized to generate qualitative data to gauge recognition of project messages</p>	<ul style="list-style-type: none"> By primary and secondary sources of information: TV, Radio, printed materials, Other 	<p>Responsibility: Public Outreach Specialist, SAF Manager, M&E Specialist</p> <p>Timeline: bimonthly</p>	<p>20 TV programs and 29 radio programs aired and 427 communications received during LRMDP II which covered over 95% of the population.</p>	<p>Year 1: 20 TV programs, 30 radio programs</p> <p>Year 2: 50 TV programs and 70 radio programs (cumulative with Year 1)</p> <p>Year 3: 70 TV programs and 100 radio programs (cumulative with Year 1 and 2)</p> <p>Results of project and other donor-supported studies will complement the quantity and coverage data.</p>	<p>Total: 48 TV and 64 Radio programs</p> <p>Published 24 editions of project newspaper with total of 97,500 copies</p> <p>Received 72 feedback telephone calls about TV and radio programs.</p> <p>According to last KAP survey (2011) a total of 17.8% said they listened to radio programs and a total of 41.6% said they have watched TV programs that focus on land restructuring or changes in land use rights. A total of 24.7% said they have read about land restructuring and land rights issues in newspapers</p>

ANNEX B

Summaries of Selected Court Cases from Year 2

LAC Bonuvoni Fardo

Safar Nurakov, head of Dehkan Farm “Gairat” v. Hukumat of Shahritus Rayon, Jamoat of Sayod of Shahritus Rayon, and Land Committee of Shahritus Rayon. In 2007, the head of the Shahritus Hukumat and a representative from the Sayod Jamoat visited Nurakov’s house and used informal pressure to compel Nurakov to draft a declaration of his intent to withdraw from the farm. Following this, an improper protocol was drafted (during the trial, the head of the Land Committee of Shahritus admitted to drafting the improper protocol), supposedly reflecting a decision at a general meeting of the Gairat farm, declaring that all its 29 members no longer wanted to use the farm’s 71 hectares of land. On the basis of the improper protocol, the Hukumat issued a decision that placed the farm’s land into the rayon’s reserve fund. Soon thereafter, the Hukumat transferred all 71 hectares to a third party. The LAC assisted Nurakov to bring suit against the Hukumat and other entities, which made numerous attempts to remove the case from consideration and delay proceedings. Additionally, the plaintiff and his counsel were offered informal payments to drop the case. In May 2011, the Khatlon Oblast Economic Court found in favor of Nurakov and declared the Hukumat’s decision to take the farm’s land as null and void, and additionally ordered the defendants to pay court fees.

LAC Bonuvoni Hunarmand

Shareholders of dehkan farm “Mullojonov Bobojon” B. Nurova and P. Nurova v. dehkan farm “Mullojonov Bobojon” and the Land Committee of J. Rasulov rayon. Plaintiffs B. Nurova and P. Nurova, represented by the LAC, held shares in the “Mullojonov Bobojon” dehkan farm, and then filed applications to withdraw. The Chair of the farm failed to consider the application, but terminated the land use rights of the plaintiffs. A general meeting of the members approved the decision to terminate. The Sughd Oblast Economic Court and Appellate Board of the Sughd Oblast Economic Court considered the case and rendered judgment in favor of the two female plaintiffs.

K. Norbekova v. B. Boltuev. The LAC assisted the plaintiff to file suit in the Sughd Economic Court to prevent the defendant from interfering in Norbekova’s use of her household plot for farming activities. The court found in favor of the plaintiff.

Dehkan farm Kenjaboy v dehkan farm Nurobod. The LAC successfully defended the rights of the Nurobod farm in the Sughd Higher Economic Court, which upheld the lower court’s decision that cancelled a decision of the local government in Spitamen rayon on the allocation of the land shares of 23 shareholders, totaling 95 hectares, to the Kenjaboy dehkan farm.

LAC Ilhom

Zubaidov Kurbonali, Chair of dehkan farm “Firdavsi,” jamoat Pakhtakor, Vose rayon v. OJSC “Pakhtai Kulob.” The plaintiff delivered 15 tons of cotton for processing in 2007, but the defendant sold part of the cotton for TJS 17,833 to another company without agreement of the plaintiff. The Economic Court in Khatlon Oblast considered the case in the first

instance and entered a judgment in favor of the plaintiff (five men and eight women), represented by the LAC, in the amount TJS 17,833.

LAC Markazi Dastgoirii Huquqi Shahrivandon

Abdulloev Gairat, dehkan farm "Mahbuba," Zavarobod rayon v. Producers' cooperative "A. Rudaki." The Sughd Oblast Economic Court awarded the plaintiff, represented by the LAC, USD 1,813 plus an additional USD 362 in interest for delivered cotton for which the defendant never paid.

Dehkan farm 16 Solagii Istikoliyat v LLC Amiri Khusrav. The LAC successfully assisted the plaintiff to cancel USD 2,243 in improper debt from 2007 owed to the investor LLC Amiri Khusrav in the Sughd Economic Court, which benefited 5 men and 14 women.

LAC Markazi Dastgirii Huquqii Shahrivand

DF "Kalnov Mahmud" v. Chairperson of Production Cooperative (PC) "Zaravshon," Spitamen Rayon. Upon the family's withdrawal from the PC, PC "Zaravshon" refused to transfer land and land use rights to the newly created DF "Kalnov Mahmud." The LAC assisted DF "Kalnov Mahmud" to file suit in the Sughd Economic Court to obtain the legal rights to its land plot, which was established at a general meeting of the PC "Zaravshon." The court found in favor of DF "Kalnov Mahmud" and ordered PC "Zaravshon" to transfer the plot to the plaintiff.

DF Faizi Baraka v. DF Kodir. DF Faizi brought suit in the Sughd Economic Court with support from LAC Markazi Dastgirii Shahrivandon, claiming that DF Kodir improperly took control over 6.12 hectares of land plots, to which DF Faizi held the proper legal use rights. The court found in favor of the plaintiff and ordered DF Kodir to relinquish control over the land plots.

LAC Saodat

Land Committee of Matcha rayon v. Shareholders of dehkan farm "Mullorahim," Matcha rayon. The Chair of dehkan farm "Mullorahim" directly requested that the Land Committee of Matcha rayon bring suit to terminate land use right of 22 men and 20 women, defended by the LAC, on the basis of inefficient use. The Chair did not hold a general meeting on the issue. After reviewing the request, the Land Committee brought suit to terminate the land use rights of the farmers in the Sughd Oblast Economic Court. The Court delivered judgment, confirming the farmers' land use rights to 9.3 hectares of land. The Land Committee appealed the case to the court of second instance, which confirmed the lower court's decision.

Dehkan Farm "Narkhashi" v Local Government and Local Land Committee of Matcho rayon. The Sughd Oblast Economic Court cancelled an improper decision of the local government that had annulled land use rights of 40 Narkhashi farm members based on illegitimate minutes from general members' meeting. The local government had granted use rights for those 40 land share plots to two individuals based on the improper minutes.

Chairman of dehkan farm Gulmahmad v. Amonov, former shareholder of dehkan farm Gulmahmad. Amonov withdrew from the Gulmahmad farm and created his own dehkan farm. The Chairman filed suit against Amonov claiming he improperly obtained the land

share for the creation of his Ziyeda farm. The Sughd Economic Court found in favor of the LAC-supported defendant on the basis that he properly withdrew and obtained the appropriate certificate documenting the land use right on the plot in question.

Gulmoh Ahmedova, shareholder of dehkan farm Mahmados v. Chairman of dehkan farm Mahmados. Ahmedova filed suit with support from the LAC to cancel the decision of the dehkan farm Mahmados to revoke her land use rights and reassign her land share. Due to legitimately documented health problems, Ahmedova was not able to work on the farm for long periods of time. On the basis of improper documentation, the Sughd Economic court confirmed Ahmedova's claim and ordered the Chairman to reinstate her land use rights and return the land share to her.

Dehkan Farm (DF) "Temurmalik-P" v. DF "Yakkaturak" and Joint Stock Company (JSC) "E. Boimatova," Konibodom rayon. DF "Temurmalik-P" was formed after shareholders withdrew from DF "Yakkaturak." JSC "E. Boimatova" improperly transferred TJS 33,799 in cotton sales due to DF "Temurmalik-P" to DF "Yakkaturak." LAC Saodat filed suit in the Economic Court of Sughd to help DF "Temurmalik-P" to recover the funds. Prior to the court's consideration of the case, the parties mutually agreed to settle the dispute. The defendant agreed to pay the amount of TJS 15,000 to DF "Temurmalik-P."

DF "Mamadjonota" v. DF "Yakkaturak" and JSC "E. Boimatova," Konibodom rayon. Noting the success of DF "Temurmalik-P" in defending its rights, DF "Mamadjonota," which was also created when shareholders withdrew from DF "Yakkaturak," sought to recover TJS 30,228 from DF "Yakkaturak" in cotton sales improperly transferred from JSC "E. Boimatova." The parties settled the dispute before it went to trial. The defendant agreed to pay DF "Mamadjonota," represented by LAC Saodat, a total of TJS 15,000 to resolve the issue.

Dehkan Farm (DF) Mezon v. LLC Javonon. DF Mezon entered into a contract with Javonon LLC to sell its cotton harvest. LLC Javonon took possession of DF Mezon's cotton, but did not issue payment in accordance with the contract. DF Mezon, represented by LAC Saodat, brought suit in the Economic Court of Sughd Oblast seeking payment in the amount of TJS 37,048.87 (approximately USD 7,800) as specified in the contract. The Court is currently considering the case.

DF Mahmados Shareholder Gulmoh Akhmedova v. DF Mahmados Chairman Gulmirzo Usupov. DF Mahmados Chairman Usupov withdrew DF Mahmados shareholder Akhmedova's land share rights through proceedings at a General Meeting. LAC Saodat brought suit on behalf of Akhmedova claiming that the withdrawal of her land share rights was improper. The court of first instance found in the plaintiff's favor. The defendant is appealing the court's decision.

LAC Tsentr Zashiti i Sotrudnichestva

Abdukholik Rahimov v. Anzurat Rakhimova, Abdusattor Rakhimov and the Local Land Committee (Investment and Property Department, Building Registration Section), Isfara Rayon. The LAC assisted the plaintiff to file suit in the Sughd Economic Court to annul a decision by the Land Committee that granted land use rights to a 0.17 hectare plot to the defendants, which the plaintiff was actively farming. Before the court considered the case, the parties reached mutual agreement to divide and legalize the parcel into two equitable plots.