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# **BASELINE REPORT**

## **PERFORMANCE EVALUATION OF THE RESPONSIBLE INVESTMENT PILOT**

**October 24, 2017**

This publication was produced at the request of the United States Agency for International Development for the E3 Analytics and Evaluation Project. It was prepared independently by Management Systems International, a Tetra Tech Company; and NORC at the University of Chicago.

# **BASELINE REPORT: PERFORMANCE EVALUATION OF THE RESPONSIBLE INVESTMENT PILOT**

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E3 Analytics and Evaluation Project

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Cover Photo: Group discussion with farmer association members, at the edge of a rehabilitated floodplain block in the Pilot zone.

Credit: Lauren Persha, NORC at the University of Chicago.

## **DISCLAIMER**

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

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# ACRONYMS

ADS	Automated Directives System
AF	Analytical Framework for Land-Based Investments in African Agriculture
DEC	Development Experience Clearinghouse
dTS	Development and Training Services
DUAT	Law of Use Rights and Tenure/ <i>Direito do Uso e Aproveitamento da Terra</i>
E3	Bureau for Economic Growth, Education and Environment (USAID)
EQ	Evaluation Question
EU	European Union
GD	Group Discussion
IP	Implementing Partner
KII	Key Informant Interview
LU	Office of Land and Urban (USAID/E3)
MSOCBP	Maragra Sugarcane Outgrowers Capacity Building Project
MSSDP	Maragra Smallholder Sugarcane Development Project
MSI	Management Systems International
SOW	Statement of Work
TOC	Theory of Change
USAID	United States Agency for International Development

# EXECUTIVE SUMMARY

This report presents findings and conclusions from baseline data collection for the performance evaluation of the United States Agency for International Development’s (USAID’s) Public-Private Partnership for Responsible Land-Based Investment Pilot (“the Pilot”). The Office of Land and Urban in USAID’s Bureau for Economic Growth, Education, and Environment (USAID/E3/LU) commissioned the evaluation, and the E3 Analytics and Evaluation Project designed and is implementing it.<sup>1</sup>

## Background

In 2012, the Committee on World Food Security adopted international soft law that “promotes secure tenure rights and equitable access to land, fisheries, and forests as a means of eradicating hunger and poverty, supporting sustainable development, and enhancing the environment.”<sup>2</sup> To provide practical guidance to private sector investors about how they can comply with these soft law guidelines, the international community collaboratively produced the Analytical Framework for Land-Based Investments in African Agriculture (the AF).<sup>3</sup> The AF consolidates existing guidance on responsible land-based investment into a succinct framework and provides guidance for companies to align with international best practices. Despite consensus on tenure risks and beneficial mitigation measures outlined in the AF, there is little evidence that the private sector is incorporating the AF into investment due diligence and project development.

USAID/E3/LU tasked the Cloudburst Group (“Cloudburst”) to pilot utilization of the AF with private sector partners. The Pilot will be one of the first attempts to study how implementation of different components of the AF affects private firms’ investment, including investment decision-making and operational planning, land rights, tenure security, and firm relations in affected communities. Cloudburst is implementing the Pilot from December 2016 to March 2018 in Mozambique and at least one other country. Cloudburst ran a co-creation process through which it selected the Indufor/Moringa/Illovo consortium to implement the Pilot. This includes Terra Firma as a subcontractor and others as needed.

In Mozambique, Indufor and Terra Firma are collaborating with Illovo Sugar Limited through its local subsidiary Maragra Açúcar Limited to implement the Pilot in rehabilitated floodplain zones near the Maragra nucleus sugarcane estate, 75 kilometers north of Maputo. The Pilot is layered over two livelihoods-oriented projects funded by the European Union (EU) that are currently operating in the same floodplain area: the Maragra Smallholder Sugarcane Development Project (MSSDP) and the Maragra Sugarcane Outgrowers Capacity Building Project (MSOCBP). Together, the two EU projects are rehabilitating existing flood protection infrastructure and building new drainage and pumps infrastructure. The EU projects have also established partnerships between Maragra and several farmer associations and are expanding the number of sugarcane outgrowers and the amount of outgrower-produced sugarcane for milling at the Maragra estate.

## Development Hypothesis

USAID believes that if companies appropriately apply the AF as part of their land investment, acquisition, and management activities, then private business capacity to identify and understand individual and

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<sup>1</sup> Team lead Management Systems International (MSI), in partnership with Development and Training Services, a Palladium company; and NORC at the University of Chicago, implements the E3 Analytics and Evaluation Project.

<sup>2</sup> See: <http://www.fao.org/nr/tenure/voluntary-guidelines/en/>.

<sup>3</sup> See: [https://www.growafrica.com/sites/default/files/Analytical-framework-for-land-based-investments-in-African-agriculture\\_0.pdf](https://www.growafrica.com/sites/default/files/Analytical-framework-for-land-based-investments-in-African-agriculture_0.pdf).

community land tenure risks will improve, and firms will be more likely to adopt approaches to avoid these risks, which will also mitigate risks in affected communities. USAID also expects investor application of the AF to lead to outcomes for individuals and communities affected by land-based investments that are more inclusive and positive, including eventual improved tenure security and lower perceived risk of land expropriation by individuals within affected communities, as well as reduced land disputes.

## Evaluation Purpose and Intended Uses

USAID/E3/LU commissioned this evaluation to examine how the application of the AF affects community perceptions and actions as they relate to land management, tenure security, and local community views of and engagement with private sector investors. USAID will use this evaluation to inform the design and implementation of future land tenure and investment-related activities and to improve the AF's facilitation with private sector firms. As one of the first evaluations of the AF's implementation, the evaluation will be a tool for USAID, Cloudburst, private sector partners, other donors, and businesses in the land sector to learn about how the implementation of the AF's different components affects firms and community members.

## Evaluation Questions

The evaluation answers the following evaluation questions (EQs) per USAID's Statement of Work:

1. How has community participation in AF-guided activities under the Pilot affected how community members perceive and engage with land-based investor companies and schemes?
2. To what degree have community-level objectives of the AF-guided activities under the Pilot been achieved, and what explains where successes, failures, or unanticipated effects have occurred?
3. How well do the AF-guided activities under the Pilot meet underlying challenges and the needs of communities with respect to participation in or locational proximity to new or existing land-based investment schemes?
4. What are the lessons learned from the AF-guided activities under the Pilot that can inform future application and dissemination of the AF to better achieve intended community-level objectives?

## Evaluation Design and Methodology

This performance evaluation takes a non-experimental approach to explore correlations between Pilot activities and outcomes of interest for land users in the Pilot zone, using qualitative pre–post analysis. Baseline data collection represents the pre-pilot conditions while endline data collection after Pilot activities conclude is indicative of the post-pilot timeframe. This design was developed iteratively in coordination with USAID, and with input from Cloudburst, to find the best way to assess Pilot outcomes within the budget and timeframe available.

The evaluation design has some key limitations and sources of bias, including:

- The design cannot definitively attribute reported impact to the Pilot, and the ability to mitigate this issue is limited. However, the design deploys a pre–post approach wherein questions asked at baseline and endline during group discussions (GDs) aim to help capture information on potential confounding factors.

- Response bias: There may be bias in the responses that respondents give because of an expectation that the evaluation team is looking for a certain type of answer. The evaluation team crafted its GD guides and ensured that GD facilitation was oriented to minimize response bias, and used response coding during analysis to identify if and when response bias may be an issue.
- Recall bias: Some evaluation topics, such as disputes or perceptions about specific actors, may be difficult for respondents to remember accurately as time passes. Follow-up interviews, well-crafted interview templates, appropriate follow-up questions, and the use of secondary data will help the evaluation team mitigate these challenges.
- Selection bias: Respondents willing to share their views may not be representative of Pilot participants or may be different in key observable and unobservable ways. The evaluation team sought to choose respondents with various experiences and roles for data collection, but the evaluation's nonrandom design cannot rigorously control for selection bias.

The evaluation uses three data collection methods:

- Desk review of implementing partner (IP) performance reports, other available Pilot documents, and IP monitoring and evaluation data, which will be conducted as part of the evaluation's endline analysis;
- GDs at baseline and endline with land users in the Pilot zone; and
- Key informant interviews (KIIs) with farmer cooperative and association leaders, government administrative staff, and Pilot and EU project liaisons, also conducted at baseline and endline.

Baseline data collection occurred from June 12 to June 16, 2017 in Manhiça District, Mozambique. The baseline research aimed to capture the experiences and perspectives of floodplain farmers in the Pilot zone to understand the baseline context around the following issues: land use, tenure security, land disputes and dispute resolution processes, and land mapping and certification, and their linkages to farmer engagement, interest, and benefits from land-based investment opportunities.

The evaluation team conducted 8 GDs for the baseline, including four in each of two selected Pilot zones. These 8 GDs comprised 130 participants (49 men and 81 women) ranging from 18 to 91 years old. The team also conducted six semi-structured KIIs with farmer cooperative and association leaders, and local government administrative staff. KII respondents largely corroborated GD data and, in some cases, the key informants also participated in the GDs.

## Baseline Findings by Evaluation Themes

Because the overarching objective of the baseline data collection was to understand the context and conditions related to evaluation outcomes before the start of Pilot activities, this report organizes baseline findings by key outcome themes and subthemes. Table 1 summarizes key baseline findings by these themes and indicates their connection to the EQs that will be answered in the final evaluation report.



**TABLE I: SUMMARY BASELINE FINDINGS BY THEMES**

Baseline Theme	Related EQs	Baseline Findings
Background Context on Land Acquisition and Use in Pilot Zones	Background, EQ 3	<ul style="list-style-type: none"> <li>• Familial land inheritance and customary, undocumented land use rights were widely reported.</li> <li>• Farmer associations help protect against and resolve land disputes, enable greater productivity and food security, and disseminate information related to sugarcane outgrowing and Maragra.</li> <li>• No differences were found between South and Central Zone respondents or between EU-supported sugarcane outgrower project participants and nonparticipants.</li> </ul>
Pilot Program Awareness and Prior Land Mapping Experiences	EQ 1	<ul style="list-style-type: none"> <li>• All GD respondents were aware of the Pilot.</li> <li>• Understanding of Pilot activities varied, but GDs revealed knowledge of Pilot support for 200 Law of Use Rights and Tenure (DUAT) titles.</li> <li>• Forty-four percent of GD respondents, including EU project participants and nonparticipants, reported prior land mapping experience, often due to mapping of collective farmer association land, or individual parcels through the EU project.</li> <li>• GD respondents were often unaware of their parcel size and had no individual documentation, despite prior mapping.</li> </ul>
Land Documentation, Disputes and Tenure Security	EQ 2	<ul style="list-style-type: none"> <li>• GD participants overwhelmingly had no formal land documentation, either as individuals or collectively as a farmer association.</li> <li>• All GD participants saw DUATs as protection against expropriation.</li> <li>• Ten percent of GD respondents (N = 13) had been directly involved in a land dispute, and overall their perceived tenure security was low.</li> <li>• GD participants most commonly cited familial, association-leader, and outsider (both Mozambican and foreign) land disputes and expropriation.</li> <li>• GD participants saw poverty and associated powerlessness, lack of DUAT titles, and presence of uncultivated land held by customary land users as underlying drivers of land disputes.</li> <li>• Dispute resolution is often attempted via informal processes; GD participants indicated widespread mistrust in formal resolution mechanisms.</li> <li>• GD participants revealed that women are commonly disenfranchised of their land rights.</li> </ul>
Sugarcane Outgrowing Participation and Maragra Engagement	EQ 1, EQ 3, EQ 4	<ul style="list-style-type: none"> <li>• None of the EU project participants in the GDs had yet harvested their cane or received payments from Maragra for the recently concluded growing season, which was also most participants' first year as outgrowers.</li> <li>• GD respondents expected that outgrowing would lead to a higher standard of living through sugarcane income.</li> <li>• Non-EU project participants have no relationship with Maragra and little expectation of engagement.</li> <li>• Non-outgrower GD participants expressed insufficient outgrower information or reluctance to move away from food crop production because of consumption and income smoothing concerns. Others are prevented from participation because of ongoing land disputes or insufficient soil quality for sugarcane production.</li> </ul>

# Conclusions

## Key Conclusions

Based on the baseline findings, the evaluation team concluded the following:

- Local resident land users have similar histories of land acquisition and use in the Pilot zone, which is also strongly linked to the formation of farmer associations.
- Farmer associations are critical for upholding customary claims, which account for nearly all land claims in the Pilot zone by local residents and are generally viewed as protecting members from land expropriation.
  - Despite this, Pilot zone respondents have weak tenure security because of the common occurrence of land expropriation, and opaque land allocation and dispossession by powerful elites, local leaders, and foreigners.
- Women appear to be more vulnerable to land expropriation than men are and are commonly targeted in the Pilot zone.
- Potential beneficiaries had high awareness of the Pilot at baseline, and GD participants expressed strong interest in participating in the Pilot.
- Farmer uncertainty over potential sugarcane outgrower benefits was common, and there were few perceived linkages at baseline between formal land documentation and a farmer's ability to engage with Maragra as an outgrower.

## Implications for Pilot Implementation

The baseline findings highlight the following important considerations that may be relevant for Pilot implementation:

- **Tenure Security:** GDs revealed that government administrative offices, which may be involved in titling and approval, are viewed as complicit in nontransparent land allocation and expropriation. This could complicate or present challenges to implementation processes or the potential effectiveness of some of the planned Pilot activities.
- **DUAT titles:** Farmers' interest in the Pilot appears to be driven largely by their interest in obtaining DUAT titles and obtaining help in resolving the threat of land challenges. This speaks to the Pilot's strong relevancy, but also raises the possibility for unmet expectations at endline for those participants who will not receive a DUAT title.
- **Mapping:** The Pilot's land mapping and documentation of customary land rights activities may provide an added benefit to land users in the Pilot zone and strengthen their tenure security. However, the nature of land expropriation described at baseline, in which local land users appear vulnerable to dispossession by wealthier, more powerful individuals, raises some concern about the extent to which Pilot-issued certificates may provide protection from competing land claims. The Pilot may be well placed to provide important learning on the extent to which a Pilot-issued certificate attesting to a user's customary rights can mitigate some of the tenure security concerns in the Pilot zone.
- **Outgrowing:** The potential role of Pilot activities in helping land users become sugarcane outgrowers is less clear at baseline, given that many land users in the Pilot zone have been able to engage with Maragra as sugarcane outgrowers through the EU-supported outgrower project without formal land documentation. Baseline data also provided an indication that lack of information about how outgrowing projects would operate and low certainty about income potential are deterrents for some land users in the Pilot zone. Additional outgrower sensitization efforts and outreach around the process may help to overcome such concerns.

## **Learning and Recommendations for Evaluation Approach and Qualitative Data Collection at Endline**

Baseline data collection confirmed that the evaluation's approach to obtaining information for answering the EQs is viable. Baseline data collection and findings highlighted the following sampling issues that should be revisited during endline data collection planning to ensure fidelity to evaluation goals:

- Association leaders were good points of contact at baseline to help the evaluation team reach members of different farmer associations, and they assisted in scheduling GDs around the weekly workdays that each association holds. This approach should be maintained at endline as the most logistically feasible way to bring GD participants together from their diverse localities.
- Endline data collection should aim for mixed-gender GDs, rather than attempting to maintain gender-segregated GDs. For respondents and the evaluation team, this can ease logistical difficulties associated with the need to coordinate and schedule the GDs in the block meeting areas far from respondents' homes, and around association workdays and times.
- GD recruitment should be conducted at endline using Terra Firma's Pilot participant database, monitoring and evaluation data, and any farmer association contact information lists developed during the Pilot.
- The two planned GDs with Pilot- and outgrower-ineligible farmers from localities near the Pilot zone may need to be replaced with two GDs with Pilot beneficiaries or with non-beneficiaries who have land in the Pilot zone.

# INTRODUCTION

This report presents findings and conclusions from baseline data collection for the performance evaluation of the United States Agency for International Development’s (USAID’s) Public-Private Partnership for Responsible Land-Based Investment Pilot (“the Pilot”). The Office of Land and Urban in USAID’s Bureau for Economic Growth, Education, and Environment (USAID/E3/LU) commissioned the evaluation, and the E3 Analytics and Evaluation Project designed and is implementing it.<sup>4</sup>

## Activity Description

In 2012, the Committee on World Food Security adopted the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Security (“Voluntary Guidelines”). This international soft law “promotes secure tenure rights and equitable access to land, fisheries, and forests as a means of eradicating hunger and poverty, supporting sustainable development, and enhancing the environment.”<sup>5</sup> Almost 100 nations agreed to the Voluntary Guidelines. To provide practical guidance to private sector investors regarding how they can comply with the Voluntary Guidelines, the United States, French, German, and British governments; the United Nations Food and Agriculture Organization; and the African Union collaboratively produced the Analytical Framework for Land-Based Investments in African Agriculture (the AF).<sup>6</sup> The AF consolidates existing guidance on responsible land-based investment into a succinct framework. The Global Donor Working Group on Land endorsed the AF in October 2015. The AF provides guidance for companies to align with international best practices while reducing potential risks to their investments. Despite consensus on tenure risks and beneficial mitigation measures outlined in the AF, there is little evidence that the private sector is incorporating the AF into investment due diligence and project development.

USAID/E3/LU tasked the Cloudburst Group (“Cloudburst”), through the Evaluation, Research, and Communications task order under the Strengthening Tenure and Resource Rights indefinite quantity contract (#AID-OAA-I-12-00030), to pilot utilization of the AF with private sector partners. The Pilot is one of the first attempts to study how implementation of different components of the AF affects private firms’ investment, including investment decision-making and operational planning, land rights, tenure security, and firm relations in affected communities. Cloudburst is implementing the Pilot from approximately December 2016 to March 2018 in Mozambique and at least one other country. Cloudburst ran a co-creation process through which it selected the Indufor/Moringa/Illovo consortium to implement the Pilot, and this includes Terra Firma as a subcontractor (and other partners as needed). In Mozambique, Indufor and Terra Firma are collaborating with Illovo Sugar Limited through its local subsidiary Maragra Açúcar Limited to implement the Pilot in a series of rehabilitated floodplain zones near the Maragra nucleus sugarcane estate, 75 kilometers north of Maputo.

Because the AF is applicable at different investment stages and can be adopted midway through the investment cycle, Pilot activities in each country will focus on different components of the AF’s five stages. In Mozambique, Pilot activities will cover elements of Stages 1 (Due Diligence), 2 (Participation, Consultation, and Negotiations), 3 (Grievance Mechanism-Dispute Resolution) and 4 (Transparency and

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<sup>4</sup> Team lead Management Systems International (MSI), in partnership with Development and Training Services, a Palladium company; and NORC at the University of Chicago, implements the E3 Analytics and Evaluation Project.

<sup>5</sup> See: <http://www.fao.org/nr/tenure/voluntary-guidelines/en/>.

<sup>6</sup> See: [https://www.growafrica.com/sites/default/files/Analytical-framework-for-land-based-investments-in-African-agriculture\\_0.pdf](https://www.growafrica.com/sites/default/files/Analytical-framework-for-land-based-investments-in-African-agriculture_0.pdf).

Corruption).<sup>7</sup> Other potential Pilot implementation sites may include activities guided by different stages of the AF.

## Pilot Implementation in Mozambique

The Mozambique portion of the Pilot includes three main components:

1. A land rights and pilot participation sensitization period, followed by initial assessment and registration of Pilot beneficiaries;
2. Land mapping and parcel registration; and
3. Provisioning one or two types of documents to confirm land use rights: a Pilot-issued document known as a “certificate of proof of acquisition of Law of Use Rights and Tenure (DUAT) rights,” which will be issued to all interested Pilot beneficiaries; and, for a subset of beneficiaries, support for obtaining a DUAT title, which confirms the holder’s right to use and benefit from the land according to Mozambique’s Land Law of 1997. According to the Pilot design, the Pilot-issued certificate is suggested to be a legal equivalent to the DUAT title for the purposes of establishing a landholder’s DUAT rights to the land per Mozambique’s Land Law.<sup>8</sup> However, it is not a government-issued document.

The Pilot will also likely include a fourth activity to establish a grievance mechanism to resolve land disputes.

Cloudburst, as the prime contractor, will perform contractual oversight of Indufor and may provide technical guidance and assistance with due diligence, community engagement, the grievance mechanism, and mapping the Pilot’s components.

Cloudburst will also play a monitoring and data collection role in the Pilot, including developing case studies, communications materials, and success stories, and collecting monitoring data from the participating firms through Indufor. Performance indicators for the Pilot include a focus on changes in capacity and knowledge of due diligence steps to mitigate land



Discussion with sugarcane outgrower participants during baseline data collection. *Photo credit: Lauren Persha.*

tenure risk on the part of land-based investors participating in Pilot activities. For communities in Pilot areas, performance indicators include tracking the number of parcels, land area, and number of households that have land rights mapped and recorded by the Pilot. The number of DUAT title

<sup>7</sup> The Mozambique Pilot may also set up a transparent grievance mechanism for outgrowers. This activity will likely occur toward the end of Pilot implementation. The fifth stage of the AF is Food Security, Human Rights, Environmental Sustainability, and Local Capacity Building, which is not formally part of the Mozambique Pilot.

<sup>8</sup> This is because Mozambique Land Law of 1997 states that a DUAT can be acquired through one of the following three ways: (1) local community occupation governed by customary law; (2) good faith occupation after using the land for at least 10 years without objection; or (3) adjudication and allocation of a 50-year lease by the state (van den Brink 2008).

applications filled out by producer associations and the number of households with formalized land rights in the Pilot area will also be collected as part of Pilot monitoring and evaluation activities.

## European Union Project Overlap

The Pilot is layered over two livelihoods-oriented projects funded by the European Union (EU) that are currently operating in the same floodplain area: the Maragra Smallholder Sugarcane Development Project (MSSDP) and the Maragra Sugarcane Outgrowers Capacity Building Project (MSOCBP). Together, the two EU projects are rehabilitating existing flood protection infrastructure and building new drainage and pumps infrastructure. The EU projects have also established partnerships between Maragra and several farmer associations and are expanding the number of sugarcane outgrowers and the amount of outgrower-produced sugarcane for milling at the Maragra estate. As part of the EU-funded outgrower support, project beneficiaries are also provided with the following services during the lifetime of the EU project: technical and management support for sugarcane production (including cane establishment, weeding, and farm management extension services); subsidized fertilizer and other inputs; and harvesting and transport services during the harvest period, including transporting the cane to the Maragra mill, where it is processed into sugar. Farmers are paid for the sugar obtained from their cane. Because the sugar content in the cane begins to drop on harvest, the timing of cane harvest and transport are important for maximizing farmer income.

The role of Maragra in the implementation of the Pilot largely includes participating in the Pilot design and launch, providing staff to assist in Pilot implementation (such as mapping plots), providing input to Cloudburst's case studies and communications materials about the Pilot, and purchasing sugarcane from any floodplain farmers who are eligible and choose to participate in both EU and Pilot implementation activities.

## Pilot Implementation Zones

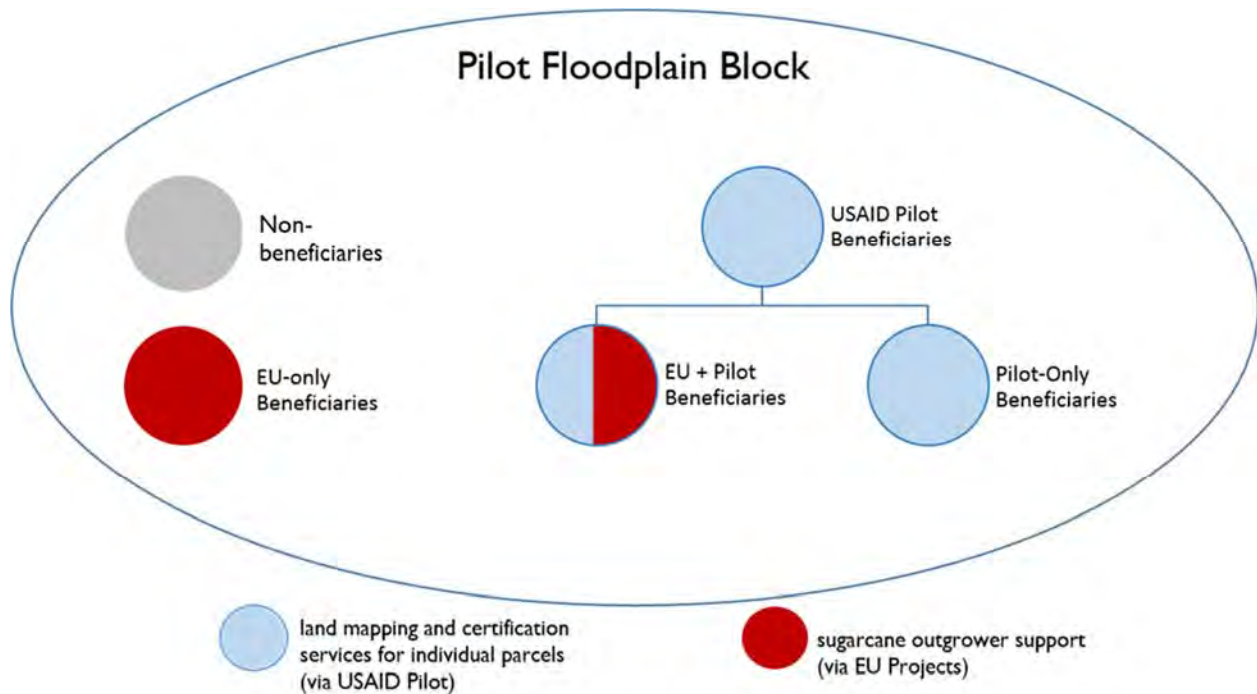
The Pilot and EU projects are being implemented in several discrete, low-lying floodplain areas (locally known as "blocks") that landholders from neighboring localities have historically used for subsistence and small-scale commercial farming of a variety of crops. However, many landholders have abandoned farming recently because of poor drainage and frequent flooding, which resulted in a high risk of crop loss in any given year.

The overlap of donor-supported activities in the Pilot zones has some implications for this evaluation with respect to potential Pilot beneficiaries. First, although the Pilot is wholly operating in a subset of six floodplain blocks under the EU-funded projects, not all individuals with land in these blocks are participating in the EU-funded projects. Second, nonparticipants in the EU projects may consist of individuals who were not interested in participating or were not eligible (e.g., because they did not have a personal identification document or had an unresolved dispute on their parcel). Third, participation in the Pilot (i.e., receipt of land mapping and certification services) is open to any interested land user in the Pilot blocks, regardless of their EU project participation. However, most of the sugarcane outgrowers in the Pilot blocks are EU project beneficiaries. This means that parcels in a given Pilot block that are planted under sugarcane for the 2016–2017 farming season are held by individuals or farmer associations that are EU-project beneficiaries, most of which were newly contracted during the 2016–2017 farming season as outgrowers for Maragra through the EU project support.<sup>9</sup>

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<sup>9</sup> Sugarcane outgrowers during the 2016–2017 farming season primarily consist of EU project beneficiaries. Pilot activities may facilitate other parcel holders to be eligible for such types of outgrowing schemes with Maragra in the future because the DUAT title of Pilot-issued certificate equally meets Maragra's criteria to establish the landholder's right to the land prior to engaging in an outgrower contract.

**FIGURE 1: ILLUSTRATION OF PILOT BENEFICIARIES**



## Mozambique Land Context

In the aftermath of Mozambique’s 17-year civil war, the National Assembly approved a national land law that sought to clarify land rights for men and women, as well as lay the foundation for investment.<sup>10</sup> Hailed for its participatory process, the 1997 land law asserts the state’s ownership of all land within the country, but clarifies “the right of land use and benefit” for individuals, communities, and companies, also commonly known as a DUAT right.<sup>11</sup> Land use rights may be obtained through customary occupancy, but may also be certified through a DUAT title document, which may be issued individually or jointly. Although the state retains ownership of land throughout Mozambique, DUAT titles can be sold or transferred between individuals to allow for investment, clarification of tenure, and inheritance.<sup>12</sup> DUAT titles are issued through a costly and time-consuming bureaucratic process, but the law provides that the right to use and benefit from land may be acquired through any of the following three means:

- Individual or community occupancy “in accordance with customary norms and practices which do not contradict the Constitution.”
- Occupancy by individuals “who have been using the land in good faith for at least 10 years.”
- Authorization of an application submitted according to procedures established by the law.<sup>13</sup>

<sup>10</sup> Tanner, Christopher. "Land Rights and Enclosures: Implementing the Mozambican Land Law in Practice." In *The Struggle Over Land in Africa: Conflicts, Politics, and Change*, edited by Ward Anseeuw and Chris Alden, Chapter 6. Cape Town, South Africa: HSRC Press, 2010.

<sup>11</sup> Tanner, Christopher. "Law-Making in an African Context: the 1997 Mozambican Land Law." *FAO Legal Papers Online* #26. March 2002.

<sup>12</sup> *Land Tenure, Housing Rights and Gender in Mozambique*. United Nations Human Settlements Programme (UN-HABITAT), 2005.

<sup>13</sup> [Mozambique Land Law, No. 19/97, Article 12.](#)

Individuals or joint land users may acquire a DUAT title, in which their right to use and benefit from the land is legally affirmed, through an application as specified in the third point. However, the law also specifies that the absence of a DUAT title does not prevent individuals from acquiring land rights through either of the two occupancy means outlined above, and should not present a disadvantage for individuals who only have occupancy rights rather than a formal DUAT title. Furthermore, the law states that proof of an individual's or a community's right to land use may be provided by a DUAT title or by testimonials provided by community members, in addition to other evidence permitted by the law.<sup>14</sup>

Despite these various means for acquiring land use rights under the law, individuals may view the DUAT title as a stronger affirmation of their land claim. The government is expected to process DUAT title applications within 90 days of receipt. In practice, however, many rural smallholder farmers are unfamiliar with the land laws and regulations for securing their land tenure rights.<sup>15</sup> The institutional capacity of local authorities to address DUAT title applications and conduct the associated land survey is often limited, with varied understanding of how to interpret, enforce, and facilitate implementation of land regulations.<sup>16</sup> This situation, along with institutional financial constraints, can also leave individuals in local communities, including women and other vulnerable populations, at particular risk for outright land expropriation and rent-seeking behavior by officials within the titling bureaucracy, or otherwise introduce barriers for community members to effectively assert their land claims and obtain a DUAT title.<sup>17</sup> A 2013 study<sup>18</sup> found that beyond the capacity and financial constraints to obtaining DUAT titles by land users, the procedures for obtaining a DUAT title are often unclear. In addition, the regulations for maintaining use rights to the land once a DUAT title is obtained are also open to interpretation and are often applied subjectively. For example, land expropriation events have been documented for those with legally recognized DUAT claims in cases where the state determined that the DUAT holder was not abiding by an agreed land use plan.<sup>19</sup>

## Manhiça Municipality Overview

The Pilot is implemented in Manhica District, a small district in Maputo Province. The primary town in the district, Manhica municipality, is about 80 kilometers from Maputo and easily accessible from the capital by the country's paved national road network. The district had a population of 157,642 inhabitants, according to the most recent population census conducted in 2007. By 2012, the population was projected to grow by about 36 percent to an estimated 214,751 residents. Actual growth appears to have exceeded projections, and a 2013 study by the National Statistics Institute listed the District population at 245,829. Data from the 2007 census show that Manhica's population is skewed toward youth, with nearly 70 percent of residents under age 30 (see Figure 2).<sup>20</sup>

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<sup>14</sup> [Mozambique Land Law, No. 19/97, Articles 13 and 15.](#)

<sup>15</sup> *Mozambique—Property Rights and Resource Governance Profile*. USAID. 2011.

<sup>16</sup> Van Den Brin, Rogier J. E. "Land Reform in Mozambique." World Bank Agriculture & Rural Development Notes, Issue 43, World Bank, Washington, DC, December 2008.

<sup>17</sup> International Federation for Human Rights, *Women's Rights in Mozambique: Duty to end illegal practices*, May 2007, no. 474/2, available at: <http://www.refworld.org/docid/46f146890.html> [accessed 17 July 2017]. Also, *Mozambique—Property Rights and Resource Governance Profile*. USAID. 2011.

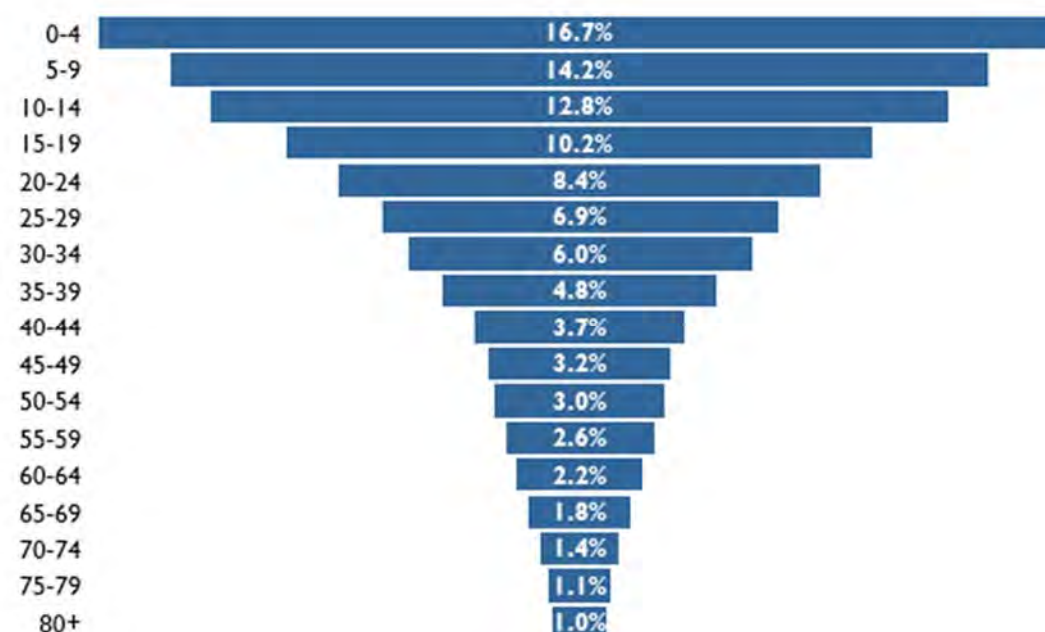
<sup>18</sup> "OECD Investment Policy Reviews: Mozambique." Organization for Economic Cooperation and Development. October 2013.

<sup>19</sup> *Ibid.*

<sup>20</sup> "III Recenseamento Geral da População e Habitação," 2007 Indicadores Socio-Demográficos Distritais - Maputo Província. <http://www.ine.gov.mz/estatisticas/estatisticas-demograficas-e-indicadores-sociais/populacao/relatorio-de-indicadores-distritais-2007/indicadores-socio-demograficos-distritais-2007-maputo-provincia/view>. [accessed 17 July 2017]. Updated figures from a 2013 study by the National Statistics Institute show the District population at 245,829; see *Estatísticas Distritais (Estatísticas do Distrito de Manhiça)*. <http://www.ine.gov.mz/estatisticas/estatisticas-territorias-distritais/maputo-provincia/novembro-de-2013/manhica.pdf/view>.



**FIGURE 2: 2007 CENSUS AGE DISTRIBUTION FOR MANHICA DISTRICT**



The 2007 census also indicated that most Manhica residents (59.2 percent) are engaged in agriculture and live in “mixed housing” (*casa mista*), i.e., constructed with a mix of durable materials such as bricks and zinc roofing and plant materials such as palm leaves. The district has somewhat low literacy (especially for women) and low levels of education, with 51.2 percent of women and 20.9 percent of men over age 15 identified as functionally illiterate, and 70 percent of the population reported as having no schooling.<sup>21</sup>

Regarding land context, 2010 National Statistics Institute data show 30,946 small- and medium-size farms and 23 large farms in the District over a cultivation area of 74,077 acres.<sup>22</sup> Comprehensive data on DUAT holders in Manhica are not available through the national census or National Statistics Institute studies, but general summaries of DUAT prevalence note that it is low for individual households.<sup>23</sup>

## Development Hypothesis

USAID believes that if companies appropriately apply the AF as part of their land investment, acquisition, and management activities, then private business capacity to identify and understand individual and community land tenure risks will improve, and firms will be more likely to adopt approaches to avoid these risks, which will also mitigate risks in affected communities. USAID also expects investor application of the AF to lead to outcomes for individuals and communities affected by land-based investments that are more inclusive and positive. Within communities, USAID believes that firms’ use of the AF will lead to improved perceptions of investor companies, improved relations with and participation in land-based investment schemes on the part of community members, and individuals or communities as a whole having more participatory input over land use and investments than when companies implement land-based investments without following AF guidance. In turn, USAID expects

<sup>21</sup> 2007 Indicadores Socio-Demográficos Distritais - Maputo Província, pp. 18-20.

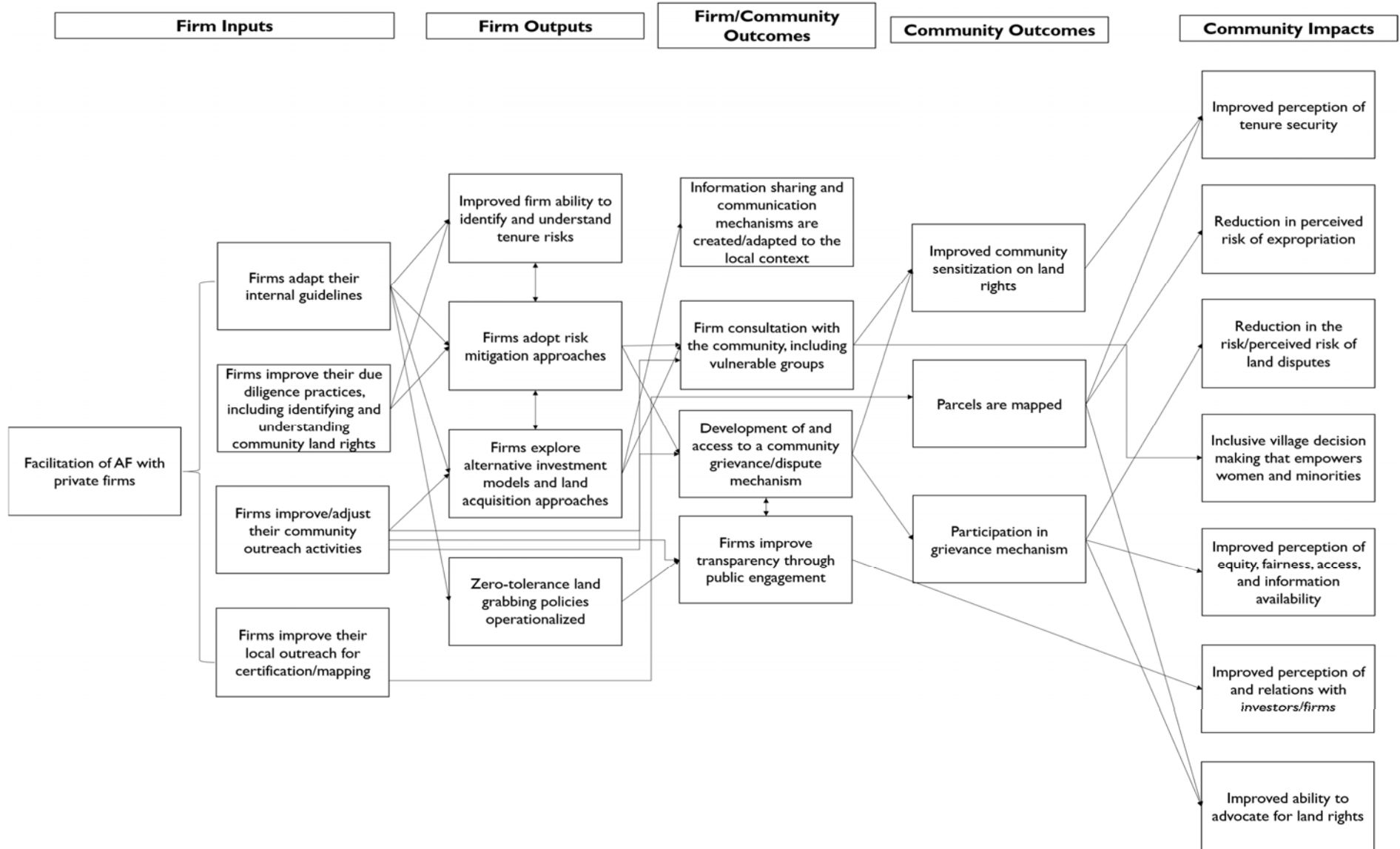
<sup>22</sup> Estatísticas Distritais (Estatísticas do Distrito de Manhica ), p. 26.

<sup>23</sup> Mozambique—Property Rights and Resource Governance Profile. USAID. 2011. [https://www.land-links.org/wp-content/uploads/2016/09/USAID\\_Land\\_Tenure\\_Mozambique\\_Profile.pdf](https://www.land-links.org/wp-content/uploads/2016/09/USAID_Land_Tenure_Mozambique_Profile.pdf).

that this will lead to improved tenure security and lower perceived risk of land expropriation by individuals within affected communities, as well as reduced land disputes.

Figure 3 shows a detailed theory of change (TOC) for the overall Pilot. Each part of the TOC presents activities that take place within the context of land practices and the AF recommendations. The TOC presents firm outcomes, community outcomes, and cross-cutting community-firm outcomes to show areas where firm and community activities overlap. For example, firm consultation with community members, including vulnerable groups, is an outcome for firms that adjust their community outreach efforts as part of the AF, as well as for the community with which the firm consults and engages.

**FIGURE 3: PILOT THEORY OF CHANGE**



# PURPOSE, AUDIENCE, AND INTENDED USES

## Purpose

USAID/E3/LU commissioned this evaluation to examine how the application of the AF affects community perceptions and actions as they relate to land management, tenure security, and local community views of and engagement with private sector investors. Therefore, this evaluation focuses on Pilot outcomes for individuals within communities affected by land-based investments. The data collected for this evaluation will also complement Pilot data collection and reporting that Cloudburst will perform on the participating firms' experiences using the AF by providing information on the individual perspectives and experiences with the Pilot among land users within affected communities.

## Audience

USAID/E3/LU, USAID/Mozambique, the Pilot implementing partners (IPs), and the private sector firms involved with the Pilot are the primary audiences for the evaluation results. Key secondary audiences of the evaluation results include the broader donor community — particularly those working on land policy and investment — as well as private sector firms that may adapt the AF into their operations.

## Intended Uses

USAID will use this evaluation to inform the design and implementation of future land tenure and investment-related activities, and to improve the facilitation of the AF with private sector firms. As one of the first evaluations of the AF's implementation, the evaluation will be a tool for USAID, Cloudburst, the private sector partners, other donors, and businesses in the land sector to learn about how the implementation of the AF's different components affects firms and community members. This includes learning contributions on whether and how the AF helps to reduce land tenure risks and facilitates positive outcomes within affected communities. The evaluation will serve as a platform for disseminating the results to other potential investors looking for ways to improve their due diligence and community engagement practices through the AF.

# EVALUATION QUESTIONS

The evaluation will answer the following evaluation questions (EQs), which are identical to those in USAID's approved statement of work (see Annex A):

1. How has community participation in AF-guided activities under the Pilot affected how community members perceive and engage with land-based investor companies and schemes?
2. To what degree have community-level objectives of the AF-guided activities under the Pilot been achieved, and what explains where successes, failures, or unanticipated effects have occurred?
3. How well do the AF-guided activities under the Pilot meet underlying challenges and the needs of communities with respect to participation in or locational proximity to new or existing land-based investment schemes?
4. What are the lessons learned from the AF-guided activities under the Pilot that can inform future application and dissemination of the AF to better achieve intended community-level objectives?

In addition to these EQs, several lines of inquiry (provided in Annex E) guide data collection and analysis to better understand how the Pilot affects local communities.

## EVALUATION DESIGN AND METHODOLOGY

This evaluation takes a non-experimental approach to explore correlations between Pilot activities and outcomes of interest for land users in the Pilot zone, using a simple pre–post analysis. This type of evaluation can provide details about activity processes, general relationships between Pilot inputs and outputs, and beneficiary perceptions, but it cannot definitively attribute outcomes to the Pilot activities. The evaluation utilizes qualitative data collected from a diverse set of participants in group discussions (GDs) and key informant interviews (KIIs) at baseline and endline. In addition, the evaluation team will review secondary data from Pilot implementation documents, monitoring data, and reports and incorporate them into the analysis at endline. Little Pilot documentation was available at the time of baseline data collection, so any secondary data will be incorporated into the endline process.

Baseline data collection aims to capture experiences and perspectives of floodplain farmers in the Pilot zone to understand the baseline context around the following issues: land use, tenure security, land disputes and dispute resolution processes, and land mapping and certification, and their linkages to farmer engagement, interest and benefits from land-based investment opportunities (sugarcane outgrowing for the Maragra estate, specifically in the Mozambique Pilot). The evaluation’s aim is to understand the Pilot’s effect on land users in the Pilot zone across these and related sub-issues and draw lessons for future implementation.

### Data Collection Methods

Baseline data collection took place from June 12 to June 17, 2017 in Manhiça District, Mozambique. The evaluation team used two data collection methods at baseline: (1) GDs with land users in the Pilot zone and (2) KIIs with farmer cooperative and association leaders, government administrative staff, and Pilot and EU project liaisons.

### Group Discussions

The evaluation team conducted eight GDs at baseline: four in each of two selected Pilot zones. These GDs comprised 130 participants (49 men and 81 women), ranging from 18 to 91 years old). GDs were organized with the assistance of farmer association leaders in each of the two sampled Pilot zones and stratified by Pilot zone and participant status in the current EU project that is also operating in the Pilot zone. GD participants consisted of farmers who used land in the Pilot zone.

Table 2 summarizes the target GD respondent categories and Annex D presents additional GD participant details at baseline and demographic summaries. The evaluation team aimed to stratify the GDs by gender and maintain a cap of 15 participants per GD. In one case, the discussion was held with a larger group of participants and in a mixed-gender setting (about 40 people, with 15 men and women selected by the group to be active participants in the discussion and the rest as observers) because of a miscommunication with farmer association representatives about the GD scheduling.<sup>24</sup>

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<sup>24</sup> This was initially planned as two separate GDs with male and female farmer association members. However, because members of both groups arrived for discussion at the same time slot, the evaluation team proceeded with a mixed-gender discussion rather than ask some individuals to wait for the first discussion to conclude, to minimize the burden on respondents.

A Mozambican moderator from the evaluation team conducted the GDs in Shangaan, the local language predominantly spoken in the Pilot zones. All GDs were held outside at common access points to each of the sampled floodplain blocks in the Pilot zone because these are typical meeting points for farmers with land in each of the respective floodplain areas. Semi-structured instruments with specific questions organized by theme were used to guide the discussion and are provided in Annex C.

In addition to the two categories of Pilot zone farmers outlined in the GD protocol, the evaluation team also aimed to hold GDs with farmers from neighboring localities that do not have any farmland in the Pilot or EU project blocks. This category was intended to provide additional context on land use issues and Pilot effects from residents near the Pilot zone who are not eligible for Pilot activities and cannot become outgrowers for Maragra because they do not have land in the Pilot zone (which is the only area with sugarcane growing potential). However, the evaluation team did not conduct GDs with this group at baseline because there were fewer of these individuals than anticipated and the team thus was not able to successfully recruit for this category. The team also learned that such individuals tend to have settled in the area more recently, they do not have the same generational ties to land that Pilot zone land users tend to have, or they are elderly and no longer farm for a living. Given these differences and their ineligibility for sugarcane outgrowing or Pilot activities, the evaluation team will revisit the utility of this respondent category at endline because replacing these GDs with two GDs with Pilot beneficiaries and non-beneficiaries could have greater benefits for the evaluation. Related data collection challenges at baseline and recommendations for endline data collection are discussed in this report's Conclusions section.

**TABLE 2: GD SAMPLE PER SELECTED PILOT ZONE (CENTRAL AND SOUTH)**

<b>GD Protocol Category at Baseline</b>	<b>Central Zone GDs</b>	<b>South Zone GDs</b>
1) Current sugarcane outgrowers (EU project beneficiaries) in Pilot blocks, disaggregated by gender. Each GD will comprise a mix of respondents who, at baseline, <sup>‡</sup> are: a) Interested in participating in Pilot services (likely beneficiaries of land mapping and DUAT title or certificate provisioning); or b) Not interested in participating in Pilot services (likely non-beneficiaries of land mapping and DUAT title or certificate provisioning)	Target: 2 Conducted at baseline: 2 (1 mixed-gender, 1 female)	Target: 2 Conducted at baseline: 2 (2 mixed-gender)
2) Non-sugarcane farmers (EU project non-beneficiaries) in Pilot blocks, disaggregated by gender. Each GD will comprise a mix of respondents who, at baseline, <sup>‡</sup> are: a) Interested in participating in Pilot services (likely beneficiaries of land mapping and DUAT title or certificate provisioning); or b) Not interested in participating in Pilot services (likely non-beneficiaries of land mapping and DUAT title or certificate provisioning);	Target: 2 Conducted at baseline: 2 (1 mixed-gender, 1 male)	Target: 2 Conducted at baseline: 2 (2 mixed-gender)
3) Farmers from localities adjacent to the Pilot zone who do not have land in any of the USAID or EU project blocks	Target: 1 mixed-gender Conducted at baseline: 0	Target: 1 mixed-gender Conducted at baseline: 0
<b>Total GDs by sampled zone</b>	Target: 5 Conducted at baseline: 4	Target: 5 Conducted at baseline: 4
<b>Total GD respondents by sampled zone</b>	Target: 40-60 Conducted at baseline: 60	Target: 40-60 Conducted at baseline: 70

<sup>‡</sup> GDs are constructed as above because at baseline, eventual participation in Pilot activities was unknown among potential beneficiaries, while EU project participation status is already known. Baseline data collection aims to establish current conditions at baseline, and therefore the evaluation team does not view this to be problematic. At endline, GD categories 1a and 2a will be comprised of Pilot beneficiaries, further stratified by DUAT title and

Pilot-issued certificate recipients. If needed, GDs will be held separately with these two types of Pilot beneficiaries at endline. At endline, GD categories 1b and 2b will be comprised of Pilot non-beneficiaries. In practice, it is preferable to hold separate GDs with Pilot beneficiaries and non-beneficiaries. GDs will be further disaggregated on this at endline. The evaluation team will disaggregate to the greatest extent possible within evaluation budget constraints for endline data collection.

## Key Informant Interviews

At baseline, the evaluation team conducted six KIIs with farmer cooperative and association leaders, and local government administrative staff. The interviews followed a semi-structured format to allow for follow-up questions and flexibility in the discussion’s evolution. The KII protocol was structured to gather background information about the context of areas adjacent to the Pilot zones, cash and food crop production in the area, land dispute and resolution processes, any prior land acquisition processes or outgrower schemes that previously affected land users in Pilot zones and/or local residents, and (at endline) the current implementation of the AF-guided Pilot activities from the respondent’s perspective and experience. Annex B provides the KII guide used at baseline. Baseline KIIs were focused on farmer cooperative and association leaders and local community and government officials, while endline KIIs will additionally draw on Pilot and EU project liaisons to share their experiences on project implementation. The evaluation team targeted conducting eight KIIs at baseline, but in two cases farmer association leader key informants joined the GDs instead.

## Site Selection

As shown in the map on the right, the Pilot is implemented in 6 of 11 rehabilitated floodplain blocks that are also under EU project implementation. These six blocks, known by the Pilot and local residents as Tanninga North, Tanninga South, Manhiça Municipality, Martins, Cambeve, and Munguine South, are divided into three Pilot zones: North (Tanninga North, Tanninga South), Central (Manhiça, Martins, Cambeve) and South (Munguine South). Pilot activities will be implemented with interested land users in each of these six blocks. Although many parcel holders in a given block reside in one of the small number of localities that are directly adjacent to the block, this is not always the case, and parcels may reside in any of several different surrounding localities. All the blocks are situated fairly close to the main highway traversing the area, are bordered by the Incomati River or a secondary channel on one side and a peri-urban set of localities on the other, and are easily accessible to Manhiça town and Maputo.

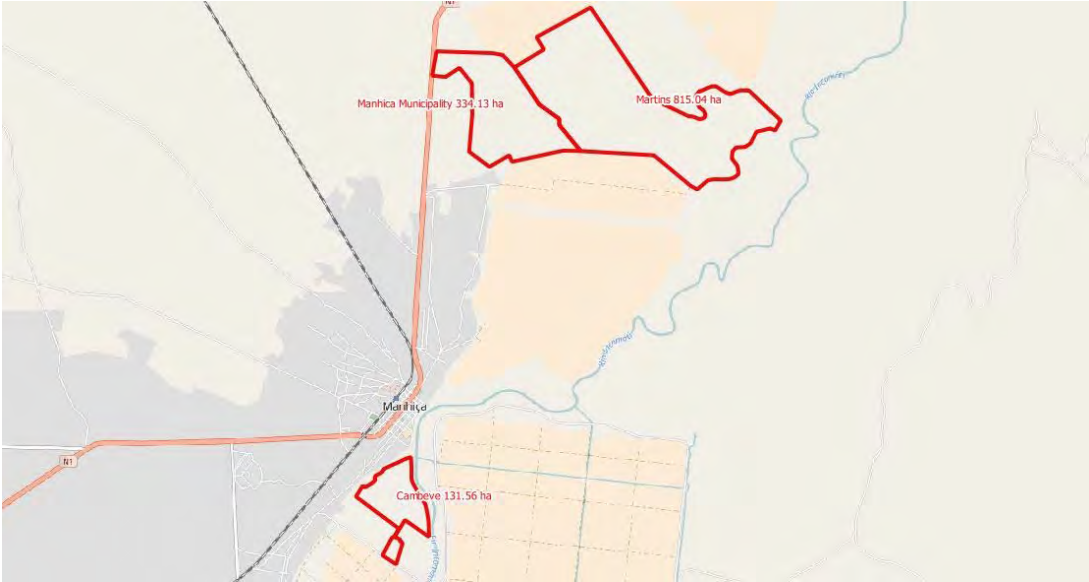
Given the evaluation design and somewhat limited scope of data collection that was feasible within the available budget, the evaluation team conducted the baseline data collection in two of the three Pilot zones. The evaluation team employed a purposeful sample of land users from the Central (Figure 4) and South (Figure 5) zones, together consisting of Manhiça Municipality,



(Map source: Terra Firma)

Cambeve, and Munguine South blocks. These two Pilot zones span a range of potentially relevant block and farmer characteristics present across all three zones, and land parcels in the blocks appear to be held predominantly by typical smallholders in the area. The blocks in the North zone, though not strongly divergent from the other two zones across many key characteristics, tend to have larger-than-average parcel sizes, according to some scoping trip interviews, and are located fairly close to a competitor sugarcane estate, Xinavane. The evaluation team drew its sample from the Central and South Pilot zones to avoid any potential confounding on issues of company practices or engagement and to help ensure that data are drawn from respondents representative of typical smallholders in the Pilot areas.

**FIGURE 4: MANHICA MUNICIPALITY, MARTINS, AND CAMBEVE BLOCKS IN CENTRAL PILOT ZONE**



**FIGURE 5: MUNGUINE SOUTH BLOCK IN SOUTHERN PILOT ZONE**



(Source for Figures 4 and 5: Terra Firma)



## Data Analysis

The evaluation team transcribed recordings from the eight GDs from Changaná or Portuguese into English. The team reviewed transcripts and notes from the GDs and KIIs and used them to identify major themes and subthemes for analysis. The team analyzed transcribed data from the GDs and KIIs using content analysis techniques, coding text according to key themes of interest across the KIIs and GDs. This included highlighting outlier responses and experiences to capture the range of feedback. Throughout the analysis phase, the team gave special attention to where male and female responses and experiences appeared to be parallel and where they differed.

The team conducted qualitative analysis on GD transcripts and KII notes using the MAXQDA data analysis software. The analysis process followed three main steps:

- Text organization: data organized and grouped by respondent type and location.
- Coding: data extracted with key quotes coded (described below).
- Analysis: data compared, contrasted, and assessed.

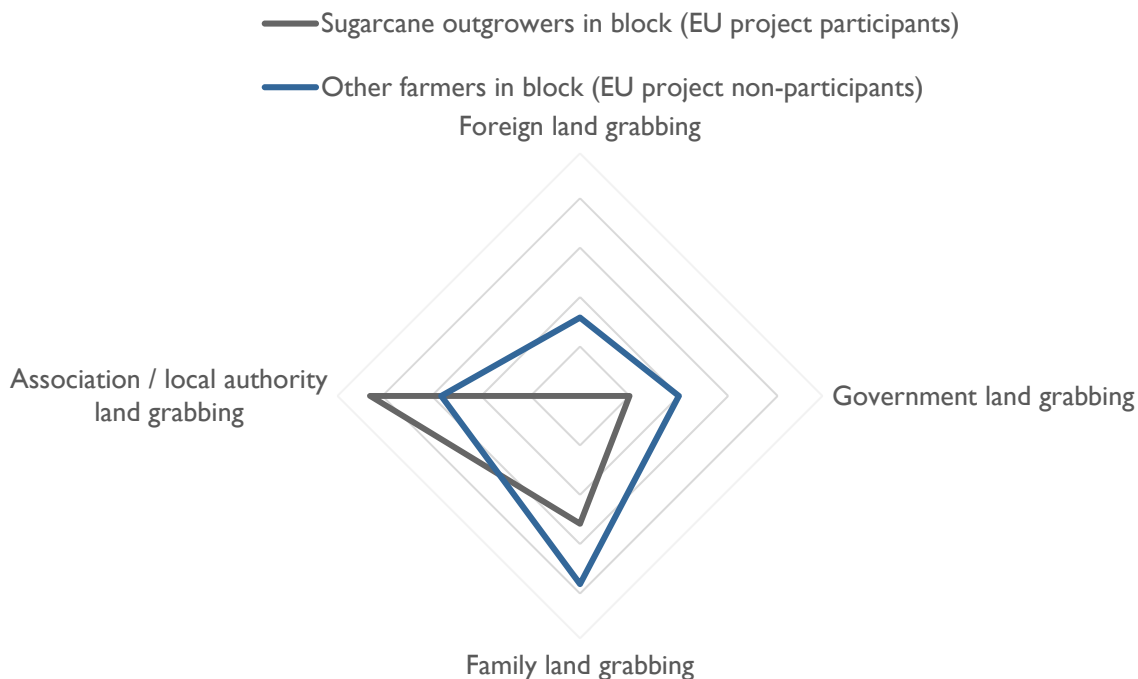
The team applied open coding to capture themes and broader trends as they emerged during an initial review of the data that was grounded in the text of the coded documents (versus being set *ex ante*). The team further refined its analysis approach through follow-up coding to assess themes between codes and then applied a hierarchical approach wherein codes were grouped and sub-grouped by evaluation question or topic area. The team made comparisons within the two GD group types and across group types through this approach. In addition, the team classified basic demographic information of respondents, such as gender, to enable comparisons by these demographic subgroups and across different respondent categories (e.g., EU project participants and nonparticipants).

The team compared coded segments to inform the findings and conclusions. For example, the graph in Figure 6 shows a summary of the coded segments for different types of land grabbing discussed by respondents, disaggregated by GD respondent category. Land grabbing by four different sources was mentioned across the GDs, and land dispossession by family members and by association leaders and/or local authorities together was discussed much more frequently than land grabbing by foreigners or unspecified government sources.<sup>25</sup> As Figure 7 shows, this distribution was similar across the GDs regardless of whether the groups consisted of EU project participants or nonparticipants.

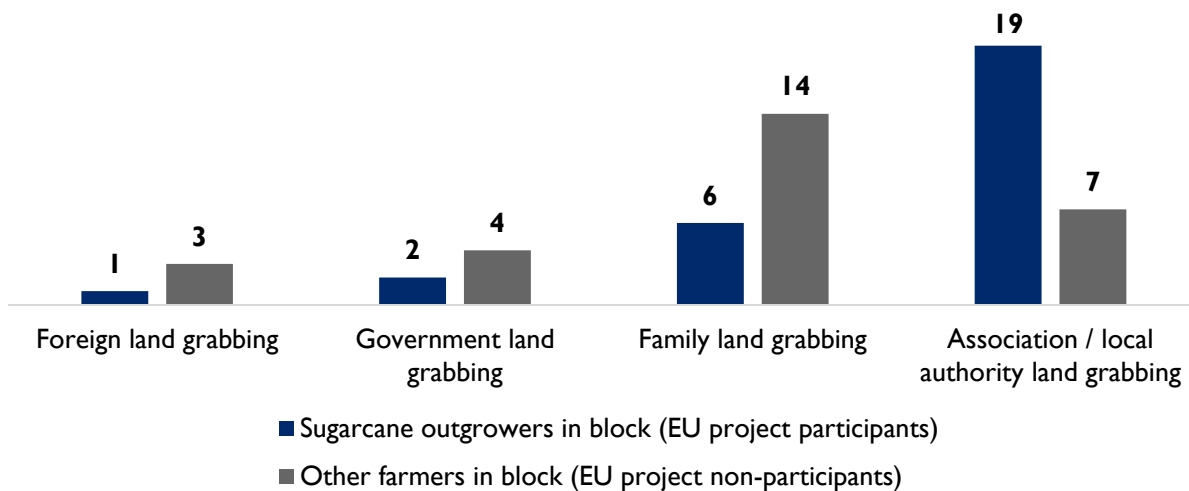
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<sup>25</sup> Land grabbing by association or by local authorities are lumped together because discussions on land grabbing by association leaders often mentioned collusion or passive non-interference by local authorities as well.

**FIGURE 6: DISTRIBUTION OF LAND GRABBING SUBTHEMES BY GD RESPONDENT TYPE**



**FIGURE 7: COUNT OF LAND GRABBING SUBTHEMES BY GD RESPONDENT TYPE**



# BASELINE CONTEXT AND FINDINGS BY EVALUATION THEMES

This section provides an overview of the findings from the GDs and KIs conducted at baseline. Because the overarching objective of the baseline data collection is to establish an understanding of the context and conditions related to evaluation outcomes prior to the start of Pilot activities, the findings are organized by the key evaluation outcome themes and subthemes around which the data collection is structured. Table 3 connects these themes to the EQs that will be answered as part of the final evaluation report through comparative analysis of the baseline and endline data.

**TABLE 3: BASELINE FINDINGS THEMES BY EVALUATION QUESTION**

Baseline Findings by Theme	Related EQ
<b>Background Context on Land Acquisition and Use in Pilot Zones</b>	Background context, EQ 3
• Land acquisition in Pilot zone blocks	Background context, EQ 3
• Farmer association formation, activities and benefits	Background context, EQ 3
<b>Pilot Program Awareness and Prior Land Mapping Experiences</b>	EQ1
• Pilot awareness	EQ1
• Prior land mapping experiences	EQ1
<b>Land Documentation, Disputes and Tenure Security</b>	EQ2
• Formal land documentation	EQ2
• Land tenure security	EQ2
• Types of land disputes and causes	EQ2
• Dispute resolution processes and experiences	EQ2
• Women's land rights	EQ2
<b>Sugarcane Outgrowing Participation and Maragra Engagement</b>	EQ1, EQ3, EQ4
• Outgrower participation and Maragra engagement	EQ1, EQ3, EQ4

## Background Context on Land Acquisition and Use in Pilot Zones

The baseline data collection included questions related to the history of land acquisition and use by farmers in the Pilot implementation zone to gain a better understanding of the local context for land acquisition and use in the Pilot zone by the Pilot's intended target beneficiaries. This background context information will not be replicated for the endline data collection, but it was important to collect it at baseline because it provides valuable insights into the historical context for land acquisition in the floodplain blocks and an understanding of the different ways that farmers in Manhiça acquired customary use rights to land in the Pilot zone. This will inform the evaluation's final analysis. It also sheds light on the complex history and contested nature of land use in the Pilot zone from the local residents' perspective and complements secondary information sources on this issue.

Similarly, the baseline data collection sought to better understand how farmer associations are formed and operate in the Pilot zone, the motivations for farmer participation in these associations and the benefits received. This background context data collection will also not be replicated at endline; however, such information was important to collect at baseline given that the farmer associations are the primary institutions through which individuals are organized in the Pilot zone. The baseline data collection also makes clear that:

- Farmer associations are typically the initial body to which individuals turn to discuss and resolve land disputes among association members or in response to outside encroachment or expropriation threats; and
- Farmer associations are the main vehicle for conveying or transmitting to individual land users in the Pilot zones information related to sugarcane outgrowing, the EU project and any other interactions or issues related to Maragra.

## Land Acquisition in Pilot Zone Blocks

Participants across all of the GDs and KIs described a similar history of land use and processes for land acquisition in the Pilot zones that was also strongly linked to the formation of the farmer associations that farm the land collectively in the zone. Individuals overwhelmingly had customary use rights to land they farmed in the Pilot zone, primarily through inheriting the land from their parents. In some cases, the government had allocated land to individuals or collectively to an association after the Civil War.

The baseline data collection provided a clear illustration of how the demise of the Colonial Era in Mozambique and the ensuing Civil War in the last quarter of the 20th century have strongly shaped the history of land use and acquisition in the Pilot zone. During the Colonial Era, according to GD respondents, primarily Portuguese and Chinese farmers commercially farmed the low-lying floodplain areas comprising the Pilot zone. Respondents stated that they or their parents did not have ownership of the land during this time, though their parents or grandparents often worked on the land for colonial landowners. Local residents were unable to acquire rights to the land themselves until independence. However, others explained that their great-great grandparents and earlier relatives had also farmed the land before the arrival of Colonial farmers and thus had earlier customary claims to the land, which were lost during the Colonial Era and then regained after independence. Respondents also noted that many areas of the Pilot zone were abandoned to farming during the Civil War. The war was also responsible for movement of refugees around the country, including families that had left the area and then returned, while others were refugees who newly settled in the area after the war. Respondents described the early post-war years in the 1990s as a period in which some families were re-acquiring land they had previously used in the Pilot zone, while other more-recent settlers received newly acquired land through government allocations.

Even discussants who noted that they acquired their land through inheritance mentioned the role of the post-colonial government in distributing land. As one respondent in the Central Zone explained, *“We are born and raised here in Manhiça. But long ago these lands were occupied by Portuguese while we used to stay on the bush. With the war, the Portuguese fled away. Since we were suffering, we came near the low zone and started to farm.”* A South Zone discussant echoed this point, noting, *“When the war was over, people one-by-one returned and started farming on the land that was once theirs.”*

Baseline data collection indicated there is no difference in the process of land acquisition for members of farmers associations that currently participate in the EU project compared with those who do not. A Central Zone GD participant recalled, *“We did not buy these lands. All these farms, in these lands came from our ancestors that used to produce on these farms.”* Other discussions with EU project participants in the South Zone echoed this point and noted the presence of Chinese and other foreign farmers in the post-colonial period who eventually fled during the civil war, leaving large areas of land in the Pilot zone vacant.

Thus, the land acquisition context in the Pilot zone includes:

- Land acquisition is largely through inheritance or through allocation after the civil war.
- Customary use rights and undocumented claims dominate land acquisition rather than formal documentation of rights to the land.
- Many current farmers in the Pilot zone appear to be one generation removed from land acquisition by their parents in the immediate post-colonial period.
- Several of the farmer associations to which they belong and which are a source of shared memory over land acquisition and use were formed during their parents' generation.

## **Farmer Association Formation and Benefits**

Membership in a farmer association<sup>26</sup> is common in the Pilot zone, and the functioning of these associations and benefits obtained by members is linked importantly to land issues in the area. According to GD participants and KIs with association leaders, the vast majority of local farmers in the Pilot zone belong to one of the many farmer associations that collectively farm areas of land in the floodplain blocks where the Pilot is implemented. The benefits of association membership are also strongly linked to reducing each individual's vulnerability to land expropriation, a typical collective benefit for situations in which customary land users have no recognized documentation of their landholdings.

Respondents in both GD respondent groups and KIs with association leaders noted that one of the strongest motivations for the member-driven formation of farmer associations in the Pilot zone was the greater protection from land grabbing and from other general challenges that individuals might face. The association's collective representation provides this protection. Respondents in nearly all the baseline GDs explained that forming associations better protects an individual's land from outside challenges because the group as a whole can verbally attest to each individual's right to their individual land parcels and to the areas that the group collectively farms. In one GD, respondents noted that a primary function of the association in cases where one of the association members is being challenged on their land is to affirm as a group that the person is the owner of that land. Individuals are not required to relinquish their individual land parcels formally to the farmer association as a condition of membership. Rather, each association has a collectively farmed land area and individual portions allocated to each member, which appear to be maintained based on a shared understanding. Association history, member fees, and related regulatory processes are maintained in association statute documents, which are also required to be drawn up when associations apply for formal status.

Despite the lack of formal land documentation among association members or, in most cases, even for the association's land as a whole, GD respondents across the baseline data collection cited the security that the association provides against land grabbing as a major benefit to membership (and, in fact, a primary motivating factor for association formation during their parents' generation).

As one Central Zone respondent summarized, "*With us grouped together we can be able to stand against them [land grabbers] and say that this land it is ours*" [June 12, 2017]. Five of the eight GDs conducted at baseline mentioned protection from land expropriation as a specific benefit of association membership.

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<sup>26</sup> Self-organized farmer associations are not uncommon in Mozambique. For example, the National Union of Peasants is a network of farmer associations and cooperatives established in 1987 that helps farmers organize and form associations, and advocates for its constituents on land and agricultural issues. See: Benson, Todd; Mogues, Tewodaj and Woldeyohannes, Sileshi. 2014. Assessing progress made toward shared agricultural transformation objectives in Mozambique. IFPRI Discussion Paper 1370. Washington, D.C.: International Food Policy Research Institute (IFPRI) <http://ebrary.ifpri.org/cdm/ref/collection/p15738coll2/id/128268>.

This is notable given that land expropriation does occur within the Pilot zone and surrounding localities, including through collusion with farmer association leaders, in some cases.

One farmer association member described this issue as follows:

**[Facilitator]** *So, for [your] association, how did you come about to own the land where you are farming at?*

**[GD Participant]** *The story was similar with our association, as we joined forces and started to farm together in order to be able to protect ourselves against usurpation of land that was being perpetrated by the Chinese and Portuguese at the time.*

*There were lands that we lost during this dispute and we could regain them during the war, when the foreigners had no option but to run. At this time the farms stayed abandoned for a long time. After a while and when the war was over, people one by one returned and started farming on the land that was once theirs. They realized that farming individually was not going to be of big help. We had the idea of farming together so that we would be able to cover large areas and also be able to request the government to issue us formal right to use the land as a DUAT.*

[Central Zone GD, June 11, 2017]

Another association described its history and reasons for association formation similarly:

**[GD Participant]** *For us to get together as an association started a while ago when our parents used to farm where the foreigners used to dump water. It was a place where it was not appropriate to farm, that is why they used to dump water. What made us to join as an association; it was because almost everywhere that there was land, the land was taken by the foreigners.*

**[GD Participant]** *We came together because if we didn't join, powerful people with money could come and take our lands, so the government advised us to be grouped, so that anyone that would [try to] come to take our land would not succeed.*

[South Zone GD, June 16, 2017]

Other benefits of joining a farmer's association were noted to result from the following:

**Collective farming:** This enables members to collectively farm and produce a variety of crops on a larger area of land more effectively than they could as individuals. For all of the associations represented in the baseline GDs, able-bodied members were required to contribute one or two days of labor per week on the association's collective farmland. One portion of the harvest from this collective area is sold to generate revenue for the association (typically 70 percent, according to participants, and used to buy seed or other farming inputs, for example), while the rest of the harvest is distributed among all of the association members as food.

**Food security:** Associations were seen as providing greater food security for members and financial benefits through group savings activities. Elder association members were noted to benefit particularly from shared food distribution because they can no longer undertake labor-intensive farming themselves. As one respondent in the Central Zone explained, *"In my experience I was raised with the food that came from the association. My kids are being raised by the food of this association...when there is no rain, the farm lands become dry but the association is able to grow things such as cassava, sugar cane and other things that have raised us the same way we're raising our children as well"* [June 12, 2017]. Another respondent in a South Zone GD echoed this point, saying, *"We gathered as an association because of hunger and we went to the government to manifest our desires of farming as an association"* [June 14, 2017]. In addition to crop sharing, participants in two of the GDs mentioned joint selling as a benefit of association membership.

**Information access and outside assistance:** Respondents reported that interacting with the government and outside groups, such as nongovernmental organizations or donor-funded projects, was easier as a member of a farmer association because the association could be a single point of contact (through the association leader) and provides an easy platform for information dissemination. As one South Zone farmer explained, *“Also, for the government to be able to support, it is easier when people are grouped together as an association. For instance, if we want some support in terms of inputs, we can ask as individuals but as a group, we have more chances of being supported.”* [South Zone GD, June 15, 2017].

**DUAT titling:** Although respondents in two of the GDs held at baseline mentioned the role of the association in obtaining DUATs, none of the farmer associations or respondents had successfully obtained DUAT titles. Additionally, several respondents were unaware of any farmer association in the Pilot zone that had successfully obtained a DUAT title for their association’s land. Some associations had begun the process, but found the multiple fees and bureaucratic process too difficult to navigate.

The stated benefits of association membership were, therefore, similar to the rationale for association formation—collective representation and more efficient information dissemination—but also included collective sharing of crops to assist in consumption smoothing and as a defense against expropriation. Overall, the role of farmer associations in land acquisition during the post-war period, in ongoing collective representation, and protection of land rights was of critical importance to GD respondents. It was also notable that women were commonly reported as comprising a large proportion of association members across several of the associations represented in the baseline GDs.

In each of the GDs, respondents noted that some people decide not to join farmer associations, but this was seen as increasingly uncommon. To join, applicants need to conform to association norms, pay a fee and, in some cases, have the backing of at least one current member.<sup>27</sup> However, new membership into existing farmer associations was reportedly rare. Participants in one GD noted that wage or salaried workers who may not be engaged primarily in agriculture were less inclined to join associations. Participants in two other GDs noted that reasons for individuals not to join farmer associations could also include poverty or a lack of awareness of association benefits. KIs with association leaders also corroborated this.

## Pilot Awareness and Prior Land Mapping Experiences

### Pilot Awareness

In general, awareness of the Pilot was high across all GD respondents at baseline. Most participants in each of the eight GDs had at least heard of a USAID project on land mapping that would soon start activities in the area, even if they did not have more detailed information on project activities. Respondents had heard about the Pilot through similar media, and their responses reflected the widespread sensitization efforts that Pilot IPs had already conducted in the Pilot zone in the weeks prior to the evaluation baseline data collection.<sup>28</sup> Participants described awareness-raising meetings that had been called to describe the Pilot and reported that Pilot representatives had met with a small number of individuals from the different farmer associations in the Pilot zones, sensitizing each one on how the project would be carried out. Those farmer association representatives, in turn, had held widely

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<sup>27</sup> Membership fees appeared to vary somewhat across different farmer associations. In one example, the fee was MZN 700 (USD\$11.60) to join and MZN 250 (USD\$4.16) in annual membership dues. In another example, members are required to contribute MZN 10 (USD \$0.10) per month in dues, totaling MZN 120 (USD \$1.96) per year.

<sup>28</sup> Although conducting baseline data collection after project sensitization has begun is generally not desirable, in this case, the evaluation team had no indication that the sensitization efforts that had been conducted may have led to biased information from respondents during baseline data collection. However, it was clear that there was strong interest in the Pilot among potential participants. This, together with the clear saliency of land issues to residents in the area, may have contributed to the strong GD turnout that the evaluation team experienced at baseline.

attended meetings with the rest of their association members to share the information they had learned about the Pilot.

As one GD participant described, “We went to a meeting at Maragra where they presented us the people that will be working with us in the community. They also showed us the materials that will be used here. When we came back, we disseminated [this information] back to the rest of the members.” [Central Zone GD, June 13, 2017]

Respondent understanding of the Pilot project at baseline was somewhat varied, with participants most commonly mentioning that the project was aimed to bring a small number of DUAT titles to land users in the Pilot zones. Across many of the GDs, participants related that around 200 DUAT titles would be provided through the Pilot, and many participants mentioned that they hoped to be one of the individuals selected for this. In some GDs, it was also clear that respondents understood they might not be selected as one of the 200 DUAT title recipients. The evaluation team did not probe more deeply into participant knowledge of other Pilot activities because this was outside the aims of the baseline data collection. However, it is notable that if participants were aware of Pilot plans for Pilot-issued certificates, this was not commonly volunteered in the GDs. By contrast, the potential to receive a DUAT title through the Pilot project was clearly a very strong reason for interest in the Pilot project among potential participants.

In general, GD participants at baseline expressed strong interest in participating in the USAID Pilot project. Although the current EU project in the area has already done some land documentation activities with EU project participants, interest in the USAID Pilot project was equally high among GDs consisting of current EU project participants and nonparticipants. Much of this interest appeared to be driven by farmers’ interest to potentially receive an individual DUAT title through the Pilot and to obtain help in resolving the threat of land challenges that was commonly expressed as a major issue in the Pilot zones and surrounding localities. Although the GDs clearly demonstrated that respondents were strongly interested in the DUAT portion of the Pilot, there was little indication that respondents had heard of the Pilot-issued certificate that is also planned under the Pilot.

## **Prior Land Mapping Experiences**

Forty-four percent of the GD participants at baseline had prior mapping experience for land they used in the Pilot zone. This prior experience was typically for one of the following two reasons: (a) individual parcels or their farmer association’s land as a whole had been mapped by a government office or administrative body as part of the process to formalize the farmer association; or (b) an individual’s customary holding had been recently mapped as part of the EU project activities in the block where the association’s land was located.

Several participants had their collective farmer association’s land mapped by the Agricultural District Directorate as part of the process to formalize the farmer association of which they were members. Often this had been done recently (for example, in 2016 for at least three of the farmer associations represented in the GDs). However, in these cases, the land had been mapped only collectively for the entire farmer association land area as a whole, while the individual parcels customarily held by the association members had not been mapped individually.

For GD participants who had prior mapping experience through the current EU project operating in the Pilot zone, these activities generally took place in 2014–2016, with some mapping activities also occurring in 2017. In these cases, each individual’s customary holding had been mapped individually, but EU project participants across several of the GDs mentioned that they had not received any documentation through the mapping process, and thus they had no legacy of information from the mapping activity. As described by GD participants, the EU project measured each individual’s land areas



and took photos of the individuals in their farms, but apparently did not provide finalized maps or photos to the project participants. Respondents in three of the four GDs held with EU project participants had their land in the Pilot zone mapped through the EU project.

One GD participant described the mapping process:

**[GD Participant]** *There is a mapping process that took place in the context of the EU project. They did the measurement of our land took some photos of us and the lands as well. They took also the name of the owners but no sort of paper was given....*

**[GD Participant]** *All of us here did participate and we were able to know the exact size of each individual piece of land that [together] forms the association land.*

[Central Zone GD, June 11, 2017]

However, respondents from multiple GDs with EU project participants expressed disappointment at the lack of documentation provided through the EU project mapping activities. Another respondent described this issue:

**[Facilitator]** *How was the [EU project mapping] process undertaken? Was it for individual or as an association?*

**[GD Participant]** *They would measure each individual farms and would take pictures of the person in the farm.*

**[Facilitator]** *They gave you any type of paper of the process?*

**[GD Participant]** *No, even the photos they just showed us there.*

[Central Zone GD, June 14, 2017]

Thus, several EU project participants and nonparticipant respondents alike reported that a variety of other projects mapped their land at some point in the past. However, it was uncommon for those who had individual parcels mapped to receive a paper document with the individual's plot area and/or characteristics. In some cases, individuals had come to know their land areas through such mapping, but in others, participants said that such details had been shared with them verbally at the time of mapping, and they could no longer accurately remember the specific details.

For EU project participants, mapping activities appeared to have started as far back as 2014 up through the time of baseline data collection. Respondents in two South Zone GDs and one Central Zone GD noted that mapping activities had occurred as part of the EU project, while one South Zone GD said they were promised mapping through the EU project, but it had not yet occurred. Respondents in one Central Zone GD noted that mapping activities for their farmer association took place in 2008 through ORAM, the national land nongovernmental organization.

GD respondents who were EU project participants described meeting with the project and Maragra to learn about the mapping process that would take place. However, respondents did not appear to have an understanding of how the project's mapping data were being used, either because the president of the association or another intermediary handled these communications, or because no mapping documentation was conferred back to the individuals. In one South Zone GD, respondents noted that their land had not been mapped, but that they had been in discussions with the EU project regarding mapping since December 2016.

Prior mapping experiences were more varied for EU project nonparticipants in the GDs. Respondents in one such Central Zone GD noted that in 2016, the Agricultural District Directorate had mapped their

collective land parcels as an association rather than as individuals. Respondents in a South Zone GD, whose associations' land was not eligible for the EU project because of poor soil quality for sugarcane, noted that government mapping for their association land as a whole had also occurred at some point in the past. South Zone GD respondents said that the EU project visited and started mapping on specific parcels occupied by individual EU project participants, but that the association as a whole and members of the specific GD had not had their land mapped. Overall, the mapping experience for EU project nonparticipants in the Pilot zone appears to be one in which farmers are familiar with the general idea and process and may have experienced mapping for their association in the past, but without recent mapping activities at scale and generally not at the level of individual customarily-held parcels.

Despite these past mapping activities (whether through the EU, the government, or another organization), the GD respondents were often not familiar with the measurements for their parcels and had little direct experience with mapping on an individual basis. In addition, no GD respondent at baseline, regardless of EU project participation status, had received a document or map of their individual customarily held land parcels in the Pilot zone, even if those lands had been mapped as part of the EU project. As described in the next section, the lack of formal documentation through mapping contributed to the challenges that Pilot zone farmers have in asserting their land claims and to related problems with land disputes and expropriation.

## Land Documentation, Disputes, and Tenure Security

### Formal Land Documentation

GD participants overwhelmingly said they had no formal documentation for the land they use, either as individuals or collectively as a farmer association (99 percent of GD participants, N=129). At the same time, all GD participants strongly emphasized their desire to have DUAT titles to the land they farm either individually (which often seemed to be their primary preference) or even collectively as an association. The main reason respondents expressed for wanting DUAT titles was their feeling that the legal DUAT title was the primary document that could protect them from the types of land expropriation they described in their localities, in which government officials and/or wealthier Mozambican or foreign outsiders make claims to land that farmers customarily use. Respondents frequently expressed feeling disadvantaged against such challengers, who have greater influence and resources to be successful in their land claim.

Many farmer associations represented in the baseline GDs had their own statute documents, which they were required to draw up during their formation process. These documents appear to provide some ability for the association to be formally recognized, but they do not delineate individual parcels held by members of the farmer association. According to GD respondents and KIIs with association leaders, some associations tried to apply for a collective DUAT title for their association land, but none was successful. In one example, an association had submitted documentation for a DUAT title in 2016, but was stilling waiting for the next step in the process. In other cases, farmer associations had not tried to begin the process, saying they either could not afford the high fees to apply for the DUAT title or were uncertain about how to navigate the process.

As one Central Zone GD participant explained:

*[GD Participant] So, for us to get the DUAT it ended up being difficult for us. We tried to apply for some papers...paid some money but it didn't succeed, so we did not manage to succeed and we [eventually just] let it [stay] like that, but while trying to find ways of getting our DUAT out [issued].*

**[Facilitator]** So, you said that you [your association] didn't have the DUAT because of the costs involved?

**[GD Participant]** The fight is to get a joint DUAT for the association, but that joint DUAT — we never succeed to get it even though they [the association] did pay some money and tried to follow up the process of getting the DUAT. It never gets out [issued]. It's not just this association; in various associations [in this area] the papers are never issued. So maybe, if each of the members have their individual places it can work [if individuals can get their own DUAT titles for their individual parcels, such as through the Pilot project], because in terms of an association as a whole I do not know of a single one that has a DUAT. [Central Zone GD, June 11, 2017]

In other cases, participants said they felt the DUAT title process could never be completed because the officials involved in issuing DUATs were also involved in land expropriation, and therefore it was in their self-interest to keep the DUAT documents from being issued. Once a DUAT title is issued for a parcel, it becomes much more difficult for an official to collude in “selling” that land to someone else. Thus, as respondents suggested, if officials in the system are involved in such processes, their self-interest is to keep DUAT applications stuck in the system rather than to issue them:

**[GD Participant]** When you submit your application to apply for a DUAT, the process never ends because they [the officials involved in processing the application] want to get advantage of not having it to take the lands [they want to benefit from the lack of a DUAT title for the land, so that they can take the land themselves].

**[GD Participant]** What makes for people not to get the DUAT? It is because they [the relevant officials] want these pieces of land to sell. Even if we have the money to pay [for the DUAT title], they [the relevant officials] won't issue it because they are interested in having those piece of lands [to sell to others]. [Central Zone GD, June 11, 2017]

## Land Tenure Security

At baseline, the overall perception of tenure security among potential Pilot beneficiaries in the Pilot zone is relatively low. Land expropriation events were described as common in the area, and many GD participants expressed feelings of high vulnerability to land loss from a number of different sources, which are further discussed in the next section. GDs with both EU project participants and nonparticipants did not indicate any major differences in perceived tenure security across the two participant types. However, discussions across many of the GDs indicated that women are considered more vulnerable to land expropriation and often have lower tenure security than men in the Pilot zones. The concluding section of this chapter on women's land rights discusses these dynamics further.

GDs also indicated that expropriation risk might be less in the floodplain blocks than for parcels that the same individuals also customarily use in the surrounding residential areas and localities adjacent to the Pilot zone. GD participants attributed this to the greater protection against land grabbing that the farmer associations provide.

To gain a more structured understanding of the frequency of land disputes among GD participants, the baseline discussion guide asked them to respond with a show of hands to three questions aimed at gauging the extent of land disputes and perceived security of tenure under their current customary land use situation.<sup>29</sup> The questions are:

1. How many people here have personally experienced a land dispute over land in this block?
2. How many people here are comfortable leaving your land in this block unfarmed for a long period of time, without worrying that someone else may try to claim it?

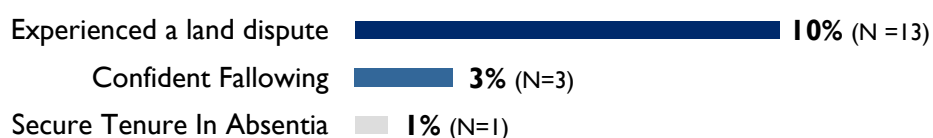
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<sup>29</sup> These and similarly worded questions are commonly used in land sector surveys to measure the frequency of land disputes and perceived security of tenure among respondents.

- How many people here are comfortable being away from your land in this block for a long period of time without worry that someone else may try to claim it?

Regarding frequency of land disputes, 10 percent of GD respondents (N = 13) indicated that they had been directly involved in a land dispute in one of the Pilot zone blocks. Regarding perceived tenure security (as indicated by respondents' comfort to leave their land unfarmed or to leave the area without worrying about dispossession of their land), the results clearly show that respondents' perceived security of tenure is low. Only 3 percent and 1 percent, respectively, of the 106 GD participants who answered these two questions said they would be comfortable doing these activities without worrying about land dispossession (Figure 7). At baseline, there was no material difference in land dispute frequency or perceived tenure security for the GDs held with EU project participants compared with nonparticipants.

### FIGURE 7: FREQUENCY OF LAND DISPUTES AND PERCEIVED TENURE SECURITY RESPONDENTS



Respondents clearly articulated what they perceived to be strong differences in tenure security for DUAT titleholders compared with those (such as themselves) who have no formal documentation of their land claims:

- “It is like the ID. When you don’t have the ID to identify yourself is difficult to travel. The same thing applies to the DUAT, when you have it you feel more comfortable.” [South Zone GD participant, June 15, 2017]
- “When you have a DUAT, you work comfortably. It is like driving a car without a driver’s license. You end up driving scared all the time.” [Central Zone GD participant, June 11, 2017]
- “The difference is there because for someone like me that don’t have a DUAT, [he] is not always relaxed because he always thinks that someone powerful can come and take the land. But [he] who has a DUAT cannot have his lands taken. So the way we use [the land is] different in that sense.” [Central Zone GD participant, June 12, 2017]
- “When you have DUAT there is no risk of someone taking your land. Your assurance is the paper that you have”. [South Zone GD participant, June 14, 2017]

Although GD participants clearly felt their tenure security would improve with formal documentation of their use rights to the land (such as a DUAT title), they did not expect that how people used land would change greatly for those who do obtain DUAT titles. They said that individuals would continue to farm the land, engage in sugarcane outgrowing if interested and/or rent or borrow out the land as they have done, but with greater security that the land cannot be taken from them unexpectedly.

### Types of Land Disputes and Causes

At baseline, GD respondents and KIIs described several sources of land disputes that are common in the area, which can be grouped into the following three broad categories:

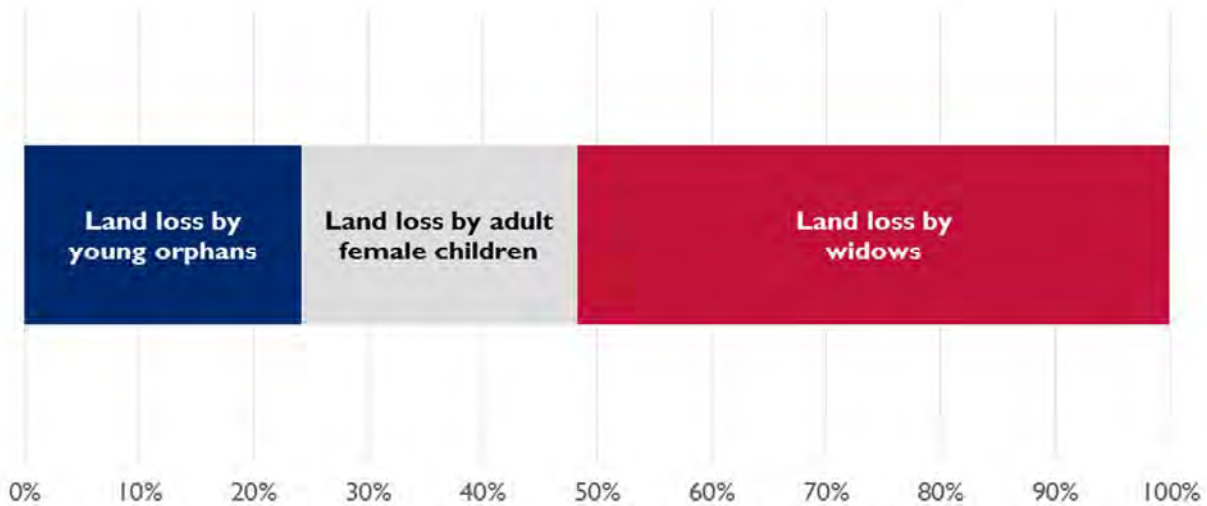
- Intrafamilial disputes**, often over inheritance shares of land at the death of a male spouse or one or both parents, including:
  - In-laws or adult children taking land from a widow after her husband dies;
  - Young, orphaned children being cheated out of their land inheritance by relatives or others;
  - and

- Female adult children cheated out of their land inheritance by male relatives at the death of one or both parents.
- **Intra-association land disputes**, most commonly described as farmer association leaders or their relatives taking land from members. Often this was perceived to be in collusion with local government officials or with the officials' tacit noninterference because of the status of the person seizing the land.
- **Land expropriation by powerful Mozambican or foreign outsiders**, viewed as facilitated in at least some cases with the assistance or tacit noninterference of local officials.

Participants in three of the eight GDs said that the most common type of dispute was a land challenge or outright loss of land to outsiders or local government officials. In discussion, respondents often mentioned local government officials as helping outsiders obtain land that GD participants customarily use. There was no difference in the types of disputes experienced by EU project participants compared with nonparticipants or for respondents who farm land in the Central Zone compared with those in the South Zone.

Figure 8 shows the relative difference in the types of intrafamilial land disputes that GD respondents discussed.

**FIGURE 8: TYPES OF LAND DISPUTES: INTRA-FAMILIAL SUBTHEMES DISCUSSED BY GD PARTICIPANTS**



Note: Based on 30 dispute coded segments, i.e., 23 percent for land loss by orphans equals seven coded segments (n = 7).

There was some variation across GDs on whether land disputes were currently more common in the floodplain blocks that are the focus of the Pilot or on lands that participants use elsewhere. Some of the GD participants indicated that land disputes and expropriation events are currently more common in the residential and more upland land areas of the localities, which are adjacent to the floodplain Pilot zone and not in the floodplain blocks.

In two South Zone GDs, participants felt that disputes were more common in the floodplain blocks, currently viewed as more fertile and productive, and thus better for farming than the upland areas. It is also possible that these differences vary to some extent by farmer association depending on how strong the association leadership is in helping members protect their land claims from outsiders, and/or the extent to which association leaders may be involved in land grabbing from members.

At baseline, participants across the GDs (and corroborated by KIIs) cited three main underlying drivers of land disputes in the Pilot zone, and seven themes were commonly discussed (Figure 9):

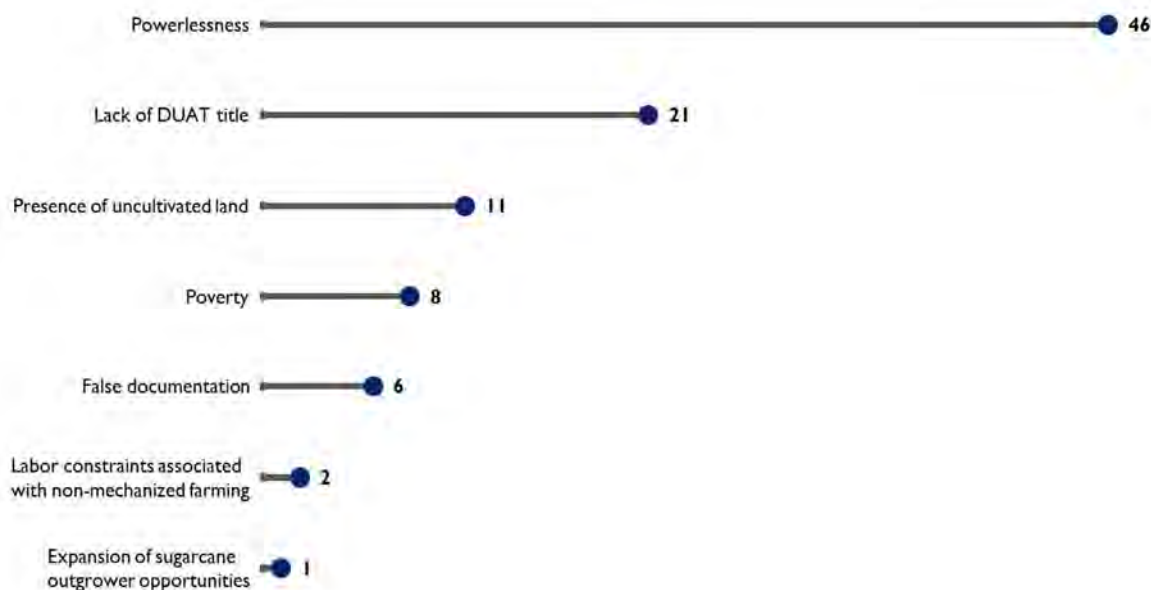
1. **Poverty and associated powerlessness:** Those taking land are seen as more powerful and influential in the communities. Those who lose their land are seen as poorer, more vulnerable, and unable to assert their claims or stand up for their rights, even if their customary claim to the land is widely known. A commonly expressed theme in nearly all of the GDs was that typical land users in the Pilot zone are powerless to obtain a fair resolution to a dispute on land they customarily use because the challenging land claimants and government officials involved are usually wealthier or more influential.
2. **Lack of a DUAT title:** Many GD participants felt there is no possibility of getting legitimate help to resolve a dispute on land they customarily use without a DUAT title document. As one GD participant from the South Zone expressed, obtaining a DUAT title is viewed as the only way one can be protected from land expropriation:

**[Facilitator] In this block what are the common causes behind land disputes?**

**[GD Participant]** *Most of the cases is the absence of the DUAT. People that have money usually approach the agricultural directorate asking for pieces of land to explore and they show them spaces where there is no DUAT. If you [have the] papers then there is no way the land can be taken. For that, the EU [project] has come to help us in regarding to have [a] DUAT [title], so that our farms are not [will not be] taken. [South Zone GD, June 16, 2017]*

3. **Presence of uncultivated land held by customary users, which is tied to constraints on how much land can be farmed efficiently in a non-mechanized context:** This is not a direct driver of land dispossession in itself, but rather an underlying contributor in the Pilot zone because it results in areas of land that appear to be unoccupied. Participants in multiple GDs mentioned that because some people in the Pilot zone have a customary claim to a larger amount of land than they can actively farm, the uncultivated land leaves the landholder vulnerable to land grabbing because the land appears to be unused. In such cases, participants said that the customary owner may also be convinced to informally borrow out the uncultivated land to others who are often more powerful, and such individuals often do not return the land according to the informal agreement. In several GDs, participants mentioned that if they had access to mechanized farming such that they could actively cultivate all of their land, they would be less vulnerable to these types of expropriation risks. That expropriation happens most often on land that looks unused was a common view, and participants frequently mentioned labor and inputs constraints as the reason why many individual users in the Pilot zone do not actively farm all of their customarily held land.

**FIGURE 9: CAUSES OF LAND DISPUTES: SUBTHEMES DISCUSSED BY GD PARTICIPANTS**



Note: Thirty percent of disputes coded as “powerlessness” were cross-coded with gender (i.e., mention of denial of women’s land rights).

Participants in six GDs described situations in which outside individuals appeared to have obtained documentation from a government office to support their claim to the land, even though a local resident who was being dispossessed said their own use of the land exceeded the timeframe the law required to assert a customary right to it. Individuals indicated that it was not clear to them how the outsiders had obtained their documentation, and in some cases, they felt the outsiders had obtained these documents by bribing local or higher-level officials. However, the evaluation team is unable to verify such claims.

In only one Central Zone GD held with EU project participants who are currently sugarcane outgrowers for Maragra, participants mentioned that land expropriation in the Pilot zone had not been a large problem until Maragra began to engage people in outgrowing. Once that occurred, outsiders became interested in obtaining land for that purpose, according to this view. Another participant from the same discussion added that the problem then worsened because the existing customary land users do not have a DUAT title to affirm their land claims. However, no one in the other seven GDs raised this perceived link between expanded outgrowing opportunities and an increase in land expropriation.

Participants in one Central Zone GD described how the combination of uncultivated landholdings, lack of land documentation, and local land users’ economic and associated power disparities work together to drive land loss to outsiders in the Pilot zone, as follows:

**[Facilitator]** *You have talked about the benefits of being member of an association as you can stand against people that would want to take your land. What are the common causes of land dispute here?*

**[GD Participant]** *It is money. Not just foreigners or Mulungo but anyone who is powerful economic and influential-wise. Sometimes they would take [our land] because we don’t have the capacity to cultivate all the area manually to have the place clean, so they may come and say they want to borrow the land to use for a certain time, but they end up taking for them the land. Just by the work or investment that someone who is powerful does when he uses your land even without authorization, you can see that this is not for my level and you get demoralized, but when you’re in the association you’re protected.*

**[GD Participant]** For some of the places that we have, it is only practical to cultivate with a tractor and since we don't have a tractor we are always at risk of having our lands taken away as the lands will look abandoned.

**[Facilitator]** You have said that some of the causes is poverty ...

**[GD Participant]** Yes, that is the most common cause of land usurpation, because they come and take your land and you complain, [but] they will show you the papers of the land (DUAT) and since you do not have papers for the house, you will be in [a] disadvantage. And we ask: those papers that you have from our land, where did you get them from? They come with those papers already.

**[GD Participant]** Another reason is the lack of capacity to work on every piece of land. As we inherited from our ancestors, we have huge portions of land that can't be worked on manually. So when someone with the capacity to do so comes, usually there is not much that we can do about it, as the lands seem abandoned.

[Central Zone GD, June 12, 2017]

Labor constraints and associated limits on how much land can be farmed productively by the relatively poor land users in the Pilot zone (who can only afford to do non-mechanized farming) were also mentioned in other GDs as an underlying reason for land challenges. The following GD exchange demonstrates the interrelationship of labor constraints by customary land users, the presence of uncultivated land in the Pilot zone, and power disparities among local residents and wealthier outsiders as linked drivers of land dispossession among local residents. Women are also considered particularly vulnerable to such events:

**[Facilitator]** What type of land disputes do happen more in this community?

**[GD Participant]** It happens within the families, let's say that I have a brother and our parents die. When that happens, when it comes to [land] distribution, we [the women] sometime get little or nothing. So, we suffer a lot with that.

**[GD Participant]** Even if it is not a relative and [instead] someone else from outside, if that person has power, you are down. When they see that you [have] some piece of land and you're not able to take care of [all of] the land because you work manually, someone with power can come and put his cows to cultivate in the area, and since the law defends that no place should be left without being cleaned or used, you end up losing it.<sup>30</sup> It happens a lot with women.

**[GD Participant]** When they come to [do] usurpation [of] land, they target women because it is more easy [to do so] with them. Can they come and take for a man? A man like him? [A reflexive question, with an implied answer of no.]

**[GD Participant]** In our case, [there are] people that have had their land taken away mainly when a woman loses her husband. [Central Zone GD, June 11, 2017]

## Dispute Resolution Processes and Experiences

GD participants and KIIs similarly described a variety of informal processes and mechanisms that are available to help resolve land disputes, though they often expressed dissatisfaction with the process or perceived unfairness in how disputes were resolved. Participants explained that attempts to resolve land disputes are generally brought to the leaders of the individual's own farmer association first, where the

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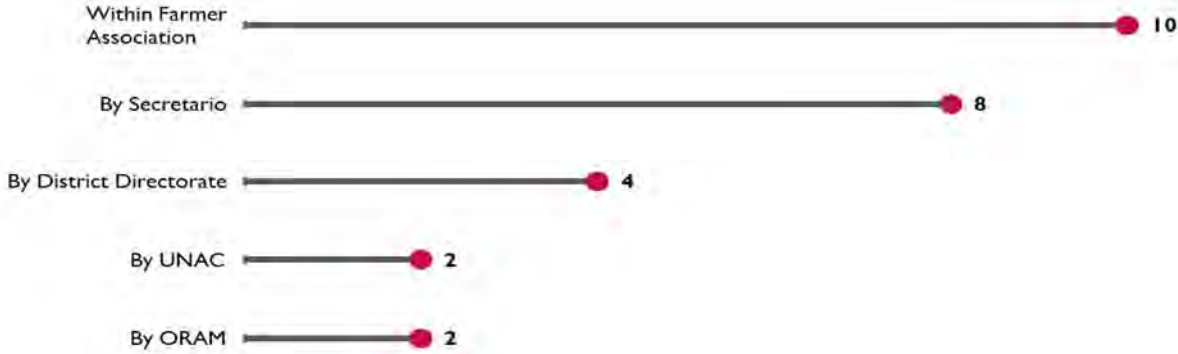
<sup>30</sup> This sentiment aligns with other research in land tenure and gender broadly and in Mozambique. The 1997 Land Law states that DUAT rights can be terminated if the land is not used in accordance with the exploitation plan submitted as part of the DUAT application or if there are no justifiable reasons for divergence from the approved (intended) use. However, according to the evaluation team's understanding from background documentation, what constitutes vacant, underutilized, or unoccupied land are typically open to different interpretations by authorities. This is not uncommon in other Sub-Saharan Africa land contexts as well, where there is often an overarching view, if not an explicit government policy, that land should primarily be developed for productive use.



initial attempt at resolution is through an informal process. If that is unsuccessful, residents may take their concerns to administrative secretary (*secretario do barrio*) in the locality. From there, a dispute may be passed up to the administrative post and then on to the District-level administration (the District Directorate of Land and Development), where it could enter the formal court system. However, escalation of a land dispute to the district or provincial level was considered very uncommon and only for complex cases.

Other options for dispute resolution participants mentioned, though very uncommonly, were to bring a dispute to the National Union of Smallholder Farmers, or to try to obtain external assistance from ORAM, the national land nongovernmental organization. However, only a few individuals related such cases (Figure 10). GD participants were universally unaware of any potential assistance available to resolve a land-related dispute directly through Maragra.

**FIGURE 10: COUNT OF LAND DISPUTE RESOLUTION PROCESSES: ORGANIZATIONAL SUBTHEMES DISCUSSED BY GD PARTICIPANTS**



**FIGURE 11: LAND DISPUTE RESOLUTION PROCESSES: ORGANIZATIONAL SUBTHEMES DISCUSSED BY GD PARTICIPANTS**



Even if any of the channels noted arrive at an informal resolution, the customary land user may not perceive it as fair or just. For example, GDs participants shared stories in which they had agreed to such informally brokered resolutions with an outsider and the informal agreement had essentially dispossessed them of a portion of their land. In such situations, individuals appeared to have reluctantly agreed to borrow out a portion of their land for a multiple-year period while apparently feeling that they would have little recourse to have the land restored to them through the existing system. However, they appeared to have agreed to the informal decisions because they did not feel that other alternatives were available.

Participant trust in the process varied. The baseline data frequently pointed to a perceived lack of transparency on land allocation by local government officials and mistrust in the same officials, and an inability to obtain a fair resolution in the current dispute process. In some GDs, participants mentioned that if a local official was involved in facilitating land dispossession, such as at the administrative secretary level, then it will not be possible for them to obtain a fair resolution to their dispute through the formal process. They described this situation as being the “end of the road” for any attempts at resolution. However, participants in other GDs described situations in which a given secretary had helped to resolve internal land disputes fairly among farmer association members or in an inheritance dispute between family members.

In general, the baseline data collection provided the impression that many local government or administrative positions are open to rent-seeking, thus the extent to which an individual can effectively or fairly resolve a land dispute through local government offices is likely to vary across localities and individuals. The level of trust in a fair dispute resolution process was strongly associated with whether the individual in the decision-making capacity — the farmer association leader, the secretary or a similar official — was deemed corrupt. Such a situation also points to an overall lack of oversight and accountability, both upward and downward, within the existing administrative hierarchy and dispute resolution process.

By contrast, many GD participants felt that their own farming associations were helpful in reducing their vulnerability to land expropriation by outsiders when there was trust in the association leadership. These leaders were considered helpful in negotiating on behalf of individuals and helping to come to informal resolutions when disputes arose.

GD participants at baseline overwhelmingly expressed that without a DUAT title, it is very difficult for them to get a favorable decision in a land dispute or a competing claim to their customarily held land. In addition, in nearly all of the GDs held, participants considered those who make outside claims to such land to be typically more powerful and often connected to or able to exert influence over locality leaders or local government officials who may be involved in the dispute’s formal adjudication or informal resolution. In such cases, GD participants did not feel they had a good chance for fair resolution of the dispute through the channels available to them.

The baseline discussions also illustrated the many informal ways that residents in the area engage in discussions and try to resolve land disputes when they arise. Participants related several stories of coming to informal agreements with government officials or more powerful association leaders to let individuals use or cultivate their land temporarily, such as for a two-year period, after which the outsider party would return the land to the individual. However, participants said that once they entered into such informal agreements, they had little hope of regaining the right to use the land in question. Such situations also underscored the role that unused land appears to play in land disputes in the Pilot zone, where individuals who cannot actively farm all of their customary land holdings find themselves particularly vulnerable to dispossession of their uncultivated lands.

The following exchange from a South Zone GD illustrates a typical process for dispute resolution as described in one GD. It also demonstrates the perception of official collusion in land dispossession from customary users to outsiders and mistrust in the system that many GD participants expressed. Such factors underlie their desire to have DUAT titles to protect their land claims:

**[Facilitator]** *In case of land disputes, what are the mechanisms or ways of getting these situations sorted?*

**[GD Participant]** *When it happens, most of the times we take it to the secretario do Bairro. If for real the land really belongs to me, because it passed from my fathers to me, [then] it should be returned to me. There are also case[s] where some people make documents, I don't know where, and then he comes with them and says that he wants to do certain jobs on the land and you are supposed to move from there, [despite that this is] in a land where I was born and there is even family cemeteries and all.*

**[Facilitator]** *So when the secretary is not able to resolve those issues. To whom it is escalated?*

**[GD Participant]** *It goes to the district level leaders. [After] the locality, [then the] administrative post, right until the district administration.*

**[Facilitator]** *Do we trust that the mechanisms in place can be trusted in regards to resolve land disputes?*

**[GD Participant]** *It is difficult because we cannot just start at the provincial level because I may suspect that the secretario is involved. We must respect and follow the levels in place that must be taken to complain or follow up on these issues. I should not jump levels, I should follow the appropriate steps. Even [if] I know the secretario is involved I should let him know that this, this and that is happening on my land. If I do realize that he is not following up, [that] is when I make sure it goes until the locality level, [and then] from locality to administrative post. If at administrative post level it is not followed up it should go up until the district level, but all that while following proper steps and levels.*

*[As for] The trust, I must say that is not there anymore. There [are] cases where two weeks after the passing of someone the secretario can come and say that he has already sold the land that belonged to him [the deceased]. He really uses that term (I have already sold it), that is the secretary speaking like that. The trust is not there but the norms are for us to go and tell him about whatever is happening. He doesn't advise the person to sell the land in order for her to recover financially from the loss. He just says that he already sold the land.*

**[GD Participant]** *The problem is that the people don't have documents of the land. They will ask you to present the papers of the land being disputed. [But] There is no document to be presented.*

[South Zone GD, June 15, 2017]

## **Women's Land Rights**

Many GD participants mentioned that they felt women, and especially widows, were more vulnerable to land expropriation than men. Issues of women facing greater challenges to maintain their land rights, especially with respect to inheritance issues and/or at the death of a husband, were mentioned in seven of the eight GDs held at baseline. Women were often seen as disadvantaged or weaker relative to men, and therefore an easier target for expropriation.

However, participants in two of the GDs also mentioned that cases of land loss by widows at the death of their husbands had become less common in recent years because local government had become stronger in upholding women's rights to land under the law. In addition, some members of farmer associations related stories in which their association had successfully been able to defend a widow's right to land in the face of challenges by the widow's in-laws, other family members or outsiders. Relatedly, the baseline data collection provided some indication that farmer associations can be an

important route by which women, and particularly widows, are protected from land dispossession, and it was commonly noted that women often comprise a larger share of farmer association members.

When asked why women experience more problems with land disputes than men do, one female South Zone GD participant noted, “It is because we are not respected as men. When our husband dies, we don’t have access to any livestock or goods left by the deceased.” In some cases, it was noted that a widow could be accused by her deceased husband’s relatives of being responsible for the husband’s death, which allows the family to chase the woman away and take over the land. Another South Zone GD further described the additional vulnerability and risks that women face in this regard, as follows:

**[GD Participant]** *For example, a local leader can come to my land and order me to cut part of my land to give to someone else, alleging that the government is the one demanding us to put some people there. Since we don’t have anything that we can use to say the land is mine and since the land belongs to the government, it is difficult for us to say otherwise. Our fathers died without any paper of the land.*

**[GD Participant]** *When they find women that have lost their husband...hum.*

**[GD Participant]** *Their lands are taken.*

**[GD Participant]** *The biggest issue is on how you can protect yourself against that.*

**[GD Participant]** *Yes, that is it (biggest issue).*

**[Facilitator]** ***You mentioned about women that lose their husband. What does happen?***

**[GD Participant]** *It’s that when there is some space, they [local leaders] like to take it a lot.*

**[Facilitator]** ***Those women, have their lands taken by the government, their relatives or other people from the community? Who does take their land?***

**[GD Participant]** *It happens a lot on the land. When the leader of the community finds out that me, the men of the house have passed away; when he arrives he can cut that piece of land [take it away] because there is no document that says that the land is really from that person [the deceased, or his widow].*

[South Zone GD, June 15, 2017]

The baseline data indicated that women in the Pilot zone still commonly face strong vulnerability to disenfranchisement of their land rights, though the level of risk appears to vary based on family situations and the willingness of local leadership to intervene when women’s rights are threatened. Discussions on this issue also provided some evidence to suggest that farmer associations can be an important route by which women, and particularly widows, are protected from land dispossession.

Lastly, there was an indication that efforts to protect women’s rights to land may have improved somewhat in recent years compared with earlier decades. Social norms of women having fewer inheritance rights than men persist, for example. However, such norms appear to be changing, together with stronger support by government to uphold women’s rights under the law.

The following exchange from a Central Zone GD illustrates this:

**[Facilitator]** ***Do women have the right to inherit land here from their parents, whether they are married or unmarried?***

**[GD Participant]** *It depends from person to person.*

**[GD Participant]** *If our father die, we will call our sister even if she is in a marriage and let her know that of all the belongings of our father, be it animals or goods, you have the right to the following portion. Of course the portion will not be the same as men.*

**[Facilitator]** **Mothers, what is your experience?**

**[GD Participant]** *Our brothers do deceive us on that situation because if my husband dies and we did three boys and three girls, the girls are said not to have right to inheritance because they will have it in their marriage. That is something that it is painful for us because, we were all born the same so why when it comes to rights to inheritance the treatment is different?*

*So the truth is needed, they step on us.*

**[GD Participant]** *What was just shared here is the truth and it is like she was told by all the women sitting here. A daughter is not counted or recognized on these situations, they say she will inherit in her marriage. In my case for example, my father left something like 80 cows, tractors and other things and we women did not get a single pin. They distributed among themselves and some they killed themselves just because of this inheritance.*

**[Facilitator]** **Are there cases of widows that are chased away by the deceased family members?**

**[GD Participant]** *The government does no longer accept that to happen.*

[Central Zone GD, June 14, 2017]

A participant in another Central Zone GD made a similar point:

*“Now, if someone loses her husband it is not easy now for her to get her belongings including land taken, because there are norms/rules now that protect them. If she saws that some relatives want to take her things she can go and complain to the government to help her have her rights respected. So, it doesn’t quite happen now; it used to happen before.”* [Central Zone GD, June 12, 2017]

Thus, although land dispossession targeted to women who are more vulnerable still appears to be a threat in the Pilot zone, the GDs indicated that visibility on the issue is relatively high, and that broader government efforts to uphold women’s rights to land appear to have had some success in the area.

## **Sugarcane Outgrower Participation and Maragra Engagement**

### **Outgrower Participation and Maragra Engagement**

Engagement with Maragra and experience as sugarcane outgrowers varied substantially across EU project participants and nonparticipants. Current EU project participants can be further subdivided into two groups: members of farmer associations that had already planted sugarcane and were currently waiting for their first cane harvest, and those who were still waiting to begin planting sugarcane. Not surprisingly, farmer aspirations and experiences with the estate also varied substantially based on whether they had yet planted sugarcane under the EU project. The first sugarcane harvest for many EU project participants was just beginning at the time of baseline data collection, and none of the EU project participants in the GDs had yet had their cane harvested or received any payments from Maragra as outgrowers. Thus, at the time of the baseline data collection, their experiences with sugarcane outgrowing under the EU project were not extensive.

### **Current Sugarcane Outgrowers under EU Project Participation**

GD participants who were sugarcane outgrowers under the EU project described their interactions with Maragra as consisting primarily of meetings or trainings held on farming issues, and interactions

with EU project extension agents. Examples included those who had come to measure their plots or to provide booklets the project participants use to register details of their cane harvest at the appropriate time. GD participants described a structured system of contact between Maragra and the leaders of each farmer association, in which Maragra can contact the farmer association presidents as needed. When Maragra is to provide a training or there is a need for Maragra to disseminate information, participants described that Maragra typically may invite a small, fixed number of representatives from each association to attend the event. The representatives are then tasked with disseminating the information to the rest of their association members. The number of direct representatives invited to attend varies for any given activity, typically ranging from one to four members per association, according to GD participants.

Many of the GDs participants stated that their first interaction with Maragra had begun with their participation in the EU project. Many EU project participants in the GDs also seemed to distinguish between Maragra and the EU project as two distinct entities, with some saying that they didn't really interact with Maragra, only with EU project staff.

Sugarcane outgrowers under the EU project expressed varying levels of aspirations for economic and livelihoods benefits they expected to receive, often associated with whether the farmers had actually planted or harvested cane. For participants in their initial year as an outgrower and still waiting for their first cane harvest, aspirations ranged from guarded and cautious optimism to open hopes for improved livelihoods through sugarcane income. In some GDs in which association members had not yet gone through a cane harvest cycle, participants mentioned that they had seen other Maragra outgrowers obtain a higher standard of living through sugarcane income, and they expect the same for themselves.

Others were more cautious and said that they could not really have aspirations until after their first harvest, at which time they would have a sense for how much income they would receive. Some participants expressed that if Maragra determined the amount of sugar content from their cane to be low, then they would not receive very much money. Because they did not yet know what would happen, or how much income they might receive, their responses provided an impression that they had set their expectations low until, as they described, they could learn from their first harvest experience and better calibrate their expectations. As one GD participant and new EU project participant related:

**[Facilitator]** *Now that you are growing sugar cane. What are the benefits that you see that you will have?*

**[GD Participant]** *"We don't know because we are [just] starting. We don't know if it is sweet or bitter. So we cannot make plans without having harvested for the first time, because we don't know how much money we will get if we produce, or if the quality of the sugar cane will be good at all."*

[Central Zone GD, June 13, 2017].

In some cases, respondents seemed to indicate a low level of knowledge about outgrower contracting, harvesting and payment details, and high uncertainty around the potential benefits they might receive. For example, respondents mentioned uncertainty about the potential harvest amount they might expect from their farm, how payment would be determined, and the amount of revenue that Maragra would keep as loan repayment, and whether they would be paid in installments or just once for the annual harvest.

Some GDs participants also mentioned that under the EU project, they had benefited from project trainings related to sugarcane outgrowing and management, such as how to better understand the harvest and payment process with Maragra. In one GD, participants also noted that they had benefited from the infrastructure and drainage improvements that Maragra had brought to the floodplain blocks, such as rehabilitated dykes and drainage pumps.

## Individual Outgrowers for Maragra

In addition to EU project participants who had begun outgrowing for Maragra this year, some of the GD participants across the GDs conducted at baseline also included individuals who had already been farming as outgrowers for Maragra under individual contracts. The periods under which such individuals had already been outgrowers ranged from one to seven years. Those individuals who had a longer period of interactions with the estate as outgrowers and had been through multiple harvest cycles described their interactions as mainly receiving extension services when available, and communications about the cane produced and when payment was sent to their accounts.

Regarding any land documentation that may be required to become an outgrower with Maragra, participants mentioned a number of different documents that could be accepted, in their experience. In addition to a DUAT title — for which it was widely recognized that most local residents do not have — these included providing an ID and Unique Number for Tributary Identification, or a declaration that is issued by the administrative secretary, and a license for the farmer association. Some GD participants who had already been engaged as outgrowers with Maragra for several years mentioned that the current focus on proving the land is theirs prior to obtaining an outgrower contract was new and had started with the EU project. As one participant mentioned, *“They are asking that now because they want to make sure that your lands as an outgrower are legal. If they are not legal, they won’t accept it.”* [Central Zone GD, June 14, 2017].

## Pilot Zone Land Users Not Participating in EU Project or as Sugarcane Outgrowers

For members of farmer associations that were not involved in the EU project (i.e., are not involved with Maragra as outgrowers) or who grow sugarcane only for home consumption, the common theme during baseline data collection was that such individuals felt they had virtually no relationship with Maragra. Such individuals mentioned that Maragra is generally in touch with only the farmer associations with whom they have signed agreements. For members of farmers associations who have not signed such agreements, there was little expectation of engagement with Maragra. For members of such associations and other individuals without a direct line of communication with Maragra, it was described that they may hear of opportunities available through the estate through friends or word of mouth, but would need to find ways to approach the company directly to pursue such opportunities (through friends who were connected to or employed at the estate, for example).

GD participants who were not involved in the EU outgrower project described four main reasons for not participating:

1. Their farmer association farmed on land that the EU project had determined to have poor soil quality, and therefore the land had low potential to grow sugarcane — for this reason, the association was essentially not eligible to join the project.
2. Their farmer association had an ongoing land dispute and was therefore ineligible to join the EU project.
3. Their farmer association preferred to grow food crops instead of sugarcane. In such cases, respondents noted that individuals within their farmer association were free to interact with Maragra or participate in the EU project as individuals, but as a group, their farmer association had chosen to decline the opportunity to participate.
4. Association members felt they had received insufficient information about the EU project and therefore had chosen not to participate, given their lack of understanding regarding the EU project process.

Regarding potential trade-offs associated with growing sugarcane versus food crops, the baseline data clearly showed divergent views on the importance of each, and some underlying tension between prioritizing food security goals and the economic objectives others may aspire to through sugarcane outgrowing. Financial deterrents associated with the “lumpy” income that sugarcane growing provides throughout the year were the reason some GD participants were reluctant to engage in sugarcane outgrowing. Such participants mentioned the long one-year cycle to grow and harvest sugarcane, resulting in what respondents viewed as a single period to obtain revenue during the year at harvest time. This lumpiness in annual revenue was seen to create economic difficulties for households because they need income throughout the year to pay school fees and make food and household incidental purchases, for example. By contrast, food crops have shorter harvest cycles and can be sold or eaten throughout the year.

As one South Zone GD respondent noted, “*Sugar cane takes time until the harvest and we want to cultivate things that we can eat faster. Sugar cane takes a year and we won’t know what to give our children throughout the year, so that was what made us not accepting it.*” Another South Zone respondent noted that sugar is subject to price fluctuations, which makes managing already-tight finances more difficult: “*The sugar price also is dependent on the USD. When the price is down, you can supply plenty of tonnes, for just a small amount of money in return. We don’t have the experience but we know that the business can be very tricky.*”

GD participants from farmer associations that had declined participation in the EU project noted that the area produced mostly food crops in the past, but now there is a growing emphasis on prioritizing sugarcane. Some associations noted a balance might be achieved if some associations choose to grow only food crops, and cane producers can buy food from them.<sup>31</sup> Others noted government priorities for food production in the district and expressed concerns about becoming dependent on buying food:

**[GD Participant] [...]** *We did not reach an agreement [to join the EU project] because planting sugar cane was for them mandatory while we want to grow what we want.*

**[Facilitator]** *So, you didn’t get to an understanding [about joining the EU project] because you want to grow food and they [the EU project] want [you] to grow sugar cane?*

**[GD Participant]** *Exactly because of that. As we know, the government itself does not oblige you to grow sugarcane. Even now, we still go to South Africa to buy tomatoes so, any country in that situation is still down. Even now, we eat more than we can produce [here in this area].* [South Zone GD, June 14, 2017]

## CONCLUSIONS

### Summary of Baseline Context and Key Findings

Many local resident land users appear to have a similar history for land acquisition and use in the Pilot zone: the land was obtained primarily through inheritance and was strongly linked to the formation of the farmer associations that farm the land collectively in the zone. Individuals overwhelmingly had customary, undocumented use rights to land they farmed in the Pilot zone. Farmer associations had a critical role in enabling association members to uphold existing customary claims, protecting members from land grabbing by outsiders, obtaining land anew, or expanding their landholdings during the post-war period. The ongoing collective representation and protection of land rights that farmer associations

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<sup>31</sup> Farmers in the blocks may farm any crop they choose. However, to participate in the EU sugarcane outgrower support project in the block, a farmer must agree to plant some portion of his or her land with sugarcane under an outgrower contract.



provide was viewed as critical for respondents at baseline, and the benefits of association membership was strongly linked to reducing each individual's vulnerability to land expropriation.

Although most local land users in the Pilot zone have no formal documentation of their land claims, many have experienced prior mapping activities on their land parcels, either as part of efforts to map farmer association land as a whole or through the more recent EU outgrower project that is also operating in the Pilot zone. However, no GD respondent at baseline, regardless of EU project participation status, had received a document or map of their individual customarily held land parcels in the Pilot zone, even if those lands had been mapped as part of the EU project.

Baseline data indicates a low overall perception of tenure security among potential Pilot beneficiaries in the Pilot zone, and a relatively complicated context for nontransparent land allocation or outright land expropriation. GD participants expressed high vulnerability to land loss from several sources, the most common being perceived land grabbing by more powerful outsiders and/or collusion by association leaders, local officials, or higher-level officials. Women were considered more vulnerable and more commonly targeted.

Participants described several formal and informal processes through which land disputes could be resolved, but also expressed high mistrust in these systems because of their perception of corrupt and unfair practices or nontransparent decision-making by associated officials. Underlying contributors to perceived outright land expropriation or unfair resolution of disputes that resulted in local users' de facto dispossession of land were viewed to be a combination of the following: (a) Pilot zone customary land users' relatively lower status and associated powerlessness; (b) their lack of ability to demonstrate a legally recognized claim to their land through a DUAT title; and (c) the fact that many such land users appear to have areas of uncultivated land because of their inability to efficiently farm large areas of land through manual labor, and their associated lack of inputs and resources to mechanize. Local officials can view such land as "unused," and the land becomes a target for dispossession.

Awareness of the USAID Pilot project was high among potential beneficiaries at baseline, and GD participants expressed strong interest in participating in the project. A sizable minority of farmers expressed uncertainty over potential sugarcane outgrower benefits, and few perceived any linkages at baseline between formal land documentation and a farmer's ability to engage with Maragra as an outgrower.

## Implications for Pilot Implementation

The baseline findings highlight the following important considerations that may be relevant for the Pilot implementation:

- **Tenure Security:** GDs revealed that government administrative offices, which may be involved in titling and approval, are viewed as complicit in nontransparent land allocation and expropriation. This could complicate or present challenges to implementation processes or the potential effectiveness of some of the planned Pilot activities.
- **DUAT titles:** Farmers' interest in the Pilot appears to be driven largely by their interest in obtaining DUAT titles and obtaining help in resolving the threat of land challenges. This speaks to the Pilot's strong relevancy, but also raises the possibility for unmet expectations at endline for those participants who will not be able to receive a DUAT title.
- **Mapping:** The Pilot's land mapping and documentation of customary land rights activities may provide an added benefit to land users in the Pilot zone and strengthen their tenure security. However, the nature of land expropriation described at baseline, in which local land users appear vulnerable to dispossession by wealthier, more powerful individuals, raises some concern

about the extent to which Pilot-issued certificates may be able to provide protection from competing land claims. The Pilot may be well placed to provide important learning on the extent to which a project-issued certificate attesting to a user's customary rights can mitigate some of the tenure security concerns in the Pilot zone.

- **Outgrowing:** The potential role that Pilot activities could play in helping land users to become sugarcane outgrowers is somewhat less clear at baseline, given that many land users in the Pilot zone have been able to engage with Maragra as sugarcane outgrowers, through the EU-supported outgrower project, without formal land documentation. Baseline data also provided an indication that lack of information about how outgrowing projects would operate and low certainty about income potential are deterrents for some land users in the Pilot zone. It is possible that additional outgrower sensitization efforts and outreach around the process could help to overcome such concerns.

## Baseline Learning and Recommendations for Evaluation Approach and Qualitative Data Collection at Endline

The baseline data collection confirmed the viability of overall PE approach to obtain information on the key issues that constitute the focus of this evaluation. The baseline data collection experience and findings also highlight certain sampling issues that should be revisited during the endline data collection planning, to ensure fidelity to the data collection objectives and evaluation goals at endline. These are:

- Farmer association leaders are good points of contact (at baseline) to reach members of different farmer associations and for scheduling GDs around the weekly workdays that each association holds—this appears to be the most logistically feasible way to bring individuals together from their diverse localities for GDs. Because different associations in a block often have the same scheduled workday and similar gathering points for members, this allows GDs to include representation across several different farmer associations.
- Endline data collection should aim for mixed-gender GDs rather than attempting to maintain gender-segregated GDs. For respondents and the evaluation team, this can ease logistical difficulties associated with the need to coordinate and schedule the GDs in the block meeting areas far from respondents' homes and around association workdays and times. Although gender-relevant land issues are present in the Pilot context, the evaluation team found that these issues were acknowledged and discussed openly in mixed-gender settings. Because the logistics of the Pilot context mean that farmers are generally available for the GDs only just before or after their joint labor day, and the GD locations are remote, the evaluation team felt it was an unnecessary burden to respondents by trying to schedule men's and women's discussions at separate times, and potentially resulting in a loss of participants to the GDs. Because the evaluation team did not feel that information about gendered issues was compromised in mixed-gender settings at baseline, it would be preferable to hold mixed-gender GDs at endline to ease recruitment logistics. Doing so would enable the evaluation team to obtain participant representation across a greater number of farmer associations in the Pilot zones.
- Conduct GD recruitment at endline using Terra Firma's Pilot participant database, monitoring and evaluation data, and any farmer association contact information lists developed during the Pilot. This will be necessary at endline for the evaluation team to conduct robust recruitment of GD participants across the planned GD participant subcategories of interest for the evaluation (for example, recipients of the Pilot-issued certificate of land rights, and those who additionally received DUAT title support).

- Consider replacing the two planned GDs with Pilot- and outgrower-ineligible farmers from localities near the Pilot zone, with two additional GDs held with Pilot beneficiaries or with non-beneficiaries who have land in the Pilot zone. The evaluation team was unable to recruit such individuals for GDs successfully at baseline and learned of additional differences between this group and Pilot-eligible land users. Given these additional differences and the relatively small number of GDs planned for the evaluation, the evaluation team suggests that replacing these two GDs with Pilot zone beneficiaries and non-beneficiaries would likely provide greater depth of understanding about Pilot effects.

# ANNEX A: EVALUATION SOW

## Performance Evaluation of the Responsible Investment Pilot

This Statement of Work is for a performance evaluation commissioned by the Land and Urban Office in the United States Agency for International Development’s Bureau for Economic Growth, Education, and Environment (USAID/E3/LU) that will examine the Responsible Investment Pilot.

### I. Pilot Background

#### The Analytical Framework for Land-Based Investments in African Agriculture

As global demand for food, fuel, fiber, forestry, and horticultural products rises, private sector companies are increasingly investing in land in developing countries. With the potential benefits of such investment come several risks, including land tenure risks, which are associated with acquiring rights to land in an environment where land governance is weak, rights are often undocumented, or there may be pre-existing claims to land that is offered (often by governments) for sale or lease. Failing to account for land tenure risks can lead to displacements or loss of livelihoods for local people and communities, and can create significant financial, operational, legal, or reputational risks for the investor (e.g., increased media attention for “land grabbing” and protests by local communities). The international business community, civil society, and the U.S. and other governments recognize the need to ensure that land-based investments occur in a responsible and inclusive manner, and in compliance with international best practice.

In 2012, the Committee on World Food Security adopted the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Security (“Voluntary Guidelines”). This international soft law “promotes secure tenure rights and equitable access to land, fisheries and forests as a means of eradicating hunger and poverty, supporting sustainable development and enhancing the environment.”<sup>32</sup> Almost 100 nations agreed to the Voluntary Guidelines. To provide practical guidance to private-sector investors regarding how they can comply with the Voluntary Guidelines, the U.S., French, German, and British governments, the United Nations Food and Agriculture Organization, and the African Union collaboratively produced the Analytical Framework for Land-Based Investments in African Agriculture<sup>33</sup> (the AF). The AF consolidates existing guidance on responsible land-based investment into one succinct framework. The Global Donor Working Group on Land endorsed the AF in October 2015, and it remains a useful framework for private investors looking to make responsible investments that comply with the Voluntary Guidelines. The AF provides guidance for companies to align with international best practices while reducing potential risks to their investments. Despite consensus on tenure risks and beneficial mitigation measures outlined in the AF, uptake of the AF by the private sector has been minimal.

#### The Responsible Investment Pilot

USAID/E3/LU has tasked the Cloudburst Group (“Cloudburst”), through the Evaluation, Research, and Communications (ERC) task order under the Strengthening Tenure and Resource Rights (STARR) indefinite quantity contract (#AID-OAA-I-12-00030), to pilot utilization of different components of the AF with private sector partners. Known as the Responsible Investment Pilot (the Pilot), this will be one of the first attempts to study how implementation of different components of the AF affects private

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<sup>32</sup> See: <http://www.fao.org/nr/tenure/voluntary-guidelines/en/>.

<sup>33</sup> See: [https://www.growafrica.com/sites/default/files/Analytical-framework-for-land-based-investments-in-African-agriculture\\_0.pdf](https://www.growafrica.com/sites/default/files/Analytical-framework-for-land-based-investments-in-African-agriculture_0.pdf)

firms' investment, including investment decision-making and operational planning, and the land rights, tenure security, and firm relations in affected communities. Cloudburst is implementing the Pilot from approximately December 2016 to March 2018 in Mozambique and Cameroon, with a third country planned for pilot activities as well. Cloudburst has selected a subcontractor, Indufor Group, to implement Pilot activities. Indufor may further subcontract with local partners as needed.

Implementation of the Pilot in each country will focus on different components of the AF's five stages. In Cameroon, the Pilot will primarily span Stage 1 (Tenure Security) and Stage 2 (Participation, Consultation, and Negotiations); while in Mozambique, the Pilot activities will mainly cover some elements of Stage 1, as well as Stage 3 (Grievance Mechanism – Dispute Resolution) and Stage 4 (Transparency and Corruption). The AF is applicable at different stages of investment and can be adopted midway throughout the investment cycle.

The Pilot includes two main components:

1. Land tenure due diligence: The Moringa Partnership is a European impact investor that invests in responsible agribusiness activities in Africa and Latin America. Moringa wants to strengthen its due diligence processes for land-based investments. Indufor will help Moringa adapt the AF to be used by the firm to recognize and mitigate risks (in alignment with Stage 1 of the AF). The Pilot will begin by assessing prospective investments in Cameroon and may include on-demand technical assistance to Moringa in the third pilot country that USAID and Cloudburst select.
2. Mapping land rights and creating a grievance mechanism in Mozambique: This component of the Pilot will collaborate with Illovo Sugar Ltd. on an existing project site to map outgrowers' land and set up a transparent grievance mechanism for these outgrowers. In Mozambique, Indufor will subcontract with Terra Firma, a local consulting company.

As the prime contractor, Cloudburst will perform contractual oversight of Indufor and may provide technical guidance and assistance with due diligence, community engagement, grievance mechanisms, and mapping components of the Pilot. Cloudburst will also play a monitoring and data collection role on the Pilot, including reporting on Pilot success stories and collecting monitoring data from the participating firms through Indufor. Selection of performance indicators for the Pilot is expected in February 2017. Indufor intends to conduct a scoping mission in Cameroon in February to assess initial implementation challenges, and expects the Mozambique pilot to begin with community engagement and mapping of land rights in February 2017.

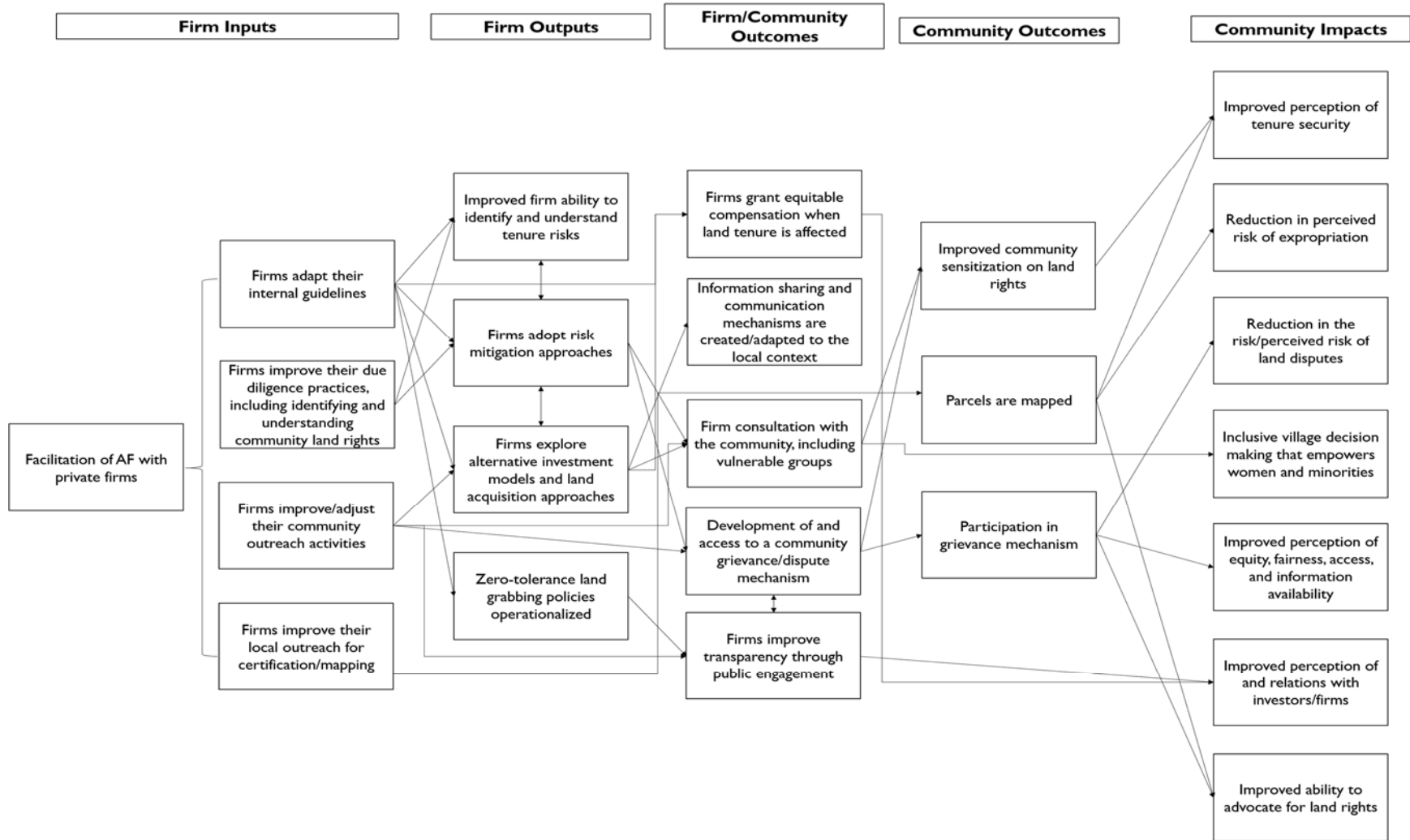
## 2. Development Hypothesis

USAID believes that if companies appropriately apply the AF as part of their land investment, acquisition, and management activities, then private business capacity to identify and understand community tenure risks will improve, firms will be more likely to adopt approaches to avoid these risks, and this will mitigate risks in affected communities. USAID also expects investor application of the AF to lead to more inclusive and positive outcomes for communities affected by land-based investments. At the community level, USAID believes that firms' use of the AF will lead to improved perceptions of investor companies, improved relations with and participation in land-based investment schemes, and communities having more participatory input over land use and investments than those implemented without AF guidance. In turn, USAID expects this will lead to improved tenure security and lower perceived risk of land expropriation by community members.

Figure 1 presents a detailed theory of change (TOC) for the overall Pilot. Each part of the TOC presents activities that take place within the context of land practices and the AF recommendations. The TOC presents firm outcomes, community outcomes, and crosscutting community-firm outcomes to show areas where firm and community activities overlap. For example, firm consultation with

community members, including vulnerable groups, is an outcome for firms that adjust their community outreach efforts as part of the AF, as well as for the community that the firm consults and engages.

**Figure 1: Responsible Investment Pilot Theory of Change**



### 3. Existing Performance Information Sources

USAID/E3/LU has already shared the following documents with the evaluation team:

- USAID Request for Expression of Interest
- Cloudburst Pilot Subcontract Draft SOW

USAID/E3/LU and Cloudburst will share the following additional documents with the evaluation team via email as they become available:

- All future quarterly project management and progress reports for the Pilot
- Available monitoring, evaluation, and learning updates, data, and reports
- Participating firm data and operational information that relate to Pilot activities

In addition to information provided by USAID/E3/LU and the Pilot implementing partners, the evaluation team may need to access other types of secondary data, including administrative information on the relevant local municipalities, from a variety of sources. This will likely involve accessing published government sources, or obtaining the information from Cloudburst staff who are knowledgeable about existing data for specific municipalities. The evaluation should also collect and analyze information related to land rights in the selected countries, activities to improve land use, issues that may affect the outcomes of interest, and other factors exogenous to the Pilot that could influence observed results.

### 4. Evaluation Purpose, Audiences, and Intended Uses

#### Purpose

USAID/E3/LU is commissioning this evaluation to examine how the application of the AF affects community perceptions and actions as they relate to land management, tenure security, and local community views of and engagement with private sector investors. Since implementation of the AF is intended to have mutually beneficial outcomes for investor companies and for local communities, this evaluation will complement the data collection and reporting that Cloudburst will perform on the participating firms' experiences using the AF, by providing results on the community-level impacts. It also aims to contribute to the broader knowledge base on responsible land investment practices and their potential to reduce social, economic, and governance risks in impacted communities.

USAID/E3/LU expects that the community-level results obtained under this evaluation will be considered in tandem with the investor-level results that will be the focus of Cloudburst's Pilot data collection activities, to inform overarching areas of interest such as:

- The likelihood that the AF will garner interest and investors/firms will perceive its utility.
- The challenges associated with the time and cost of companies to implement these guidelines.
- The different perspectives of investors in terms of their entry points and interests in using the AF as a guidance tool during the investment life cycle.

#### Audiences

Primary audiences for this evaluation are USAID/E3/LU, the Pilot implementing partners, and the private sector firms involved with the Pilot. Secondary audiences for this evaluation are other private sector firms involved in land-based investment (especially U.S. firms), land sector specialists and nongovernmental organizations, and the broader donor community including the United Nations, the United Kingdom's Department for International Development, and the World Bank.



## Intended Uses

USAID will use this evaluation to inform the design and implementation of future land tenure and investment-related activities, and to improve the facilitation of the AF with private sector firms. As one of the first evaluations of the AF's implementation, the evaluation will serve as a tool for USAID, Cloudburst, the private sector partners, other donors, and businesses in the land sector to learn about how the implementation of different components of the AF affects firms and communities. This includes learning contributions on whether and how the AF helps to reduce land tenure risks and facilitates positive outcomes for affected communities. The evaluation will serve as a platform for disseminating the results to other potential investors looking for ways to improve their due diligence and community engagement practices through the AF.

## 5. Evaluation Questions

The evaluation will address the following questions:

1. How has community participation in AF-guided activities under the Pilot affected how community members perceive and engage with land-based investor companies and schemes? (*Overarching impacts and engagement*)

*In answering this question, the evaluation may explore lines of inquiry such as:*

- a. *How do impacts and perceptions differ from previous community experiences with land-based investment in or near their community that did not use the AF-guided processes.*
- b. *Community perceptions of equity, fairness, access, and information availability, particularly with respect to land rights recognition, land acquisition processes, and (where applicable) grievance mechanisms.*
- c. *Inclusiveness of the AF-guided activities in regards to decision-making, openness, and transparency.*

2. To what degree have community-level objectives of the AF-guided activities under the Pilot been achieved, and what explains where successes, failures, or unanticipated effects have occurred? (*Specific impacts*)

*In answering this question, the evaluation may explore lines of inquiry such as:*

- a. *How the AF-guided activities have affected community perceptions of tenure security, land conflict, risk of land expropriation, and the ability of community members to advocate for their land rights.*
- b. *Whether and how any particular Pilot or external factors influenced the ability of the AF-guided activities to achieve intended community-level results.*

3. How well do the AF-guided activities under the Pilot meet underlying challenges and the needs of communities with respect to participation in or locational proximity to new or existing land-based investment schemes? (*Relevance*)

*Underlying challenges may include those associated with insecure land tenure, such as overall and within community disparities around power and voice, information access, and meaningful representation and participation in decision-making. Other challenges may be identified through data collection with community members during the course of evaluation activities.*

4. What are the lessons learned from the AF-guided activities under the Pilot that can inform future application and dissemination of the AF to better achieve intended community-level objectives?

*In answering this question, the evaluation may address intended community-level results such as:*

- a. Community relations with land-based investors.*
- b. Participation of community members in land-based investment schemes in or near their communities.*
- c. Longer-term potential for improved tenure security and lower perceived risk of land expropriation by land-based investment schemes.*

## **6. Gender Considerations**

In line with USAID's Gender Equality and Female Empowerment Policy and Automated Directives System 203.3.1.5, the evaluation will consider gender-specific and differential effects of the Pilot. The evaluation team will disaggregate data by gender at multiple points along the Theory of Change diagram to analyze the potential influence these effects have on activities and outcomes. If surveys are employed, the data will be gender-disaggregated to identify gender differences with respect to access, benefits, and outcomes, as well as lessons learned from female community members. This could include looking at issues such as how and whether outreach activities included men and women, or how accessible the grievance process was to men and women. USAID expects the evaluation team to apply gender-sensitive methods while conducting interviews to ensure that accurate data are collected. For example, if the evaluation team asks about intra-household decision making to learn more about the local context, it may be helpful to survey men and women separately. The evaluation team will conduct further inquiry on gender themes as they emerge during data analysis.

## **7. Evaluation Design and Data Collection Methods**

USAID expects that the evaluation design and methodology for this evaluation will include a mix of qualitative and quantitative data collection and analysis approaches, where appropriate. The evaluation team should consider methodologies that make use of the Pilot implementation timeline and incorporate baseline data and endline comparisons, as appropriate and feasible.

The evaluation team responding to this SOW will prepare a Concept Paper outlining potential evaluation design options and associated budgetary implications to answer the evaluation questions. Once agreement is reached with USAID on the design options discussed in the Concept Paper, the evaluation team will prepare an Evaluation Design Proposal including the detailed methodology on a question-by-question basis, drafts of data collection instruments, and sampling approach, getting to answers matrix, draft work plan, proposed team composition, and estimated budget.

Data collection methods for this evaluation are likely to include, but will not necessarily be limited to:

- **In depth interviews:** USAID expects the evaluation team to conduct key informant interviews with Pilot stakeholders, including community members and community leaders. Interviews with USAID staff, Cloudburst and other Pilot implementation staff, and representatives from the firms applying the AF may also be required.
- **Focus group discussions:** The evaluation team may conduct focus group discussions with members of the local community in the study areas. The evaluation team should work to ensure a diversity of ages, gender, and income levels for focus group participants and include any vulnerable populations, such as the elderly, youth, pastoralists, and indigenous peoples.
- **Household survey:** Data collection for this evaluation may require the use of household-level surveys that could cover communities affected by the AF-guided activities under the Pilot, as well as other communities. The survey would collect information on basic demographics, household and individual characteristics, and the outcomes of interest that the evaluation will measure.

## 8. Data Analysis Methods

In its Evaluation Design Proposal, the evaluation team responding to this SOW should propose specific data analysis methods on a question-by-question basis, including the appropriate mix of methods necessary to estimate the primary outcomes of interest. Potential data analysis methods include pattern/content analysis and pre/post analysis. The Evaluation Design Proposal should also indicate and justify the evaluation team's proposed sequencing of qualitative data collection. For example, if the evaluation team conducts focus group discussions during endline data collection, these data may be collected and analyzed in parallel with other data collection methods and only synthesized once data from all other sources are available.

## 9. Evaluation Strengths and Limitations

The strengths and limitations of this evaluation will depend on the final design proposed by the evaluation team, in consultation with USAID. The final design should reflect a robust approach to answering the evaluation questions and contribute to the global knowledge on the AF's implementation.

Initial strengths and limitations that accompany any performance evaluation of this type and are specifically relevant to this evaluation include:

### Strengths

- **Framework evidence:** This evaluation will be one of the first to assess how the introduction of the AF affects communities and investors. The results from this evaluation are expected to inform future USAID programming as well as add to the global body of knowledge on the use of soft law and other guidance to make responsible land investments.
- **Unique perspectives:** The qualitative data collection will draw upon unique perspectives that may be lost in a broader, quantitative survey. These data will provide USAID, Cloudburst, and other stakeholders with insight into perceptions of participating firms, tenure security, and their own community. Key details are lost and respondents often satisfice during surveys that rely on Likert or other quantified measures of perception. The evaluation design will be able to address these limits while aiming to collect diverse perspectives to inform future implementation of the AF.

### Limitations

- **Cannot definitively attribute reported impact to the Pilot:** While USAID expects the evaluation to focus on the community outcomes that arise from private sector firms' use of the AF, a variety of factors affect these same outcomes. The performance evaluation design will not allow for a rigorous, counterfactual-based estimation of impact from the Pilot. In its Evaluation Design Proposal, the evaluation team should note how its approach will attempt to account for confounding factors; however, USAID recognizes that the performance evaluation design will ultimately be limited in its ability to mitigate this issue.
- **Implementation scope:** The implementation of the Pilot takes place in two, possibly three, countries with very different land contexts. In addition, the application of the AF differs in each context, with Stages 1 and 2 applied in Cameroon, and some elements of Stages 1, 3, and 4 in Mozambique. The laws, firm history, tenure security and governance issues, and social and political history of each place is different, but these and other exogenous factors will affect the outcomes of interest. Given the broad scope and limited timeframe for Pilot implementation, the evaluation's ability to make comparison between contexts may be limited. To mitigate this, the evaluation team will need to ensure that any caveats are clear, that the approach and analysis applied is appropriate for the context, and that gaps are noted for future study.

## 10. Evaluation Deliverables

The evaluation team will be responsible for the following deliverables, and will provide a final list of proposed deliverables and due dates in its Evaluation Design Proposal for USAID's approval.

Deliverable	Estimated Due Date
1. Concept Paper	o/a February 17, 2017
2. Draft Evaluation Design Proposal	o/a 30 days following USAID's concurrence on the selected Concept Paper options unless in-country scoping is required
3. Final Evaluation Design Proposal	o/a two weeks following receipt of USAID comments on the Draft Evaluation Design Proposal
4. Draft Evaluation Report	To be proposed in the Evaluation Design Proposal
5. Final Evaluation Report	o/a three weeks following receipt of all comments on the Draft Evaluation Report

All documents and reports will be provided electronically to USAID. All qualitative and quantitative data will be provided in electronic format to USAID in a format consistent with Automated Directives System (ADS) 579 requirements.

Prior to the submission of the Evaluation Design Proposal, the evaluation team will discuss with USAID whether its preliminary dissemination plan for this evaluation indicates other deliverables that should be prepared. Such additions as agreed with USAID will then be included in the Evaluation Design Proposal.

### Evaluation Design Proposal

Prior to implementation of this evaluation, the evaluation team will deliver an Evaluation Design Proposal that describes the conceptual framework for the evaluation and the justification for selecting this approach. USAID/E3/LU must provide its approval before the evaluation team begins in-country data collection. The Design Proposal must at least contain the following:

- Discussion of the overall approach of the evaluation, highlighting the conceptual model(s) adopted by evaluation question and demonstrating a clear understanding of the intervention logic of the Pilot.
- Discussion of the data collection and data analysis methods that will be used to answer each question and the limitations for each method. Include the level of precision required for quantitative methods and value scales or approach to coding that will be employed for qualitative methods.
- Discussion of how gender analysis will be integrated into the evaluation design.
- Detail key data sources that will be selected to answer each evaluation question.
- Discussion of the sampling approach, including area and population to be represented, rationale for selection, sampling procedures, sample size (for each unit of analysis), sample precision, and confidence and limitations.
- Discussion of risks and limitations that may undermine the reliability and validity of the evaluation results, and the proposed mitigation strategies for each.
- Summarized evaluation methodology in a matrix that contains for each evaluation question: measure(s) or indicator(s), data collection method(s), data source, sampling approach, and data analysis method(s).
- Timeline showing the key evaluation phases (e.g., data collection, data analysis, and reporting) and specific deliverables and milestones.

- Responsibilities and qualifications of each evaluation team member for each evaluation phase.
- Discussion of logistical considerations for carrying out the evaluation, including specific assistance that will be required from USAID, such as providing arrangements for key contacts within the Mission or government.
- Detailed estimated budget.

## **Draft Evaluation Report**

The draft evaluation report must contain at least the following:

- **Executive Summary:** This section should be up to five pages in length and describe the purpose, project background, evaluation design and methodology including the evaluation questions, and key findings, conclusions, recommendations, and lessons learned from the evaluation.
- **Background:** This section will provide a brief description of the Pilot that highlights its scope, development hypothesis, and activities undertaken, as well as other relevant activities taking place in the Pilot intervention areas.
- **Methodology:** This section will detail the methodology and related research protocols undertaken in conducting the evaluation, including the relevant data collection and analysis methods, sampling approach, and related challenges or limitations encountered during the evaluation and mitigation approaches employed.
- **Findings:** This section will present findings collected from the evaluation relevant to each evaluation question. The evaluation findings must be presented as analyzed facts, evidence, and data and not be based on anecdotes, hearsay, or the compilation of people's opinions. The findings must be specific, concise, and supported by the quantitative and/or qualitative evidence analyzed through scientifically plausible methodologies. Sources of information used in arriving at the findings must be properly acknowledged and listed in an annex.
- **Conclusions:** The evaluation report will present evaluation conclusions that are interpretations and judgments based on the findings described, and must logically follow from the gathered data and findings and be explicitly justified. If necessary, the evaluation team will state its assumptions, judgments, and value premises in presenting a conclusion so that readers can better understand and assess them.
- **Recommendations:** This section will concisely and clearly present recommendations that are drawn from specific findings and conclusions provided in the report. The recommendations must be stated in an action-oriented fashion and be practical, specific, and with defined target audience(s).

## **Final Evaluation Report**

Following receipt of USAID's comments on the draft evaluation report, the evaluation team will prepare a final version that incorporates and responds to this feedback. The final evaluation report should contain the same sections as noted above for the draft evaluation report and should also include:

- **References:** This section should include a list of all documents reviewed, including background documentation and records of technical data application and decision-making.
- **Annexes:** These may include, but are not limited to, the evaluation statement of work, instruments used in conducting the evaluation, any statements of differences received, as well as other relevant sources of information.

## II. Team Composition

In its Evaluation Design Proposal, the evaluation team will propose a staffing plan for this evaluation including specific positions and CVs for proposed individuals to serve in those positions. USAID/E3/LU encourages the use of local personnel on the team, as feasible and appropriate. Evaluation team members will be provided with USAID's conflict of interest statement that they will sign before conducting any field research.

General qualifications and roles anticipated for core evaluation team are listed below. Local survey research firm(s) with experience in the conduct of household surveys at the household level and/or qualitative data collection may also support the evaluation team, as necessary.

### Core Evaluation Team

USAID expects that the core team for this evaluation will include a team leader who has relevant prior experience in the land sector, familiarity with USAID's objectives, approaches, and operations, and has served on evaluation teams, preferably as team leader. Other proposed team members should have the technical qualifications identified for their respective positions. Illustrative position descriptions are provided below, although the evaluation team is free to propose a different configuration:

#### Team Leader

The team leader will be primarily responsible for the quality of the evaluation design and its execution. This is not anticipated to be a full-time position. Key qualifications expected for the Team Leader include:

- Graduate degree, preferably a Ph.D., in a relevant economic development field.
- Demonstrated ability to gather and integrate both quantitative and qualitative findings to answer evaluation questions
- Demonstrated experience managing multinational teams and producing high-quality and timely reports for USAID or similar audiences.
- Sound knowledge of land tenure, governance, and security issues.

#### Evaluation Specialist

The evaluation specialist will be actively engaged in efforts to oversee and ensure the quality of data collection activities, ensure that data codebooks are clearly written, and that all data collected can be properly transferred to USAID. The individual should have a graduate degree in a relevant social science field, and may be a host country national. The individual will have sufficient previous experience with evaluations and other types of relevant studies. Gender analysis experience is also desirable. This is not anticipated to be a full-time position.

#### Home Office Support

Home Office support will be provided by the firm(s) that will be implementing this evaluation, as required, including quality assurance, research support, administrative oversight, and logistics.

## 12. USAID Participation

The desirability of USAID participation in evaluation activities such as data collection will be considered in consultation with USAID and the evaluation team, and any specific roles and responsibilities of USAID staff will be described in the Evaluation Design Proposal.

## 13. Scheduling and Logistics

The following Gantt chart provides an illustrative overview of the preliminary estimated timeframe for the evaluation and key deliverables. The Evaluation Design Proposal will include a detailed schedule and proposed delivery dates.

### ILLUSTRATIVE EVALUATION TIMELINE

Tasks	Implementation of THE PILOT							
	CY 17				CY 18			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Concept Paper	■							
Scoping trip (if necessary)	■							
Evaluation Design Proposal	■	■						
Baseline Data Collection (if necessary)	■	■						
Baseline Data Analysis and Report (if necessary)		■						
Oral Presentation of Baseline Findings (if necessary)		■						
Endline Data Collection and Analysis						■		
Endline Report						■		
Draft Evaluation Report							■	
Oral Presentation(s)							■	
Final Evaluation Report							■	■

The evaluation team will be responsible for all logistics, including coordinating all travel throughout the region, lodging, printing, office space, equipment, car rentals, etc. USAID, Cloudburst, Indufor, Moringa, Illovo, or other local partners will provide support as appropriate to set up initial meetings with key stakeholders with any local government stakeholders or private sector partners.

## 14. Reporting Requirements

The evaluation report will follow USAID guidelines set forth in the agency's Evaluation Report Template<sup>34</sup> and How-To Note on Preparing Evaluation Reports<sup>35</sup> as well as the [Mandatory Reference for Automated Directives System 201 on USAID Evaluation Report Requirements](#).

The Final Evaluation Report should not exceed 30 pages, excluding references and annexes. The evaluation team will deliver a copy of the final evaluation report to USAID's Development Experience Clearinghouse (DEC) within 30 days of approval of the Contracting Officer's Representative to post it on the DEC.

All members of the evaluation team should be provided with USAID's mandatory statement of the evaluation standards they are expected to meet, shown in the text box below.

<sup>34</sup> See <http://usaidlearninglab.org/library/evaluation-report-template>

<sup>35</sup> See <http://usaidlearninglab.org/library/how-note-preparing-evaluation-reports>

## MANDATORY REFERENCE FOR ADS CHAPTER 20 I CRITERIA TO ENSURE THE QUALITY OF THE EVALUATION REPORT

Pursuant to 201.3.5.17, draft evaluation reports must undergo a peer review organized by the office managing the evaluation. The following criteria should serve as the basis against which the report is reviewed. To help ensure a high-quality evaluation report, these criteria must be included in the evaluation Statement of Work to communicate to evaluators USAID's quality criteria.

- Evaluation reports should represent a thoughtful, well-researched, and well-organized effort to objectively evaluate the strategy, project, or activity.
- Evaluation reports should be readily understood and should identify key points clearly, distinctly, and succinctly.
- The Executive Summary of an evaluation report should present a concise and accurate statement of the most critical elements of the report.
- Evaluation reports should adequately address all evaluation questions included in the SOW, or the evaluation questions subsequently revised and documented in consultation and agreement with USAID.
- Evaluation methodology should be explained in detail and sources of information properly identified.
- Limitations to the evaluation should be adequately disclosed in the report, with particular attention to the limitations associated with the evaluation methodology (selection bias, recall bias, unobservable differences between comparator groups, etc.).
- Evaluation findings should be presented as analyzed facts, evidence, and data and not based on anecdotes, hearsay, or simply the compilation of people's opinions.
- Findings and conclusions should be specific, concise, and supported by strong quantitative or qualitative evidence.
- If evaluation findings assess person-level outcomes or impact, they should also be separately assessed for both males and females.
- If recommendations are included, they should be supported by a specific set of findings and should be action-oriented, practical, and specific.

### **Data Management**

The storage and transfer of data collected for this evaluation will adhere to the requirements laid out in ADS 579.<sup>36</sup> The evaluation team should also follow applicable Institutional Review Board guidance on data security and confidentiality. Final datasets are expected to be submitted to USAID in a format consistent with ADS 579.

## **15. Estimated Budget**

The evaluation team responding to this SOW will provide illustrative budget information associated with proposed design approaches in the Concept Paper, and will then deliver a detailed estimated budget in its Evaluation Design Proposal, for USAID's review and approval prior to commencing implementation of the evaluation.

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<sup>36</sup> See <http://www.usaid.gov/sites/default/files/documents/1868/579.pdf>



# ANNEX B: KII INSTRUMENT

## Introduction and Consent

**Prior to all KIIs, the following consent statement should be read out loud to each respondent:**

Hello and thank you for agreeing to talk with us. My name is [name of interviewer]. Together with me is [name]. We work with a group of research organizations in the United States, including Management Systems International and NORC at the University of Chicago. The United States Agency for International Development (USAID) has hired us to conduct an independent evaluation of its RLBIP pilot project in Manhiça District, which is a partnership with Illovo/Maragra and mapping and documenting land rights in some of the recently rehabilitated blocks in this area.

The aim of this discussion is to learn about your experiences on land and land-based investment opportunities, such as farming sugarcane as an outgrower. Our role here is to ask questions and listen to your opinions and experiences. We will be recording this discussion so that we can make sure we accurately note what you are telling us, and not forget anything that was said. Your identity will be kept confidential and it will not be possible for you to be identified in our study report. If you would prefer we take notes and not use the recorder, please let us know. Please note that there are no “right” or “wrong” answers in this discussion. We would like everyone to share their experience and give feedback, either positive or negative.

Your participation is completely voluntary and you can choose to not answer any question or stop participating at any time. You are not obligated to answer any question that you are not comfortable with. This discussion will last approximately 1 hour. The information you give will be stored safely for the duration of the project and shared anonymously with USAID.

If you have any questions about the study, you may contact \_\_\_\_, on this phone number: \_\_\_\_  
(Read if more than one respondent in KII): We ask that everyone here respect each person’s privacy and confidentiality, and not repeat what is said during this discussion. But, please remember that other participants in the group may accidentally share what was said.

[START THE RECORDER TO GET VERBAL CONSENT]  
Do you agree to participate in today’s discussion?

[IF THE RESPONDENT SAYS “YES”, CONTINUE DISCUSSION]  
May we begin?

The following information should be collected for each KII respondent:

<b>1</b>	<b>Name of respondent</b>	
<b>2</b>	<b>Type of respondent</b>	<input type="checkbox"/> Farmer association leader <input type="checkbox"/> Farmer cooperative leader <input type="checkbox"/> Community leader <input type="checkbox"/> Maragra liason <input type="checkbox"/> EU-project liaison <input type="checkbox"/> Implementing Partner staff member or extension agent
<b>3</b>	<b>Agency or Institution (if applicable)</b>	
<b>4</b>	<b>Respondent title or position (if applicable)</b>	
<b>5</b>	<b>Locality name</b>	
<b>6</b>	<b>Date of interview</b>	
<b>7</b>	<b>Interview location</b>	
<b>8</b>	<b>Interviewer</b>	
<b>9</b>	<b>Note taker</b>	
<b>10</b>	<b>Start time</b>	
<b>11</b>	<b>End time</b>	
<b>12</b>	<b>Interview duration (minutes)</b>	
<b>13</b>	<b>Language of interview</b>	

## KII Protocol:

This guide should be used for KIIs with community leaders, farmer association leaders, and farmer cooperative leaders, \*\*\* **INCLUDE AT ENDLINE ONLY: Begin with a brief discussion of Pilot Project.**

We would like to talk with you about your experiences with [USAID Pilot project] to map and document land rights here in [Project block], implemented during [YEAR OF PROJECT].

1. Do you remember this project? Can you briefly describe what it did? What did your participation consist of, if any at all?
2. Are you familiar with the certificates of proof of acquisition of DUAT rights that were issued to individuals through this project? Can you explain to us the difference between this types of document and a DUAT title?

### A. OVERVIEW OF LOCALITY (Community leaders only)

- I. Please tell us a brief description of this locality. What are the main sources of livelihoods for residents in this locality? How would you classify households in this locality in terms of overall wealth status?

2. Are there any key factors that have affected the makeup of this locality in recent years (such as population size, age of residents, socioeconomic status, etc)? What other major changes have taken place here in the past year?
3. What do you think are the main development priorities for this locality?

**B. OVERVIEW OF FARMER ASSOCIATION OR COOPERATIVE** (*Farmer association or cooperative leaders only*)

1. Please tell us a brief history of you farmer association / cooperative? *Facilitator probes:*
  - a. What year was it organized, and how much land area does it have?
  - b. Does the association only operate in [block name]?
  - c. How did most farmers come to join this association?
  - d. How many men and women member are in the association currently?
2. How many individual members do you have in your farmer association / cooperative operating in [block name]?
  - a. What are the requirements to join this farmers association / cooperative?
    - i. Are there any annual fees for members?
    - ii. Is any paper documentation of land rights required for an individual to join? What forms of documentation are acceptable? Of these, what forms are preferred, and why?
  - b. What kind of activities does the association / cooperative do?
  - c. What kinds of benefits have members received so far? Are there any other benefits you expect to receive in future?
  - d. For people who are not part of an association, what are the main reasons why not? What do you see as the main barriers to participation?

**C. TENURE SECURITY**

1. What are the most common causes of land disputes for members of the association/cooperative/locality? How are such disputes usually resolved? It is easy or difficult to resolve each of these types of disputes? (*Facilitator: probe for each dispute type mentioned, and reasons for difficulties resolving them.*)
  - a. Do women have more challenges experiencing or resolving these types of disputes? What do you think are the main reasons for this?
  - b. Are there any other groups or types of people who face more of these types of disputes, or
  - c. Are there any institutions available here to help resolve land disputes for land in this block? How well do you trust these institutions to provide fair resolution of land conflicts? Can you give me an example?
2. Are you aware of any members/locality residents who have lost land in this [block] because it was claimed or taken by someone else?
  - a. Can you briefly describe what happened?
  - b. Is this common here in this block, or is it uncommon?

3. Do you think it is possible for members to leave land in this block unfarmed (fallow) for a long period of time, without worrying that someone else may try to claim it? For how many months/years? Has this changed at all in the past 1-2 years? Why?
4. Do you think it is possible for members to be away from their land here this block for a long period of time, without worry that someone else may try to claim it? For how many months/years? Has this changed at all in the past 1-2 years? Why?
5. Tell us about women's rights to land in this [block]. Do women have the right to inherit land here from their parents, whether they are married or unmarried? Does this usually happen in practice? In the event that her husband dies, what land rights does a woman have here in this locality? For such a situation, what happens to the land a widow is farming on here in this [block]?
6. Is it common for members/residents of this locality to have a DUAT title for the land they use in [block name]? I mean for an individual parcel of land, not a DUAT title provided to a farmer association as a whole. *(Probe on: Are these new DUAT titles, or conversion of a colonial DUAT that was already held by the family? Did any project or group help people to obtain this?)*
7. Are land rights for people who have land in this [block] generally respected, even for people who do not have a DUAT title? Can you give me an example?
8. Do you think people with DUAT titles to land in this [block] use their land differently than people who do not have DUAT titles? Why or why not? If yes, what are some examples?

#### **D. LAND MAPPING VERIFICATION, AND CERTIFICATION ACTIVITIES AND INCLUSIVENESS**

- I. Are you aware or directly involved in any awareness-raising on land mapping, verification and certification activities for land in this block, this year? If yes, how did you hear about those activities?

**\*\*\* PILOT ACTIVITY PARTICIPATION & TARGETING QUESTIONS ADDED HERE FOR ENDLINE \***

#### **E. INVESTOR COMPANY ENGAGEMENT AND PARTICIPATION IN (SUGARCANE) OUTGROWER OPPORTUNITIES**

1. What are the common ways that members/locality residents interact with the Maragra sugar estate? For people who have land in [block name], what kinds of benefits, if any, are available from the sugar estate?
2. How do you association members / locality residents usually hear about new opportunities at the estate? Do you find that such opportunities are generally accessible to people who are interested? Why or why not?
3. Are you familiar with or involved directly in the project to support people to produce sugarcane for Maragra as an outgrower? What sorts of benefits do members expect to receive from participating in this project? What sorts of benefits have been received to date?
4. For members of your association / locality who are not participating, what do you think are the main reasons why? Can you give us some examples of the challenges faced, or other reasons people may not participate in an outgrower opportunity with the sugar estate?
  - a. What were the main requirements for participation?

- b. Do you think women were more challenged to participate than men? Why?
  - c. Are there any other groups or types of people who faced participation challenges?
5. For people who are interested to have an outgrower contract in future, in this [block], what do you think is most important to enable them to participate?
  6. Are there any harms or concerns you are worried about, as a result of individuals or farmer associations engaging in sugarcane outgrower contracts in this [block / locality]?

## **F. CONCLUSION**

Thank you for discussing these issues with us today. We asked a lot of questions. Is there anything that you want to add, or would like to ask us?

# ANNEX C: BASELINE GROUP DISCUSSION PROTOCOL

## Introduction and Consent

*The Moderator should read the following consent script prior to the start of the group discussion:*

Hello and thank you for agreeing to talk with us. My name is [name of interviewer]. Together with me is [name]. We work with a group of research organizations in the United States, including Management Systems International and NORC at the University of Chicago. The United States Agency for International Development (USAID) has hired us to conduct an independent evaluation of its RLBIP pilot project in Manhica District, which is a partnership with Illovo/Maragra and is mapping and documenting land rights in some of the recently rehabilitated blocks in this area.

The aim of this discussion is to learn about your experiences on land and land-based investment opportunities, such as farming sugarcane as an outgrower. Our role here is to ask questions and listen to your opinions and experiences. We will be recording this discussion so that we can make sure we accurately note what you are telling us, and not forget anything that was said. Your identity will be kept confidential and it will not be possible for you to be identified in our study report. If you would prefer we take notes and not use the recorder, please let us know. Please note that there are no “right” or “wrong” answers in this discussion. We would like everyone to share their experience and give feedback, either positive or negative. We ask that everyone here respect each person’s privacy and confidentiality, and not repeat what is said during this discussion. But, please remember that other participants in the group may accidentally share what was said.

Your participation is completely voluntary and you can choose to not answer any question or stop participating at any time. You are not obligated to answer any question that you are not comfortable with. This discussion will last approximately 1 hour. The information you give will be stored safely for the duration of the project and shared anonymously with USAID.

If you have any questions about the study, you may contact \_\_\_\_, on this phone number: \_\_\_\_

### **[START THE RECORDER TO GET VERBAL CONSENT]**

Do you agree to participate in today’s discussion?

### **[IF YES, CONTINUE DISCUSSION]**

May we begin?

***[Facilitator: Remember to fill out the FG participant form and note-taking form for each GD conducted].***

**GD Participant Registration Form:**

**Focus Group Respondent Category:**

- Sugarcane outgrowers in block (EU project beneficiaries);
- Other farmers in block (EU project non-beneficiaries);
- Locality residents with no land in the block.

Moderator: \_\_\_\_\_ Note-taker: \_\_\_\_\_

Start time: \_\_\_\_ : \_\_\_\_ AM/PM (circle one) End time: \_\_\_\_ : \_\_\_\_ AM/PM (circle one)

**USAID Pilot Block name: Locality Name: Date: JUNE Day: \_\_\_\_\_ Year: 2017**

Participant	Main Occupation (farmer, shopkeeper, teacher, etc)	Gender (M/F)	Age	Marital Status (Married, Single, Widowed, Divorced)	Education level completed	# of parcels held in block (#)	Area of each parcel in block (Ha)	DUAT title holder for parcels in block: (Y/N). If yes, YEAR of receipt.	EU project beneficiary? (Y/N)	Registered interest for USAID Pilot participation? (Y/N)	Member of a farmer association? (Y/N)	Member of Hluvukani Cooperative? (Y/N)
1.												
2.												
3.												
4.												
5.												
6.												
7.												
8.												
9.												
10.												
11.												
12.												
13.												
14.												
15.												

**Comments on any aspect of the GD:**

***This guide should be used for all GD respondent categories.***

**A. OVERVIEW OF LAND USE HISTORY IN BLOCK**

1. Please tell us a brief history of the [block name] area? *Facilitator probes:*
  - a. How did most people come to have farmland there?
  - b. What are the other common ways that people have acquired land in the block?
  - c. For how long have people here in this group had land in that block?
  
2. How many people here are a member of a farmer association operating in [block name]? *Facilitator probes:*
  - a. What are the requirements to join your farmers association? (e.g., *must contribute land to the association*)
  - b. What kind of activities does the association do?
  - c. What kinds of benefits have you received so far from being a member of a farmer association? Are there any other benefits you expect to receive in future?
  - d. For those who are not part of an association, what are the main reasons why not?

**B. TENURE SECURITY**

1. What are the most common causes of land disputes in this block? How are such disputes usually resolved? Is it easy or difficult to resolve each of these types of disputes? (*Facilitator: probe for each dispute type mentioned, and reasons for difficulties resolving them.*)
  - a. Do women have more challenges experiencing or resolving these types of disputes? What do you think are the main reasons for this?
  - b. Are there any other groups or types of people who face more of these types of disputes, or have greater challenges resolving them? *Why?*
  - c. How many people here have personally experienced a land dispute over land in this block?
  - d. Are there any institutions or processes available here to help resolve land disputes for land in this block? How well do you trust these institutions to provide fair resolution of land conflicts? Can you give me an example?
  
2. Have people here in this group, or others you are familiar with, lost land in this [block] because it was claimed or taken by someone else?
  - a. What were the reasons for this?
  - b. Who claimed the land (e.g. another family member, someone else from this locality or a nearby locality, some one more powerful from outside the locality?)
  - c. Is this common here in this block, or is it uncommon?
  
3. Are you comfortable leaving your land in this block unfarmed (fallow) for a long period of time, without worrying that someone else may try to claim it? For how many months/years would you feel comfortable doing this? Has this changed at all in the past 1-2 years? *Why?*
  
4. Are you comfortable being away from your land here in this block for a long period of time without worry that someone else may try to claim it? For how many months/years would you feel comfortable doing this? Has this changed at all in the past 1-2 years? *Why?*
  
5. Tell us about women's rights to land in this [block]. Do women have the right to inherit land here from their parents, whether they are married or unmarried? Does this usually happen in practice? In



the event that her husband dies, what land rights does a woman have here in this locality? For such a situation, what happens to the land a widow is farming on here in this [block]?

6. How many people here in this group have a DUAT title for the land you use in [block name]? I mean for your individual parcel of land, not a DUAT title provided to a farmer association you may belong to. (*Probe on: Are these new DUAT titles, or conversion of a colonial DUAT that was already held by the family? Did any project or group help people to obtain this?*)
7. Are land rights for people who have land in this [block] generally respected, even for people who do not have a DUAT title? Can you give me an example?
8. Do you think people with DUAT titles to land in this [block] use their land differently than people who do not have DUAT titles? Why or why not? If yes, what are some examples?

### **C. LAND MAPPING VERIFICATION, AND CERTIFICATION ACTIVITIES AND INCLUSIVENESS**

1. Are you aware or directly involved in any awareness-raising on land mapping, verification and certification activities for land in this block, this year? If yes, how did you hear about those activities?
2. How many people here have ever had your land in [Pilot Block] mapped? What year was that, and who did the mapping of your land? How did the process work? What kinds of challenges did you experience to have your land mapped, if any? How were they resolved?

### **D. INVESTOR COMPANY ENGAGEMENT AND PARTICIPATION IN (SUGARCANE) OUTGROWER OPPORTUNITIES**

1. What are the common ways that people here interact with the Maragra sugar estate? For people who have land in this block, what kinds of benefits, if any, are available from the sugar estate?
2. How many people here are a member of a farmer cooperative associated with Maragra estate?  
*Additional probing on:*
  - a. What are the requirements to join this cooperative?
  - b. What kind of activities does the cooperative do?
  - c. What kinds of benefits have you received so far from being a member of this cooperative?
  - d. Are there any other benefits that you expect to receive in the future?
  - e. For those who are not members of the cooperative, what are the main reasons you haven't joined?
3. How do you usually hear about new opportunities at the estate? Do you find that such opportunities are generally accessible to you? Why or why not?
4. Are you familiar with a project to support people to produce sugarcane for Maragra as an outgrower? Is anyone in this group a participant/beneficiary in this project? What sorts of benefits do you expect to receive from participating in this project? What sorts of benefits have you received to date?
5. For those who are not participating, what are the main reasons why? Can you give us some examples of the challenges faced, or other reasons people may not participate in an outgrower opportunity with the sugar estate?

6. For people who are interested to have an outgrower contract in future, here in this [block], how important do you think it is to have a paper document to confirm your land rights? What type of document is preferred, and why? Do you know any other types of land documents that meet requirements to participate in an outgrower scheme with Maragra?
7. Are there any harms or concerns you are worried about, as a result of individuals or farmer associations engaging in sugarcane outgrower contracts in this [block / locality]?

#### F. RECORDED RESPONSES

No.	Question	# of hands YES	# of hands NO
1	How many people here have personally experienced a land dispute over land in this block?		
2	How many people here are comfortable leaving your land in this block unfarmed for a long period of time, without worrying that someone else may try to claim it?		
3	How many people here are comfortable being away from your land in this block for a long period of time without worry that someone else may try to claim it?		
4	How many people here in this group have a DUAT title for the land you use in [block name]? I mean for your individual parcel of land, not a DUAT title provided to a farmer association you may belong to.		
5	How many people here have ever had your land in [block name] mapped?		
6	How many people here are a member of a farmer cooperative associated with Maragra?		

#### E. CONCLUSION

Thank you for discussing these issues with us today. We asked a lot of questions. Is there anything that you want to add, or would like to ask us?

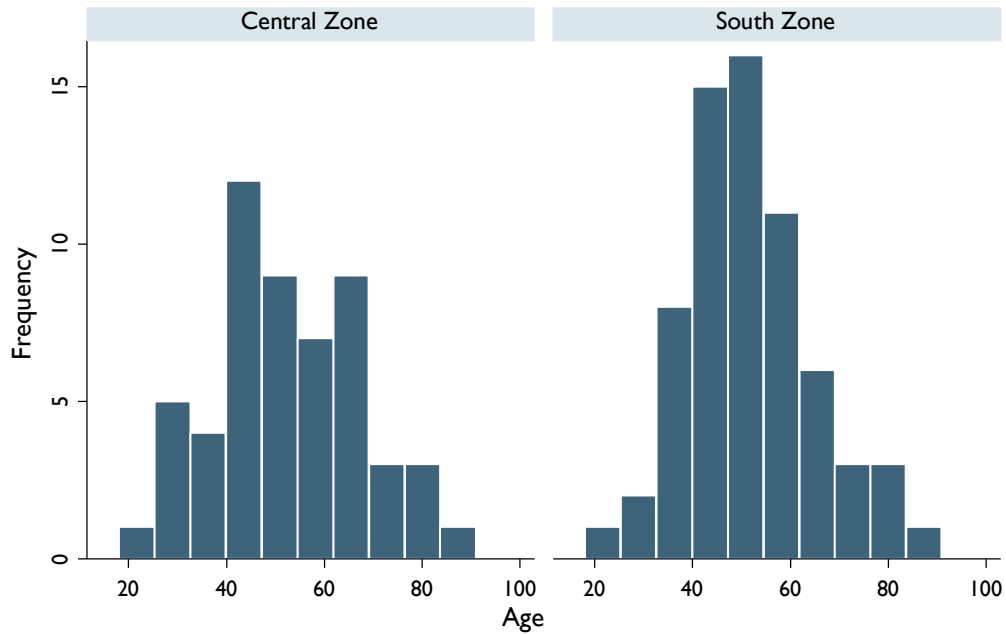
## ANNEX D: ANONYMIZED RESPONDENT LIST AND DEMOGRAPHIC CHARTS

GD / KII #	Date of Discussion	Zone	Respondent category	Start Time	End Time	Participant #	Main Occupation	Gender	Marital Status
1	6/11/2017	2	1	12:12PM	2:15PM	1	Farmer	M	Divorced
1	6/11/2017	2	1	12:12PM	2:15PM	2	Farmer	M	Single
1	6/11/2017	2	1	12:12PM	2:15PM	3	Farmer	F	Widowe
1	6/11/2017	2	1	12:12PM	2:15PM	4	Farmer	F	Single
1	6/11/2017	2	1	12:12PM	2:15PM	5	Farmer	F	Single
1	6/11/2017	2	1	12:12PM	2:15PM	6	Farmer	F	Single
1	6/11/2017	2	1	12:12PM	2:15PM	7	Farmer	F	Married
1	6/11/2017	2	1	12:12PM	2:15PM	8	Farmer	F	Single
1	6/11/2017	2	1	12:12PM	2:15PM	9	Farmer	F	Widowe
2	6/12/2017	1	2	11:50	13:50	1	Farmer	M	Single
2	6/12/2017	1	2	11:50	13:50	2	Farmer	M	Single
2	6/12/2017	1	2	11:50	13:50	3	Farmer	M	Married
2	6/12/2017	1	2	11:50	13:50	4	Farmer	M	Single
2	6/12/2017	1	2	11:50	13:50	5	Farmer	M	Widowe
2	6/12/2017	1	2	11:50	13:50	6	Farmer	M	Single
2	6/12/2017	1	2	11:50	13:50	7	Farmer	F	Single
2	6/12/2017	1	2	11:50	13:50	8	Farmer	F	Single
2	6/12/2017	1	2	11:50	13:50	9	Farmer	F	Married
2	6/12/2017	1	2	11:50	13:50	10	Farmer	M	Single
2	6/12/2017	1	2	11:50	13:50	11	Farmer	F	Single
2	6/12/2017	1	2	11:50	13:50	12	Farmer	F	Single
2	6/12/2017	1	2	11:50	13:50	13	Farmer	M	Single
2	6/12/2017	1	2	11:50	13:50	14	Farmer	M	Married
2	6/12/2017	1	2	11:50	13:50	15	Farmer	F	Single
2	6/12/2017	1	2	11:50	13:50	16	Farmer	F	Single
2	6/12/2017	1	2	11:50	13:50	17	Farmer	F	Married
2	6/12/2017	1	2	11:50	13:50	18	Farmer	F	Single
2	6/12/2017	1	2	11:50	13:50	19	Farmer	F	Single
3	6/12/2017	1	1	15:00PM	16:20P	1	Farmer	M	Married
3	6/12/2017	1	1	15:00PM	16:20P	2	Farmer	F	Widowe
3	6/12/2017	1	1	15:00PM	16:20P	3	Farmer	F	Widowe
3	6/12/2017	1	1	15:00PM	16:20P	4	Farmer	F	Widowe
3	6/12/2017	1	1	15:00PM	16:20P	5	Farmer	F	Single
3	6/12/2017	1	1	15:00PM	16:20P	6	Farmer	F	Widowe
3	6/12/2017	1	1	15:00PM	16:20P	7	Farmer	F	Widowe
3	6/12/2017	1	1	15:00PM	16:20P	8	Farmer	F	Married
3	6/12/2017	1	1	15:00PM	16:20P	9	Farmer	F	Married
3	6/12/2017	1	1	15:00PM	16:20P	10	Farmer	M	Single
3	6/12/2017	1	1	15:00PM	16:20P	11	Farmer	F	Married
3	6/12/2017	1	1	15:00PM	16:20P	12	Farmer	F	Married
3	6/12/2017	1	1	15:00PM	16:20P	13	Farmer	F	Single
3	6/12/2017	1	1	15:00PM	16:20P	14	Farmer	F	Divorced
3	6/12/2017	1	1	15:00PM	16:20P	15	Farmer	M	Married
4	6/13/2017	1	1	13:26PM	15:00P	1	Farmer	F	Single
4	6/13/2017	1	1	13:26PM	15:00P	2	Farmer	F	Single
4	6/13/2017	1	1	13:26PM	15:00P	3	Farmer	F	Widowe
4	6/13/2017	1	1	13:26PM	15:00P	4	Farmer	F	Married
4	6/13/2017	1	1	13:26PM	15:00P	5	Farmer	F	Married
4	6/13/2017	1	1	13:26PM	15:00P	6	Farmer	F	Single
4	6/13/2017	1	1	13:26PM	15:00P	7	Farmer	F	Widowe
4	6/13/2017	1	1	13:26PM	15:00P	8	Farmer	F	Widowe
4	6/13/2017	1	1	13:26PM	15:00P	9	Farmer	F	Widowe

GD / KII #	Date of Discussion	Zone	Respondent category	Start Time	End Time	Participant #	Main Occupation	Gender	Marital Status
4	6/13/2017	1	1	13:26PM	15:00P	10	Farmer	F	Married
4	6/13/2017	1	1	13:26PM	15:00P	11	Farmer	F	Widowe
4	6/13/2017	1	1	13:26PM	15:00P	12	Farmer	F	Married
6	6/14/2017	2	2	11:06AM	13:50P	1	Farmer	M	Married
6	6/14/2017	2	2	11:06AM	13:50P	2	Farmer	M	Married
6	6/14/2017	2	2	11:06AM	13:50P	3	Farmer	F	Single
6	6/14/2017	2	2	11:06AM	13:50P	4	Farmer	F	Single
6	6/14/2017	2	2	11:06AM	13:50P	5	Farmer	F	Married
6	6/14/2017	2	2	11:06AM	13:50P	6	Farmer	F	Single
6	6/14/2017	2	2	11:06AM	13:50P	7	Farmer	F	Single
6	6/14/2017	2	2	11:06AM	13:50P	8	Farmer	F	Single
6	6/14/2017	2	2	11:06AM	13:50P	9	Farmer	F	Married
6	6/14/2017	2	2	11:06AM	13:50P	10	Farmer	M	Married
6	6/14/2017	2	2	11:06AM	13:50P	11	Farmer	F	Single
5	6/14/2017	2	1	08:00AM	10:00A	1	Farmer	F	Married
5	6/14/2017	2	1	08:00AM	10:00A	2	Farmer	M	Married
5	6/14/2017	2	1	08:00AM	10:00A	3	Farmer	M	Married
5	6/14/2017	2	1	08:00AM	10:00A	4	Farmer	M	Married
5	6/14/2017	2	1	08:00AM	10:00A	5	Farmer	M	Single
5	6/14/2017	2	1	08:00AM	10:00A	6	Farmer	M	Married
5	6/14/2017	2	1	08:00AM	10:00A	7	Farmer	M	Married
5	6/14/2017	2	1	08:00AM	10:00A	8	Farmer	M	Married
5	6/14/2017	2	1	08:00AM	10:00A	9	Farmer	M	Married
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5	6/14/2017	2	1	08:00AM	10:00A	12	Farmer	M	Married
5	6/14/2017	2	1	08:00AM	10:00A	13	Farmer	F	Married
5	6/14/2017	2	1	08:00AM	10:00A	14	Farmer	F	Married
5	6/14/2017	2	1	08:00AM	10:00A	15	Farmer	F	Married
5	6/14/2017	2	1	08:00AM	10:00A	16	Farmer	F	Married
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5	6/14/2017	2	1	08:00AM	10:00A	18	Farmer	M	Married
5	6/14/2017	2	1	08:00AM	10:00A	19	Farmer	M	Married
5	6/14/2017	2	1	08:00AM	10:00A	20	Farmer	F	Widowe
5	6/14/2017	2	1	08:00AM	10:00A	21	Farmer	F	Single
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5	6/14/2017	2	1	08:00AM	10:00A	30	Farmer	F	Married
5	6/14/2017	2	1	08:00AM	10:00A	31	Farmer	F	Married
5	6/14/2017	2	1	08:00AM	10:00A	32	Farmer	F	Married
5	6/14/2017	2	1	08:00AM	10:00A	33	Farmer	F	Married
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5	6/14/2017	2	1	08:00AM	10:00A	35	Farmer	F	Married
5	6/14/2017	2	1	08:00AM	10:00A	36	Farmer	F	Single
5	6/14/2017	2	1	08:00AM	10:00A	37	Farmer	F	Married
5	6/14/2017	2	1	08:00AM	10:00A	38	Farmer	F	Married
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7	6/15/2017	2	2	08:40AM	10:00A	2	Farmer	M	Single
7	6/15/2017	2	2	08:40AM	10:00A	3	Farmer	M	Married
7	6/15/2017	2	2	08:40AM	10:00A	4	Farmer	M	Married
7	6/15/2017	2	2	08:40AM	10:00A	5	Farmer	F	Married

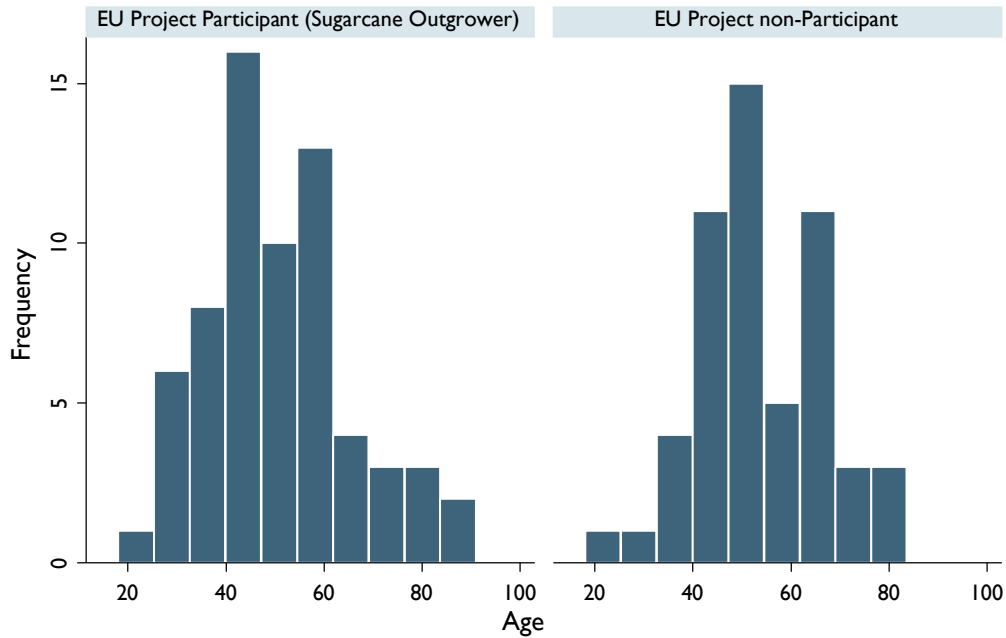
GD / KII #	Date of Discussion	Zone	Respondent category	Start Time	End Time	Participant #	Main Occupation	Gender	Marital Status
7	6/15/2017	2	2	08:40AM	10:00A	6	Farmer	F	Single
7	6/15/2017	2	2	08:40AM	10:00A	7	Farmer	F	Single
7	6/15/2017	2	2	08:40AM	10:00A	8	Farmer	F	Single
7	6/15/2017	2	2	08:40AM	10:00A	9	Farmer	F	Single
7	6/15/2017	2	2	08:40AM	10:00A	10	Farmer	F	Married
7	6/15/2017	2	2	08:40AM	10:00A	11	Farmer	F	Married
7	6/15/2017	2	2	08:40AM	10:00A	12	Farmer	F	Single
8	6/16/2017	1	2	10:00AM	12:15P	1	Farmer	M	Married
8	6/16/2017	1	2	10:00AM	12:15P	2	Farmer	M	Widowe
8	6/16/2017	1	2	10:00AM	12:15P	3	Farmer	M	Widowe
8	6/16/2017	1	2	10:00AM	12:15P	4	Farmer	M	Single
8	6/16/2017	1	2	10:00AM	12:15P	5	Farmer	M	Married
8	6/16/2017	1	2	10:00AM	12:15P	6	Farmer	M	Married
8	6/16/2017	1	2	10:00AM	12:15P	7	Farmer	M	Married
8	6/16/2017	1	2	10:00AM	12:15P	8	Farmer	M	Single
8	6/16/2017	1	2	10:00AM	12:15P	9	Farmer	M	Married
8	6/16/2017	1	2	10:00AM	12:15P	10	Farmer	M	Single
8	6/16/2017	1	2	10:00AM	12:15P	11	Farmer	M	Single
8	6/16/2017	1	2	10:00AM	12:15P	12	Farmer	M	Single
8	6/16/2017	1	2	10:00AM	12:15P	13	Farmer	M	Married
8	6/16/2017	1	2	10:00AM	12:15P	14	Farmer	M	Married
KII	6/12/2017	1	3	14:30PM	14:55P	1	Anon	M	Anon
KII	6/13/2017	1	2	13:00PM	13:25P	2	Anon	F	Anon
KII	6/14/2017	2	2	14:00PM	14:30P	3	Anon	M	Anon
KII	6/15/2017	2	1	10:30AM	11:00A	4	Anon	M	Anon
KII	6/16/2017	2	1	08:40AM	09:20A	5	Anon	M	Anon
KII	6/16/2017	2	3	09:35AM	10:00A	6	Anon	M	Anon

### Age Distribution of GD Participants by Zone

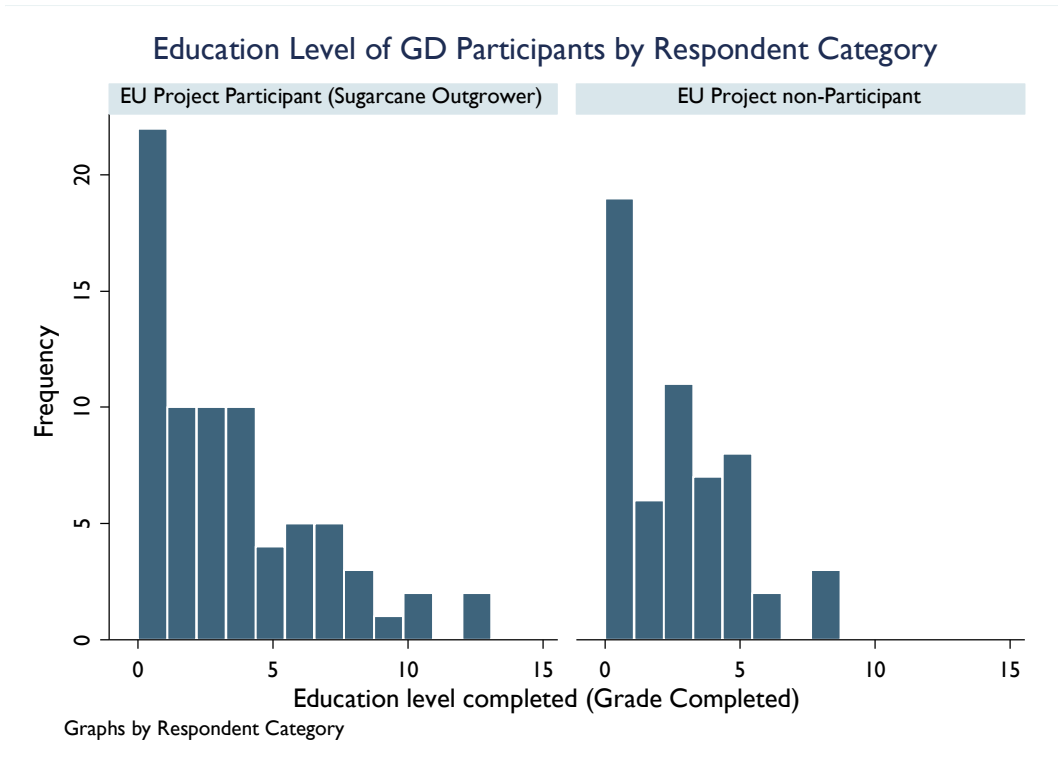
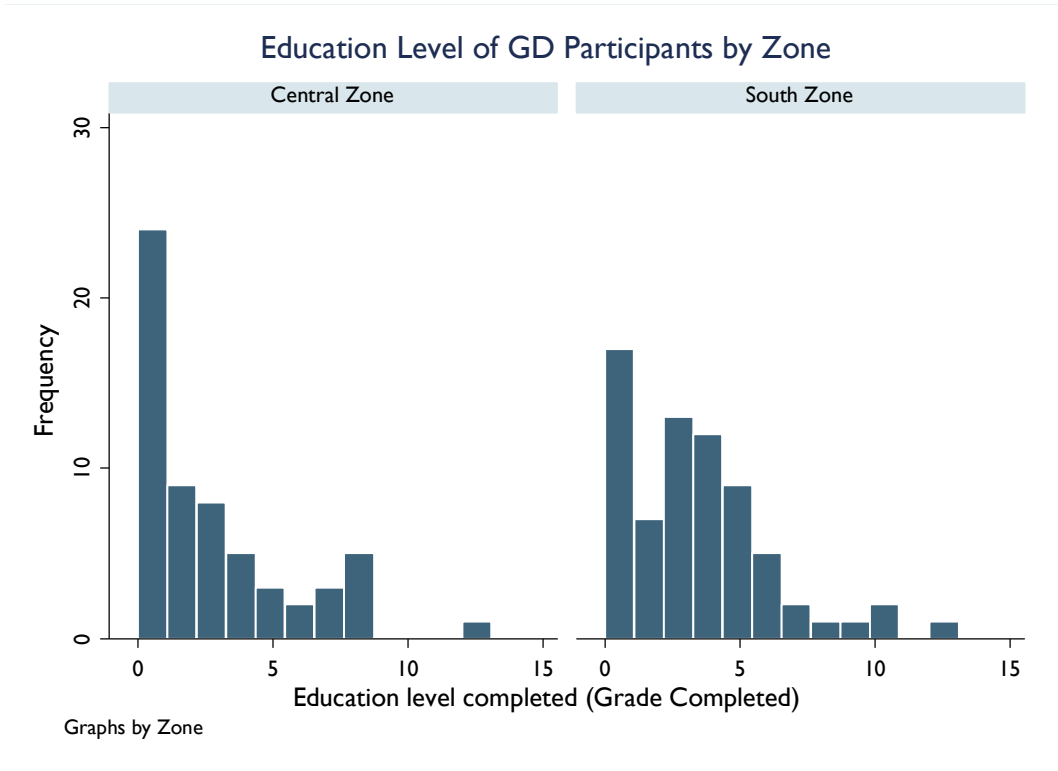


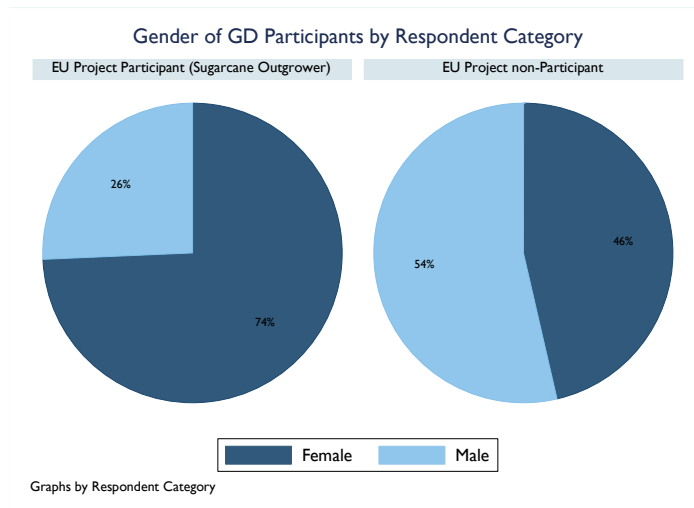
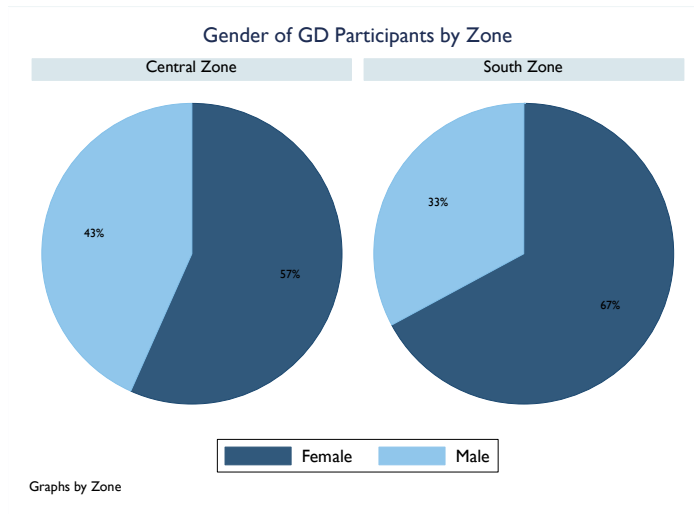
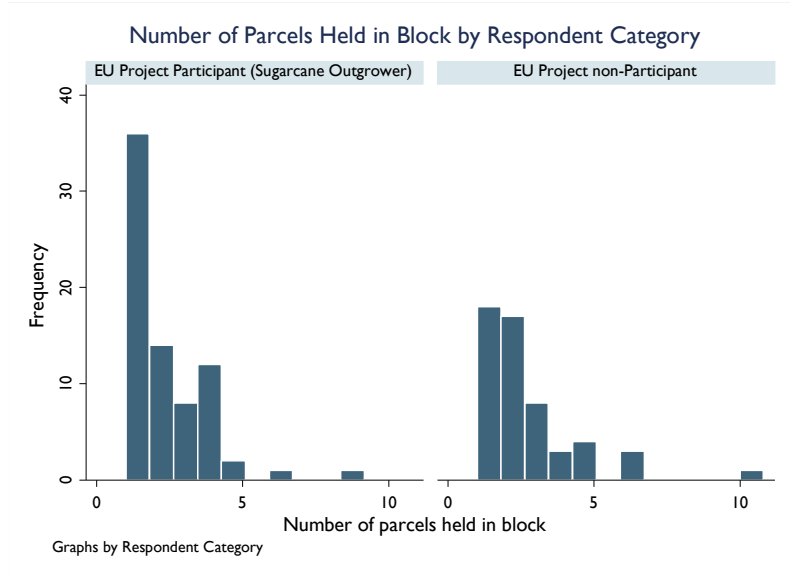
Graphs by Zone

### Age Distribution of GD Respondents by Respondent Category



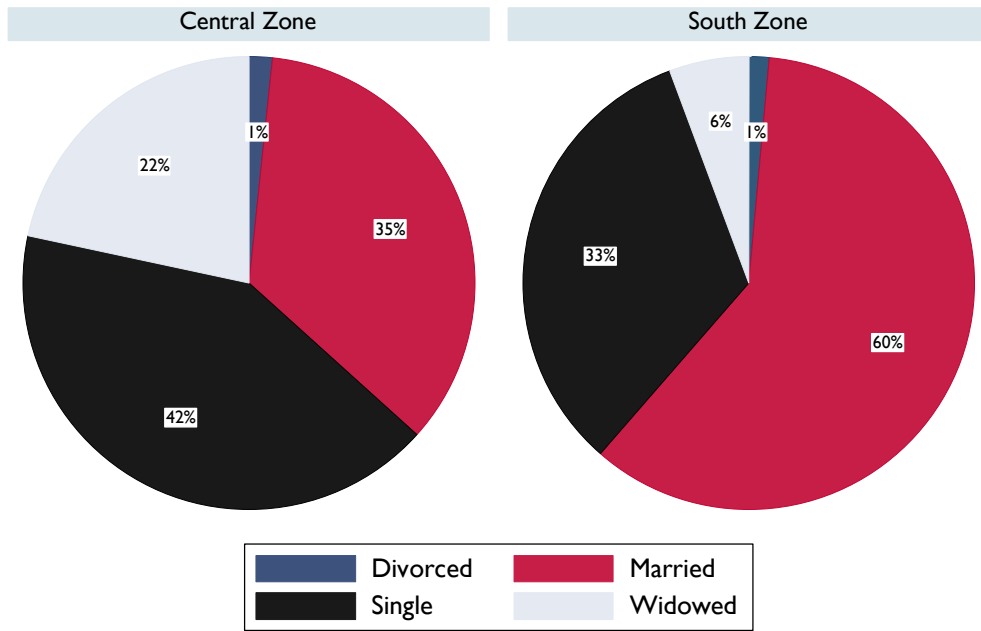
Graphs by Respondent Category





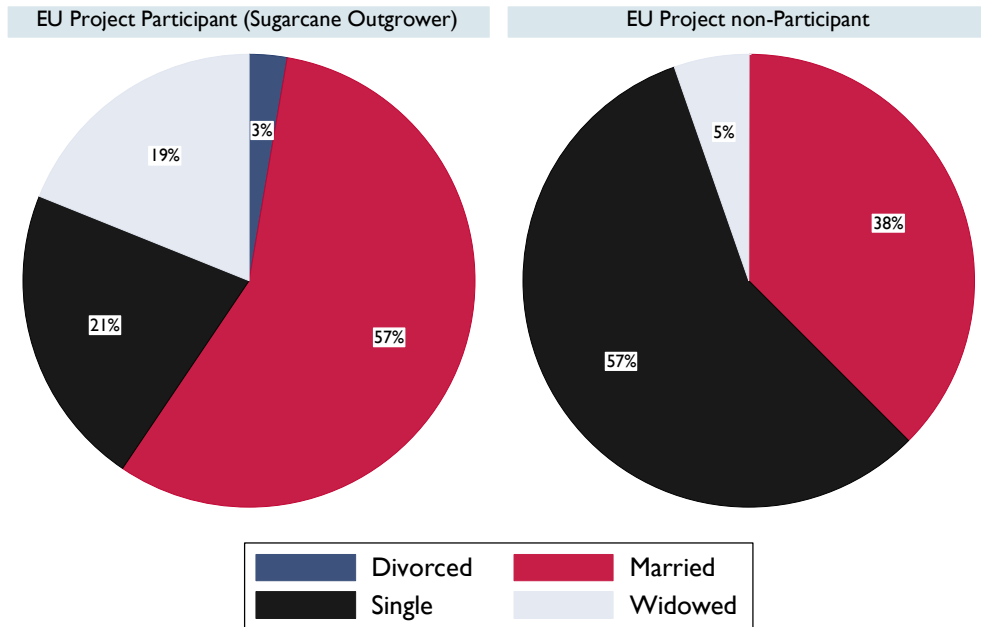


### Marital Status of GD Participants by Zone



Graphs by Zone

### Marital Status of GD Participants by Respondent Category



Graphs by Respondent Category

# ANNEX E: ADDITIONAL LINES OF EVALUATION QUESTION INQUIRY

To help parse the achievements, outcomes, perceptions, and long-term prospects for applying the AF, the evaluation team applied the following conceptual considerations to the four overarching EQs. These additional lines of inquiry under each EQ also guided the team's data collection approach and analysis at baseline.

## EQ 1:

- *Project achievements (Certification/Titling)*: What was the extent of parcel mapping, land certification, and DUAT titling that was achieved under the pilot activities, in terms of individuals participating and area of land mapped within the pilot zones?
- *Inclusion*: Were there any challenges encountered by potential beneficiaries with respect to participation in the pilot land-mapping and certification activities, and how were these resolved?
- *Project achievements (Access to Outgrowing)*: To what extent did the pilot activities enable greater access to or participation in company outgrower schemes, for land users in pilot zones?
- *Investor engagement*: How have the pilot activities affected land user perceptions of and engagement with land-based investment opportunities? In what ways?
- *Investor engagement*: How do impacts and perceptions differ from previous community experiences with land-based investment in or near their community that did not use the AF-guided processes (if applicable)?

## EQ 2:

- *Land Rights*: In what ways has implementation of the pilot activities affected land user knowledge of land rights and perceptions of transparency with respect to land access, allocation, and confirmation of land rights, in the pilot zone?
- *Tenure Security and Disputes*: How have the pilot activities (sensitization, land mapping and provisioning of DUAT titles or certificates of proof of DUAT rights) affected land users perceptions of tenure security, vulnerability to land conflict or disputes, and risk of land expropriation in the pilot zone?
- *External Factors*: What Pilot or external factors negatively or positively influenced the ability for the pilot activities to achieve intended results related to sensitization, mapping, provisioning of DUAT titles or certificates, land use and land-use opportunities, and perceptions of tenure security, vulnerability to land conflict/disputes, and land expropriation risk?
- *Targeting*: Did pilot activities reach intended targeted populations, and key sub-groups of interest?
  - What targeting and selection criteria did the pilot employ to select beneficiaries for parcel mapping, and for provisioning of DUAT titles and certificates of proof of DUAT rights?
- *Titling*: Did tenure security and agricultural livelihoods outcomes, ability to resolve disputes, and eligibility for participation in ongoing or new agricultural opportunities differ for project beneficiaries who received DUAT titles relative to those who received only the project-issued certificates?

## EQ3:

- *Participation*: In the context of the Maragra pilot project, what are the primary reasons that land users do not participate in outgrower or other land-based investment opportunities with the estate? To what extent were Pilot activities able to address these barriers?

**EQ4:**

- *Location (Participation):* What are the level of participation of community members in investment schemes in or near their communities, and channels for engagement with land-based investment firms?
- *Effectiveness:* What is the effectiveness of cooperative-issued certificate vs. the certificate together with a DUAT title, to achieve tenure security and outgrower participation goals?
- *Longer-term Potential:* What are the long term opportunities for improved tenure security and lower perceived risk of land expropriation through implementation of AF-guided activities by land-based investment schemes?